

HAMPTON TOWNSHIP ZONING BOARD OF ADJUSTMENT

Minutes of December 2, 2021

The minutes of this meeting have not been formally approved and are subject to change and or modification at the next regular meeting

The meeting of the Hampton Township Zoning Board of Adjustment was called to order at 7:00 PM by Chairman Ambrosi who led us in the Flag Salute.

ROLL CALL: Mr. Ambrosi, Yes; Mr. Zawacki, Yes; Mr. Daniels, Yes; Mr. Walthers, Absent; Mr. Ostrander, Yes; Mr. Sivulich, Yes; Mr. Bailey, Absent; Mr. Attorney Brady, Yes; and Engineer Simmons, Yes.

STATEMENT: Chairman Ambrosi advised that this meeting is being held in compliance with the provision of P.L. 1975, Ch. 231, Secs. 4 & 13 of the Sunshine Law. Adequate notice of this meeting has been supplied to the official newspaper of the Hampton Township Zoning Board of Adjustment that being the Sunday and Daily New Jersey Herald and is posted in the usual location of posted notices. Testimony will not be received after 10:00 PM.

MINUTES: A motion to approve the minutes of October 7, 2021 was made by Mr. Sivulich and 2nd by Mr. Zawacki. All members were in favor.

APPLICATIONS:

**21-03ZB Charles P. Austin- 274 Newton-Swartswood Rd.—Block 1903,
Lot 17**

Attorney Brady swore in applicant and his licensed professional planner and landscape architect for testimony. The first to be sworn in was Charles Austin and resides at 274 Newton Swartswood Road. Next to be sworn in was Jason Dunn of Dykstra Associates.

Attorney Brady stated that he was provided proof of notice and publication and found it all in order. Attorney Brady then suggested that Dave Simmons go over his report for completeness. Mr. Simmons reviewed his completeness report to the Board and recommended that it be deemed complete. Chairman Ambrosi asked for a motion to which Mr. Daniels made and Mr. Sivulich second it. All Board members were in agreeance.

Mr. Dunn goes over exhibit A1 dated December 2, 2021. Mr. Dunn's exhibit was slightly different as it had some revisions on it. Mr. Dunn stated the property in question was address 274 Newton Swartswood Road. The property is located in the R-1.5 zone, is 1.65 acres and currently has an existing home located on it. The

proposed garage would be located in the front yard. There is a hill on the property that screens the site of where the proposed garage would be from the road. The proposed garage does not disturb surrounding neighbors or their views of the lake. The size of the proposed garage has a 24x30 foot print. That foot print only includes the outside walls- the roof is not including in that measurement. The proposed garage will be 230 feet from the road.

Mr. Dunn then asked Mr. Austin to go over anything that he may have missed. Mr. Austin stated that the side of the garage will be screened with forest and it will remain that way. The propane tank and generator which are currently next to the house will be relocated next to the garage on the south east side of the driveway. All lines will be hidden underground. The proposed garage will have a flood light over generator and lights on each side of the door. All lights will be faced down and operated by switch or timer.

The applicant also asked for a C1 variance.

Chairman Ambrosi then asked Engineer Simmons to continue with his report. Engineer Simmons asked if the dormer over the garage would be used for anything other than storage. The applicant assured it would only be used for storage. Engineer Simmons also brought to attention that the existing driveway does approach onto the neighbor's property which was not caused by this application. The applicant stated that he has owned his home for 10 years and it has always been that way. Engineer Simmons recommends an as-built plan upon completion of project.

Chairman Ambrosi asked the Board if they had any questions or concerns. Mr. Zawacki stated that he has asked previously about the dimensions of the garage and that usually those dimensions usually include overhand. Chairman Ambrosi agreed with Mr. Zawacki. Attorney Brady stated that in the as-built plan the overhang dimensions should be shown. The overhang will not cause any issue with setbacks.

Chairman Ambrosi asked for public comment. No public were present for this application.

A motion to approve the Application with regard to conditions from Attorney Brady's notes and as-built plan was made by Mr. Daniels and 2nd by Mr. Zawacki.

ROLL CALL: Mr. Ambrosi, Yes; Mr. Zawacki, Yes; Mr. Daniels, Yes; Mr. Ostrander, Yes; Mr. Sivulich, Yes.

**21-04ZB Ronald J. Spehalski, Jr. & Linda Spehalski- 34 East Shore Rd.—
Block 402, Lot 21**

Attorney William Haggerty introduced himself and the applicants to the Board. Attorney Haggerty stated that he is an attorney at Dolan and Dolan in Newton, NJ. His clients reside in Crandon Lakes. They are located in the R-1.5 zone. The applicants proposed to build an attached car garage. The proposed garage will not have heat.

Attorney Brady stated that he was provided proof of notice and publication and found it to be in order. Attorney Brady suggested to go over Engineer Simmons completeness report before testimony.

Engineer Simmons went over his completeness report to the Board. He suggested that all items be waived for completeness.

A motion to deem the application complete was made by Mr. Daniels and 2nd by Mr. Zawacki. All Board members were in agreeance.

Attorney Brady then swore in the applications and the applicants engineer for testimony. Sworn in are: Kenneth Wentik, Ron Spehalski and Linda Spehalski. Attorney Brady stated that Mr. Wentik has been before this Board many times and qualification questions can be waived.

Attorney Haggerty asked Mr. Wentik to describe the applicant's property and their proposed work. Mr. Wentick stated that the property is lake front and that the property slopes down towards the lake. The house is 6.5 feet from the southwest property line. The current driveway would allow access to proposed garage. The applicants are asking for a side yard variance and also a variance for coverage.

The proposed garage would be a 2 car garage with storage. In addition to the proposed garage there will also be a mud room connecting the garage and the house.

Attorney Haggerty asked the applicants to go over the architecture of the proposed garage. Mr. Spehalski stated that the proposed garage would not have heat and to access the storage area above would be a pull down ladder. The exterior of the garage will match the rest of the house. The lighting outside the proposed garage will be down lighting and will either be operated by switch or smart technology

Chairman Ambrosi then asked Engineer Simmons to finish going over his report to the Board. Engineer Simmons stated the applicant covered most of his report. Engineer Simmons suggested that the applicant submit an as-built plan upon completion of site. Engineer Simmons also suggested getting a wetland transitionary from the lake.

Chairman Ambrosi opened up all questions or concerns to the public. Attorney Brady swore in Richard Joseph of 38 East Shore Dr. for his testimony. Mr. Joseph stated that he was attending the meeting on behalf of his neighbor who claimed to have not received certified letter regarding the proposed garage by the Spehalski's. Mr. Joseph stated that he had no objection on the proposed project. Attorney Brady told Mr. Joseph that Mr. Haggerty's office did send out notices properly. Mr. Haggerty's office received that information from the Hampton Township Tax Assessor's office.

Chairman Ambrosi asked the Board if they had any questions. Mr. Daniels had a question for Mr. Joseph and asked who was the person that did not receive the letter. Mr. Joseph provided the name to which Attorney Brady stated that they had received proper notification. Attorney Brady also stated that if they no longer reside at that residence that they must change that with the Hampton Township Assessor's office.

Chairman Ambrosi asked for any final questions from the Board. Mr. Zawacki had just a comment to add in the overhang to final dimensions.

A motion to approve the Application with conditions of a letter from a wetland specialist, as-built plan and no habitation in garage was made by Mr. Sivulich and 2nd by Mr. Zawacki.

ROLL CALL: Mr. Ambrosi, Yes; Mr. Zawacki, Yes; Mr. Daniels, Yes; Mr. Ostrander, Yes; Mr. Sivulich, Yes.

DISCUSSION:

The Board agreed to have a special meeting on December 16, 2021 via remote ZOOM to discuss the Resolutions for applications 21-03ZB and 21-04ZB.

BILLS:

Harold E. Pellow & Assoc. – Audi	\$357.50
Harold E. Pellow & Assoc. – BARKS	\$97.50
Harold E. Pellow & Assoc. –General	\$97.50
Brady & Correale, LLP – General	\$142.50
Brady & Correale, LLP – Austin	\$160.00
Brady & Correale, LLP – Spehalski	\$162.00

A motion to pay the bills was made by Mr. Sivulich and 2nd by Mr. Zawacki.

ROLL CALL: Mr. Ambrosi, Yes; Mr. Zawacki, Yes; Mr. Daniels, Yes; Mr. Ostrander, Yes; Mr. Sivulich, Yes.

ADJOURNMENT

A motion to adjourn at 8:00PM was made by Mr. Ostrander and 2nd by Mr. Daniels with all members present in Favor and None Opposed.

Respectfully submitted;

Katelynn Wunder, Secretary