

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

Minutes: April 3, 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 has 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, April 3, 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-absent  
Mayor Vincent Mazzeo  
Jason O'Grady, Councilman  
Chief Robert James  
Lou Milone  
John Clifford-absent  
Ron Roegiers  
Henry Notaro  
Jim Shippen  
Linda Dyrek

Norman Zlotnick Esq., Solicitor  
Matt Doran, PE-Engineer

There was one application on the agenda for this evening. The applicant was Jean-Marie Peruzzi and she was represented by Christopher Baylinson, Esq. of Perskie Mairone Brog and Baylinson PC of Linwood. The address of the residence is 2510 Helen Drive West, Block 32, Lot 3 in the R-1 zone. The application is for "C" variances to replace an existing pool. Ms. Peruzzi was sworn in by Dr. Levitt.

Mr. Baylinson gave an overview of the setback variances and asked questions of Ms. Peruzzi concerning the situation. Ms. Peruzzi bought the home from her brother-in-law and has been living at the property since 2000. There has been a pool at the property since 1974 or 1975 and after moving in, it was determined that the steel support behind the vinyl lining needed replacing and the coping was rusted. Stone Concrete and Avalon Pools began working on the project, each assuming the other would obtain a permit. The new pool was to be located in the same place as the original pool. The survey exhibits have been submitted with the application. Mr. Baylinson described the dimensions using enlarged surveys from Paul Koelling from 1997 and 2008. The 2008 survey shows a slight change regarding the swim-up portion of the stairs. The same hole is being used for the new pool. The variances include 4 ft. from the fence where 10 ft. is required and 4 ft. from the house where 8 ft. is required. A stop work order was issued by the Construction Department and Ms. Peruzzi consequently retained Mr. Baylinson. Ms. Peruzzi commented that she has paid \$35,000 to the two contractors for the pool work. She intends to re-locate pool equipment (pumps and heater) to a location on site which conforms to the ordinance (within 10 ft. setback) and will also re-locate an air conditioner compressor to a conforming location which now sits a few feet from the pool edge.

Mr. Doran agreed with the non-conformities being the rear setback of 4 ft. where 10 ft. is required and the setback from the house at 4 and ½ ft. where 8 ft. is required. Approximate total coverage is existing at 43% where 40% is required. He suggested the applicant address positive and negative criteria.

Mr. Baylinson questioned Ms. Peruzzi and asked if this was an existing non-conforming condition. She answered that it is. She added that there have been no complaints from the City or any neighbors regarding the pool and believes there are no negative detriments to the neighborhood or to the zoning ordinance.

Dr. Levitt opened the public session. There was no one who wished to speak on the matter and the public session was closed. Dr. Levitt asked for questions from the Board. Mr. Roegiers summarized the conditions and said the footprint is not being altered. Ms. Peruzzi added "except for the steps". Mr. Roegiers said he believes the new pool will enhance the aesthetic value of the property. Mr. Shippen asked Mr. Zlotnick if there were any concerns to the City if an accident were to occur. He noted that the pool is close to a flat roof and there could be the potential that someone could jump from the roof into the pool. He asked if the City was in any way liable. Mr. Zlotnick answered that no, the City would not be liable under the New Jersey Tort Claims Act. Mr. Baylinson added that if the proper permits had been obtained, the applicant may not have needed to come before the Board. Mr. Milone agreed that the improvements will enhance the property and is in favor of removing the two sheds that are close to the property

line. Dr. Levitt commented that he believes the Code officer acted in accordance with the laws.

Mr. Roegiers made the motion for the "C" Variances noted above and Mr. O'Grady seconded. There was a roll call vote of all members present and the vote was unanimous for approval.

The next item on the agenda was to discuss amending a resolution previously memorialized. The resolution was for Richard Simon, Trustee whose application was approved February 7, 2008 and memorialized March 6, 2008. Mr. Zlotnick described the sequence he uses when preparing resolutions, one of them being to fax a copy of his prepared resolution to the applicant's attorney for final review. Keith Davis did not get the resolution back to Mr. Zlotnick in a timely manner and his additions to the resolution were not included in the original resolution. The additions were discussed by the Board with Mr. Zlotnick. Dr. Levitt summarized the changes as: the sign will not be dimmed, it will be shut off at 11:00 p.m., the sign may be down lighted from the top and bottom, but the base will be significantly less than the top, and there will be no significant glare or light shining off the site. Mr. Milone made the motion and Mr. O'Grady seconded. A roll call vote was unanimous to accept the amendments to the resolution. Ms. Dyrek abstained since she did not vote on the original resolution adoption.

Dr. Levitt asked Mayor Mazzeo about the City budget. Mayor Mazzeo said that the budget would be introduced at the next Council meeting on April 8, 2008 and noted that we are still operating under a temporary budget. Dr. Levitt suggested that Mr. Doran speak with Lance Vandergraf. Mr. Doran said that the ordinance committee should schedule a meeting and invite the Planner to attend. Mayor Mazzeo said the budget has to be adopted before any funds are encumbered and he hopes all will be in place by June. Mayor Mazzeo asked for specifics of what the job will entail. Dr. Levitt noted that the significant area is the Country Club zone. Mr. Doran stressed that specific estimates are difficult to obtain, but it would be possible to get an hourly rate up front or a percentage of profit over cost. Mayor Mazzeo suggested obtaining a few estimates for comparison. Dr. Levitt said that the numbers of hours needed for this project will be difficult to determine and said that a Planner with municipal experience is important. The committee will schedule the next meeting by telephone.

Dr. Levitt closed the meeting at 8:13 p.m. with a motion from Mr. O'Grady and second from Mr. Roegiers.

Respectfully submitted,

Robin Atlas, Secretary to the Board

