

**EASTAMPTON TOWNSHIP
LAND USE PLANNING BOARD
REORGANIZATIONAL MINUTES**

**Wednesday, January 18, 2023
7:00P.M.**

Board Administrator Reeve calls the meeting to order at 7:00 p.m.

Everyone participated in the flag salute.

Notice of this meeting was properly given in the annual notice which was adopted by the Eastampton Township Land Use Planning Board on January 19, 2022, filed with the Township Clerk and posted on the official bulletin board at the Township's Municipal Building and on the Township website. All mailings, postings and filings were accomplished by January 28, 2022.

Present were: Mr. Santillo, Ms. White, Mr. Rodriguez, Mr. Adams, Mr. Bayles, Mr. Chieco, Mr. Maluchnik, Mrs. Hernandez, Solicitor Mr. Crook, Engineer Mr. McCarthy, Planner Mr. Remsa and Board Administrator Mr. Reeve.

OATH OF OFFICE:

Board Administrator Reeve introduces Mrs. Yadira Hernandez as the new Class IV Board Member and she is sworn in by Municipal Clerk Ms. Kim Marie-White.

NOMINATION AND ELECTION OF CHAIRPERSON:

Board Administrator Reeve asked if there was a nomination on the floor for Chairperson.

Mr. Santillo nominated John Adams for Chairperson.

There were no further nominations for Chairperson so Mr. Reeve asked for a voice vote.

All were in favor.

Administration of Chairperson Oath by Municipal Clerk Ms. Kim Marie-White.

Board Administrator Reeve handed the meeting over to Chairman Adams.

NOMINATION AND ELECTION OF VICE-CHAIRPERSON:

Chairman Adams asked if there was a nomination on the floor for Vice-Chairperson.

Mr. Rodriguez nominated Dan Chieco for Vice-Chairperson.

Mr. Adams motioned to close nominations as there were no other nominations.

All were in favor.

Administration of Vice-Chairperson Oath by Municipal Clerk Ms. Kim Marie-White

CONSENT AGENDA: *The items listed below are considered routine by the Land Use Planning Board and will be enacted by one motion.*

Approval of Resolutions:

Resolution 2023-1

Authorizing Award of Contract for Land Use Planning Board Solicitor

Resolution 2023-2

Authorizing Award of Contract for Land Use Planning Board Engineer

Resolution 2023-3

Designation of Official Newspapers

Resolution 2023-4

Notice of Compliance with Open Public Meetings Act

Resolution 2023-5

Schedule of 2022 Land Use Planning Board Meeting Dates

Resolution 2023-6

Appointment of a Land Use Planning Board Recording Secretary

Chairman Adams confirmed with Mr. Crook that these items could be voted on with a voice vote.

It was MOVED by Mr. Bayles and seconded by Mr. Rodriguez to approve Resolutions R2023-1 through R2023-6

ROLL CALL: Ayes- Adams, Bayles, Chieco, Hernandez, Maluchnik, Rodriguez, Santillo, White
Nays- None

Resolution 2023-7

Resolution Adopting Annual Report on Findings on Variance Applications and Recommendations to Council Pursuant to N.J.S.A 40:55d-70.1

Chairman Adams asked Planner Mark Remsa to give some background on the purpose of this report.

Planner Remsa explained that the report is an overview of variances granted over the last year and the findings are used to ensure the zoning ordinances are in keeping with the Master Plan.

It was MOVED by Mr. Rodriguez and seconded by Ms. White to approve Resolution

R2023-7.

ROLL CALL: Ayes- Adams, Bayles, Chieco, Hernandez, Maluchnik, Rodriguez, Santillo, White
Nays- None

MINUTES:

- December 8, 2022

It was MOVED by Mr. Santillo and seconded by Mr. Adams that minutes be approved.

ROLL CALL: Ayes- Adams, Bayles, Chieco, Santillo, White
Abstain- Hernandez, Maluchnik, Rodriguez
Nays- None

APPLICATIONS:

Application 2022-06 John Brodie, Jenny and Frank Getting
Use Variance
Block 1401, Lot 6
2 Morris Lane
Zoning District: RU-L-Corrected by Township Planner

As this was a use variance application Mr. Santillo and Mr. Rodriguez excused themselves and exited the room.

Applicants Jenny and Frank Getting and engineer Mr. Shourds are sworn in by Solicitor Crook

Applicants appeared before the board represented by Alan P. Fox, Esquire

Mr. Fox presented that the purpose of the use variance was to provide Mr. Brodie with an independent living space near his daughter and son in law to allow for monitoring of health issues. They are also seeking C variances for a shed to be placed on the property.

Mr. Fox also presented that the property was a single-family home with an existing upstairs bedroom, bathroom, and living space. The renovations would add a kitchenette and laundry area to promote independence.

Jenny and Frank Getting testified to the extent of Mr. Brodie's health issues including COPD which prohibit him from occupying the home while it undergoes renovations.

Mrs. Getting also testified that the severity of Mr. Brodie's COPD along with his age meant assisted living facilities were not a safe option after Covid- 19

Mr. Getting testified that Mr. Brodie was prone to Sepsis and had twice been hospitalized for it,

and that their proximity to him was what allowed prompt life saving medical attention.

Mr. Fox confirmed that there would be no exterior renovations to alter the house as there is already an existing exterior entrance and staircase

Mrs. Getting stated that they will not use the exterior entrance and instead are installing a chair lift for safe access and ease of mobility. There will also be a door installed inside to maintain privacy for both parties.

Mr. Fox stated that the applicants have agreed to a deed restriction that will be filed with the County Clerk stating the property is to remain single family and cannot be rented out. The space will only be occupied by a family member as defined by Mr. Serlin.

Mr. Fox also testified that both Mr. Serlin and Mr. Remsa have reviewed the deed restriction and find it satisfactory, Mr. Crook asks that a copy be forwarded to him for review.

Mr. Fox moved on to the C variance being sought for a shed to be moved on to the property.

Mr. Getting testified that the shed is an existing 12 by 20-foot structure that was purchased five years ago, it is primarily used to store recreational and lawn equipment as well as small amounts of lumber and tools for a hobby. The manufacturer has informed Mr. Getting that it would be significantly less expensive to relocate the shed versus building a new one.

Mr. Shourds testified that the rear yard setback of 40 feet was impossible to meet in any way on the lot and the impervious coverage was going to be 1.2% when 1% was permitted.

Chairman Adams asked for confirmation of the setbacks and what exists to the rear of the property

Mr. Shourds stated that the proposed variance will be for a 15-foot setback and there is vacant farm land to the rear and submitted a survey as exhibit 1A showing the shed and setbacks

Mr. Bayles also asked for confirmation on the required setback for the shed.

Mr. Remsa confirmed it is a 40-foot setback due to the zone and most of the lots being larger.

Mr. Chieco asked about total impervious coverage for the lot.

Mr. Shourds confirmed there is no total impervious coverage calculation required just for accessory structures.

Chairman Adams opened the floor for public comments

Ms. Kathy Newcomb came forward to issue a statement as the zoning officer. She had concerns regarding the previous use as an art studio and possible future conversion of the space into an

income producing apartment. She also stated that a shed of this size now requires footings and a construction permit.

Mr. Fox acknowledged her concerns and reiterated that the property will have a deed restriction, he asked that the family be allowed to begin construction in January before the deed restriction is recorded. He stated that it would be unfair for the applicant to wait an undue period of time.

Mr. Crook questioned if this followed previous applications

Mr. Fox confirmed that it would be the same process as the Brodie application, but they would request proof of filing to be sufficient for the family to move into the home.

Mr. Fox and Mr. Shourds discussed the benefits of the use variance as multi-generational housing is becoming more prevalent and there are no inherent drawbacks. They also discussed the benefit of a large shed to keep the property tidy and that there were no neighbor complaints regarding the structure.

Chairman Adams asked for any further public comment, hearing none the public portion was closed.

It was MOVED by Mr. Bayles and seconded by Mr. Maluchnik that Application 2022-06 be approved.

ROLL CALL: Ayes - Adams, Bayles, Chieco, Maluchnik, White
Abstain – Hernandez, Rodriguez, Santillo
Nays - None

There being Five (5) ayes and no nays, Application was approved.

Application 2022-06 was approved, with a memorializing resolution to be placed on the February 15, 2023 agenda.

Mr. Santillo and Mr. Rodriguez re-entered the room to continue the meeting.

Application 2023-02 Ernest G. Bozzi
Minor Subdivision
Block 1001, Lot 5
649 Powell Road
Zoning District: RM

Applicant Ernest G. Bozzie and neighbor Ms. Ford are sworn in by Solicitor Crook
Applicants appeared before the board represented by Jonas Singer, Esquire.

Mr. Singer explained that this will be an application for lot line changes allowing Mr. Bozzi to sell the rear portion of his lot to his neighbor. He also testified that the property contained a single-family home, swimming pool, and detached garage.

Mr. Bozzi testified that the lot is extremely long and narrow while the neighbor is on a flag lot, he also stated the neighbor has asked repeatedly for him to sell the portion bordering her lot so she can ensure it's preservation.

Ms. Ford testified that she would like to own the lot as the property beyond that is preserved municipal land.

Mr. Singer explained that while the applicant lot would be halved thus increasing the ratios for impervious coverage it would not actually change what is already existing in terms of coverage.

Chairman Adams asked what the neighboring land was used for and what access is provided

Mr. Singer confirmed it is Municipal land as well as a path to the school and park, combining the lots would allow Ms. Ford direct access to this. He also clarified that Ms. Ford has no intentions of building on the land purchased from Mr. Bozzi.

Mr. Chieco questioned the increase in impervious coverage

Mr. Singer confirmed it would increase to 36.2% versus the permitted 35%, Mr. McCarthy stated that these number were estimates and he asked that exact figures be provided in a Table of Coverage.

Chairman Adams opened the floor for public comment

Kathy Newcomb stated that providing specific numbers for coverage would benefit future owners of the property.

Mr. Remsa asked for a condition of approval to include a table of coverage with a range of coverage allowed, and to correct a mistake on lot size in Zoning Table.

Mr. McCarthy asked that confirmation be provided that no utilities or easements are being affected.

Mr. Singer agreed to all of the requests made.

Hearing no further public comment Chairman Adams closed the public portion.

It was MOVED by Mr. Santillo and seconded by Mr. Chieco that Application 2023-02 be approved.

ROLL CALL: Ayes - Adams, Bayles, Chieco, Hernandez, Maluchnik, Rodriguez, Santillo,
White

Nays - None

There being eight (8) ayes and no nays, Application was approved.

Application 2023-02 was approved, with a memorializing resolution to be placed on the February 15, 2023 agenda.

PUBLIC COMMENT:

Kathy Newcomb came forward to wish everyone a Happy New Year and to state that she was celebrating her 15-year anniversary with Eastampton and was looking forward to retirement in approximately two years. She stated the town was moving forward and Lennar was moving along with two years of work ahead while Sharbell was finished construction and leasing. She stated there were numerous new businesses in town and they seemed to be doing well.

Chairman Adams asked about the Gazelle building and its future,

Ms. Newcomb stated the building was empty but fire service was being restored.

Mr. Chieco asked about commercial space at Lennar and Sharbell

Ms. Newcomb explained that they were not seeking tenants until most of the residences had been filled, she stated it could be difficult with a decline in brick-and-mortar shopping.

Ms. Newcomb also stated that she was looking forward to Master Plan evaluation in the coming year and finding ways to assist residents.

BOARD MEMBER/PROFESSIONALS COMMENTS:

Mr. Bayles commented on Lennar being mostly sold and all of their carriage house units being sold out and their new lighting on Smithville Road.

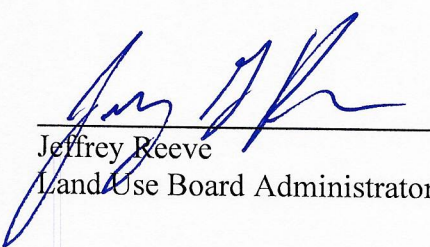
Mr. Rodriguez congratulated Chairman Adams and Vice Chairman Chieco on their appointment as well as new Mrs. Hernandez on her appointment to the board.

Chairman Adams thanked everyone for their time and for volunteering to be on the board.

ADJOURNMENT:

It was MOVED by Mr. Bayles and seconded by Mr. Rodriguez to adjourn the meeting at 8:20 pm.

ROLL CALL: All were in favor.



Jeffrey Reeve
Land Use Board Administrator

Approved: February 15, 2023