

**MINUTES
BUENA VISTA TOWNSHIP
PLANNING/ZONING BOARD
February 18, 2016**

The Regular meeting of the Buena Vista Township Planning/Zoning Board was held on February 16, 2016.

Chairman Michael Bylone called the meeting to order at 7:42 p.m.

Board Secretary Lisa Tilton performed Roll Call:

The following members were present: Akers, Babel, Bylone, Chiarello, Kelly, Krokos, Monfredo Sr., Rohs, Rovani Sr., Seelman, and Turner

The following members were absent: Bracaliello, and O'Connell

Chairman Michael Bylone led the flag salute.

Chairman Michael Bylone stated the following announcement:

On January 22, 2016, Notice of this meeting was mailed to *The Daily Journal & The Press* and duly posted in the Main Lobby of the Municipal Complex. All requirements of the Open Public Meetings Act have been met in compliance with the Sunshine Law. *If any appeal is being heard at 10:30 pm it may continue to be heard, however no new appeal will be started after 10:30 pm.*

Approval of Minutes January 21, 2016:

On a motion by Chiarello, seconded by Akers:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Chiarello, Kelly, Monfredo Sr., Rohs, Rovani Sr., Seelman, and Turner

Approval of Bill List from February 18, 2016:

On a motion by Turner, seconded by Rovani:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Chiarello, Kelly, Krokos, Monfredo Sr., Rohs, Rovani Sr., Seelman, and Turner

Approval of Decision & Resolutions: None

Hearing / Motion to Approve:

Street Vacation – Steve Avenue

Michael Fralinger, Esq., stated he represented the applicant Nimohey & Company.

Applicant is requesting Steve Avenue to be vacated. The Applicant owns Lots 1 & 2 that is adjacent to Steve Avenue. A survey and legal description will be obtained once the applicant receives Board approval. The applicant purchased all the lots in Block 2906 that are adjacent to Steve Avenue at a Township land sale in 2015. All access to those lots will be from Friendship Road. The applicants' lots have been in the family since 1940 and land in the area is prominently swamp land. The applicant would like to survey the area and then post it. The applicant has had issues with hunters trespassing in that area which has caused a safety concern.

Board Engineer David Scheidegg stated the property is located in the RDR1 Zone which requires 3.2 acres. Stated the vacation of the street would not adversely impact the Township.

On a motion by Monfredo, seconded by Akers:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Chiarello, Kelly, Monfredo Sr., Rovani Sr., Seelman, and Turner

Zoning Completeness:

App #1-2016 Matthew Berk

On a motion by Akers, seconded by Monfredo Sr. the application was Deemed Complete:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., Krokos, Rohs, Rovani Sr., Seelman, and Turner

App #2-2016 Louis Petrini, Jr.

On a motion by Akers, seconded by Turner the application was Deemed Complete:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., Krokos, Rohs, Rovani Sr., Seelman, and Turner

App #4-2015 Universal Concrete

On a motion by Monfredo, Sr., seconded by Rovani, Sr. the application was Deemed Incomplete:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., Krokos, Rohs, Rovani Sr., Seelman, and Turner

Mayor Chuck Chiarello and Boardmember Teresa Kelly recused themselves from the zoning applications.

Applications:

App# 1-2016 Matthew Berk
Front Yard Setback
B. 4405, L. 5
Time: 8:02pm to 8:14pm

The property is located in within the PVR2 zoning district and contains 3.61 acres which is pre-existing non-conforming. The property is located at 734 Railroad Boulevard in Buena Vista Township.

Applicant is proposing to construct an addition to the single family dwelling. The addition is for a garage that is proposed to be 30' x 40' with a breezeway attachment. The application requires two front yard setbacks, 10 feet from Lewellyn and 37 feet from Railroad Boulevard. Two structures will be removed upon completion of the garage.

Board Engineer David Scheidegg suggested the applicant process an application for the vacation of Lewellyn.

On a motion of Akers, seconded by Monfredo, Sr., the hearing was opened to the public.

There was no public comment on the application.

Solicitor Michael Malinsky summarized the application before the Board.

On a motion by Rovani, Sr., seconded by Monfredo, Sr. the application was approved by the Board:
Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Krokos, Monfredo Sr., Rohs, Rovani Sr., Seelman, and Turner

Applications:

App# 2-2016 Louis Petrini, Jr.
Pre-Existing Non-Conforming Use Certification
B. 4602, L. 4
Time: 8:16pm to 9:31pm.
Witnesses: Michael Fralinger, Esq. Attorney for Applicant
Louis Petrini, Jr., Applicant
Steven Levari
David Meyrick

Exhibits: A-1 Tax Map Sheet Page 44; and 2016 Aerial from Google
A-2 Email Correspondence from Brian Walters dated February 18, 2016
A-3 Twenty-Six (26) Pictures of the Property and Dwelling
A-4 Photograph of Current Electrical Meter
A-5 Photograph of Previous Electrical Meter

The property is located in within the AP zoning district and contains 4.4 acres which is pre-existing non-conforming. The property is located at 1388 Harding Highway in Buena Vista Township.

The applicant is requesting a Pre-Existing Non-Conforming Use Certification for the existing two-family structure located at 1388 Harding Highway.

Mr. Fralinger stated a two-family dwelling currently is not permitted in the zone however the applicant stated the property was a two-family dwelling when it was purchased through sheriff sale in January 2015. Mr. Fralinger stated he had reviewed the 1969 Master Plan and land use ordinances from 1976. An Ordinance from 1972, according to the Township was not able to be located. The first zoning ordinance was sent to the County Planning Board in 1981. Mr. Fralinger stated the applicant needed to establish prior to 1981 that the duplex already existed. The applicant was notified that the Township did not have the two-family dwelling in the tax records when the applicant went to register the rental units.

Mr. Petrini Jr. applied and obtained electrical and roofing permits from the Construction Office. Mr. Petrini testified that there was water damage inside the structure. Mr. Petrini painted the structures, cleaned the windows, and installed new cabinets and new appliances. Mr. Petrini stated he worked on the structure for about 5-6 months costing approximately \$80,000. Mr. Petrini stated there was no door that connects the two units. There is parking for the front unit on the side and parking for the rear unit in the rear. There was a chicken coup located in the rear of the property that had concrete flowing and has been removed. Mr. Petrini stated he did inspect the dwelling prior to purchase at the sheriffs sale and did not have to change any heating, gas or electric as it was already separate.

Steven Levari stated he worked for the UPS from 1978 to 1993 and would deliver packages to the two-family dwelling. His normal route was from Richland to Vineland and included the property owned by Mr. Petrini Jr.

Rudolph Cinotti stated he was the hired electrician that replaced the electrical service at the property around 2002. Mr. Cinotti stated the old meters he removed were estimated to be from the 1950's to 1960's. Mr. Cinotti he also updated the breakers in the boxes and there were two separate breaker boxes.

David Meyrick stated he lives and owns a home next to Mr. Petrini's property. Mr. Meyrick stated he has owned his home since 1976, approximately 39 years ago and stated he has known it to be a two-family home since then.

Mr. Fralinger reviewed the Board Planner Tiffany CuvIELlo's letter to the Board. Mr. Fralinger stated he was able to establish the property had a two-family dwelling on the property prior to Pinelands regulations.

The Board took a brief break from 9:11pm to 9:18pm.

Board Planner Tiffany CuvIELlo provided her report to the Board.

Board Engineer David Scheidegg provided his report to the Board.

Mr. Fralinger stated the property originally was a beauty shop from 1958-1968 and approximately 1969 it is believed to have been converted to a two-family dwelling.

On a motion of Akers, seconded by Monfredo, Sr., the hearing was opened to the public.

There was no public comment on the application.

Chairman Michael Bylone questioned if the septic was functioning and working. Mr. Petrini stated the septic was looked at and there were no malfunctions.

Board member Monfredo stated based on the testimony he felt there was no alternative then to approve the application.

Solicitor Michael Malinsky summarized the application before the Board.

On a motion by Akers, seconded by Monfredo, Sr. the application was approved by the Board:
Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., Rovani Sr., and Seelman

Board Discussion: None

Public Comment: None

On a motion by Monfredo, seconded by Akers the meeting was adjourned at 9:33 p.m.

Respectfully submitted,

/s/ Lisa A. Tilton

Lisa A. Tilton
Planning/Zoning Board Secretary