

**Borough of Westville**  
Land Use Board Meeting Minutes  
Regular Meeting - Monday, April 2, 2007

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The Meeting was called to Order by Chairman Michael Sautter at 7:33 p.m. Mr. Sautter advised that notice of this meeting had been advertised in accordance with the "Open Public Meetings Act." Salute and Pledge of Allegiance to the Flag followed.

Roll call was taken with the following Board Members present: Chairman Michael Sautter, William Bittner, Jr., Dawn Leamy, Fritz Sims, John Louis, William C. Packer, Jr., Michael Carotenuto and Vincent DiCicco. Bill Ziegler covered the beginning of the meeting. W.C. Packer left after roll call, on a motion.

Meeting Minutes from the Regular Meeting held on January 8, 2007 were approved by William Bittner and seconded by John Louis. Motion was unanimously approved by roll call vote.

**OLD BUSINESS:**

**Memorialization of Resolution R-07-05** naming Bach Associates as Professional Planner for the Land Use Board. Resolution was approved on a motion made by Bill Bittner and seconded by Vincent DiCicco. Motion was unanimously approved by roll call vote.

**Memorialization of Resolution R-07-06** authorizing transmittal of a report to the Mayor and Council of the Borough of Westville pertaining to the amendments to the Storm water Control Ordinance. Resolution was approved on a motion made by and Fritz Sims and seconded by Michael Carotenuto. Motion was unanimously approved by roll call vote.

**NEW BUSINESS**

Robert Nastarowicz, of 319 Edgewater Ave. submitted an application pertaining to Block 60, Lot 9.

Mr. Nastarowicz was sworn in to present testimony. He wants to put a six-foot addition onto his house in the front, and also add another five feet to the 12 feet on side. Mr. Ziegler, the Solicitor, advised that Board had jurisdiction to hear the application.

Bill Bittner asked for clarification on the size of the addition(s), and size in relation to other houses on block. Mr. Nastarowicz advised the addition would be even with front porches of both neighboring properties. Total coverage variance needed was 28% with the addition. Confirmed.

**Public Comment:**

Meeting was open to the public.

Millicent Cleary, 317 Edgewater Ave., property owner, does not live there. She was sworn in by Solicitor.

She asked for explanation of the bulk variance. Attorney Ziegler explained that applicant wants to build an addition. The lot line would be less than 10 feet. It will be 7'2" away from the side yard line bordering lot 10. On the other side of house it appears that it is 3.4 feet. The variance requested would be side-yard set back.

Her additional questions pertained to the construction phase. When was construction scheduled and how long will it take? Mr. Nastarowicz responded with possibly beginning in September and taking 3-4 months to complete. Is there a time when workers start in the AM and when they have to be finished? Bill Bittner commented that, yes, there are ordinances. What about weekends? Bill commented that he didn't believe they were permitted to work on weekends...on Saturday but not on Sunday. Parking is a problem, what about the delivery for equipment and will they have a dumpster? The Construction Officer said they would use the yard; won't take up parking spaces and a dumpster for maybe a week at the most probably in driveway. What about the Privacy Fence; will that have to be taken down? Mr. Nastarowicz said no. Other issues addressed were about access to property, storm sewer, air conditioner, etc. and none presented a problem. Other questions were to the township; any problems/grievances and how would they be handled?

Michael Sautter commented that the Construction Official will oversee the property construction. If there's a problem, call the Borough and they'll notify him to take a look at it.

Public Portion closed.

With no other questions, Bill Bittner made a motion to approve side-yard set back. It was seconded by Michael Carotenuto.

Motion unanimously approved by roll call vote.

Mr. Nastarowicz asked how long Variance was good for. Both Michael Sautter and Bill Bittner answered one (1) year.

Application for Major Site Plan – Pellegrino Chevrolet, Inc. – 1000 Gateway Blvd. Block 71  
Lot 24:

Attorney, George Hulse, represented Pellegrino on the application. He stated that hopefully this would be the final phase of exchange of land between Pellegrino Chevrolet and the Borough. He reviewed application for Site Plan. He advised that it was originally scheduled to come before the Board in March, but because of the delay it gave engineers an opportunity to address items in Borough's Engineer Report of February 28.

Attorney Hulse had their engineer address additional comments on the review letter. Mr. Bachard, Marathon Engineering, explained all items covered in review letter.

Mr. Hulse requested that the Sub-division be filed by plot as apposed to deed. He spoke to Mr. Thompson who advised he had problem doing this. He was sending a letter to the Board asking Application be amended to allow filing by deed as apposed to by plot. Bill Bittner made a motion to accept it. Michael Carotenuto seconded it. It was unanimously approved by roll call.

Attorney George Hulse requested an extension on the minor sub-division approval for additional period to file the deeds. Mr. Thompson's office had no objection to that course of action.

Tom Bachard, Marathon Engineering, and Mark Pellegrino, Pellegrino Chevrolet were sworn in.

Mr. Bachard explained plans to the Board. Everything seemed to be in order.

Attorney Hulse addressed the issue of the engineer's review letter of March 27. Upon bringing it to the attention of the engineer, Attorney Hulse turned the meeting over to him for comments.

Mr. Spratt addressed the issues at hand. Documentation was presented confirming county conservation district approvals.

There were a couple minor clean-up items; they did show handicap spaces, but no detail in the plan showing the sign and striping and that should be added to ensure the work is in compliance with the standards.

There was an issue about a Waiver requirement on perimeter buffering around the site and another issue for locating all existing trees and tree masses including general sizes and species. He's waiting for an answer to the Board's satisfaction. Items 8 through 10 were satisfied. Items 5 & 13 were mentioned but 13 was not yet satisfied, pertaining to details for the handicap parking spaces. Items 5, 8 through 10, and 13 needed to be addressed for the Board's satisfaction. Attorney Hulse addressed Item 5, pertaining to corner markers, as being taken care of hopefully by the end of the week. And that he would get the final revised plan to show they are in place. Confirmation was given from the engineer that Item 5 would be taken care of.

Item 9: Perimeter Buffering. Existing site does not have perimeter buffering; it's a non-conforming situation. Bill Bittner asked to confirm that it is buffered to some extent along the residence; the apartment units to the Northeast of the property. The engineer agreed, but it's not a concern.

Everything has been satisfied to this point, with the exception of Item 10 which pertains to the fence.

Bill Bittner made a motion to waive the requirement of tree identification and buffering on the site. Seconded by Fritz Sims. Roll call vote unanimous.

Attorney Hulse addressed that they have the application for the variance of the fence height. They are requesting 8 feet vs the allowed 6 feet. Mr. Pellegrino explained that they need the higher fence for security purposes. They have existing 8-foot fences now and they want to match the new all around the parking area. It prohibits vandals from getting over the fence. The existing fence goes around the property line. The new would tie into the existing fence. They are asking for a variance to allow the new fence to be 8-foot high when the ordinance calls for 6. Mr. Spratt said it's not intrusive because it's up against the woods. He has no objection. With no questions raised, Vince DiCicco made a motion to approve it and Mike Carotenuto seconded it. Roll call vote unanimous.

This concluded presentation by Attorney Hulse.

Open to Public: None  
Public portion closed.

### **Communications:**

Fritz Sims had one question. The project that exists tonight.....does that help alleviate storage of

the dump trucks in the right of way, at the curb line, or are they remaining there? Mark Pellegrino said they don't do that anymore; they just bring cars up to the grass line. They keep them on the concrete area that exists.

Bill Bittner asked Mark Pellegrino how long they owned the dealership and he stated 10 years in November.

Michael Sautter addressed the concern of the right of way. Mark commented that trucks are not put on the grass any longer. There's plenty of walking room for pedestrians. No need for them to walk in the street.

John Louis raised the issue of the Storm water Report; the County/State Plan. There were no problems; adjustments were made and the engineer was happy. No other questions. Bill Bittner made a motion to approve the application. Mike Carotenuto seconded it. Roll-call vote unanimous.

Attorney Hulse asked for a Draft Resolution to revise the plans.

#### **Communications:**

Administrative issue; appointment of new sub-committee member. Vince DiCicco, John Louis and Bill Bittner suggested recommendations be made at the next meeting.

#### **Public Comment:**

John Stevenson, 1017 Broadway (Westville resident about 16 years) was seeking clarification to build on property 308 W. Olive Street, a 40' x 137' size lot. John was asking for representation to build a single-family home within certain guide lines. He didn't want to misrepresent property. He was told that now the requirement is 6,000 feet and that he does not meet that. Bill Bittner stated that he can't guarantee if the Board will approve a variance. He needs a frontage variance that needs to be 50 feet and a 6,000-foot area. At present, he's 500 square feet short. It's not presently a building lot. John was advised to see the Borough Zoning Officer and get a Lot Width Variance. Once he knew what variances he needs, he could then apply to the Board for a variance without a house design to get relief for a footprint that he would later build a house within.

#### **Adjournment**

Motion to adjourn was made by Bill Bittner and seconded by Michael Carotenuto and unanimously approved by VV Meeting adjourned at 8:43 p.m

*Respectfully submitted,*

*Christine A. Helder*  
*Acting*  
Board Secretary

