

**Township of Lumberton
Land Development Board
Regular Meeting
February 17, 2016**

The regular meeting of the Lumberton Township Land Development Board was called to order by Mr. Evans on Wednesday, February 17, 2016 at 7:30 p.m.

Mr. Evans 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 23, 2016 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. Pursuant to the Board's adopted procedure, no new application will be started, or witness testimony taken after 11:00 p.m. All such matters will be continued until the next available Board meeting. If the time limit of the Board for action is not extended by the Applicant the matter will be voted upon in the evidence setting the Board finds itself at the time action is taken.

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 Members	Robert Bennett (Absent)
	Catherine Borstad
	Rakesh Darji (Absent)
	Sheldon Evans
	Bob Healey
	William Tynon
	Audrey Winzinger (Absent)
Representatives of Governing Body	James Conway (Absent)
	Sean Earlen (Absent)
Alternate #1	Donald Tallo
Alternate #2	Matthew Kausch
Alternate #3	Roseanne Tulio-Kwiatkowski (Absent)
Alternate #4	Christopher Ciorlito
Solicitor	Mr. Crook, Esq., Capehart & Scatchard
Consulting Engineer	Mr. Kurt Otto, PE, CME Engineering (Absent)
Consulting Planner	Joseph M. Petrongolo, C.L.A., R.L.A., P.P. Remington, Vernick & Arango

Minutes

Reorganization & Regular Meeting minutes for January 20, 2016.

Motion was made by Mr. Kausch, seconded by Ms. Borstad to approve the Reorganization and Regular meeting minutes of January 20, 2016. The vote was affirmative with the exception of Mr. Healey and Mr. Tallo, who abstained, and the motion carried.

Correspondence

There was none.

** Mr. Healey left at 7:33

Resolutions

- A. 2016-5 A Better Lumberton, 111 and 112 Municipal Drive, Block 19.58, Lot(s) 1 and 2, Use Variance in connection with a Subdivision of up to 25 lots. Approved.

Motion was made by Mr. Kausch, seconded by Ms. Borstad to approve Resolution 2016-5. The motion was affirmative with the exception of Mr. Tallo, who abstained, and the motion carried.

Items for Action

- A. Mormando, Alfred
7 Helsing Drive
Block 19.08, Lot 7 R75 Zone
Use Variance for 2nd Kitchen (In-Law Suite)**

Mr. Alfred Wayne Mormando, applicant & Mr. Yakup Koksaldi, contractor for applicant, both sworn to provide testimony.

Mr. Petrongolo stated that the application can be deemed complete.

Mr. Mormando stated that he and his wife are getting elderly and that their daughter is going to move into the basement of their home to help with their needs so that they can live in their home. He stated that the basement currently has been finished with 2 bedrooms, 1 full bath and a storage area which has been approved by the construction official. When they decided that they could use the 2nd kitchen in the basement for their daughter's needs, they stopped and came before the Board for approval. He stated that the 2nd kitchen would allow for the daughter not to have to go up and down the stairs. There is a separate entrance to the basement.

The Board stated to the applicant that the space could not be used as a rental in the future. Mr. Mormando stated that he understood. The Board also stated that the kitchen be removed when no longer needed. Mr. Mormando agreed.

Mr. Petrongolo asked if there will be any external changes to the home. Mr. Mormando stated no.

Mr. Petrongolo questioned what the third room would be used for. Mr. Mormando stated that the purpose of this room would be for utilities/storage only. He stated that room has access to the water meter and plumbing pipes.

At this time Mr. Evans opened the meeting up for public comment.

Mr. William & Louise Harper – 720 Main Street

Mr. & Mrs. Harper came to support the application.

Ms. Christina Tencza – Daughter of applicant

Ms. Tencza thanked the Board for hearing the application. She stated that where she lives currently, when there is bad weather she is unable to get to her parents residence to help them.

Mr. Crook summarized the application for the Board. The application is for a use variance for an in-law suite with a 2nd kitchen. There will be no exterior changes/modifications to the outside of the house. The home is consistent with the neighborhood. The applicant is seeking approval of a use variance for a finished basement consistent of 2 bedrooms, 1 bath with a 2nd kitchen to allow for their daughter to move into the home to help take care of them so that they can remain in the home. Conditions of approval are that the applicant will not rent the space without prior approval. Applicant has agreed to remove the kitchen if no longer needed. The third room is to be used for a closet and not a bedroom.

Motion was made by Ms. Borstad, seconded by Mr. Tynon to approve the use variance with conditions as stated. The vote was unanimous and the motion carried.

- B. Hester, Alan
20 Ed Browns Meadow
Block 21, Lot 23.14 RA/S Zone
Use Variance for In-Law Suite Addition

Mr. Alan Hester, sworn to provide testimony.

Mr. Hester stated that he is requesting a use variance for an addition to consist of a garage with an unfinished 2nd floor and an addition. The addition will be for his in-laws who are elderly and have medical conditions. Currently his wife spends a lot of time taking care of his in-laws at their residence. The in-laws residence is getting too big for them to take care of. He also stated that he has a son who has cerebral palsy. The additional adults in the home would also be a help with taking care of his son.

Mr. Petrongolo asked Mr. Hester if he plans to rent the space out. Mr. Hester stated no.

Mr. Hester stated that the addition will consist of 2 bedrooms, 1 bathroom and a kitchen. He stated that he would like his in-laws to be able to live their lives. He stated that they may want to have a grandchild come over and stay with them, etc. Mr. Hester stated in the future it may be a possibility that his son be able to move into the addition.

The Board asked if the kitchen would be removed if there is no longer a need. Mr. Hester stated yes.

Mr. Petrongolo stated that wetlands and flood plain need to be shown on the plan. They need to determine that Mr. Hester's property is out of the wetlands buffer.

Mr. Hester stated that he has septic/well on the property. He stated that he just had a new septic put in and sized for a 5 bedroom home.

Mr. Petrongolo asked if any trees would be removed. Mr. Hester stated that there are four trees being removed.

At this time Mr. Evans opened the meeting up for public comment. There being none, this portion of the meeting was closed.

Mr. Crook summarized the application. The application is for approval of a use variance for an in-law suite addition. The in-law suite will consist of 2 bedrooms, 1 bath and a kitchenette, a garage with an unfinished second floor. The applicant has stated that his in-laws require a lot of care. The applicant has stated that his youngest son has cerebral palsy and the extra adults would be a help with his care. The home will maintain residential character; there is no negative impact on adjacent properties. There is no hinder on the Township Ordinance. The benefits outweigh the negatives. Condition of approval would be that the space cannot be rented out, the kitchenette is to be removed when no longer needed and revised plans are needed showing the wetlands buffer. The applicant will comply with the Engineer's review letter of 2/10/16.

Motion was made by Mr. Tynon, seconded by Mr. Tallo to approve the use variance with conditions as stated. The vote was unanimous and the motion carried.

Public Comment

There was none.

Comments from Professionals

There was none.

Comments from the Board

A. Bill List

Motion was made by Mr. Tallo, seconded by Mr. Tynon to approve the bill list. The vote was unanimous and the motion carried.

Executive Session

Adjournment

Motion was made by Ms. Borstad, seconded by Mr. Tynon to adjourn at 8:15 p.m. The vote was unanimous and the motion carried.

Respectfully Submitted,

Caryn L. Cutts
Land Development Board Recording Secretary

Executive Session

The Board discussed the Historic Ordinance. It was decided that a copy of the guidelines on Historic Review would be provided to be discussed further and then to refer recommendation to the Committee.

