

**HARRISON TOWNSHIP JOINT LAND USE BOARD
REGULAR MEETING
MARCH 20, 2014
Page 1 of 5**

Chairman Joseph Pacera called the meeting to order at 7:31 p.m. The meeting was held in the Municipal Building with the following Joint Land Use Board members present: Chairman Joseph Pacera; Vice Chair Nancy Kowalik; Dennis Chambers; Steve Dickson; John Williams; Kristin Ross; Dennis Bonanni; Louis Manzo; Matt Diggons; and Anthony DiFabio, Alternate #4. Absent: Bill Madara, Alternate #1; Paul Mattessich, Alternate #2; and Paul Donahue, Alternate #3.

Others present: Kevin Van Hise, Esq., Joint Land Use Board Solicitor; Hugh Dougherty, Joint Land Use Board Engineer from Pennoni Associates, Inc.; Robert F. Melvin, Joint Land Use Board Planner from Group Melvin Design; and Susanne H. Rhudy, Joint Land Use Board Secretary.

OPEN PUBLIC MEETINGS ACT:

Ms. Rhudy read the following statement into the record: "In compliance with Chapter 231 of the Public Laws of 1975 notice of this meeting was given by way of notice filed with the South Jersey Times and posted on the bulletin board in the municipal building on January 24, 2014."

FLAG SALUTE:

Chairman Pacera led in the salute to the flag.

APPROVAL OF MINUTES:

Regular Meeting – February 20, 2014

Nancy Kowalik made a motion to approve the minutes. John Williams seconded the motion and the motion was approved unanimously.

COMMENTS FROM THE PUBLIC:

Chairman Pacera opened the meeting to public comment. He said comments on agenda items should be held until the matter was opened but that other comments could be made now. Hearing no comments from the public, Chairman Pacera closed the meeting to public comment.

PUBLIC HEARINGS:

Douglas M. Ott – Bulk Variance

Mayor Manzo and Committeeman Diggons stepped off the Board.

Dale Taylor, Esq. appeared on behalf of the applicant. He said the applicant is requesting a side yard setback of 9.3' where 20' is required for Block 71 Lot 14. Mr. Van

HARRISON TOWNSHIP JOINT LAND USE BOARD
REGULAR MEETING
MARCH 20, 2014
Page 2 of 5

Hise confirmed that proper public notice was given and the Board has jurisdiction to proceed.

Mr. Van Hise swore in Douglas Ott, applicant. Mr. Ott said he is the contract purchaser of lot 14. Currently there is a trailer and storage shed on the property. He is also the contract purchaser of adjacent lot 13 upon which there is a single family dwelling. Mr. Ott said his intention for lot 14 is to remove the trailer and shed and build a single family dwelling. The existing home on adjacent lot 13 will be remodeled. He said he is hoping to construct a 30' wide single family dwelling on lot 14. Mr. Ott said he believes construction of the new home and upgrading of the existing home will be an enhancement to the neighborhood. Mr. Taylor asked Mr. Ott if he had considered merging the two lots and he said he had not because it would not be cost effective when the costs of land purchase, demolition and construction are factored in. The purchase price of both lots is \$100,000, and with the anticipated cost of construction of \$260,000, the final cost of the house would not be feasible for the area. Mr. Taylor said the variance requested is a hardship variance which would be beneficial to the neighborhood.

Mr. Melvin discussed his review memo. He said lot 14 is 48' wide and the adjacent lot is 50' wide where the requirement for the zone is 125' of width with 20' setbacks. The nature of the variances requested is significant. Mr. Melvin said most of lots on the street range in width from 75' to 132' wide. There is a mix of one and two story residences. Chairman Pacera asked if the trailer is occupied and Mr. Melvin said it does not appear to be. Mr. Van Hise swore in Leon Coles, 30 S. Main Street, an owner of lots 13 and 14. Mr. Coles said the trailer was last occupied 20 or more years ago. Currently it is being used for storage and it is still connected to the sewer and has water available. The trailer is approximately 8' by 36' and sits on a foundation.

Mr. Melvin said that generally with an application of this nature, the applicant needs to prove that additional lands are not available to help mitigate the variance request. In this case, the applicant is also the contract purchaser of the adjacent lot, which points to the fact that additional land is available. Chairman Pacera noted the applicant had stated that merging the lots was not financially feasible. Mr. Van Hise said the hardship variance is the C-1 variance and the flexible variance is the C-2 variance. The applicant bears the burden of demonstrating there is no additional land that can be acquired. Here, the additional land is already under contract and Mr. Van Hise said it is very difficult for the applicant to meet the C-1 standard because the hardship can be remedied by the merger of the lots. Mr. Van Hise said the Board must then look at whether the neighborhood will benefit by the granting of the flexible variance in that the benefits outweigh the deviation. Mr. Melvin said it is his recommendation that the lots be merged which would create a lot closer in conformity to the other lots on the street.

Mr. Taylor said the economic factors can't be considered by the Board and the whole application is down to the C-2 standard. He said even if the lots were merged, the new lot would not meet the zone standards. It is his belief that the immediate area would benefit from the relief requested by the applicant. Mr. Melvin noted that proposed structure

**HARRISON TOWNSHIP JOINT LAND USE BOARD
REGULAR MEETING
MARCH 20, 2014
Page 3 of 5**

would impact the neighboring house by its height on the narrow lot. Chairman Pacera asked if a rancher could be placed on the property. Mr. Ott said it would have to be a long rectangular shaped rancher which he didn't feel was viable.

Nancy Kowalik made a motion to open the meeting to public comment. Dennis Bonanni seconded the motion and Chairman Pacera opened the meeting to public comment. Mr. Van Hise swore in the following members of the public:

Patti Minderlein, Spicer Street: Ms. Minderlein noted that the applicant had indicated it wouldn't be financially prudent to combine the lots, which Mr. Taylor confirmed. Mr. Taylor asked Ms. Minderlein if she preferred to see the trailer remain on the lot. She said it has been an eyesore for a long time and she had been told by Mr. Coles that he was going to combine the lots.

Hearing no further comments from the public, Nancy Kowalik made a motion to close the meeting to public comment. Steve Dickson seconded the motion and Chairman Pacera closed the meeting to public comment.

John Williams made a motion to deny the application. Steve Dickson seconded the motion. Mr. Van Hise clarified that with a motion to deny the application, a "No" vote means approving the variance and a "Yes" vote means denying the variance. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Dennis Chambers – Aye; Steve Dickson – Nay; John Williams – Aye; Kristin Ross – Aye; Dennis Bonanni – Aye.

Mayor Manzo and Committeeman Diggons returned to the Board.

NEW BUSINESS:

Review of Committee's Resolution 82-2014 Authorizing the Joint Land Use Board to Conduct a Preliminary Investigation to Determine Whether Block 52 Lots 8 and 9 Qualifies as an Area in Need of Redevelopment and Approval of Group Melvin Design's Proposal to Prepare the Preliminary Investigation Report

Review of Preliminary Investigation Report For A Proposed Area In Need Of Redevelopment For Block 52 Lots 8 and 9 On The Official Tax Map Of The Township Of Harrison and Set a Public Hearing Date

Nancy Kowalik made a motion to set the public hearing date for April 3rd and approve the proposal in the amount of \$2,000.00. Dennis Chambers seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Dennis Chambers – Aye; Steve Dickson – Aye; John Williams – Aye; Kristin Ross – Aye; Dennis Bonanni – Aye; Lou Manzo – Aye; Matt Diggons.

MEMORIALIZING RESOLUTIONS:

Resolution 9-2014 - Resolution Of The Harrison Township Joint Land Use Board Recommending To The Governing Body Of The Township Of Harrison That Block 34, Lot 44, Block 34.03, Lot 43, Block 57, Lot 1, And The Former Walters Road Between Mullica Hill Road (Route 322) And Theresa Drive (Relocated) Be Designated As An Area In Need Of Redevelopment

Chairman Pacera read Resolution 9-2014 by title. John Williams made a motion to adopt the resolution. Nancy Kowalik seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Dennis Chambers – Aye; Steve Dickson – Aye; John Williams – Aye; Kristin Ross – Aye; Dennis Bonanni – Aye; Matt Diggons – Aye; Anthony DiFabio – Aye.

SCHEDULE FOR PUBLIC HEARINGS:

The schedule is as shown on the agenda.

STATUS OF CURRENT PROJECTS:

Mayor Manzo said funding has been received for the tunnel under Breakneck Road and the project is moving forward. Mr. Chambers said the Route 322 bridge construction has been impacted by the weather and completion is anticipated for December. Mayor Manzo said the new police facility is progressing and Alberto & Associates has been contracted to design the building.

REPORT FROM EDC:

There was no report.

REPORT FROM JOINT LAND USE BOARD ENGINEER:

Mr. Dougherty said he is meeting with the design engineer for Trinity to resolve some issues prior to the April 3rd hearing.

REPORT FROM JOINT LAND USE BOARD PLANNER:

There was no report.

COMMENTS FROM THE PUBLIC:

Chris Knisely, 72 N. Main Street: Mr. Knisely asked if the tunnel design would be available to the public. Chairman Pacera said once the design plans are done, they would be posted on the Township's website.

**HARRISON TOWNSHIP JOINT LAND USE BOARD
REGULAR MEETING
MARCH 20, 2014
Page 5 of 5**

COMMENTS FROM THE BOARD:

Block 64 – Possible Discussion

Block 64 will be addressed on a future agenda.

Chairman Pacera said Cyndi Quast is being hired as Assistant Board Secretary, to take over as Secretary when Ms. Rhudy retires.

PAYMENT OF THE BILLS:

Ms. Rhudy said all the bills were from escrows. Nancy Kowalik made a motion to pay the bills. Dennis Chambers seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Dennis Chambers – Aye; Steve Dickson – Aye; John Williams – Aye; Kristin Ross – Aye; Dennis Bonanni – Aye; Lou Manzo – Aye; Matt Diggons – Aye.

As there was no further business to be addressed, Nancy Kowalik made a motion to adjourn the meeting. Dennis Chambers seconded the motion and the motion was carried by a unanimous vote. Chairman Pacera adjourned the meeting at 8:16 p.m.

Respectfully submitted,

Susanne H. Rhudy
Joint Land Use Board Secretary