

**SOUTHAMPTON TOWNSHIP
ZONING BOARD OF ADJUSTMENT MINUTES
SEPTEMBER 12, 2013 @ 7:30 P.M.**

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

Flag salute.

Roll call:

Present: Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Murphy, Mr. Robbins and Mr. Zoltowski.

Absent: Ms. Doherty

- Chairman Zoltowski stated that with a written request, Ms. Doherty was excused from the meeting.

Also in attendance:

**Thomas Coleman, ESQ
Rakesh Darji, Engineer
Thomas Scangarello, Planner**

Oath of Office:

Thomas Heller, Alternate 1 and **Larry Thomas**, Alternate 2 were given the Oath of Office by Thomas Coleman, Board Attorney.

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

Ready by the Secretary

Adoption of the minutes of the August 13, 2013 meeting as presented prior to this meeting.

Mr. Goettelmann made a motion to approve the minutes as presented and Mr. Kennedy Seconded.

Voted in the Affirmative: Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Murphy, Mr. Robbins and Mr. Zoltowski

New Applications

Deborah & Bruce Gsell, Block 1401, Lot 11, 461 Red Lion Road, Variance.

Bruce and Deborah Gsell were sworn in by Thomas Coleman, Board Attorney.

Mr. Gsell stated that the current home needs a lot of repair. Mr. & Mrs. Gsell propose to demolish the current home and rebuild a larger house that will be 2,283 square feet. Also Mr. Gsell stated that they also intend to build a 1,725 square foot pole barn. This pole barn would be to house race cars. There would

not be any business conducted out of this barn, it would only be for personal use. The pole barn will have electric but no plumbing.

This parcel is located in the TC Zone. The lot frontage that is required is 80 feet. This parcel only has 75 feet so a variance is requested.

Mr. Darji, Board Engineer went over his letter.

Mr. Darji stated that a revised plan was received and do show the requested public utility lines. Also the new plan shows the pole barn which will have 2 overhead doors and one sliding barn door on the one side. Since the residence will have a garage door and the pole barn will have 2 doors a variance is needed.

The outside of the house and the pole barn will be vertical vinyl siding.

Mr. Gsell stated that the driveway near the street will be paved after all construction is done. There are no sidewalks on the Gsell's side of the road.

Mr. Goettelmann made a motion to approve a bulk variance to permit the construction of both structures as per prints provided, with a design waiver to permit the 3 garage doors on the barn and house (2barn, 1 house) and with all side yard setbacks existing on the undersized lot, and rear yard setbacks of 35 feet. And with vertical siding on the barn and horizontal siding on the main house which is similar to the other structures in the area. And with a use variance to permit the proposed pole barn type garage, which is in keeping with the open space farmland, not to be used as a commercial building. And with no sidewalks since they do not exist in this side of the street, and Mr. Murphy seconded.

Voted in the Affirmative: Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Murphy and Mr. Zoltowski

Voted in the negative: Mr. Robbins

Recess: 9:00PM

Resume: 9:05PM

Pietro Zizzamia, Block 602, Lot6.05, 542 Smithville Road, Bulk Variance

Nick Zizzamia and Pietro Zizzamia were sworn in by Thomas Coleman, Board Attorney.

Nick Zizzamia stated that his father, Pietro Zizzamia, has had the property since 1980. It has always been vacant land. Mr. Zizzamia testified that his father is planning to build a house with a detached garage on the property for him. Mr. Zizzamia stated that they need a variance for the septic due to 50 foot is need and they will have only 22 feet. Also a land clearing variance is needed. The permitted is 14% and they are proposing 15.4 %.

Mr. Zizzamia stated that there is a considerable amount of wetlands on this property and that is why the Board of Health has advised them to place the septic in the designated place. The properties that adjoin this parcel are a corn field, vacant land, and a parcel with residents on the other side.

Mr. Zizzamia also discussed the lot clearing variance. Most of the trees that are being removed are to create the access road.

Mr. Darji, Board Engineer stated that the septic will be three and a half feet above grade. The mound will be feathered so as to it will not be so visible.

Mr. Darji went over his review letter.

Mr. Darji requested information as to whether there are any wells in the area within 150 feet and requested that this be shown on the plan. Also that this septic has to be approved by the Burlington County board of Health. Mr. Darji also stated that approximately 80-90- percent of the parcel is covered by wetlands, so he requested testimony as to how they are going to deal with the wetlands. Mr. Zimmania stated that they plan to move a quarter of acre of uplands and an 8th of an acre of wet lands and upgrading to wet lands. Creating more wetlands in another area to compensate for the disturbance for the driveway.

Mr. Scangarello, Board Planner reviews his letter.

Mr. Scangarello stated that he also would like to see the wells and septic for adjoining properties put on the plan. Also that he feels that these variances should be granted because this parcel does have extraordinary issues.

Open to the Public

1. **Dennis Capuano- 5 Woolston Court** - Mr. Capuano stated that his property is next to the Zizzmani's property. Has concerns that the property is extremely wet and is concerned that with all the construction that the wetlands will back up even further onto his property.
2. **Robert Howard- 2 Woolston Court** – Mr. Howard also has concerns about the wetland being pushed onto his property because he already has issues with his basement flooding.

Mr. Haas made a motion to approve the variance for the septic to be set at 22 feet from side yard and 18 rear yard and the variance for clearing to not exceed 15.4 % and Mr. Robbins seconded.

Voted in the Affirmative: Mr. Goettelmann, Mr. Haas, Mr. Heller, Mr. Kennedy, Mr. Murphy and Mr. Robbins.

Voted in the negative: Mr. Zoltowski

Discussion/Public Comment

No comment from the public

Closed Session

Mr. Kennedy made a motion to enter into closed session at 9:50 and Mr. Murphy seconded. The voice vote was unanimous.

CLOSED SESSION RESOLUTION NO. 2013-08

Where it was necessary to discuss possible Litigations.
Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes will be made public.

WHEREAS, it is necessary to discuss possible litigation involving the Township of Southampton or Southampton Township Zoning Board of Adjustments; and

WHEREAS, questions dealing with possible litigation is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, the Southampton Township Zoning Board of Adjustments desires to close this portion of the meeting to consider the aforementioned matters.

NOW, THEREFORE, BE IT RESOLVED that the portion of the meeting dealing with the aforementioned matters shall be closed to the public and the results of the discussions held under the closed sessions shall be made available to the public at such early a time as possible.

Mr. Heller made a motion to close the closed session at 10:00PM and Mr. Goettelmann seconded. The voice vote was unanimous.

Motion for adjournment

Mr. Murphy made a motion to adjourn at 10:00PM and Mr. Kennedy seconded.
The voice vote was unanimous