



**CITY OF ABSECON
Municipal Complex
500 Mill Road
Absecon, New Jersey 08201**

PLANNING & ZONING
Tina M. Lawler, Secretary

PH. (609) 641-0663 ext. 112
FAX (609) 645-5098

**JUNE 9, 2021
PLANNING BOARD
REGULAR MEETING
MINUTES**

The meeting was called to order by Bob Preston at 7:00 p.m.

Flag Salute
Notification of Meeting

ROLL CALL

PRESENT: Aleli, Gersh, Horton, Howell, Reilly, Thompson, Strugala, Tiberio, Preston

ABSENT: Kirk, Clinksale

OLD BUSINESS:

Vote: Minutes of February 24, 2021 meeting

Motion to approve: Nick Tiberio – second – Lou Strugala

ROLL CALL: Aleli, yes; Horton, yes; Howell, yes; Reilly, yes; Thompson, yes; Tiberio, yes; Preston, yes

NEW BUSINESS:

Appl. #2-2021 for Erica Corea – 170 Marin Drive – Block 289 – Lot 5.36 for amended site plan/minor site plan

The applicant and William Matias, the project manager appeared before the board and were both sworn in. He is a home improvement contractor licensed in New Jersey. The architectural plans were done by a company, but will need to be resubmitted with a signature of the architect and sealed as well.

William – explained she started a wooden structure on the back of her townhome. She was told to stop because she didn't get any permits and then it was found that she needed to come before the board. She then hired him in March to help out. It's a townhome development and the project is a sun room approximately 190 sq. ft. There is a proposal for a wooden deck, approximately 300 sq. ft. that she wants to add to her home. She is sorry that she didn't pull permits for this. The work was

performed by someone with construction knowledge, but not with the ability to pull construction permits. He is now under contract to do the work.

John – asked how much work is actually done

William – he passed around photos of what is there now. It's going to be a sun room now; with no heating or air conditioning, with windows around the sides.

Bob – for the record, there won't be any heat in this space, but there are windows in the space. How will it be finished inside?

William - it will be insulated and sheetrocked for a finished product. She wants to use it as a sun room, with screens.

Bob - There have been many iterations of what this room was to be. It will have to be resolved with the code official, but we are looking at the dimensions and how it relates to the site.

Holly – asked if there was approval by the association to build this?

William – no there was no approval at all.

Lou – asked if there was an association

William – no, there is none anymore.

Bob – the city has taken it over. They have installed street lights at their expense and have the trash and recycling picked up, as well as snow removal if necessary.

Kim – it's a problem not having an association. There are common areas that we debate about all the time and who is responsible to take care of it.

Chris Eaton, Colliers Engineering – appearing in place of Andy Previti tonight. The report is dated June 7, 2021. There is not much engineering on this. The one concern is the increased footprint and the drainage, but here it seems minimal. He asked about the 10 ft. x 10 ft. area on the side that will cause the need for the variance. It's not clear if it will be enclosed.

William – it will not be enclosed. It's a landing with posts

Joe – the side deck is the only reason for the variance. So, can this project be done without that side deck?

Chris Eaton – if we took off 4 ft. it would meet the setback.

Chris Dochney, Planner – explained the setback requirements, but he has to check regarding the ordinance about structures if it doesn't have walls

William – we would remove the 4 ft. if that is what the board wants

Chris D. – went through his report and explained that there were a couple submittals. If they remove the need for the variance, it could stay a site plan waiver. There will be about 500 new sq. ft. coverage of lot coverage. The issue he has is that the location of the sun room is 1 ft. off the property line from the neighbor property. Typically, with townhouse standards allow a zero setback on the assumption they are two buildings abutting each other. Having a gap could create problems and if the neighbor wants to do the same thing, it could be a precedent.

Nick – is there any stipulation that the one foot be only open air, such as this deck? Or can it ever be enclosed and still be okay with the one-foot encroachment.

Joe – it can go right up to the building, but they chose not to.

Lou – with that one-foot separation, the purpose of the separation of property lines is for emergency personnel. If they are allowed this gap tonight and the neighbor comes before the board, will not they be penalized and have to have a greater distance because of it?

Chris D. – maybe it's not penalized, but anyone who comes before the board is subject to the same rules, so they would be eligible to have a zero-foot set back if they wanted.

John – feels we should deal with that if it happens. The unfortunate thing is she built it already and it's too speculative and also the burden it would be to have to take that wall down. There is no perfect answer.

Bob opened the meeting to the public, but there was no public comment.

William - this building does conform to code with the building inspector

Lou – asked if there will be provisions for future wiring

William – he thinks they will be submitting an electric permit for that now.

Deb – we have this person who has come in and not done this legally. I wouldn't want anyone to lose any time or money, but is that a reward for not doing the right thing for the next person that comes in? Then we are back to what has been mentioned. We need to discuss it; because where does it stop? It all comes down to having no homeowner's association.

Joe – there will be final plans submitted and when they deal with the construction office, if they don't build what was approved, they will be told to stop.

He then stated the motion would be for the approval of a site plan waiver only; no variance now.

Motion was made by John Aleli – second – Deb Reilly

ROLL CALL: Aleli, yes; Gersh, yes; Horton, yes; Howell, yes; Reilly, yes; Thompson, yes; Strugala, yes; Tiberio, yes; Preston, yes

APPROVAL OF BILLS

Andy Previti - \$810 for WP Absecon

Peter Van Den Kooy - \$314; \$39.25 for Erica Corea and \$196.25 for Tim Robb

Motion to approve: Betty Howell – second – Kim Horton

All were in favor.

ADJOURNMENT

Motion to adjourn – John Aleli – second – Nick Tiberio

All were in favor.

Respectfully submitted,


Tina Lawler, Secretary

Approved: 7-14-2021