

**MINUTES OF THE BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN**

A public meeting of the Zoning Board of Adjustment of the Township of Pennsauken, in the County of Camden, in the State of New Jersey was held on the above date at the Pennsauken Municipal Building, 5605 N. Crescent Boulevard, Pennsauken, New Jersey.

Vice Chairman Silver called the meeting to order at 7:00 P.M. and led the flag salute. Roll call disclosed the following members present: Carl Bierbach, Paul Hoyle, Jaye Silver, Darlene Hannah, Diane Piccari and Duke Martz. Also present were the acting Solicitor Richard Wells, Esq., Planning & Zoning Coordinator John Adams and Zoning Board Secretary, Nancy Ellis.

Vice Chairman Silver announced that the meeting was being held in accordance with the Open Public Meetings Act, notice has been sent to two local newspapers, and also posted on the Bulletin Board in the Municipal Building.

Paul Hoyle assumed the seat of absent member Lysa Longo.

**HEARINGS:**

**EFRAIN REYES** -Seeking 14 feet of relief from front yard fence setback requirement of 20 feet for a 4 foot picket and 6 foot vinyl fence, and any and all other variances required by Pennsauken Zoning Board. Premises located at 6138 Camden Avenue, Block 4912, Lot 19 in Zoning District: R-3.

Efrain Reyes, 6138 Camden Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Reyes testified that he would like to put a 4 foot fence up in the front of his house and a 6 foot fence up around the rear perimeter his property. Mr. Reyes further testified that he has lived at the property for 5 years and has noticed that traffic has increased and he would like to keep his granddaughter safe in his yard. The applicant also stated that he would also like to upgrade his property.

Upon query, Mr. Bierbach was informed by the applicant that one will be able to see through the front yard fence.

Upon query, Mr. Hoyle was informed by Mr. Reyes that the fence along the front of the house will be a 4 foot, white, picket fence.

Upon query, Miss Hannah was informed by the applicant that a contractor will be installing the fence. Miss Hannah was further informed by Mr. Reyes that there are other fences in the area. However, his fence will be different from the others in that his will have an arch between the posts of the fence.

Upon query, Miss Piccari was informed that the existing fence that appears to be on his property is his neighbor's fence and he will not be removing it.

Upon query, Mr. Martz was informed by the applicant that the fence in front of his house will be 4 foot and open and it will have the same arch between the posts. Therefore, the fence will be lower than 4 foot.

Upon query, the Solicitor was informed by the applicant that the contractor will comply with all township codes and regulations when installing the fence.

The meeting was open to the public.

Darim Walston and Theresa White-Walston, 2140 Scovel Avenue came forward to testify and were both duly sworn by the Solicitor.

Mrs. Walston stated that the applicant's fence will not affect their property at all and wished Mr. Reyes well.

There being no one else who wished to speak, the meeting was closed to the public.

The Solicitor made the following factual findings: The applicant is seeking to construct a 4 foot picket fence roughly 6 feet from the front building line along the front of the property on either side of the house and a 6 foot fence around the rear perimeter of the property that will intersect with the front yard fence as shown on the applicant's survey that was submitted with the application. Therefore, the applicant is seeking 14 feet of relief from front yard fence setback requirement of 20 feet. The property is located at 6138 Camden Avenue, Block 4912, Lot 19 in the R-3 Zoning District. The applicant testified that a contractor will be hired to perform the work and will adhere to all township regulations and ordinances. The applicant testified that he is replacing a previously existing fence and will adhere to the same foot print. The applicant testified that he wants to install the fence for

the safety of his 2 year old granddaughter and to improve the appearance of his property. The applicant will be installing a picket fence in front of the property which will be a “see through” style. The pickets will be arched in between the posts. A white vinyl fence will be installed around the perimeter of the rear yard will also be arched in between the posts. The applicant testified that other residents in the area have similar fences around the property. One member of the public sought clarification as to the location of the applicant’s property and it was determined that it was not an issue and the member of the public voiced their support for the application. The board should consider that the applicant has satisfied the positive and negative criteria of the application.

Miss Hannah motioned to accept fact finding. Mr. Martz seconded.

Mr. Martz motioned to grant the application. He stated he believes the applicant satisfied the positive and negative criteria to grant the application in that he is seeking safety for his grandchildren. Mr. Martz also stated that that he believes there is no detriment to the community in that he is putting a decorative, open picket fence in the front of his property. Miss Hannah seconded. Roll call: Madams Hannah and Piccari and Messrs. Bierbach, Hoyle, Martz and Silver-Aye. None opposed.

**GEORGE NICOLLS** – Seeking 22 feet of relief from rear yard setback requirement of 30 feet for a 12’ x 26’ sunroom & 2<sup>nd</sup> story addition. And any and all other variances required by Pennsauken Township Zoning Board. Premises located at 7505 Boulevard Avenue, Block 1402, Lot 11 in Zoning District R-3. (Amending Application)

Mrs. Vicky Nicolls, 7505 Boulevard Avenue, came forward to testify and was duly sworn by the Solicitor.

Mrs. Nicolls testified that they previously came before the board and received approval for a 12’ x 26’ sunroom to put on the side of their home. They needed additional room for meetings at their home for a foundation they belong to as well as for fellowship with members of their church. Mrs. Nicolls further testified that they are here before the board tonight requesting to build a second story addition on top of the sunroom for a master bedroom. They are also requesting to build out 2 more feet so that the second story addition will be 14’ x 26’. The applicant testified that their house currently has 3 bedrooms. One room is 7’ x 10’, another room is 9’ x 10’ and their current master bedroom is 9’ x 14’. Mrs. Nicolls stated that they would like more room in their home for when their son comes home to stay with their grandchildren.

The applicant presented a picture of the 2 story addition with the sunroom and a picture of the interior layout plan of the proposed 2<sup>nd</sup> story master bedroom.

The Solicitor marked the pictures into evidence as A-1 and A-2.

Upon query, Mr. Martz was informed by the applicant that they will extend the 2<sup>nd</sup> story over the sunroom so there is an overhang. Mr. Martz was further informed that they may add a master bathroom to the room in the future.

Upon query, Miss Piccari was informed by the applicant that they will be installing a walk in closet in the proposed master bedroom. They will most likely install a master bathroom in the future as well.

Miss Hannah commented that she believes the applicant needs the extra room because of the small shape of the property and house.

Mr. Hoyle commented that he believes the sunroom and the 2<sup>nd</sup> story addition will fit nicely and he has no problem with it.

Upon query, Mr. Bierbach was informed by the applicant that they will have a contractor do all of the work and it should take approximately a month to complete.

Upon query, the Solicitor was informed that gutters and downspouts will be installed on the addition.

The meeting was open to the public.

Mr. Fennel K. Polie, 7515 Boulevard Avenue came forward and was duly sworn by the Solicitor.

Mr. Polie testified that he is the applicant’s neighbor and he is in support of the application.

Mr. John Adams, Pennsauken Zoning Officer, 3825 Gladwyn Avenue came forward and was duly sworn by the Solicitor.

Mr. Adams clarified the application to the board.

There being no one else who wished to speak, the meeting was closed to the public.

The Solicitor made the following factual findings: The applicant is proposing a 12' x 26' sunroom on the first floor and a 14' x 26' 2<sup>nd</sup> story addition above the sunroom to be used as a master bedroom. The 2 story addition will be roughly 6 feet from the property line and the variance is for roughly 24 feet. The applicant submitted 2 pictures to the board. A-1 was a picture depicting a replica or similar sunroom and A-2 was marked and it is a potential layout of the proposed master bedroom on the 2<sup>nd</sup> floor. The applicant testified that a contractor has been hired to perform the work and the work will be constructed in accordance with township codes. The construction should take roughly one month from start to completion. The applicant further testified as to the shape of the property and the location of the dwelling on the property and it creates a hardship as to where and how the addition will fit on the property, which the board did recognize. The testimony and representations made during the applicant's first appearance before the board are also hereby incorporated by reference in full. The applicant testified that drainage for the addition will be properly addressed and gutters and downspouts will be installed. The board should consider that the applicant has satisfied the positive and negative criteria of the application to grant the relief requested.

Miss Hannah motioned to accept fact finding. Miss Picarri seconded.

Miss Hannah motioned to grant the application. She stated that she believes the applicant has satisfied both the positive and negative criteria. She further stated that she believes the applicant needs more space at their home and they have a hardship because of the shape and size of their lot. Mr. Bierbach seconded. Roll call: Madams Hannah and Piccari and Messrs. Bierbach, Hoyle, Martz and Silver-Aye. None opposed.

**RESOLUTIONS:**

**RESOLUTION # Z-2015-7** granting **MICHAEL MCCANN** 10 feet of relief from rear yard setback requirement of 40 feet for a 16' x 16' deck (no roof) Premises located at 7749 Hesson Lane, Block 3303, Lot 40, in Zoning District R-1.

**MINUTES:**

It was moved, seconded and unanimously agreed to approve the minutes from the July 1, 2015 and July 15, 2015 meetings.

**BILLS:**

It was moved, seconded and unanimously agreed to pay the following bills:

***8/5/2015-T&M Associates-Engineering Services-Blake Ingram, Clayton Avenue-\$336.00.***

**CORRESPONDENCE:**

None

**COORDINATOR'S REPORT:**

None

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 8:00 p.m.

Respectfully submitted:

A handwritten signature in black ink on a light-colored background. The signature is cursive and appears to read 'Nancy L. Ellis'. The signature is written over a faint, light-colored rectangular stamp or watermark.

Nancy L. Ellis, Secretary