

**SOUTHAMPTON TOWNSHIP
ZONING BOARD OF ADJUSTMENT MINUTES
July 12, 2012 @ 7:30 P.M.**

Call to order. The meeting was called to order at 7:30pm.

Flag salute.

Roll call:

Present: Mr. Goettelmann, Mr. Heston, Mr. Kennedy, Mr. Lingle, Mr. Murphy, Mr. Robbins and Mr. Zoltowski

Excused: Ms. Doherty,

Also in attendance were:

Paul Detrick Esq

Wayne Lippincott, Eng.

Thomas Scangarello, Planner

Joanne O'Conner, Conflict Attorney

Reading of Statement of Compliance with the Open Public Meetings Act.

Read by the secretary

Adoption of the minutes of the June 14, 2012 meeting as presented prior to this meeting.

Motion: Mr. Goettelmann

Seconded: Mr. Lingle

Voted in the Affirmative: Mr. Goettelmann, Mr. Kennedy, Mr. Lingle, Mr. Robbins, Mr. Zoltowski and Chairman Heston.

Resolutions

Resolution 2012-9z

The New Vincentown Diner - Block 403, Lots 12, 12.03, 12.04-1939-Rt.206,
Southampton
Site Plan

Motion: Mr. Goettelmann

Seconded: Mr. Lingle

Voted in the Affirmative: Mr. Goettelmann, Mr. Kennedy, Mr. Lingle, Mr. Robbins, Mr. Zoltowski and Chairman Heston.

Resolution 2012-10z

ARL&C Engineering Block 903, Lot 25 - 461 N. Main Street
Solar Electric Generating Facility

Motion: Mr. Goettelmann

Seconded: Mr. Lingle

Voted in the Affirmative: Mr. Goettelmann, Mr. Kennedy, Mr. Lingle, Mr. Zoltowski and Chairman Heston.
Voted in the negative: Mr. Robbins

Continue Applications

**Mr. Murphy recues himself due to not hearing the tapes from the previous meeting in regard to the Smyth application.

Reverend Margaret Smyth & Tyson Smith Block 1801, Lot 19.01, 307A Red Lion Road Use and Bulk Variance to permit the continued use of 2 residences on a single lot and to expand the primary residence with a 26x34 addition and a porch.

Mr. Pagenkopf, planner for the Smyth's; Gave testimony on the purpose of the trellis. The trellis will give the look of the two structures being attached. Also Mr. Pagenkopf testified that if the board requested a deed restriction for the rental property, they would comply. This would make the main residence owner occupied and the rental would only be occupied by one resident.

Mr. Pagenkopf stated that the existing driveway will be eliminated. What is proposed are a smaller drive in front of the rental and a drive to go along the left side of the house to the rear of the house.

Mr. Robbins inquires about the legality of the rental property.
Ms. O'Conner; conflict attorney, Stated that since there is no evidence as to when this became a rental, the best way to make it legal is to issue a variance.

Mr. Lingle asked as to what will be under the trellis
Mr. Pagenkopf stated that there will be concrete under it.

**Mr. Goettelmann made a motion that the board approve a bulk variance to allow the rental unit to be occupied by one person since it has it's own cess pool and is a non-conforming structure which requires an addendum to the existing deed to clarify the use;
And with landscaping details to be approved by the Boards planner and the primary residence must be owner occupied, as per plans and driveway alterations presented. Mr. Lingle seconded.**

**Recess 8:10pm
Resume 8:16pm**

Voted in the Affirmative: Mr. Goettelmann, Mr. Lingle, Mr. Robbins, Mr. Zoltowski and Chairman Heston.
Voted in the negative: Mr. Kennedy

Mr. Murphy returned to the meeting

New Applications

L&L Redi Mix
Block 1902, Lot 38
1939 Rt. 206, Southampton
Administrative change request

Mr. Goettelmann made a motion to approve the revised mounting system plans as per our engineer's approval. Mr. Lingle seconded.

Voted in the Affirmative: Mr. Goettelmann, Mr. Kennedy, Mr. Lingle, Mr. Murphy, Mr. Robbins, Mr. Zoltowski and Chairman Heston.

J&B Liquors C/O Virendra Gandhi, Block 403, Lot 9- 2371 Route 206
Use Variance Application

Pat McAndrew, attorney for applicant.

Mr. McAndrew stated that the applicant is seeking a use variance to be able use the property as commercial.

Maurice Rached, Director of transportation, Maser Consulting. Kishory Y. Joshi, Architect, Planner. Andre T Banff, Project Manager, Maser Consulting, sworn in by Paul Detrick, Board Attorney.

Andrew Banff stated that the applicant intends to build an 18,000 square foot commercial building. 12,000 sq feet will be the liquor store, and there will be two 3,000 square foot stores.

This property will have septic and an onsite well.

There will be a stormwater basin located in the front of the property. The basin will be shallow and landscaped.

Exhibit A-1 Map of wetlands

There are wetlands located on this property, on the northwest part of the property. There is an isolated spot in the center of the property, one acre in size. Only half of the wetlands area will be disturbed.

A-2- Photos of site as it exist to date.

Kishory Y. Joshi- Architect for the applicant.

A-3- Architectural plan of the proposed building.

The front will be brick and stucco. The rear of the building will be painted to mach the color of the brick. Also there will be fabric canopies on the front and side.

A-4- Elevation plan

Maurice Rached- Traffic study engineer.

Mr. Rached testified that the area is a low intensity use. In accordance with the DOT there will be a substantial entrance to the property. As to the ordinance, 90 parking spaces are required. This application is requesting to have only 70. With the conceptual parking plan, Mr. Rached stated that emergency vehicles will be able to circulate efficiently.

Chairman Heston had concerns with larger tucks entering the property. The radius seems to be small. Mr. Rached stated that upon site plan, studies will be done to ensure that all avenues will be addressed to ensure safe entry to the property.

John Madden- Planner for the applicant.

A-5- Arial Photo

Mr. Madden stated that this is a 6.8 acre site. The first variance needed is a use variance to change the use from industrial to commercial. Also a parking variance to reduce the number of parking spaces from 90 to 70. Third, a variance for the 100 feet encroachment onto the scenic corridor buffer.

Mr. Madden testified that even though there will be development that the applicant is trying to preserve as much of the existing trees as possible. Mr. Madden also stated that this development is in accordance with Southampton Townships' Master plan. This project will increase the scenic view.

Mr. Madden testified that to keep the 200 foot buffer, the building would have to be pushed back into the woods; so that in trying to preserve the woods they would bring it forward and request the variance.

J&B Liquors has been a long established retail store in Southampton on a property owned by WAWA which has relocated to a new site on Route 206 and will demolish the current structure. A new 18,000 square foot facility on Block 403, Lot 9 known as 2371 Rt. 206 has been proposed and the current zoning is for industrial use. The new structure will allow the continued function of J&B Liquors plus two other proposed retail stores, which is a beneficial use of the property.

**Mr. Goettelmann made a motion to approve a use variance to allow the commercial use of Block 403, Lot9 as per plans for retail use, And with; a future site plan to solve parking, environmental & scenic corridor details and requirements to be provided.
Mr. Lingle seconded.**

Voted in the Affirmative: Mr. Goettelmann, Mr. Kennedy, Mr. Lingle, Mr. Murphy, Mr. Robbins, Mr. Zoltowski and Chairman Heston.

**Recess 10:07pm
Resume 10:14pm**

Paul Ashmore / Better Living Sunrooms, Block 2702.37, Lot 21, 42 Chatham Place
Use Variance to build a 12x20 Enclosure.

Michael Leibowitz- general contractor for Better Living Sunrooms.
Mr. Leibowitz stated that the applicant wishes to construct a three season room on the back of the home on an existing concrete slab that will not be expanded. A variance is needed for rear yard setback.
Mr. Leibowitz also stated that this sunroom is needed because the homeowner has bad allergies and would make a better living condition for her.
The sunroom will have electric.

Mr. Goettelmann made a motion to approve a use variance to allow the construction of 12'2 by 20' three season room on the existing concrete slab with a new rear yard setback of no less than 17 feet and with electric wiring as per plans and specifications presented.

Mr. Zoltowski seconded.

Voted in the Affirmative: Mr. Goettelmann, Mr. Kennedy, Mr. Lingle, Mr. Murphy, Mr. Robbins, Mr. Zoltowski and Chairman Heston.

Bob Drayton, Inc.,
Block 3301, Lots 21, 22, 23 * 40.01
Request for extension until September

Mr. Goettelmann made a motion to grant an extension for site plan until September. Mr. Murphy Seconded.

Discussion/Public Comment:

No comment from the public

Mr. Kennedy made a motion to adjourn at 10:36PM and Mr. Goettelmann seconded.