

Offered By: Mr. Bace

Second: Mr. Vignola

Date: February 6, 2014

Minutes of January 23, 2014 Land Use Board Meeting

Regular Meeting of the Hazlet Township Land Use Board scheduled for January 23, 2014 was called to order at 7:30PM with a Salute to the Flag followed by a moment of Silent Prayer and a Reading of the Letter of Compliance by Trish Cullen.

ROLL CALL:

Present: Mr. Bace, Chairman Mr. Tyler, Mr. Pobega, Mr. Lavan, Mr. Vignola, Mr. Skowronski, Mr. Moore

Professionals- Mr. Kittner, Mr. Vella, Mrs. Keegan

Absent: Mr. Pisano, Mayor DiNardo, Deputy Mayor Belasco, Mr. Grossman, Mr. Szczuplak, Mr. Solomeno

Approval of Minutes of the Regular Meeting of January 9, 2014

Offered by: Mr. Lavan

2nd: Mr. Tyler

ROLL CALL

	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Mr. Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano	<input type="checkbox"/>	<input type="checkbox"/>

New Case # 13-28Z- Thomas Mastrogiovani and Elizabeth Strocchia; 9 Monmouth Street; Block 71 Lot 8; R-70 Zone. Applicant is seeking permission to retain an existing deck around above ground pool and 10ft x 52ft concrete patio.

- 3ft side yard setback where 10ft is required for pool deck.
- 0ft side yard setback where 10ft is required for concrete patio.

28% lot coverage where 25% is maximum.

Mr. Vella swearing in Lucile Cudzil, Al Ragusa and Elizabeth Strocchia.

Mr. Vella- We are going to mark as A-1 zoning board application which includes a survey of the property.

Chairman Mr. Tyler- Why don't you give us some background about what your application is about so we can understand what we're looking at.

Mr. Ragusa- I'm the original owner and I put in that deck that's around the pool because my wife had MS back in 2001 when we moved in so I decided to build her a smaller deck that she walk up and around and down into the pool. I built it back then by myself.

Ms. Cudzil- My dad, my sister and I assumed that when we purchased the house with the deck as is.

Chairman Mr. Tyler- Going for a CO any failure to obtain permits is identified and so you're here and when we look at certain elements of this require variances for the zoning. My first question for this is your neighbors are ok with these conditions?

Mr. Ragusa- They helped me build it. He's a carpenter.

Mr. Pobega- Can we talk about the concrete because there is a lot coverage issue.

Mr. Ragusa- When I built the deck all that was left was a little piece on the left hand side so when I put the new deck in and I filled underneath there with stone and rock for drainage purposes so when did the permanent extension I put the concrete there.

Mr. Kittner- Was the deck itself constructed with concrete piers?

Mr. Ragusa- 32 inches down.

Mrs. Keegan- If the board votes in favor of this tonight construction permits will be required for the deck.

Mr. Vella- All this boards power is to determine whether the variances you requested whether you satisfied the Municipal Land Use Law requirements of why your variance should be granted.

Chairman Mr. Tyler- We are looking at this as if it's proposed and isn't there yet and if it's in the best interest of the town and the neighborhood.

Mr. Kittner- Looking at this, the first thing that came to mind was could any of these variances be eliminated or reduced. The pool deck has a 10ft set back requirement and 3ft is provided to the property line you just testified that it was installed with concrete piers so moving the deck would be a difficult thing.

Mr. Ragusa- We thought about that but if we moved the deck to the other side it basically sits in the middle of the yard.

Mr. Kittner- The concrete patio goes up to the property line where 10ft is required from the property line. One thing that we can consider while reviewing applications is proper buffering to adjoining residences so one of the things that I thought about is it possible to scale back the concrete patio or reduce its encroachment to the property line so maybe the new owner can plant Arborvitae's to help screen from the neighbors.

Discussion on removing the concrete section on the left hand side on the rear yard.

Mr. Kittner- Is it possible to reroute that step onto the deck that's closest to the property line or a different kind of step.

Discussion about movable ladder on side of pool

Mr. Kittner- In terms of lot coverage if you scale back the concrete patio it will help the lot coverage. Would you have a problem with that?

Mr. Pobega- Can you talk a little about that side of the house regarding walkways, drainage or is there just an air conditioner?

Mr. Ragusa- The air conditioning is on that side of the house and a fence.

Mrs. Keegan- This survey is a new survey that he got before they came to the board so everything that's on the survey is what's currently on the property.

Mr. Kittner- Do you have any flooding issues on the property?

Ms. Strocchia- No

Mr. Pogebe- Mr. Kittner, how much would that square concrete reduce the lot coverage?

Mr. Vella- That's under the guides of removing all concrete from the property line that's adjacent to lot 9 to the west edge of the home.

Mr. Kittner- They exceed the impervious coverage limit by 3% and the property size is 7,000sq.ft. so for them to remove this the patio to comply with the impervious coverage in limits of the ordinance the patio's 10ft wide roughly so they would have to remove 21ft of the patio to comply with the ordinance requirement for impervious coverage. What I was suggesting is that the board consider reducing a portion of that deck to a limit that makes sense so that they could properly buffer and landscape it.

Mrs. Keegan- If he went to the edge of the house and took all that concrete away that eliminates the 10ft for the patio.

Mr. Vella- It takes away one variance and reduces the other one.

Mr. Lavan- An Arborvitae will grow two foot a year and if you top it will spread out.

Mr. Kittner- Maybe the board will be ok with 5 Arborvitae's.

Mr. Vella- Sir, if you looking to your house on the right did you used to have something there?

Mr. Ragusa- The shed that's been moved to be legal.

Mrs. Keegan- If you're approved tonight after your memorialized you will post the decision in the paper then apply to construction.

Chairman Mr. Tyler- Since there is no one from the public I will close that portion.

Mr. Vella- From my notes the board deems the application favorable the conditions I have are: the applicant is required to get a building permit for the deck, applicant is required to remove the concrete that is located between the property line next to lot 9 and the west edge of the home, applicant shall install minimum of five Arborvitae's at three and a half foot spacing from the north end corner of the wood deck to the south end corner of the wood deck. As a result of the removal of it the applicant is withdrawing their request of a side yard setback for the concrete patio variance and as a result there will be a reduction of the lot coverage variance.

Motion to approve or deny:

Offered by: Mr. Moore

2nd: Mr. Pobega

ROLL CALL

	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Mr. Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input type="checkbox"/>	<input type="checkbox"/>

Alt #2 Mr. Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano	<input type="checkbox"/>	<input type="checkbox"/>

New Case # 13-29Z Joseph Fay 3 Kentucky Drive. Mr. Fay did not notice so he will be heard at the February 6, 2014 meeting.

Attorney explained relief from C1, C2 and D variances in according to the Municipal Land Use Laws.

Agreement to Provide Legal Services- Zoning Board of Adjustment appeals 2 applications: Ronko Case (Munroe Avenue) and Inuale Case (Ned Drive) and will remain in legal services of Joseph Paparo of Hehl & Hehl Attorneys who was the ZBA attorney prior to the commencement of the Land Use Board.

Motion to approve or deny:

Offered by: Mr. Pobega

2nd: Mr. Vignola

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Mr. Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Mayor DiNardo	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano	<input type="checkbox"/>	<input type="checkbox"/>

Citizen Hearing:

Closed

VOICE VOTE: Yes

Motion to Adjourn:

Offered By: Mr. Lavan

Seconded By: Mr. Skowronski

VOICE VOTE: Yes

Next Meeting: February 6, 2014

**Patricia Cullen
Secretary**

A handwritten signature in cursive script, appearing to read "P. Cullen", written in black ink over the printed name and title.