

**Township of Lumberton  
Land Development Board  
Regular Meeting  
August 20, 2009**

The regular meeting of the Lumberton Township Land Development Board was called to order by Chairman Bennett on Thursday, August 20, 2009 at 7:32p.m.

Chairman Bennett read the following statement:

In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner:

On January 2, 2009 advance written notice of this meeting was posted on the bulletin board in the main lobby in the Town Hall; was mailed to the Burlington County Times and the Courier Post; was filed with the Clerk of Lumberton Township and was mailed to all persons who requested and paid for such notice.

Please note that unless otherwise modified by Resolution of the Land Development Board, all meetings shall begin at 7:30 p.m. and no new matter shall be initiated after 11:00 p.m., except where the Land Development Board, by majority vote of those present, shall specifically authorize the extension of the meeting beyond 11:00 p.m.

Those testifying before the Board on any application are required to be sworn in. The Board's Engineer and Planning Consultant have taken an oath upon their agreement and their testimony on an application is under oath on a continuing basis.

**Roll Call**

Citizen Member	Thomas Ammerman Robert Bennett, Chairman Thomas Bintliff Sheldon Evans Beverly Marinelli Robert Morton John Pagenkopf	(Absent)
Representatives of Governing Body	James Conway, Jr. Lewis Jackson	
Alternate #1 Alternate #2 Alternate #3 Alternate #4	Nancy Bleznak Craig Potter Doug Alba Ed Borm	(Absent)
Solicitor (Arrived at 7:43) Consulting Engineer & Planner	Peter Emmons, Esq.,Gibbs,Gregory&Emmons Gregory J. Sullivan, P.E.,P.P., Remington, Vernick & Arango	
Board Secretary	Catherine Borstad	

## **Minutes**

### A. Regular Minutes for June 18, 2009 meeting

Motion was made by Mr. Conway, seconded by Mr. Jackson to approve the meeting minutes of June 18, 2009. The vote was affirmative with the exception of Mr. Pagenkopf, who abstained, and the motion carried.

### B. Special Meeting Minutes for June 30, 2009.

Motion was made by Mr. Conway, seconded by Mr. Jackson to approve the meeting minutes of June 30, 2009. The vote was affirmative with the exception of Mr. Conway, Mr. Jackson, Mr. Bintliff and Mr. Pagenkopf, who abstained, and the motion carried.

### C. Regular Meeting minutes for July 16, 2009.

Motion was made by Mr. Conway, seconded by Mr. Jackson to approve the meeting minutes of July 16, 2009. The vote was affirmative with the exception of Mr. Evans and Mr. Pagenkopf, who abstained, and the motion carried.

## **Correspondence**

There was none.

## **Ordinance**

### A. Amendments to Chapter 221 Property Maintenance Code

Mr. Emmons stated that this code is to make sure property owners maintain their creek front or water front properties, so that the flow of the creek is not blocked.

Mr. Pagenkopf stated that a couple of years ago a resident removed a tree that was blocking the creek, and then the resident received a Notice of Violation from DEP and was told to put the tree back.

Mr. Emmons stated that he will check into the Department of Environmental Protection regulations.

Mr. Conway stated that the Bridge Commission just approved Phase 3 of the creek cleanup. He stated that they would be removing the snags from the creek. He stated that the Bridge Commission will be spending approximately \$1 million dollars cleaning up the creek. He stated that this code is to get property owners to be pro-active in helping people to take care of their yards and to keep the creek clear.

Mr. Pagenkopf stated that there is a correct way to clean up the creek.

Mrs. Marinelli stated it was her recollection when she was on Committee last year that the intent of the Committee was to have residents maintain their creek front properties so that the trees do not fall into the creek.

## **Resolutions**

- a. 2009-11 Amended, Adams, Jane & Murphy, Donald, Block 38, Lot(s) 5 & 8.01, Stacey Haines Road. Preliminary and Final Major Subdivision. Approved

Motion was made by Mr. Jackson, seconded by Ms. Marinelli to approve Resolution

2009-11. The vote was affirmative with the exception of Mr. Pagenkopf, who abstained, and the motion carried.

**Items for Action**

**a. Braun, Theresa & Stanley  
Block 3.01, Lot 7  
12 Chestnut Street  
HA Zone  
Siding (7:36-7:45)**

Mr. Stanley Braun, sworn to provide testimony.

Mr. Braun stated that his wife has granted him permission to speak on her behalf.

Mr. Braun stated that they would like to install vinyl siding and replacement windows.

Ms. Sullivan stated that the present siding is asbestos siding. He stated that the existing windows are two panes up over two panes. He stated that the applicant is proposing to close off two existing windows. One on the back of the house and a small window on the back shed. Mr. Sullivan stated that these windows cannot be seen from the street.

Chairman Bennett asked if the vinyl siding would be installed over the existing siding. Mr. Braun stated yes. Chairman Bennett asked Mr. Sullivan if there were any environmental issues. Mr. Sullivan stated no issues with encapsulating.

Mr. Sullivan stated that the applicant will be matching the other side of the house that already has vinyl siding.

Mr. Sullivan asked if the windows would be staying the same. Mr. Braun stated that they would be staying the same size. Mr. Sullivan stated that it is not clear if the windows would be two over two or six over six.

Mr. Pagenkopf stated that it would be preferred if the window mullings match what is existing.

Chairman Bennett opened the meeting up for public comment. There being none, this portion of the meeting was closed.

Motion was made by Mr. Jackson, seconded by Ms. Marinelli to approve the application for siding and windows. The vote was unanimous and the motion carried.

Mr. Emmons arrived at 7:43 p.m.

**b. Himchax, Michael & Kimara  
Block 13.02, Lot 1, 2 & 3.01  
1 Edward Street  
HA Zone  
Siding, Front Porch (7:52-8:02)**

Applicant was not present.

Motion was made by Ms. Marinelli, seconded by Mr. Conway to continue the application to the next meeting. The vote was unanimous and the motion carried.

Mr. Michael Himchax arrived, sworn to provide testimony.

Mr. Himchax stated to the Board that he wants to replace the siding on his home. He stated that the siding was destroyed from the flood. He stated that he did not have time or the manpower to fix the house until now. Mr. Himchax stated that he will be siding his home with material that is impervious to water.

Chairman Bennett asked what type of siding is on the home now. Mr. Himchax stated clapper wood siding.

Mr. Himchax stated that the proposed siding would be brown in color. He stated that the siding would be timber bark with a wood grain in it.

Chairman Bennett asked if the roof would be done also. Mr. Himchax stated yes.

Mr. Emmons asked if there would be any architectural shingles. Mr. Himchax stated no.

Mr. Sullivan stated that the existing windows are six over six. He asked if the replacement windows would be six over six. Mr. Himchax stated yes.

Mr. Emmons asked about the front porch. Mr. Himchax stated that the front porch would be across the part of the new portion of his house.

Mr. Conway asked what material would be used for the porch. Mr. Himchax stated that he would be using a recycled plastic material.

Mr. Emmons asked if there would be a roof on the porch. Mr. Himchax stated yes. Mr. Emmons stated that the porch would not be permitted to be enclosed.

Mr. Conway asked who would be doing the work. Mr. Himchax stated himself.

Mr. Sullivan asked what the setback of the porch to the street would be. Mr. Himchax stated it is 13.125'.

Mr. Emmons asked if all of the windows would be replaced. Mr. Himchax stated yes.

Mr. Sullivan stated that the applicant is proposing to replace the roof, siding and windows which are six over six and a porch that has a setback of 13.125' from the right-of-way.

Chairman Bennett opened the meeting up for public comment. There being none, this portion of the meeting was closed.

Motion was made by Mr. Pagenkopf, seconded by Ms. Marinelli to approve the application. The vote was unanimous and the motion carried.

Chairman Bennett asked when Mr. Himchax was planning on starting. Mr. Himchax stated mid to late September.

### **Old Business**

a. 20 Maple Ave, LLC., (Cave Holdings)

Ms. Borstad reported that Cave Holdings was scheduled for a Technical Advisory Committee meeting on Wednesday, August 26, 2009.

**Public Comment**

There were none.

**Comments from Professionals**

There were none.

**Comments from the Board**

**A. Bill List**

Motion was made by Ms. Marinelli, seconded by Mr. Ammerman to approve the bill list. The vote was unanimous and the motion carried.

**Adjournment**

Motion was made by Mr. Ammerman, seconded by Mr. Jackson to adjourn at 8:02 p.m. The vote was unanimous and the motion carried.

Respectfully Submitted,

Caryn L. Cutts  
Land Development Board Recording Secretary