

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
JUNE 17, 2014 – 7:15 P.M.**

The Delran Township Zoning Board of Adjustments regular meeting of Tuesday, June 17, 2014, was called to order by Mr. Gonzaga at 7:15 pm, in the Delran Township municipal building.

The Open Public Meetings Act Announcement was read by Mr. Gonzaga and the pledge of allegiance was performed.

ROLL CALL

Present: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele. Mr. Myers, Mrs. Parento, Mr. Smith, and Mr. Gonzaga.
Absent: Mr. Schultz

Professionals: William Sitzler, Esquire, Board's Esquire; Terrence Combs, PP, Board's Planner; Joseph Raday, PE, Board's Engineer; Bryan Hall, PE, Board's Acting Engineer; and Lynn Curry, Board's Secretary.

REVIEW OF APPLICATIONS BY PROFESSIONAL STAFF

**Victor & Jennifer Fernandes
ZZ2014-5
322 Ithaca Avenue – Block 32, Lot 16
Bulk Variance – Front Setback**

****Continued until the July15, 2014**

PUBLIC HEARINGS

- 1. Ronald & Nancy Rossi
ZZ2014-4
400 Leon Avenue – Block 9, Lot 14
Bulk Variance – Fence Height**

Mr. Rossi was sworn in by Mr. Sitzler, board attorney.

Mr. Rossi stated that the application is for a variance to be able to keep the 6 foot fence that he installed. He stated that he extended it 29 feet. According to the ordinance the fence can only be 5 feet in height. He said that it had been inspected by the inspector and the inspector said it was fine during the instillation process.

Mr. Rossi stated that the original fence was put up in 1993. Mr. Rossi read the ordinance for solid fences. He said that the way the ordinance read was confusing. Mr. Rossi stated that the building official was under the impression that 6 foot fences were permitted and that he had been approving them for some time.

Mrs. Wuebker stated that she visited the property and took pictures of the property. She said that aesthetically the property looked ok. Her concern was that this could block the view of the lake for the neighbors.

Mr. Rossi stated that he has planted some landscaping along the front of the fence. Also he stated that there is a concrete walkway along the fence. Mr. Rossi testified that he has had a lot of personal issues with the neighbor and that is why he wants to keep the 6 feet. He said that he doesn't even know why he had to come before the board.

Ed Kortum, 316 Arch Street, neighbor of the applicant, sworn in by Mr. Sitzler.

Mr. Kortum stated that having Mr. Rossi in the neighborhood is an asset due to that he is a retired police officer. He also stated that they maintain their property to a very high standard.

George Hulse, attorney for the neighbor. Was a resident of Delran some time ago. Mr. Hulse asked Mr. Rossi that the section of fence that runs along the side property is new. Mr. Rossi stated that some of it is new not all.

Mr. Rossi stated that he removed his pool 8 years ago.

Mr. Hulse testified that the fence that has been replaced is a stockade fence.

Mr. Rossi said that the fence is to the ground because the neighbor's lawn service would blow clippings onto his property. He also stated that he took 42 photos of other properties in Cambridge that have 6 foot fence and stated that there are many more.

Mr. Hulse testified that a section of fence was run from the front of the house out to the street. When Mr. Rossi was instructed to remove the fence, he did.

Donald Makin, neighbor to the applicant, was sworn in by Mr. Sitzler
Mr. Makin said that he also took 24 photos of the other properties in the neighborhood.

Exhibit A-1 photos taken by Mr. Makin

The area that he took photos of was Leon Street and Arch Street. Mr. Makin stated that in the area he looked at there were only 3 properties with 6 foot fences.

There was a complaint made to Mr. Macman the previous building official that Mr. Rossi had turned the fence around to put the good side on his property. In 2013 Mr. Rossi removed the fence completely. This fence was 6 foot tall and had been there for a long period of time. Mr. Rossi started to construct a new fence in April of 2013.

Mr. Sitzler stated that the variance that is requested is really for the portion of the fence that was extended, not just for the height.

Mrs. Curry, board secretary stated that before the ordinance was changed in 2000 the height of fences were 6 feet. She also stated that she is unsure as to why the ordinance changed and also the building and zoning officials were not aware the ordinance had changed.

Mr. Rossi stated that the fence and post were almost entirely rotted and that is why he removed the entire fence, there was no repairing it.

Mrs. Weubker stated that as she feels for the applicant but also feels that the applicant has not proven their burden.

Mr. Jesuele made a motion to deny the 6 foot fence that was on the property and the current fence needs to be reduced to 5 feet and Mr. Jeney Seconded.

Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, and Mr. Jesuele. Mr. Myers, Mrs. Parento, Mr. Smith, and Mr. Gonzaga.

Mr. Sitzler did explain the appeal process to Mr. Rossi

**Bee Dee Associates
ZZ2012-3
73 & 79 Hartford Road – Block 120, Lots 40 & 42.01
Bulk & Use Variances Certificate of Nonconforming Use, Amended Site Plan**

****Requested to be carried until the July meeting.**

RESOLUTIONS

- 1. Simon & Shuster, Inc.
ZZ2013-9
100 Front Street – Block 10, Lots 1, 2, 4 & 5
Use Variance**

Resolution not ready.

MINUTES

Minutes not ready

BILL LIST

Mr. Jesuele made a motion to approve the bill list and Mr. Smith Seconded.

Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, and Mr. Jesuele. Mr. Myers, Mrs. Parento, Mr. Smith, and Mr. Gonzaga.

MATTERS FOR DISCUSSION

- 1. Front Street Parking**

Mrs. Weubker stated that there are some concerns with the parking in connection with Simon and Shuster. Front Street, Third Street and Brown Street should be looked at by the Township because of the on street parking.

Mrs. Weubker made a motion to draft a resolution to Township Committee to review the front street parking issues in regard to Simon and Shuster and Mr. Smith Seconded.

Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, and Mr. Jesuele. Mr. Myers, Mrs. Parento, Mr. Smith, and Mr. Gonzaga.

ADJOURNMENT

Mr. Jesuele made a motion to adjourn at 10:35PM and Mr. Myers seconded.
Motion passed with a unanimous voice vote.