

QUINTON TOWNSHIP PLANNING BOARD

RESOLUTION NO.: 10-9

RESOLUTION GRANTING BULK VARIANCE APPROVAL

RE: BLOCK 33, LOT 4 (19 Waterworks Road - Matthews)

WHEREAS, an application was made to the Quinton Township Planning Board (the "Planning Board" or the "Board") by **GLENN and NELLIE MATTHEWS**, whose address is 19 Waterworks Road, Quinton, New Jersey, for Bulk Variance Approval to allow for the construction of a 2,400 square foot garage on the property located at 19 Waterworks Road, within a P-BR Zoning District, and more particularly known as Block 34, Lot 4 on the Official Tax Map of Quinton Township (the "Property") and depicted and described in a Variance Plan prepared by James A. Clancy, P.E., P.L.S. (N.J. Lic. No. 33998) of Land Engineering, LLC 84 E. Grant Street, Woodstown, New Jersey 08099, dated February 24, 2010 and in any other plans and materials filed with the application, all of which are incorporated by reference herein; and

WHEREAS, the Board determined that it has jurisdiction to hear the application, and that same is complete and in conformity with the Ordinance and the Municipal Land Use Law except for any matters that must be resolved as conditions of this approval; and

WHEREAS, at its May 11, 2010 meeting, the Board heard testimony and representations from the applicant, Glenn Matthews and the applicant's attorney, Ross Levitsky, Esq. and provided an opportunity for interested persons to make statements or ask questions about the application; and

WHEREAS, Glenn Matthews provided testimony regarding the proposed 2,400 square foot garage that is being proposed to be constructed on the Property. In particular, Glenn Matthews testified that he owns two trucks, his wife owns a van and his daughter owns a car. Glenn Matthews also testified that he has been robbed on two separate occasions and is interested in constructing the garage so that he can safely store the personal possessions of his family. Glenn Matthews further testified that the garage will not be used in connection with any business venture and has no commercial value to him or his family; and

WHEREAS, Mr. Levitsky provided reasons as to why the positive and negative criteria have been met. With regard to the positive criteria, Mr. Levitsky explained that the Property is unique in character because it is small in size and as a result, nothing can be constructed on the Property without a bulk variance. With regard to the negative criteria, Mr. Levitsky explained that the construction of the 2,400 square foot garage will not be detrimental to the public or substantial impair the zoning ordinance or its intent; and

WHEREAS, Lawrence DiVietro, Jr., P.P., P.L.S. the Planning Board Planner and Andrew Hogg, P.E., the Planning Board Engineer, provided a review letter dated April 8, 2010, in which they advised the planning board to confirm that the proposed garage will be used as an accessory to the residence, instead of in connection with a commercial enterprise, so as to keeping with the residential character of the neighborhood. DiVietro and Hogg further stated that the Property is located adjacent to Laurel Lake and placed the applicant on notice that the Property may be subject to the rules and regulations of the New Jersey Department of Environmental Protection Land Use Regulation Program; and

WHEREAS, Vicki Cuff, a member of the public, advised the planning board that she has no objection to the application; and

WHEREAS, after hearing the above testimony and representations, reviewing all application materials, considering the Planning Board Engineer's review correspondence, and discussing the application with the Planning Board Engineer, Planner and Solicitor, the Board made the following findings and conclusions:

- a. The property is located in a P-BR zoning district.
- b. The applicant proposes to construct a 2,400 square foot garage that shall be classified as an accessory structure. In order to construct the garage, the applicant requires the following bulk variances:
 1. Lot Area- .93 acres where 3.9 acres is required.
 2. Lot Width- 213.8 feet where 300 feet is required.
 3. Lot Depth- 175.6 feet where 300 feet is required.
 4. Front Yard- .7 feet where 50 feet is required (existing structure)
 5. Side Yard- 6.7 feet where 50 feet is required (encroachment)
 6. Side Yard- 15.7 feet where 50 feet is required (existing structure)
 7. Improvement Coverage- 12% where no more than 10% is allowed.
- c. The applicant has satisfied the positive and negative criteria for those reasons set forth by Mr. Levitsky.
- d. The proposed garage will not be used in connection with any commercial enterprise and will be for personal use only.
- e. The proposed garage is necessary for the applicant to store several personal vehicles and other personal property.

NOW, THEREFORE, BE IT RESOLVED by the Quinton Township Planning Board that for the reasons set forth above, the applicant's bulk variance application is hereby granted subject to the following conditions:

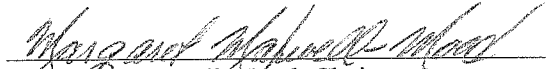
1. The applicant must pay any and all required fees and escrow replenishment amounts that are due or may become due to the Township within seven (7) days notice thereof.
2. The applicant must comply with all representations made through any representative during the course of its presentation to the Board and in all documents filed with the application.
3. The applicant shall not use the proposed garage in connection with a business or commercial enterprise.
4. The applicant must obtain approvals or letters of inapplicability from all other agencies having jurisdiction over the applicant's proposed development.

The undersigned, Chairman of the Quinton Township Planning Board, hereby certifies that the above is a true copy of a resolution adopted by said Board on June 8, 2010 to memorialize action taken on May 11, 2010.

Attest:



Bonita Bell, Secretary
Quinton Township Planning Board



Margaret Maxwell-Mood, Chairperson
Quinton Township Planning Board

VOTE:

ayes 9 _____
nays 0 _____
other 0 _____