

City of Northfield Planning & Zoning Board
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Minutes: January 8, 2009

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, January 8, 2009 in Council Chambers, City Hall, Northfield, was opened by Dr. Richard Levitt at 7:26 p.m. and the following members were present:

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

Norman Zlotnick, Solicitor
Matt Doran, PE-Engineer

The 2009 re-organization meeting began with the swearing in of Chief Robert James as the Class II City Official to the Planning/Zoning Board for the 2009 year. Mayor Vince Mazzeo read the Oath of Office. Dr. Levitt said that John Clifford will be sworn in for the second alternate position for a two year term at the next meeting. He was unable to attend this evening's meeting. Dr. Levitt made the motion to appoint Clem Scharff to the position of Vice Chairman and there were no other nominations. Mr. Roegiers seconded. By voice vote, all voted in favor of Mr. Scharff. Mr. Roegiers made the motion to appoint Dr. Richard Levitt to the position of Chairman and Mr. Shippen seconded. There were no other nominations. All members voted in favor by voice vote. Mr. Scharff made the motion to appoint Robin Atlas as Secretary and Mr. Milone seconded. There were no other nominations and the voice vote was unanimous in favor.

At 7:31 p.m., the Board went into a closed session and resumed the meeting at 7:35 p.m. With a motion from Mr. Shippen and a second from Mr. Roegiers, the Board voted unanimously by voice vote to appoint Matthew Doran as the Board Engineer for 2009. Mr. Doran thanked the Board and said he looks forward to another year with the Board. Dr. Levitt said the Master Plan work has been completed and now the focus will be on the Ordinance. Mr. Scharff made the motion to appoint Norman Zlotnick as Board Solicitor for 2009 and Mr. Shippen seconded the motion. All

Board members voted in favor unanimously by voice vote. Mr. Zlotnick also thanked the Board and looks forward to another year with the Board.

There was one application on the agenda from David Branderbit for "C" variance relief for an existing garage at the rear of the property. He was sworn in by Chairman Levitt and represented himself. The property address is 706 Second Street, Block 132, Lot 39.05 in the R-2 Zone. Mr. Branderbit testified that he has built an oversized garage and that the original garage had a legal permit. He had a misunderstanding with the contractor and he thought he had gotten a permit. The contractor and Mr. Branderbit stopped talking and he decided to build the garage himself. He was then cited by the Zoning Department for the garage which is 836 sq. ft. (measuring 22 ft. x .38 ft.) where the maximum is 500 sq. ft. Mr. Branderbit said the garage is a three-car garage and is built over the setback requirements. Mr. Doran said the side setback is supposed to be 10 ft. and his is at 14.6 ft. and the rear setback is to be 5 ft. and he has 7 ft. Mr. Branderbit said the garage is built toward the middle of the back lawn and provided a photograph for the Board.

Mr. Doran read his review letter into the record and said that the 500 ft. size requirement for the accessory building and his 836 sf garage necessitated the variances and he will need to provide positive and negative criteria, the number of trees removed in order to construct the garage, and additional street trees. The plan does not show sidewalks, but does show curbing. Mr. Doran added that there is a one ft. encroachment onto his neighbor's property due to a fence. Mr. Branderbit said he was just made aware of this on the new survey that was done for this application. There were no trees removed in building the 14 ft. addition and there are Oak shade trees on the property and Mr. Branderbit testified that there are six or seven in front and four or five in the back. Mr. Doran said there are no sidewalks and Mr. Branderbit said his neighbors do not have sidewalks to adjoin with. Dr. Levitt said by going through the zoning process, the Board is required to look at everything involved and he added that for the Board to grant a variance, the applicant must give explanations that benefits will outweigh detriments and testimony is necessary explaining why there is a deviation from the zoning ordinance. Mr. Branderbit answered that he collects classic cars and he cannot leave them outside. That is the reason for building the addition to the garage. His property is 111 ft. wide and the addition is not visible unless traveling down Booye Terrace. Also, it is set back 30 to 40 ft. and it fits with the property. He added that only two houses can view the garage and it does not block anyone's visibility.

Chairman Levitt asked if anyone from the public wished to speak and seeing no one, he closed the public session.

Mr. Roegiers asked Mr. Branderbit if he knew the addition would make the garage too large and oversized by ordinance. He answered that he knew a permit would be necessary and he thought one had been obtained. His developer dragged his feet and Mr. Branderbit was losing money. He did not know it was oversized, but did know it fit the setbacks and he noted that he has a wide yard. He did not know about the 500 sf maximum for accessory buildings. Chairman Levitt asked if he was considering any commercial use of the building and he answered no.

Mr. Scharff made the motion for the variance to allow the oversized accessory building to exceed the maximum 500 sf and Mr. Milone seconded the motion. A roll call vote of all members was unanimously in favor of granting the variance.

There were three resolutions to memorialize. The first was for Gary & Virginia Wolfe, Block 133, Lot 1.02, 311 Franklin Avenue for approval of a "C" variance for an existing fence on December 4, 2008. Abstentions were Councilman Jimmy Martinez, Clem Scharff and Linda Dyrek. Mr. Milone made the motion and Chief James seconded. A voice vote by the other members present was all in favor. The second resolution was for Roger B. Hansen, Block 175, Lot 38, 1300 Argo Lane for a denial of a preliminary major subdivision with "C" variances which was heard on

August 21, 2008, November 21, 2008 and December 4, 2008. Abstentions were Councilman Jimmy Martinez, Clem Scharff and Linda Dyrek. Mr. Milone made the motion and Mr. Notaro seconded. The resolution was approved by voice vote by the other members present. The final Resolution was to approve the annual meeting schedule for the Planning/Zoning Board for 2009 and for publication in The Press. Mr. Scharff made the motion and Mr. Roegiers seconded. This resolution was approved by voice vote by all the members present.

Mr. Doran suggesting setting another Ordinance sub-committee meeting and to include Lance Landgraf and Tiffany Cuviallo and it was agreed to meet January 22, 2009 at 7:00 p.m. at City Hall.

A discussion of boat and box trailers developed and a time limit on these items on the city streets was suggested. Chairman Levitt noted that they are like garages on the street and they block views and affect street cleaning, leaf, and trash pick ups. There are also jitneys on the streets. Mr. Zlotnick said these issues are part of traffic under the City Ordinance, but the Board can make recommendations for Council to review.

Chairman Levitt closed the meeting at 7:56 p.m. with a motion from Mr. Shippen and a second from Mr. Roegiers.

Respectfully submitted,

Robin Atlas, Secretary to the Board