

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
DECEMBER 20, 2011 – 7:00 PM
MINUTES**

Due to a malfunction of the recording device portions of the meeting recording was inaudible for playback.

The Delran Township Zoning Board regular meeting of Tuesday, December 20, 2011, was called to order by Mr. Fox at 7:00 pm in the Delran Township municipal building.

The open public meetings act announcement was read by Mr. Fox and the pledge of allegiance was performed.

ROLL CALL

Present: Mr. Smith, Mr. Harley, Mr. Taylor, Mr. Vajapey, Mr. Kohli, Mr. Hejnas and Mr. Fox.
Absent: Mr. Gonzaga.
Professionals: Beth Marlin, Esquire, Board's Solicitor; Terrence Combs, PP, Board's Planner; and Lynn Curry, Board's Secretary.

PUBLIC HEARINGS

1. Jason Carosiello
ZZ2011-10
30 Hartford Road – Block 83, Lot 18
Use Variance

The Board noted that the applicant made his required escrow replenishment for his account.

Melanie LeVan, the applicant's attorney requested that the following witness be sworn in to testify before the Board:

1. Jason Carosiello, Applicant.

Ms. LeVan noted that the applicant was requesting a use variance for the property located on Hartford Road, which was located across from the Hartford Corners shopping center. He reminded the Board that the property was located within the C-3 zoning district. She stated that the applicant was the contract purchaser of the property.

Mr. Carosiello indicated that there was currently a house located on the property and a small out building. He stated that he was proposing to construct a pole accessory building that would contain a 4 bay garage along with an office for his plumbing, heating and air-conditioning business. He testified that his business has been in existence for 10 years, which consists of himself along with 3 employees. He reminded the Board that there were residences in the surrounding area, the high school, the shopping center and the bus parking lot for the school district. He noted that Bancroft roofing was located in the area and suggested that his business would be a similar type of use.

Mr. Carosiello testified that the hours of operation would be from 8am-5pm on Monday through Friday and on call duties and emergencies during the weekends. He indicated that there would be three trucks (diesel utility body truck and gasoline powered vans) going in and out of the site during the course of the day. He suggested that generally the employees would pick up the trucks in the morning and go to the job site. He stated that occasionally they would return during the course of the day to pick up supplies. He noted that he would be storing water heaters,

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
DECEMBER 20, 2011 – 7:00 PM
MINUTES**

PUBLIC HEARINGS

1. Jason Carosiello
ZZ2011-10
(Continued)

heaters, air-conditioners and general services parts inside the building. He stated that there would not be customers coming to the property. He added that he didn't foresee a major expansion of his business in the future.

Mr. Carosiello stated that it was his intension to clean up the site and additional details would be provided concerning the clean up of the site during the site plan phase of the application. He indicated that it was not his intension to live on the property. He discussed the possibility of leasing the existing building. He noted that he would be installing some type of trash enclosure, which would be designed at the time of site plan. He suggested that he would probably have an initial stock of heaters delivered to the property and they would be replenished by himself periodically with some additional deliveries as time goes on as it becomes necessary.

Mr. Carosiello testified that there are gas tanks on the trucks for torches and there is nitrogen they keep for the air-conditioning units. He indicated that he would be removing the "U" shaped driveway and would construct a new driveway to intersect with the traffic light. He stated that current principle structure was vacant.

At that time, Mr. Fox opened the meeting to the public for any comments or questions concerning this application. The following witness from the public was sworn in to testify before the Board:

1. Charles Thomas (Century 21 Thomas Realty) – He indicated that he has managed other properties for Mr. Carosiello. He stated that it was the applicant's intention to continue to use the existing dwelling as a residence with the construction of the pole building in the rear of the lot to be used as the plumbing and heating and air-conditioning business. He suggested that the residential structure would be improved and the site would be cleaned up as a result of this application.

There being nobody further from the public to testify on this application, Mr. Fox closed the public portion of the application.

Mr. Combs reminded the applicant that he will need to address the applicant's completeness issues where the applicant was previously granted waivers and in the event the Board should grant the use variance application, the applicant will be required to obtain site plan approval for the project and submit the additional required items for that site plan application. He suggested that the applicant's professional address that there are no wetlands associated with the site. He requested that the applicant document what types of vegetation is being removed and preserved. He added that the site plan should reflect that the applicant is enhancing the appearance of the site as testified to by the applicant at this hearing.

The Board noted that they believed the C-3 zoning for the property took affect in approximately 2000. Mr. Thomas stated that during the investigation they took into the property, he believed the house was constructed during the 1950's given the type of construction materials used on the property and the style of the construction of the building. The Board noted that that if the house was constructed in the 1950's, it would have predated any zoning ordinance.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
DECEMBER 20, 2011 – 7:00 PM
MINUTES**

PUBLIC HEARINGS

1. Jason Carosiello
ZZ2011-10
(Continued)

Mr. Kohli made motion to approve the use variance to permit the existing house to be continued to used as residence as a pre-existing nonconforming use and permit the plumbing and heating and air-conditioning business to the rear of the lot, subject to the applicant obtaining the necessary site plan approval and any additional variances that are required related to the site plan. He suggested that the variance could be granted since the application was an improvement to the lot and the project would not generate a lot of traffic. Mr. Hejnas seconded the motion. The result of the voting is as follows:

AYES: Mr. Kohli, Mr. Hejnas, Mr. Smith, Mr. Harley, Mr. Taylor, Mr. Vajapey and Mr. Fox.

NAYS: None.

The motion was carried; so ordered Mr. Fox.

MATTERS FOR DISCUSSION

1. Annual Report on Variances & Fee Schedule Report

Mr. Vajapey reviewed his recommendations on the budget fee schedule with the Board. He suggested that minor subdivisions should be increased to \$300.00 for both residential and commercial; major subdivisions should be increased to \$1,250.00 for residential and \$1,600.00 for commercial; minor site plan should be decreased to \$400.00 for residential and increased to \$600.00 for commercial; major site plan should be increased to \$1,250 for residential and \$1,600.00 for commercial; conditional use/change of use should be remain at \$150.00 for residential and increased to \$250.00 for commercial; sin variances be increased to \$450.00 for residential and \$750.00 for commercial; use variance be increased to \$750 for residential and \$2,000.00 for commercial; variances other than use or sign be decreased to \$150.00 for residential and \$200.00 plus \$50.00 for each additional variance with a maximum fee of \$600.00; appeal remain \$150.00 for residential and increase to \$300.00 for commercial; interpretation be reduced to \$100.00 for residential and increased to \$300.00 for commercial; certificate of conformance to the from Zoning Officer be decreased to \$20.00 for residential and increased to \$100.00 for commercial; certificate of nonconforming use to Zoning Board remain \$150.00 for residential and increase to \$250.00 for commercial; and an extension of approval be reduced to \$100.00 for residential and increased to \$200.00 for commercial.

The Board noted that some of Mr. Vajapey's recommendations attempted to protect the residential property owners. They were reminded that in some instances a residential breakdown would not apply since a residential application would not request a site plan for an improvement to their home. The Board was advised that they may want to be careful not to create a break on a residential subdivision that may involve a tremendous work load. It was suggested that if the Board wanted to provide a break to the residential home owners the best way to accomplish that would most likely be through the application fee of a bulk variance.

Mrs. Curry suggested that the Zoning Board limit their comments on the fee schedule to the applications dealing with the variances, certificate of nonconforming use, appeals and interpretations since those were the type of applications the Zoning Board dealt with on a regular basis. She stated that she made her recommendations based upon those applications. She reminded the Board that the Planning Board is generally the body that deals

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
DECEMBER 20, 2011 – 7:00 PM
MINUTES**

MATTERS FOR DISCUSSION

1. Annual Report on Variances & Fee Schedule Report
(Continued)

with the subdivision and site plan applications and they would have a greater expertise on those fees. She noted that the Planning Board would be reviewing their fees after the Zoning Board completes their review.

The Board requested that Mrs. Curry prepare a written report showing all of the recommendations and a breakdown on the fees that would have been collected under the recommendations and the fees collected under the current ordinance so that they could compare everything.

Mr. Fox indicated that he would prepare his report on fencing for consideration.

At that time, the Board noted that their discussion on the Annual Report and Fee Schedule report was being continued until the next regular meeting scheduled for January 17, 2012.

RESOLUTIONS

1. Marshall & Irene Mosesson
ZZ2011-12
175 Oxford Road – Block 169, Lot 12
Bulk Variance - Front Setback (Fence)

Mr. Taylor made a motion to adopt the resolution granting the requested bulk variance. Mr. Hejnas seconded the motion. The result of the voting is as follows:

AYES: Mr. Taylor, Mr. Hejnas, Mr. Harley and Mr. Kohli.
NAYS: None.
ABSTAIN: Mr. Smith, Mr. Vajapey and Mr. Fox.
The motion was carried; so ordered Mr. Fox.

2. Communication Infrastructure Corp.
ZZ2011-8
99 Hartford Road – Block 118, Lot 5
Bulk & Use Variance w/Site Plan & Submission Waivers

Mr. Taylor made a motion to adopt the resolution granting the requested bulk and use variances along with site plan and certain submission waivers. Mr. Smith seconded the motion. The result of the voting is as follows:

AYES: Mr. Taylor, Mr. Smith, Mr. Harley, Mr. Kohli and Mr. Hejnas.
NAYS: None.
ABSTAIN: Mr. Vajapey and Mr. Fox.
The motion was carried; so ordered Mr. Fox.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
DECEMBER 20, 2011 – 7:00 PM
MINUTES**

MINUTES

1. Zoning Board Regular Meeting – 10/20/09
2. Zoning Board Regular & Reorganization Meeting – 7/20/10
3. Zoning Board Regular Meeting – 11/15/11

The Board note that the Zoning Board meeting minutes from October 20, 2009, July 20, 2010 and November 15, 2011 were not ready to be adopted and were being continued until the next regular meeting scheduled for January 17, 2012.

BILL LIST

(See Attached Sheet)

Mr. Smith made a motion to approve the Delran Zoning Board bill list for December 20, 2011. Mr. Hejnas seconded the motion. The result of the voting is as follows:

AYES: Mr. Smith, Mr. Hejnas, Mr. Harley, Mr. Taylor, Mr. Vajapey, Mr. Kohli and Mr. Fox.

NAYS: None.

The motion was carried; so ordered Mr. Fox.

ESCROW REFUNDS

1. T-Mobile Northeast
File #ZZ2009-5
Amount Requested: \$1,031.85

Mrs. Curry noted that the applicant has submitted a letter withdrawing their approval and in the event that the applicant wishes to proceed with this matter they will be required to make a new application. She indicated that all of the professional bills to this point have been paid on the project and no additional bills should be submitted for this project.

Mr. Hejnas made a motion to approve the escrow refund in the amount of \$1,031.85. Mr. Taylor seconded the motion. The result of the voting is as follows:

AYES: Mr. Hejnas, Mr. Taylor, Mr. Smith, Mr. Harley, Mr. Vajapey, Mr. Kohli and Mr. Fox.

NAYS: None.

The motion was carried; so ordered Mr. Fox.

PENDING ITEMS

1. Bee Dee Associates
ZZ2010-11
75 Hartford Road – Block 120, Lots 40 & 40.02
Bulk & Use Variance, Certificate of Nonconforming Use & Amended Subdivision

The Board noted that the application was certified as an incomplete submission and they were waiting for the applicant to submit the additional required items for review. The Board noted that the applicant did submit an

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
DECEMBER 20, 2011 – 7:00 PM
MINUTES**

PENDING ITEMS

1. Bee Dee Associates
ZZ2010-11
(Continued)

amended application however they have not submitted the required revised plans or submitted a copy of the property owner certification for the lot containing the beauty salon. They requested that Mrs. Curry contact the Construction Official to find out whether a violation could be issued for the property that includes the landscaping business.

2. New Cingular Wireless PCS, LLC (AT&T)
ZZ2011-6
8006 Route 130 North – Block 120, Lot 4.01
Bulk & Use Variance w/Site Plan

The Board noted that the application was certified as an incomplete submission and they were waiting for the applicant to submit the additional required items for review. Mrs. Curry noted that one of the outstanding issues was the delinquent taxes and sewer bills on the property. She indicated that she recently attempted to contact the applicant's attorney to find out the status of the project and she was currently waiting for their response.

3. R.D.M.D.
ZZ2011-9
23 Hartford Road – Block 120.07, Lot 31
Bulk Variance & Use Variance w/Site Plan

The Board noted that the application was certified as an incomplete submission and they were waiting for the applicant to submit the additional required items for review.

4. Braga Construction Company, Inc.
ZZ2011-13
102 Walnut Street – Block 125, Lot 37
Bulk Variances

The Board noted that the application was tentatively scheduled for a public hearing to take place on January 17, 2012.

5. Estate of Albert Fynan
ZZ2011-14
816 Chester Avenue – Block 9, Lot 39
Interpretation/Use Variance

The Board noted that the application was certified as an incomplete submission and they were waiting for the applicant to submit the additional required items for review. Mr. Combs suggested that the applicant should submit a concept plan showing what the applicant proposes to do with the property.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
DECEMBER 20, 2011 – 7:00 PM
MINUTES**

PENDING ITEMS

6. Dredge Harbor Boat Center, LLC
ZZ2011-15
67 St. Mihiel Drive – Block 1, Lots 6.01 & 32
Use Variance

The Board noted that the application was currently being reviewed for completeness by the Board's professional staff and was currently not scheduled for a public hearing before the Board.

ADJOURNMENT

There being no further business to discuss, Mr. Taylor made a motion to adjourn the Delran Township Zoning Board regular meeting of Tuesday, December 20, 2011, at 8:30 pm. Mr. Fox seconded the motion. With all present voting affirmatively, the motion was carried; so ordered Mr. Fox.

Respectfully submitted,

Lynn Curry, Secretary
Zoning Board

**Delran Township
Zoning Board of Adjustment
Bill List**

December 20, 2011

Budget Bills			
Vender	Description	Invoice #	Amount
Brown & Connery	Misc. Services	122987	\$432.00

Escrow Bills				
Vender	Applicant	File #	Invoice #	Amount
Brown & Connery	Pizza Mia	ZZ2010-10	122973	\$368.00
Brown & Connery	Liberty Towers	ZZ2010-14	122975	\$96.00
Brown & Connery	New Cingular	ZZ2011-6	122979	\$208.00
Brown & Connery	Communication Infrastructure	ZZ2011-8	122980	\$352.00
Brown & Connery	New Cingular	ZZ2011-7	122981	\$976.38
Brown & Connery	RDMD	ZZ2011-9	122983	\$496.00
Brown & Connery	Carosiello	ZZ2011-10	122984	\$352.00
Brown & Connery	Howe	ZZ2011-11	122985	\$576.00
Brown & Connery	Mosesson	ZZ2011-12	122986	\$224.00
Pettit Associates	Bee Dee	ZZ2010-11	3487	\$270.00
Pettit Associates	New Cingular	ZZ2011-7	3488	\$990.00
Pettit Associates	Communication Infrastructure	ZZ2011-8	3489	\$540.00
Pettit Associates	RDMD	ZZ2011-9	3490	\$150.00
Pettit Associates	Carosiello	ZZ2011-10	3491	\$90.00
Adams Rehmann & Heggan	Pizza Mia	ZZ2010-10	44062	\$130.00
Adams Rehmann & Heggan	Manhattan Management	ZZ2011-2	44063	\$1,825.00
Adams Rehmann & Heggan	Herman	ZZ2011-4	44064	\$260.00
Adams Rehmann & Heggan	Communication Infrastructure	ZZ2011-8	44065	\$455.00
Adams Rehmann & Heggan	RDMD	ZZ2011-9	44066	\$1,135.00
Adams Rehmann & Heggan	Carosiello	ZZ2011-10	44067	\$165.00
Adams Rehmann & Heggan	Fynan	ZZ2011-14	44068	\$747.50