

**TOWNSHIP OF BURLINGTON
BURLINGTON COUNTY, NJ 08016
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING, APRIL 22, 2010**

The regular meeting of the Burlington Township Zoning Board of Adjustment was held on Thursday, April 22, 2010, at 7:30 P.M. at the Township Municipal Complex.

PRESENT: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Ransom, Mrs. Craig, Mr. Gollnick, Chairman Jung, Mr. Ferri, Board Solicitor, Mr. Hatfield, Board Engineer,

ABSENT: Mr. Harris, Mrs. Horner, Mr. Mullen, Mr. Rijs, Board Planner, and Mr. Witkowski, Board Traffic Engineer

The presence of the Board Planner and Traffic Engineer was not required at this meeting.

Chairman Jung called the meeting to order. He opened the meeting by reading the "Statement of Minutes" as follows:

PUBLIC NOTICE of this meeting pursuant to the Open Public Meetings Act has been given by Zoning Board of Adjustment in the following manner:

- (a) Posting written notice on the official bulletin board at the Township Municipal Complex on January 5, 2010;
- (b) Mailing written notice to the Courier Post and Trenton Times on January 5, 2010 by certified mail, return receipt requested; hand delivered notice to the Burlington County Times on January 5, 2010, hand receipt obtained; and Legal Ad in the Burlington County Times on January 8, 2010;
- (c) Filing written notice with the Clerk of the Township of Burlington on January 5, 2010.

Correspondence

Mrs. Painter read the correspondence as listed on Addendum I. All correspondence was received and filed.

Robert David Sitzler – Block 142.14, Lot 28, 46 Shawnee Trail, R20 Mix Zone

Applicant is requesting a variance for a 2-3 foot side and rear yard setback, lot coverage of 55% and to allow a pool and patio in a drainage easement.

Robert Sitzler, Amy Sitzler and Eric Williams, Design Consultant from Anthony Sylvan Pools were all present for the application. (all sworn in)

Mrs. Sitzler stated that the in-ground pool and patio have already been installed. She explained that they had entered into a contract on June 4th with the pool company to have them design a pool and a patio deck.

Chairman Jung questioned the submission of the original plans.

Mrs. Sitzler stated that the plans were submitted by the pool company.

Mr. Williams explained that the concrete for the patio was poured 2 feet from the property line. He stated that they are taking responsibility for the mistake.

Mr. Hatfield stated that he is concerned with the drainage and referenced his letter, dated April 15, 2010, which recommends that applicant address any drainage related impacts that become apparent in the future as a result of this mistake.

Mr. Williams agreed to address the drainage problem at no charge to the applicant.

Mr. Ferri stated that the pool company will be required to submit plans to the Board Engineer within 30 days.

Mr. Williams agreed.

At this time Chairman Jung opened the meeting to the public. There being no public response, that portion of the meeting was closed.

MOTION made by Mr. Butler and seconded by Mrs. Painter to grant the installation of an in ground pool within a designated easement area, a side yard setback of 2 feet where a minimum of 8 feet is required, a rear yard setback of 2 feet where a minimum of 8 feet is required and lot coverage variance to permit 55% impervious coverage, where a maximum of 50% is permitted. Contingent upon the pool company submitting a drainage plan to the Township Engineer within 30 days for approval and perform the work as well and correct any additional drainage problems that may arise in the next year. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Ransom, Mrs. Craig, Mr. Gollnick,
Chairman Jung,

NAES: None

Chairman Jung declared the motion carried.

Miscellaneous

Solicitor's Report

Mr. Ferri requested a Motion to approve the following resolutions:

Eric Scott Lavin – Block 143.07, Lot 32, R-20 Zone. 75 Steeplechase Boulevard.

Grant Valente – Block 152.01, Lot 10, I-2 Zone. 407 Neck Road.

MOTION made by Mrs. Painter and seconded by Mr. Butler to approve the above resolutions and that they be made part of March 2010 minutes. On roll call the following vote was recorded:

AYES: All NAES: None

Chairman Jung declared the motion carried.

Engineering Report

Mr. Hatfield reported on the status of Russell Johnson. He stated that Mr. Johnson was granted preliminary approval but the improvements were not completed and he has not been back to seek final approval. This is due to legal issues that had not been resolved. He continues to utilize the property and currently has a sign along I-295 on a parked truck.

MOTION made by Mrs. Painter and seconded by Mr. Gillespie to have Mr. Johnson contacted by Mr. Ferri and require him to appear before the Board in May.

AYES: All NAES: None

Chairman Jung declared the motion carried.

Mr. Hatfield also reported on QPS. He stated that they were granted approvals and had not completed Phase II improvements. He agreed to contact Mr. Hardt,esq. regarding this issue.

Zoning Officer

Mr. Stetz stated he had no report.

Approval of Minutes

MOTION made by Mr. Butler seconded by Mr. Gillespie to approve the minutes of the March 25, 2010 regular meeting. On roll call the following was recorded:

AYES: All NAES: None

Chairman Jung declared the motion carried.

Adjournment

There being no further business, **MOTION** made by Mr. Gillespie and seconded by Mrs. Craig, carried unanimously, that this meeting be adjourned.

On roll call the following vote was recorded:

AYES: All NAES: None

There being no further business, Chairman Jung adjourned the meeting.

Respectfully submitted,

Debbie Painter, Secretary

APPROVED: _____
/kaa