



Borough of Woodbury Heights Planning/Zoning Board
500 Elm Avenue Woodbury Heights, New Jersey 08097

August 1st Regular Meeting Minutes

The meeting was called to order by Chairman Elton at 7:00 pm. He announced that the meeting confirms to the directives of the 'Open Public Meetings Act'. He asked all present to rise and pledge allegiance to the flag.

Roll call found the following present: Mr. Farrell, Mr. Martino, Mr. Flynn, Mayor Conley, Mr. Deeck, Councilman Pye, Mrs. Frombach, Mr. Norcross, Mrs. Sesko, and Chairman Elton. Mr. Hart, Mrs. Holmstrom & Mr. McCabe were absent.

As there was nothing to report from the secretary, Chairman Elton presented the minutes from the meeting on June 6th to be approved. Mayor Conley made the motion to approve said minutes, which was seconded by Mr. Deeck. The minutes were approved by the following roll call: Mr. Farrell, yes, Mr. Martino, yes, Mayor Conley, yes, Mr. Flynn, yes, Mr. Deeck, yes, Councilman Pye, yes, Mrs. Sesko, yes, Chairman Elton, yes.

As there was nothing to report and no questions pertaining to the Solicitor's report, Chairman Elton opened the discussion to Virginia Steward, the trustee for the Steward Trust to present her application for a minor subdivision. Mr. Matson presented himself as Mrs. Steward's legal counsel. He presented the minor subdivision to adjust the lot line between Bock 57 lots 4 & 7. He pointed out that as the lot line previously stood, it excluded the framed shed from lot 7 and he requested that the property line be adjusted to match the fence that exists. Therefore, the lots would not change, simply the square footage.

Mr. Matson also suggested that Mrs. Steward would be relinquishing the 20 ft. easement she obtained with regard to the lot 7 properties. Her residence is on the lot 4 property. It was declared that no new lots would be established, the lines would just be adjusted.

Mr. Matson then addressed the bulk variances being presented. He stated there is a setback needed for the framed shed, if the lot lines are adjusted the shed will be on "lot 7" and a variance would be needed anyway. There is also a bulk variance needed for rear yard setback. He concluded by stating that the nature of the lot and the existing structures such as the pool and fence lend themselves to justify said applications.

Chairman Elton called upon the Engineer for questions or comments. Mr. Brunermer responded by stating the application was pretty straight forward and referred to his report. He asked if the area by the shed was paved. Mr. Matson clarified that it was. Mr. Brunermer stated there was some confusion on whether the setback was for a rear yard or side yard, as corner lots have two front yards and two sides. He stated that the application was presented several years ago to create the lines previously, and the variances were granted. Therefore, the preexisting nonconforming conditions should be reconfirmed. The shed also had variances previously.

Harry W. Elton Jr., Chairman

Mr. Brunermer also noted, that with subject to the board's approval he suggested the surveyor should remove the line to minimize confusion in the future. A design waiver for the pool fence and the driveway needs to be submitted.

Chairman Elton then opened the conversation to the Solicitor. Mr. Borelli summarized the application and had no objections. Chairman Elton then asked for clarification, if the shed in question is a permanent structure. It was confirmed that the shed lies on a concrete slab.

Mr. Farrell asked for the reasoning for not including the shed on her residential lot. Mr. Borelli interjected that Mrs. Steward would need to be sworn in before said question could be answered. Mrs. Steward was sworn in. She then stated that the shed is no longer used by her for its previous purpose. She also already has a large garage already on her property. With nothing further from the board, a motion was made by Mayor Conley and seconded by Mr. Deeck to open the meeting to the public. The motion was granted with unanimous "ayes". With nothing from the public the motion was made by Mayor Conley to close the public portion of the meeting. Seconded by Mr. Deeck, the meeting was closed to the public with unanimous "ayes".

A motion was then made by Mr. Martino to approve said application, and seconded by Mayor Conley. With only a comment from Mr. Farrell stating that given the previous variances, he did not think it was in the Board's best interest to proceed, the Subdivision and Bulk Variances were approved by the following roll call: Mr. Farrell, no, Mr. Martino, yes, Mr. Flynn, yes, Mayor Conley, yes, Mr. Deeck, yes, Councilman Pye, yes, Mrs. Frombach, yes, Mr. Norcross, yes, Mrs. Sesko, yes, Chairman Elton, yes.

Chairman Elton declared the application approved with the discussed changes.

There was nothing to report from the planner. Mayor Conley interjected and asked for a summary of the setback decisions. He asked for clarification with the front yards, side yards and a rear yard with a corner lot. Ms. Cuvillo stated that the conflict could be corrected without public notice with an ordinance. Mayor Conley suggested a formal recommendation be made by the Board to Mayor and Council to establish that corner lots have two front yards, one side and one rear yard.

Ms. Cuvillo also stated that clarification as to how to establish which yard is the appropriately labeled yard could not be established until the Ordinance is presented before it is sent to council. Mr. Brunermer interjected that having a backyard will leave less space for utilization without coming before the board. It was concluded that the matter would need to be reviewed and discussed further at the next meeting. With nothing more from the public, Chairman Elton asked for a motion to adjourn. The meeting was adjourned at 7:19 pm with a motion by Vice Chairman Farrell, seconded by Mr. Martino.

Shannon Elton, Secretary

Harry W. Elton Jr., Chairman