

JUNE 18, 2012

The Plymouth Township Zoning Board held a public meeting at the Plymouth Township Building on Monday, June 18, 2012.

The meeting was called to order at 7:05 PM.

The following were present:

Vincent Frangiosa	Chairman
Robert Esposito	Vice Chairman
James Saring	Member
Robert Sassi	Member

Bernadette Kearney	Solicitor
David Conroy	Zoning Officer
Paula Meszaros	Court Reporter

Absent: Michael Mattioni

The Pledge of Allegiance was recited.

Ms. Kearney advised that the application for William Peter Cross has been continued until an undetermined date.

The Board heard the following:

EDWARD REESE JR./CAPITAL TELECOM ACQUISITION & NEW CINGULAR WIRELESS PCS, LLC, D/B/A AT&T MOBILITY: On an application for a Special Exception and Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIV, Sections 1400, 1400.F, 1402.D, 1404.G.1, 1404.G.2, 1404.G.3, and 1404.I.

The Special Exception and Variances requested are as follows: To allow a proposed telecom facility as a use of the same general character as a permitted use. In the alternative, grant a use variance, or validity variance, for the telecom facility as a permitted use. To allow a cell tower that is 135 feet in height, where a maximum height of 50 feet is permitted. To construct a telecom facility with a front yard setback of 42.05' where a minimum of 255' is required, a side yard setback of 7.87' where a minimum of 255' is required and a rear yard setback of 5.93' where a minimum of 255' is required.

The property is located at 2221 Corsons Lane in a "Limited Industrial" Zoning District.

Christopher Schubert, Esq. was present to represent the applicant in presenting their application.

Member Esposito noted that the RF Emission Report, RF Interference Report, and the Coverage Overlay Map have not yet been submitted by the applicant. Member Esposito advised that he will make a motion to continue this application because these submissions have not yet been made.

Mr. Schubert advised that new coverage is not needed for the site. Mr. Schubert stated that before coverage and after coverage normally shown on the Overlay Map do not exist. Mr. Schubert advised that the RF Engineer will testify to explain how the relocation to the new site will bring the tower up to 4G standards.

Mr. Schubert advised that testimony from the RF Engineer could be done this evening, and the applicant will pay for the costs concerning the notes of testimony. Mr. Schubert stated that the Board then can make a decision at a future meeting.

Member Esposito stated that the coverage will change when the current site is decommissioned. Member Esposito stated that he would like to have the report at least 24 hours before the hearing. Chairman Frangiosa noted that this information was requested beforehand, and it is the practice of the Zoning Board to receive the information before the hearing.

Mr. Schubert asked what information will the Zoning Board need before the next meeting. Member Esposito advised that RF Emission Report, RF Interference Report, and the Overlay Coverage Report must be submitted. Member Esposito stated that other supplemental documents concerning frequencies must also be submitted. Member Esposito advised that information concerning the current and the change should be submitted.

Member Esposito made a motion that the application for Edward Reese Jr./Capital Telecom Acquisition & New Cingular Wireless PCS, LLC, D/B/A AT&T Mobility be continued until July 16, 2012. Member Saring seconded the motion. Members Esposito, Saring, Sassi, and Frangiosa voted in favor of the motion. The motion passed by the vote of 4-0.

KURT & COLLEN DERFLER: On an application for a Variance from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIX, Section 1908.1.

The Variance requested is as follows: Replace existing 8' X 12' shed with a 10' X 14' shed.

The property is located at 3005 Sheffield Drive in "B" Residential Zoning District.

Mr. Kurt Derfler was sworn-in to testify.

Mr. Derfler advised that he is looking to replace his current shed. Mr. Derfler stated that

he does not have a garage on his property. Mr. Derfler advised that the bigger shed will give him more space to store outdoor items.

Mr. Derfler advised that a swale exists in his back yard, and it runs down the driveway. Mr. Derfler stated that the proposed 10' by 14' rectangular shed will help get away from this swale area, and will give more space for his children to play in the back.

Member Sassi asked if electricity will run to the shed. Mr. Derfler advised that no electricity will run to the shed.

Member Saring asked if the neighbors have been contacted. Mr. Derfler advised that the neighbors support the proposal.

Member Esposito asked if anything hazardous would go into the shed. Mr. Derfler advised that no hazardous materials would be stored in the shed.

Mr. Conroy asked if the Zoning Board would support slight relocation for the shed if Public Works found a drainage problem at the proposed spot. Member Esposito advised that a slight relocation could take place as long as the setback area is not affected.

There was testimony from the audience.

Mr. Mike Dougherty was sworn-in to testify.

Mr. Dougherty advised that he is a neighbor across the street from the applicant's property. Mr. Dougherty stated that the proposal would not be a problem because the parameters for the new shed are not much different from the old shed.

The Board discussed and decided as follows:

KURT & COLLEEN DERFLER: Member Esposito made a motion that the application be approved subject to the following:

- 1) The Township Public Works go out to the property, and review the actual placement of the shed. As long as the setbacks are maintained the shed will be approved.

Member Sassi seconded the motion. Members Esposito, Sassi, Saring, and Frangiosa voted in favor of the motion. The motion passed by the vote of 4-0.

ARTHUR LLOYD: On an application for Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article VII, Sections 702.F and 702.G and Article XIX, Section 1908.C.

The Variances are as follows: To increase the impervious coverage on property to 49.3%

where a maximum of 35% is permitted. To decrease the green space coverage on property to 50.7% where a minimum of 65% is permitted. To install a sidewalk closer than 4 feet from the property line.

The property is located at 210 Hillside Avenue in "C" Residential Zoning District.

Mr. Arthur Lloyd was sworn-in to testify.

Mr. Lloyd advised that he seeks the variance for the sidewalk along his garage. Mr. Lloyd stated that both his Mother and Father-In-Law are handicapped. Mr. Lloyd advised that it is getting very hard for both of them to make their way to the house.

Mr. Lloyd advised that his neighbors have no problems with the proposal. Mr. Lloyd stated that he requests that the zoning relief be granted.

Member Saring asked if the ramp can go in the front. Mr. Lloyd advised that it would be difficult to go in the front because of the location of his driveway and the garage.

Member Saring asked if impervious and green space are within the limits. Mr. Lloyd advised that he has not done any additions to the property. Member Saring asked how close will the sidewalk be to the edge of the property line. Mr. Lloyd stated that the sidewalk will be 2 feet off of the property line.

Ms. Kearney asked if the Township Public Works would have to go out to the applicant's property. Mr. Conroy advised that the Township Public Works will inspect the property.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

ARTHUR LLOYD: Member Saring made a motion that the application be approved. Member Esposito seconded the motion. Members Saring, Esposito, Sassi, and Frangiosa voted in favor of the motion. The motion passed by the vote of 4-0.

ERIN CAMP AND JOSH LEONE: On an application for Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article VIII, Section 802.A and Article XIX, Section 1908.C.

The Variances requested are as follows: To increase the impervious coverage on property to 49%, where a maximum of 45% is permitted. To decrease the green space coverage on property to 51%, where a minimum of 55% is permitted. To install a front porch closer than 3 feet from the property line.

The property is located at 1328 Hillcrest Road in "D" Residential Zoning District.

Ms. Erin Camp was sworn-in to testify.
Mr. Josh Leone was sworn-in to testify.

Mr. Leone advised that the unique condition of the property is the reason they need the requested variances. Mr. Leone stated that the property is 3 times as long as it is wide. Mr. Leone advised that sections of the home were added in the 1970's and 1980's.

Mr. Leone advised that what is being asked is the current in their neighborhood. Mr. Leone stated that they are looking to have the same distance from the property line for the front porch that the other homes have. Mr. Leone advised that they are asking for the same distance for the carport that his immediate neighbor has.

Mr. Leone advised that their neighbors have signed a paper indicating support for the proposal. Mr. Leone stated that their hardship is that they do not have coverage to protect themselves in the wintertime. Mr. Leone advised that they desire to get in and out of their vehicles safely. Mr. Leone stated that the proposed shed would be for storage. Mr. Leone advised that the size of the house is small.

Mr. Leone advised that they will not change the existing style of the neighborhood. Mr. Leone stated that they want to have what the neighboring homes have so that they can be competitive with the property values.

Member Sassi asked if the applicant will do the construction themselves. Mr. Leone advised that they sought zoning approval before they hire a contractor to construct the proposal.

Member Saring asked if the carport will be level with the proposed patio. Mr. Leone advised that this is correct. Member Saring asked if the applicant will cover the porch. Mr. Leone stated that the porch will be covered.

Member Esposito asked if the porch overhead will be the same distance from the house as the neighbor's porch overhead and house. Mr. Leone advised that this is correct.

Ms. Kearney asked if the Township Public Works would go out to the property. Mr. Conroy advised that the Township Public Works will inspect the property.

Ms. Kearney asked Ms. Camp if she is the owner of the property in question. Ms. Camp advised that this is correct. Ms. Camp stated that the statements made by Mr. Leone are true and accurate.

Ms. Kearney asked if Option 2 is being considered by the Zoning Board. Mr. Conroy advised that Option 1 was advertised because it is the more obtrusive application. Ms. Kearney stated that if approval is given for Option 1 the applicant would still have the ability to go with Option 2 also.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

ERIN CAMP AND JOSH LEONE: Member Saring made a motion that the Variances requested for impervious coverage be approved for 49% as reflected in Option 1 as well as the green space coverage for 51% as reflected in Option 1, and to have the front porch closer than 3 feet from the property line subject to the following:

- 1) If the applicant chooses Option 2 requiring less impervious coverage the applicant does not have to come back before the Zoning Board.

Member Sassi seconded the motion. Members Saring, Sassi, Esposito and Frangiosa voted in favor of the motion. The motion passed by the vote of 4-0.

The meeting was adjourned at 7:40 PM.

Respectfully Submitted,


Richard Clifford