

City of Northfield Planning & Zoning Board
1600 Shore Road
Northfield, New Jersey 08225
Telephone (609) 641-2832, ext. 127
Fax (609) 646-7175

Minutes: August 7, 2008

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting had been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, August 7, 2008 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:28 p.m. and the following members were present:

Dr. Richard Levitt-Chairman
Clem Scharff-Vice Chairman
Mayor Vincent Mazzeo
Jason O'Grady, Councilman
Chief Robert James-absent
Lou Milone
John Clifford
Ron Roegiers
Henry Notaro
Jim Shippen-absent
Linda Dyrek

Norman Zlotnick, Solicitor
Matt Doran, PE-Engineer

The first application for this evening was from Jay and Mary Jane Hurley of 2 Henry Drive in Northfield, Block 16.01, Lot 35 located in the R-1 zone. The couple represented themselves and were both sworn in by Chairman Levitt. They are seeking a hardship variance for an existing fence. The previous fence was a 30-year old chain link fence which was four feet in height. They wanted a six foot white vinyl fence for privacy reasons and also, in the last six years they acquired a dog. Previously, when the old fence was in place, children got into the yard and scared the dog. In another incident, the dog barked at a girl on a bike and she veered her bike into Mill Road. Mr. Dittalo, the Zoning Officer has confirmed that the new fence does not create any site triangle issues. Mr. Hurley distributed photographs of the new fence.

Dr. Levitt noted that the rear property line is the problem. Mr. Hurley agreed that most of the fence is fine at a height of 6 ft., but the section off Mill Road does not agree with the code. Dr. Levitt commented that the fence has already been constructed and the applicant has been cited by the code official. Mr. O' Grady asked if a permit was obtained. Mr. Hurley said he acquired a permit after he got sited and he had assumed that the builder had initially obtained the required permit. The fence was 79% to 80% complete when contacted by Zoning.

Dr. Levitt asked if anyone from the public wished to speak and seeing no one, closed the public session. Dr. Levitt asked the Hurleys if any of their neighbors voiced any objections and Mr.

Hurley said that he spoke with all of his neighbors since he obtained signatures rather than mailing certified letters to residents within 200 ft. and they were all 100% supportive of his project.

Dr. Levitt and Mr. Doran clarified the variance. Since the Hurley's property is located on a corner lot, they are considered to have two front yards. If the home was located one house in, the variance would not be necessary. One of the reasons for the existing ordinance is that you don't want to see a 6 ft. high fence or wall on a heavily trafficked street. Mr. Doran said the ordinance allows for a 3 ft. fence and this variance would be for a 6 ft. fence in two areas along Mill Road and along the rear property line.

Mr. O'Grady made the motion for the "C" Variance for a front yard setback to allow for a six ft. high fence. Ms. Dyrek seconded the motion. A roll call vote of all the members present was unanimous in favor with Mayor Mazzeo abstaining.

The second application on the agenda was from Melvin & Doris Dougherty who own the property located at 730 Mill Road, Block 34, Lot 16 in the R-1 Zone. Mrs. Dougherty is present as the owner of the property. Her husband is ill and could not attend the meeting. Her son-in-law, who has power of attorney, is present for support. His name is Edward Champion. Both were sworn in by Chairman Levitt. The Dougherty's are seeking a time extension for a major sub-division approval (preliminary and final with variances and waivers) which was approved approximately 18 months ago and is nearing expiration. Mr. Dougherty is seeking an extension for another year and a half. Dr. Levitt believes that the original application was for preliminary and final site plan approval and asked Mr. Doran how they would finalize. Mr. Doran said there have been no changes to the ordinance which would affect the original application. They would need to post bonds as guarantees or start the work. If final approval exists, they would need to post the bond prior to filing the plan which would create the lots. Mr. Zlotnick added that the Board can only grant one year extensions each for three years only. If another extension is necessary, the applicant will need to come back before the Board within one year. There was no one from the public who wished to speak on the matter.

Mr. Scharff made the motion to grant a one year extension and Mr. Milone seconded. All members present voted unanimously by roll call to allow the extension.

The third application was from Olaf E. Olson for Block 161, Lots 10 & 11 located at 21 East Rosedale Avenue in the R-2 zone for various "C" Variances. He is represented by Charles Gemmel, Esq. of Gemmel, Todd & Merenich of Linwood. Mr. Gemmel began by stating that the property in question is the old Olson homestead and Mr. Olson grew up in the house. He currently resides in Marmora. The home belonged to his mother and is now his. Mr. Olson does not believe the house is salvageable and wants to demolish the existing house and garage. He wants to construct an oversized detached garage which cannot exceed 500 sf and 12 ft. in height. He wants to use the space for antique vehicle storage. He also needs variances for lot and building coverage. Mr. Gemmel stated the improvement will benefit the neighborhood and will be appealing in size and design and believes that benefits outweigh any detriments. Mr. Olson was sworn in by Dr. Levitt.

Mr. Olson answered questions from Mr. Gemmel and testified that the home has been in his family for 70 years and he lived there for 21 years. The last occupant, his mother, passed away two years ago and Mr. Olson would like to move back to his hometown and live at the property. His mother had gone into a nursing home and was released and wanted to live back in the house and was not able to because of the condition. During her lifetime, she never allowed anyone to come into to the house to do work and there were no improvements done over the years. The lots size together at 82 x 150 and the house is not centered on the lots. Mr. Olson wants to demolish the existing house and garage and build something new and nice.

Mr. Gemmel referred to the survey exhibit showing the proposed construction. Mr. Olson added that the proposed house is in compliance by itself. It is the garage that is the issue. Mr. Gemmel

referred to the exhibit showing the front elevation. Mr. Olson described the house as two stories and of a design both he and his wife like. The house will be centered on the property and will comply. Mr. Gemmel showed a picture of the garage which is proposed to be 1080 sf and 24 ft. high.

Mr. Olson explained that he currently has five cars and two of them are restored antiques. He would like to buy another antique car. He wants to keep them covered. He also does some car restoration, but he will not be doing any painting or sanding. He wants to store car parts upstairs in the garage and no business will be conducted at the property. Mr. Olson noted that he is retired from the Electric Company and builds houses, but has not done so recently. He stated he plans for the garage to match the house. Mr. Gemmel stated that if the garage were to be attached to the house, height and area would not be an issue. The garage, being detached, is an issue because it would then be considered an accessory building. Mr. Olson wants to build a porch to view the gardens and he would not be able to do that if the garage was attached.

Mr. Gemmel stated that increased lot coverage can raise the issue of storm water runoff. Mr. Olson said that he will have garden areas along the edges including shrubs, downspouts will be installed, and he plans to build an underground retention basin. Existing landscaping will be replaced with new landscaping. Dr. Levitt asked if any drainage calculations were done. Mr. Gemmel said he did not submit any to the Board's Engineer. Mr. Gemmel asked Mr. Olson about the existing neighbors. Mr. Olson approached many of the neighbors and spoke to all the property owners on the 200 ft. list. All were happy about the project and want him to move back into the neighborhood. He added that there is a garage in the neighborhood on Cove Avenue which was built by Paul Jeffries after Board approval for a variance two years ago. A double photo exhibit of this garage was given to the Board. This garage is less than 200 ft. away from Mr. Olaf's property (Block 160, Lot 10).

Mr. Olaf commented that he is ready to start his project and will be adding additional landscaping, ornamental shrubs and trees. Dr. Levitt asked about existing street trees. Mr. Olson said none will be removed due to the proposed construction. Dr. Levitt expressed concern over building coverage (30% is allowed and 34.5% is proposed) and asked Mr. Doran to put this in terms of square footage. Mr. Doran said the square footage is 550 ft. above what is allowed by ordinance and this includes the garage plus the dwelling. Dr. Levitt expressed concern with the size of the garage being twice what is allowed. He has concerns about the increase in coverage on a residential lot. He asked Mr. Olson what types of cars he has. Mr. Olson said he has a Corvette, an El Camino and a Mercedes. He also stressed that his property would not be used for any type of business and in relation to the house building, he subs everything out. Dr. Levitt asked Mr. Olson if the garage really needs to be that big. Mr. Olson said he tried to design it smaller, but that will not work. He added that both of his neighbors to the rear do not mind. Dr. Levitt asked about the distance to the nearest neighbor and was told it is 50 ft. Dr. Levitt asked about the acquisition of the two lots from Dr. Marvel. Mr. Olson said his family acquired two lots from the Doctor 40 years ago which were 50 ft. each. He added that Mr. Devine (Block 161, Lot 44) and Mrs. Grund (Block 161, Lot 46) who live behind him were spoken to and do not object.

Mr. O'Grady asked about trees in the back area. Mr. Olaf explained that there is one in the back he intends to replace. He added that there is one tree in front of the house which is just about dead and one tree which is healthy. He does not intend to disturb those trees.

Dr. Levitt asked Mr. Doran if a drainage calculation was required. Mr. Doran said not for a "C" variance, but there is a concern for drainage increases in this case since there are coverage issues. The Board can require installation of drywells at the corners of the downspouts. Mr. Gemmel said they intend to install drainage structures and downspouts in the landscaped area on the easterly side. Mr. Olson wants to install pavers in front and does not want to use stone. Dr. Levitt asked if Lot Coverage conforms. Mr. Doran said they are 7.7% over for total coverage for a total of 900 sq. ft. Mr. Scharff clarified that they are proposing 34% building coverage and 52% for lot coverage which includes the concrete and pavers. Mr. Clifford asked about fencing. Mr. Olson

promised his neighbor that he would not install a fence in the front of the house, but he intends to have a fence in the back.

Dr. Levitt discussed the driveway and asked for reasons for the width. Mr. Olson said the driveway is proposed to be 17 ft. wide. Dr. Levitt said that is too much concrete. Mr. Olson said he could do 16 ft. Dr. Levitt said he wants to see a landscaped strip on the east side of the property. Mr. Olaf said there is one existing and the proposed buffer is 3 ft. wide. Mr. Notaro noted the distance from the house to the property line is about 20 ft. Mr. Doran said there is a minimum requirement for a driveway at 12 ft. Mr. Olson said he measured his driveway at his present house and it is 16 ft. wide. Dr. Levitt is concerned with the amount of concrete and wants to see more green. He noted that shrubs that will mature will need room to grow. Mr. Olson said he wants to plant dwarf shrubs. Dr. Levitt said he wants the coverage cut down and also a reason for the wideness of the driveway. Mr. O'Grady agreed. Mr. Olson suggested 14 ft. wide. Mr. Doran said that if the driveway were to be 12 ft. wide from front to rear plus an area in the back to make a turn around maneuver, the coverage will be cut down by 5.28%. Mr. Olson agreed. Mr. O'Grady suggested more shrubbery along the property line and Dr. Levitt agreed. Mr. Olson said he would also replace the tree between lots 10 & 11 the location being the north corner of the lot on the Shore Road side. Dr. Levitt suggested choosing a tree from the Atlantic County approved list. Mr. Olson added that the covering on the garage will be cedar vinyl shakes, the same as the house.

Dr. Levitt asked why the height of the garage needed to be so high. Mr. Olson said he wants to stack his cars and needs at least 11.5 ft. to do so. Dr. Levitt commented that the depth of the garage is also quite long and it appears that 6 cars could fit. Mr. Olson said no that would not work. The corvette alone is 16 to 17 ft. long and he also has a Towne car and a pick-up truck. Mr. O'Grady asked where the dying tree was located. Mr. Olson stated that near the walkway there is a big old tree that is dying. He wants to replace it and the walkway will be pavers and will include the new tree.

Mr. Doran discussed the driveway reduction to make sure all were using the same numbers. It was determined that the driveway would be 12 ft. wide from the front property line to the rear of the home and will match the edge of the garage and the s-curve will allow for a k-turn. This would give a figure for lot coverage at 50.5%. Mr. Scharff asked about the porches. Mr. Olson said the back porch is a covered screened-in porch and the deck is open. Mr. Gemmel noted that structures that do not have a roof should not be included in coverage figures, but they were in this case.

Dr. Levitt opened the public session. Diane Lovett, who resides at 25 E. Rosedale Avenue (Block 161, Lot 12) with her husband Edward, was sworn in. She said they are the neighbors on the east side and they approve of the project and think it will improve the neighborhood. Mr. William Delaney of 10 E. Rosedale (Block 160, Lot 5) was sworn and stated that he is very happy about the project. Dr. Levitt closed the public session.

Mayor Mazzeo asked about utilities. Mr. Olson said he will be using existing utilities and the road has not been paved in a long time. The other end of Rosedale was paved, but not his end. Mr. Olson said that the electrical service is from the rear of the property.

Mr. Scharff made the motion for the four variances and discussed them with Mr. Doran, Mr. Zlotnick and the Board. The motion is for four variances. The first is for the size of the accessory structure (garage) where 500 sf is allowed and 1,180 sf is proposed. The second is for the height of the accessory structure (garage) where 12 ft. high is allowed and 24 ft. in height is proposed. The third is for building coverage where 30% is allowed and 34.5% is proposed. The fourth is for lot coverage where 45% is allowed and 50.5% is proposed. Two trees will be replaced-one in the front and one in the rear of the property. Drywells will be placed on all downspouts on the house and the garage. The garage will have gutters. The applicant certifies that no increase in drainage will result from what currently exists. There will be no commercial use of the property or garage.

The driveway will be reduced to no more that 12 ft. wide from the back of the house to the street. Substantial landscaping and buffer area will be added along the eastern side of the driveway. Mr. Milone seconded the motion. A roll call vote of all present members was in favor of the motion. Chairman Levitt voted no.

Mr. O'Grady led a discussion with the Board members concerning COAH obligations. He met with Matt Doran and Tiffany CuvIELLO, a Professional Planner with a good background in COAH. One of the difficulties with understanding COAH obligations is that the regulations keep changing. Ms. CuvIELLO prepared a proposal for the City of Northfield (she has also worked with other cities and townships) with recommendations since Northfield is not in compliance with COAH regulations and it is necessary to get started. Mr. O'Grady submitted a copy of the proposal to the Board. There are two phases of work. The first phase will take two months to complete and will cost approximately \$2,750.00. This first phase will be presented to the Board and Council when complete. The second phase is a 6-month project and may cost \$6,500.00. Credits may be available for the City and it is important for an expert to find them if available. Mr. Zlotnick added that he has worked with Hamilton Township and their COAH compliance project was a very complicated situation and took 4 years to complete. Dr. Levitt suggested forming a committee and he urged Council to approve the hiring of a Planner as soon as possible. The committee will consist of Chairman Levitt, Councilman O'Grady, John Clifford and Clem Scharff. Mr. Scharff commented that only 3 municipalities in the State have fully complied with COAH. Dr. Levitt asked for a voice vote to approve the committee and to endorse the Planner. All present were in favor. Mr. O'Grady said he will speak to Council on the matter on Tuesday and suggested the committed schedule a meeting.

Dr. Levitt discussed the ordinance committee. Matt Doran said he has the updates with him this evening which consists of items that need updating. Dr. Levitt said Northfield is the only town still using SIC Codes and they need to be eliminated since they are to restrictive to new businesses.

Mr. O'Grady brought up the topic of "Building Green" and "Green Certification" and possibly providing incentives for businesses that chose to develop with the environment in mind.

There were two resolutions to memorialize this evening. One was for Diana Lynn and Frank Perri and the other for Jinc Associates, LLC which were both approved at the July 17, 2008 meeting. A voice vote was all in favor for adoption by all the members present.

Mr. Zlotnick said he would handle the Richard Simon resolution change administratively by sending a letter to Keith Davis.

Mr. O'Grady made a motion to adjourn the meeting and Mr. Clifford seconded. Chairman Levitt closed the meeting at 8:49 p.m.

Respectfully submitted,

Robin Atlas, Secretary to the Board