

**TOWNSHIP OF BURLINGTON
BURLINGTON COUNTY, NJ 08016
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING, JANUARY 27, 2011**

The regular meeting of the Burlington Township Zoning Board of Adjustment was held on Thursday, January 27, 2011, at 7:30 P.M. at the Township Municipal Complex.

PRESENT: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Ransom, Mr. Mullen, Mr. Farr, Mr. DiGiovanni, Chairman Jung, Mr. Ferri, Board Solicitor, Mr. Hatfield, Board Engineer, Mr. Augustyn, Board Planner

ABSENT: Mr. Harris, Mrs. Horner, Mrs. Craig, Mr. Witkowski, Board Traffic Engineer

The presence of the Board 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 6, 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 7, 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.

Gregory & Julia Jones – Block 140.03, Lot 1, R-29 Zone. 55 Vincent Drive.

Applicant is requesting to construct a 16'x28' addition with a rear yard setback of 10 feet where 40 feet is required.

Mr. Gillespie stepped down from the Board due to a conflict of interest with this application.

Gregory and Julia Jones were present for the application. Mr. Jones introduced William Toth, builder. (all sworn in)

This application proposes to construct a 448 S.F. addition to the rear of an existing residential dwelling located in an R-40 Residential Zoning District. The existing setback is 23.5 feet.

Mr. Jones explained that they are having their mother move in with them and the proposed addition will serve as her living area. He stated that it will be a one-room addition with closet space.

Mr. Hatfield reviewed his report of January 20, 2011. He stated that he has conducted a site inspection and the actual dimension of the addition to the property line is approximately 10 feet.

Mr. Hatfield questioned Mr. Toth if he can position the downspouts to direct runoff towards Leshner Lane, rather than towards the adjacent property to the rear.

Mr. Toth agreed.

Mr. Jones stated that the addition will be a single-story structure and confirmed that the height will not exceed 35 feet.

Mr. Augustyn stated that he has no concerns from a planning standpoint.

At this time Chairman Jung opened the meeting to the public.

Mr. Gillespie – 23 Vincent Drive (sworn in)

Mr. Gillespie stated that he is the adjacent property owner and is not opposed to the application.

There being no further public comment that portion of the meeting was closed.

MOTION made by Mr. Farr and seconded by Mrs. Painter to grant the construction of a 16'x28' addition with a rear yard setback of 10 feet where 40 feet is required. Contingent upon Mr. Hatfield's report of January 20, 2011 and applicant will direct roof runoff from the addition to the side yard along Leshner Lane. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Ransom, Mr. Mullen, Mr. Farr, Mr. DiGiovanni,
Chairman Jung

NAES: None

ABST: None

Chairman Jung declared the Motion carried.

Mr. Gillespie rejoined the Board at this time.

Heaven's Nest Learning Center – Block 101.32, Lot 2, R-12 Zone. 1614 Salem Road.

Applicant is requesting a use variance to operate a Daycare Center in an R-12 Zone.

Greg Shivers, Esq. was present for the application. He introduced Maurice and Sharon Gordon, applicants, and John Pagenkopf, PP. (all sworn in)

This application proposes a daycare center business to operate from the existing building located on the property.

Mr. Pagenkopf submitted his Planner's Report to the Board. He gave an overview of the application.

Applicant is currently operating their business on Sunset Road. They are looking to purchase this property and move their operation to this location.

Mr. Pagenkopf stated that applicant meets all requirements of their prior approval except for the number of employees. The State of NJ now requires more supervisors than they did in 1996 when the requirements were originally set in place; applicant is proposing 10 employees to comply with this new requirement. Mr. Pagenkopf reviewed the positive and negative criteria.

Chairman Jung questioned if there are any open house functions where multiple families will be at the site at once.

Mrs. Gordon stated that they do have open houses but schedule them at off peak times.

Mr. Augustyn reviewed his report of January 19, 2011. He questioned drop-off and pick-up procedure.

Mrs. Gordon stated that the parents must park their vehicle and escort the children into the facility, as well as when they pick them up. The drop-off and pick-up times are staggered.

Mr. Augustyn questioned if there are plans for any additions to the building.

Mrs. Gordon stated that there are no plans for additions to the building, only repairs.

Mr. Augustyn recommended landscaping around the bottom of the sign to help reduce light spillage. Applicant agreed.

Mr. Butler questioned the policy for picking up the children.

Mrs. Gordon stated that they will use the same procedure as drop-off. The parent must park their vehicle and come in to sign the child out.

Mr. Hatfield explained that a site plan was not required for this application but there are a few things he would like to see addressed like parking lot striping, sidewalk panels replaced, repairs to fence and a couple of other minor issues. Applicant agreed.

Mr. Stetz stated that he has visited applicant's existing location and commends their professionalism and cooperation.

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

MOTION made by Mrs. Painter and seconded by Mr. Butler to grant a use variance to operate a Daycare Center in an R-12 Zone. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Ransom, Mr. Mullen, Mr. Farr, Mr. DiGiovanni, Chairman Jung

NAES: None

ABST: None

Chairman Jung declared the Motion carried.

Solicitor's Report

Mr. Ferri requested approval of the following resolution:

Thomas F. Doherty – Block 138 Lot 1, 909 Jacksonville Road, Zone R-40.

MOTION made by Mr. Gillespie and seconded by Mr. Farr to approve the above resolution and make it part of the December 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 that he was at a screening meeting this past week and has learned of an application for a large solar facility installation that will be coming before the Board. He encouraged all the Board members to pay particular attention to the use of this application.

Planner's Report

Mr. Augustyn stated he had no report.

Zoning Officer

Mr. Stetz stated he had no report.

Approval of Minutes

Chairman Jung requested a motion to approve the minutes of the November meeting.

MOTION made by Mr. Farr seconded by Mr. DiGiovanni to approve the minutes of the December 16, 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. Farr and seconded by Mr. Mullen, 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