

**City of Northfield Planning Board  
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Northfield, New Jersey 08225  
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Minutes: July 7, 2011

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 Board, held on Thursday, July 7, 2011 in Council Chambers, City Hall, Northfield, was opened by Dr. Richard Levitt at 6:58 p.m. and the following members were present or absent as noted:

Linda Dyrek  
Chief Robert James-absent  
Denise Kintish-absent  
Dr. Richard Levitt  
Mayor Vincent Mazzeo  
Lou Milone  
Henry Notaro  
Ron Roegiers-absent  
Clem Scharff  
Jim Shippen-absent  
Councilman Steven Vain-absent

Edward Stinson, PE substituted for Matthew Doran, Professional Engineer  
Norman Zlotnick, Solicitor

There was one application on the agenda this evening for Block 40, Lot 18.16, 21 Jack Sloan Court, a residence owned by Kyle Deuter for "C" variances for rear yard and side yard setbacks to construct an in-ground swimming pool. Dr. Levitt swore in Mr. Deuter.

Mr. Deuter testified that he is seeking a deviation from the zoning ordinance for setbacks to add a pool to his rear yard. Mr. Stinson said the rear yard setback is required to be 10 ft. and Mr. Deuter is proposing 5 ft. Mr. Stinson said there is also an 8 ft. separation requirement from the building to the pool and Mr. Deuter is proposing 5 ft. This would be a

waiver. Dr. Levitt noted that the house is irregularly shaped. Mr. Notaro asked if the building code requires an 8 ft. separation. Mr. Stinson said it is part of the ordinance.

Dr. Levitt asked about fencing. Mr. Deuter said he has two estimates, but the pool company will need to use construction trucks and a back hoe and he intends to enclose the yard when large equipment is no longer needed. Dr. Levitt said the plans show a chain link fence along the rear of the property and asked what was behind the fencing. Mr. Deuter said there are two drainage basins and a wooded area which is Atlantic County property. He noted that there are a lot of deer and there is no rear neighbor which would be impacted by the 5 ft. setback. He added that he has two neighbors on each side of his property that has 6 ft. vinyl fencing and they have agreed to share fencing. He said his neighbors have no problem with his project and he feels there are no detriments as there is no drainage problem and the pool will be good for his family.

A discussion about lot coverage developed when Dr. Levitt noted that pools are considered impervious surfaces. Mr. Deuter said an overflow of water would be pumped out to the rear of the yard and would flow into the basins. Mr. Deuter said he has a degree in Engineering and feels he may be encroaching on lot coverage. He is asking for 45%. Mr. Stinson said Mr. Doran noted in his report that the proposed total coverage could not be determined from the plans submitted, but the maximum coverage for the lot is 40% which may limit the amount of pavers that can be installed in the yard. Mr. Stinson said Mr. Doran felt that a deviation over 40% would not be a problem since the property is adjacent to the drainage basins in the rear. Dr. Levitt said the Board will have to consider lot coverage not to exceed 45% and he advised Mr. Deuter that this will have to be calculated out by an Engineer or Mr. Deuter himself since this could affect decking. Mr. Deuter agreed to do this. It was noted that the property has curbs and sidewalks and the street trees survived the road repair that was done. Mr. Deuter testified that he is more than 10 ft. from adjacent properties.

Dr. Levitt noted that there was no one from the public who wished to comment on the project and he closed the public session. He added that testimony has been given that the pool will enhance the property without detriment. The Board had no further questions and Mr. Stinson said all items in Mr. Doran's letter were covered.

Mr. Scharff made the motion for the variances needed to construct the pool, total coverage not to exceed 45%, a rear setback variance for 5 ft. and a waiver for the space from the building to the pool. Mr. Deuter clarified that there will be an apron around the pool, steps will be at the

side of the deck, and the deck will have railings. Dr. Levitt added that the applicant will submit calculations for lot coverage to the building inspectors for consideration. Mr. Milone seconded the motion.

The roll call vote was as follows:

Mrs. Dyrek-yes, Chief James-absent, Mrs. Kintish-absent, Mayor Mazzeo-yes, Mr. Milone-yes, Mr. Notaro-yes, Mr. Roegiers-absent, Mr. Scharff-yes, Mr. Shippen-absent, Councilman Vain-absent, Chairman Levitt-yes. The motion for the "C" variances carries.

Dr. Levitt began a discussion concerning the issue of Rite Aid submitting a permit application for a Red Box video vending machine to be placed outside their store. Mr. Bonchi, the City Solicitor, was asked to give his opinion on an item in the ordinance which states that vending machines are allowed if they are business related and no more than two feet from the related business. The question is does this mean video store related or for any business who puts a vending machine outside their store. Mr. Bonchi interpreted this to mean that "related business" means that it is in front of the business that owns or leases the machine. Dr. Levitt said that the Board can't do anything about Rite Aid since the new ordinance has not been completed, but he said the new ordinance prohibits vending machines outside of businesses except on public (City) property. He asked that a letter be drafted to Mr. Bonchi explaining that it is the feeling of the Board that vending machines are not permitted uses. The reason is that when applicants come in with site plans they usually show sidewalks around the front of the building and there needs to be ample room on the walkways to prevent people from having to walk in driveways and parking areas if vending machines are allowed on the side of the building. Control is lost and there is the tackiness factor. The feeling of the Board is that outside vending machines are prohibited uses and this should be included with the notes submitted by the Board to Mr. Bonchi and if not, it is the feeling of the Board that they are prohibited in all zones.

Another issue of business was certain items in the 2605 Shore Road resolution that is to be memorialized this evening which was completed by Jackie Stiles. Dr. Levitt pointed out the areas to Mr. Zlotnick and asked that some of the language be tightened up. He noted that the Board can still memorialize the resolution subject to the changes. Mr. Scharff made the motion to memorialize the resolution for 2605 Shore Road, Block 78, Lot 14, for a use variance, parking variance and site plan waiver, subject to the amended language. Mr. Notaro seconded. The voice vote was all in favor with Mayor Mazzeo abstaining. The second resolution to memorialize was for Gary M. Glass, M.D., Block 84, Lot 15, for "C" variances for setbacks for a pool cabana. Mr. Scharff made the motion and Mr. Milone seconded. The voice vote was all in favor.

The last order of business was a discussion about some of the LED signs in town. Dr. Levitt feels that some are flashing and changing too frequently. New businesses should be given some slack at first, but then the conditions of approval need to be enforced. The Board is not happy that beer trucks are being used as billboards and as signage.

The meeting was closed at 7:27 p.m. by Chairman Levitt with a motion from Mr. Scharff and a second from Mrs. Dyrek.

Respectfully submitted,

Robin Atlas, Secretary to the Board