

City of Northfield Planning Board
1600 Shore Road
Northfield, New Jersey 08225
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October 7, 2021

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 of Atlantic City on September 27, 2021, posted on the bulletin board in City Hall, filed with the City Clerk, and posted on the city website, stating the date, time and place of the meeting and the agenda to the extent known. Digital copies of the application documents, exhibits, and the Planning Board Engineer's report have been uploaded onto the city website as well.

This **REGULAR** meeting of the Northfield Planning Board was held on Thursday, October 7, 2021. Pursuant to N.J.S.A. 10:4-8(b), this meeting was live-streamed using Zoom conferencing service. The meeting is also being held in-person with limited seating available due to Covid-19 social distancing parameters. Public attendance was by reservation only.

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The meeting was opened by Chairman Richard Levitt at 7:01 p.m. with the reading of the Sunshine Law and the roll call with the following members present or absent as noted:

Peter Brophy

Mayor Erland Chau-absent

Joseph Dooley

Dr. Richard Levitt

Chief Paul Newman

Henry Notaro-absent

Dan Reardon
Ron Roegiers
Derek Rowe
Clem Scharff-absent
Jim Shippen
Councilman Paul Utts-absent
Joel M. Fleishman, Esq.-Planning Board Solicitor
Matthew Doran, PE, PP-Planning Board Engineer

The first application was from Timothy S. and Tara Wainwright. The attorney representing them was Elias T. Manos, Esq. of Northfield. The address is 12 Henry Drive, Block 16.01, Lot 30 in the R-1 zone. The application is for "C" variance relief for a front yard setback to construct a covered porch. Timothy Wainwright and Matthew Carney, project manager, were sworn in by Dr. Levitt. Mr. Manos addressed the Board and said the front yard setback requirement is 25 ft. They are proposing to construct an 8 ft. deep porch 21 ft. 9 in. from the setback line and they need a variance for 3 ft. If they were to comply, the porch would be 5 ft. deep and that would not be feasible.

Mr. Manos said this is a flexible C(2) variance more so than a hardship variance. The Wainwright's have a huge rear yard and the project will add aesthetic value to the house and the neighborhood. Presently, there is only a stoop. The new porch will liven up the front of the house. They intend to preserve light, air, and open space since they are way under building and lot coverage. Building coverage is 16.1% and they are allowed 25%, and lot coverage is 37.1% and they are allowed 40%. This will also advance the purposes of zoning. Mr. Manos said there is no detriment to the public good. They will not impact any of the neighbors or any neighbor's view. They meet all side and rear yard setbacks. There are 26 houses on Henry Drive which is a horseshoe shaped drive with two road entrances. Fifteen of the homes have porches and twelve have covered porches. The Wainwright's project is consistent with the character of the neighborhood.

Mr. Manos referred to Mr. Doran's report. Mr. Doran noted that the property does not contain curbs and sidewalks and it appears that no property in the original development contains these improvements. Mr. Manos agreed with this and asked that they not be required to install curbs and sidewalks and to be waived from planting street trees. He noted that the Wainwrights did plant a Japanese Maple in the yard and the front yard is well landscaped. He noted that not many homes on Henry Drive have street trees.

Mr. Manos called Mr. Wainwright to comment for the record. He stated that he wants to go ahead with the project for aesthetic reasons and also for protection. They have some water rot and the sunlight makes the door handle hot to touch. They want the covered porch for the protection of guests from the weather. He is asking for a front yard setback variance of 3 ft. to construct the porch along the front of the house and not to include the garage which is set back from the front of the house. He testified that there were no negatives involved with the project. They would like a waiver from curbs and sidewalks. Mr. Wainwright said when they moved into the house there was no landscaping. They added the Japanese Maple two and a half years ago and it has a lot of growing to do. They have a bush area on the side. He testified about the porches in the neighborhood and said there are not a lot of trees in front of the properties. He noted that sixteen homes had trees, but not on the curb line. The trees were in the front yards. Dr. Levitt said he did a drive-by and it is a well-maintained house and he commented that the Wainwrights have great Halloween decorations. Dr. Levitt asked the Board if they had any issues with waiving curbs and sidewalks. No one had any comments. Mr. Roegiers wanted to clarify the

dimensions of the porch and stated it is 260 sf and Mr. Shippen added it is 8 ft. deep. Dr. Levitt said the bulk of the house more than conforms. Dr. Levitt asked if the Board members were satisfied with the landscaping and trees. There were no questions or comments. Dr. Levitt said the variance is di minimus.

Dr. Levitt asked for a motion for the front yard setback to enable the proposed covered porch and for waivers for curbs and sidewalks. He also noted that there may be an outstanding sewer payment which needs to be taken care of and will be a condition of approval. Mr. Wainwright said he will take care of that tomorrow. Mr. Manos clarified that in reference to the variance, they are proposing a 21.9 ft. setback where 25 ft. is required. Mr. Brophy noted that a good deal of landscaping will be removed in order to construct the porch. Mr. Wainwright said they will be replacing the landscaping in front of the garage and will be adding more landscaping in front of the porch.

Mr. Shippen made the motion and Mr. Roegiers seconded.

The roll call vote was as follows:

Mr. Brophy-yes

Mr. Dooley-yes

Chief Newman-yes

Mr. Reardon-yes

Mr. Roegiers-yes

Mr. Rowe-yes

Mr. Shippen-yes

Chairman Levitt-yes

The motion carries.

The second application was from Dozer Construction, LLC., Block 34 Lot 16, 730 W. Mill Road for a Minor Subdivision and a "C" Variance for lot width. The attorney, Richard M. King, Jr., Esq. of Somers Point addressed the Board. Dr. Levitt swore in Craig Hurless, PE, PP of Pleasantville and he is a licensed Planner and Engineer in New Jersey. Mr. Hurless described the exhibits. The first two exhibits are exactly what is found in the application packet. Exhibit A-1 is the minor subdivision plan. Exhibit A-2 is the variance plan. Exhibit A-3 is new and is a history of the major subdivision geometry previously approved. The site is opposite Birch Grove Park Drive along Mill Road and consists of 1.42 acres. All of the right-of-ways are carved out of this figure. The site contains an existing home on the northernly portion of the lot and the rest of the lot is open grass and woods. His client is renovating the existing dwelling. They are proposing a two-lot minor subdivision. The lot with the existing home will be Lot 16.01 and the newly created lot will be Lot 16.02.

Mr. Hurless went on to explain that the previous approval was for a five lot major subdivision and this was approved in 2006. There were to be 4 lots at a minimum of 10,000 sf with a cul-de-sac. The 5th lot was to be used to contain the stormwater system. They are proposing a far less intense use. The lot with the existing house is over two times the minimum lot size at 20,663 sf and it conforms in every way including 166 ft. of frontage along Mill Road. The second lot which will house the proposed new dwelling is over four times the minimum lot size at 41,318 sf and it meets all of the bulk requirements except for one. Lot 16.02 does not meet Lot width in one section where it will be 66 ft. for the first 194 feet and then it widens and conforms at approximately 177 ft. wide at that point. This is the one necessary variance.

Mr. Hurless described the C1 and C2 variance criteria. As to the C1 criteria, the lot has exceptional narrowness in areas, has a unique shape, and irregular angling. If the variance were not granted, the lot could only have one dwelling and this creates an undue hardship on the lot. The previous proposal was for four buildable lots and they are proposing two lots and this is a less intense use. As to C2 variance

testimony, the project advances zoning and the benefits far outweigh the detriments and meets three purposes of zoning. The first is that they are providing adequate light, air, and open space and will far exceed the minimum standards. Dr. Levitt asked that they identify the actual setback for the proposed dwelling. He said they are creating a flag lot and he wanted the rear setback of the house on Lot 16.01 to be clearly defined. Mr. Hurless said there is no definition in the Ordinance for flag lots and Mr. Doran agreed. Mr. Hurless said he measured the setback using the regular bulk are requirements and they would agree to move the front yard setback 25 ft. behind the rear lot line of Lot 16.01. Dr. Levitt said he wants the future builder to be clear on that. Mr. King agreed to that condition. Mr. Hurless continued with testimony and said secondly, they are providing space and have a location for a variety of uses and in this case, they are proposing residential development at an appropriate density in the R-1 district in accordance with the Master Plan and Zoning Ordinance. Lastly, they are promoting a desirable visual location with a good civic design and arrangement and are utilizing a large property that far exceeds requirements in most areas. Dr. Levitt asked about the existing driveway and is Lot 16.02 granting an easement to Lot 16.01. Mr. Hurless explained that the County did improvements last year and new driveway aprons and sidewalks were constructed. If they were to create two separate driveways, they would have to remove all of the trees. They are proposing to have one shared driveway with a driveway easement. Dr. Levitt said the driveway will be adjacent to the property line. Mr. Hurless said it may be necessary to remove one tree. Dr. Levitt asked about the utility pole. Mr. Hurless said it is south of the proposed driveway. Dr. Levitt said that the easement explains the telephone pole not being disturbed.

Dr. Levitt said the Board has received correspondence from residents complaining about blowing trash and litter and asked if they could provide a dumpster. Mr. Hurless said there is a dump trailer on site. Mr. King said he would make sure that a dumpster is provided during construction. Mr. Hurless discussed housecleaning items. The Tax Assessor did not approve the lot numbers 16.01 and 16.02 as both lots would be new lots and the mother lot would be eliminated. They agreed to the existing lot with the house to remain as Lot 16 and the new lot would be Lot 16.01. They agreed to change the lot numbers as a condition of approval and to use the lot numbers recommended by the Tax Assessor. Mr. Hurless wanted the resolution to reflect this so that it will be consistent with the easement deed. Mr. Hurless said they agree to all of the items in Mr. Doran's letter and they will maintain the existing sidewalk. Mr. Doran discussed street trees and said that the lot is very wooded. He said there are also some minor technicalities such as monuments on the plans that they will have to complete. Mr. Hurless said they agree to all in Mr. Doran's report and asked for a waiver for street trees. Mr. Fleishman suggested the Board waive the street trees based on the existing conditions.

The principal owner of Dozer Construction LLC, David Aristizabal, was available on Zoom. He was sworn in by Dr. Levitt. He said he was going to sell the vacant lot after renovation of the existing house. He said his family is now planning on building a home on the vacant lot and it will be their forever home. They currently live down the street and this is a new intention. Dr. Levitt noted that there was no one from the public in attendance or on Zoom. Mr. Roegiers clarified that there will be one driveway for two lots and then the driveways divide. Dr. Levitt said yes and there will be only one curb cut. Mr. King added that there will be an easement granted for the new lot. Mr. Brophy clarified that there will be 50 ft. of shared driveway. Dr. Levitt asked the Board if they had any questions. There were none. Mr. Fleishman suggested that the Board combine the "C" Variance and waivers and minor subdivision in one vote.

Mr. Shippen made the motion for a minor subdivision with a variance for 66.15 ft. of lot width for the vacant lot where 100 ft. is required. The waivers include landscaping, the curbs and sidewalks will be maintained as they are, they will show on the plan the 25 ft. building setback from the rear lot line of Lot

16, they will provide a proper trash receptacle during construction, and they will comply with everything in Mr. Doran's letter. Mr. Brophy seconded the motion.

The roll call vote was as follows:

Mr. Brophy-yes

Mr. Dooley-yes

Chief Newman-yes

Mr. Reardon-yes

Mr. Roegiers-yes

Mr. Rowe-yes

Mr. Shippen-yes

Chairman Levitt-yes

The motion carries.

Dr. Levitt closed the meeting at 7:48 p.m. with a motion from Mr. Brophy and a second from Mr. Roegiers.

Respectfully submitted,

Robin Atlas

Robin Atlas, Secretary to the Board