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**Township Clerk**  
Amy Leso, RMC

**WEST DEPTFORD TOWNSHIP**

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400 Crown Point Road  
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**ZONING BOARD OF ADJUSTMENTS  
REGULAR MEETING MINUTES  
TUESDAY FEBRUARY 11, 2014 7PM**

- I. The regular meeting of the West Deptford Township Zoning Board was held on Tuesday February 11, 2014 at 7:00 PM at the Municipal Building. Michelle Hack, Recording Secretary called the meeting to order, saluted the Flag and recorded the following roll call:

**Present:**

Mr. Bill Bondar	Mr. Randy Colone	Mr. Anthony Dameika
Mrs. Ellen Lanciano	Mr. Mike McManamy	Mr. James Robinson
Mr. Paul Wallowitch	Mrs. Madeline Fucci, Alt. 1	Mr. John Keuler, Alt. 2
Mr. Jake Leise, Alt. 3	Mr. George Grady, Alt. 4	

**Absent:** NONE

- I. **SWEARING IN PROFESSIONALS:** Mr. Ziegler swore in Joe Augustyn and Hugh Dougherty to provide testimony at this evenings meeting.
- II. **APPROVAL OF MINUTES:** The minutes from January 14, 2014 were approved as submitted. Motioned by Mr. Bondar, and seconded by Mr. Robinson. Roll call vote 7 yes, 0 no.
- III. **NEW BUSINESS:**

**1. BULK VARIANCE 2014-1-APPROVED**

APPLICANT: Nicholas Lepore

PROPERTY: 226 DuBois Avenue

LOCATION: Block 189, Lot 9, Tax Map 17

ACTION DESIRED: A bulk variance to allow a single family dwelling to be built on a non-conforming lot. A "c" variance with regard to 166-14B(2) to allow for a reduction in a proposed minimum lot width and any other variances or waivers deemed necessary and appropriate by the Board.

Mr. Lepore, the applicant along Mr. Bruce McKenna PE was sworn in to provide testimony for the application. The Board asked questions and held discussion concerning the lot and existing fence, sidewalk, curb and water & sewer. Mr. McManamy opened the floor to the public, Ms. Joanne Ryder, 240 DuBois Avenue, was sworn in and voiced concerns of the proposed new-construction home being too close

to her house, (agreed to change parameters so there is 15 feet on her side), her desire to have the old tree at borders the property line removed (will be and replaced with something that will not obstruct the driveway view), and new sidewalks and curbs (to be replaced). She stated she is not opposed to the project because the lot is not maintained but is wants to know the timeline of construction (plans to begin April 1.). After no one else from the public chose to address the Board, the Chairman closed the public portion related to the application. Mr. Wallowitch made a motion to approve the application as submitted included the criteria the applicant agreed to reference above regarding distance between the newly proposed home and 240 DuBois, tree removal and replacement and new curbs and sidewalks. Mr. Bondar seconded the motion. Roll call vote confirmed all in favor 7 yes, 0 no.

## **2. USE VARIANCE 2014-2 -APPROVED**

APPLICANT: William C. Urban Jr.

PROPERTY: Mantua Grove Road

LOCATION: Block 346.07, Lot 24, Tax Map 36

ACTION DESIRED: A Use Variance to construct a single family residence in the M-1 Light Manufacturing Zone, which does not permit residential development.

Mr. Urban was sworn in and began to present the application along with his attorney, Mr. Dale Taylor, Esq. He noted proper notice has been given and proof of such has been provided with the Township. He then reviewed the layout of the land and the need for the variance, to which he plans to build a new construction home. Mr. Augustyn discussed the balance of the tract of land. The Board discussed the application and rationale as to why this specific area was chosen for the variance. Mr. Dougherty noted that a future sub-division will be required to be presented to Planning Board contingent to tonight's approval. The Chairman opened the floor to public portion of this application. Susan Stippen Press of 633 Mantua Grove Road neighbors the Urban Farm, after being sworn in, asked the Board to consider drainage issues, both current and future. She was ensured this will be addressed as a condition and furthermore in a minor sub-division. It will also be noted that Mr. Urban will obtain a Letter of Interpretation and wetlands plotted as part of a sub-division. Mr. Robinson motioned to approve the application with the criteria of a minor sub-division and proper notice be given of the hearing for such. Mrs. Lanciano seconded the motion, which was unanimously approved, roll call confirmed 7 yes, 0 no.

## **3. USE VARIANCE/Preliminary and Final Site Plan Approval 2014-3-APPROVED**

APPLICANT: Ana Eddie 13 Inc.

PROPERTY: 390 Jessup Road

LOCATION: Block 351.12, Lot 4.04, Tax Map 32.01

ACTION DESIRED: The conversion of existing residence into a restaurant (family residence on second floor, restaurant on first floor. A Use Variance for residential use (166-27(1), A Use Variance to permit the serving of food and drink on the proposed rear porch outside of the building (166-19.B.(4). Bulk variances for lot area, front yard setback, side yard setback, rear yard setback of accessory building all preexisting conditions. A side yard setback from buffer of residential district.

Mr. Dale Taylor Esquire was present to discuss the application on behalf of Hannah Heritage, along with Mark Malinowski, PE of Stout & Caldwell. Both were sworn in to provide testimony and the Board accepted Mr. Malinowski as an expert professional.

Mr. Malinowski noted proper notice has been given and proof of such has been provided with the Township. He then described the scope of the project; which is to convert a large home into a restaurant and for the applicant to live in the upstairs to be converted to a living area. He also discussed the location and surrounding districts, and the intent of the applicant pending this Board's decision. The Board addressed changes and improvements that will be made to the property including a utility changes to gas, a larger canopy, size of parking spaces, parking overflow, a turnaround area, ADA requirements, refuse/dumpster locations, fencing/buffer, landscape design/drainage and run-off, and lighting. Also discussed related to the business are the traffic flow, peak hours, hours of business, delivery times, signage and delivery area including refuse pick up. There was discussion of a cross easement for the dumpster on the Heritages Store, but was clarified this will not be in the form of an easement, but an agreement and the enforcement of an owner-occupant agreement. Mr. Dougherty recommended the Board grant environmental and traffic waivers as discussed in the work committee session. The Chairman opened the floor for the public portion of this application, Nicole and James Wilczek of 396 Jessup Road were present and sworn in to address their concerns of the neighboring property. Their concerns include the slope of driveway and the drainage onto their property, the elevation of driveway/parking, the rodents that will be present as a result of refuse, the buffer fence being unsightly, and privacy and security of their home being next to a business. After addressing each of these concerns, Mr. Malinowski stated that Ms. Heritage and Mr. Taylor are open to questions or discuss changes with the Wilczeks at anytime to reach a mutual agreement. No one else from the public spoke therefore closing the public portion. Mr. Bondar made a motion to approve the application as submitted with all waivers and conditions the Board sees fit, including parking conditions, fence/buffer, and dumpster location. Mr. Colone seconded the motion and the Board approved 6 yes 1 no.

- IV. **OLD BUSINESS:** None
- V. **CORRESPONDENCE:** None
- VI. **REPORTS:** None
- VII. **MEMORIALIZE RESOLUTIONS:** None
- VIII. **OPEN THE MEETING TO THE PUBLIC:** Mr. David Sileo of 1014 Juniper Court asked for a T-Mobile Cell Tower update and spoke on his support of 2014-14 which was heard and approved this evening. He also added that he would like to see stronger regulations regarding smoking and a bike rack included on the property.
- IX. **ADJOURNMENT** A motion for adjournment was made by Mr. Bondar seconded by Mr. Dameika. All in favor

Respectfully Submitted,

Ms. Michelle Hack  
Recording Secretary

