

CITY OF ESTELL MANOR
Planning Board Meeting Minutes
January 07, 2014

The Estell Manor Planning Board Re-Organization Meeting was held on the above date at 7:00 p.m. in the Municipal Building, 148 Cumberland Avenue, Estell Manor, New Jersey.

Mrs. Lea called the meeting to order at 7:00pm. The Open Public Meetings Notice was read. The flag salute was recited in unison.

The oath of office was administered by Ted Strickland, solicitor, to Mayor Teasenfitz

Mayor Teasenfitz administered the oath of office to the following Board Appointees: Robert Kellner, Linda Givens, Helen Gieryck, Mr. Holt, Mr. Carmen and Michelle Martyn.

Roll call was taken.

Roll Call Present:	Mayor Teasenfitz	T/E 12/31/17
	Mr. Kellner	T/E 12/31/14
	Mrs. Givens	T/E 12/31/14
	Mrs. Lea	T/E 12/31/14
	Mr. Taggart	T/E 12/31/14
	Mr. Goodman	T/E 12/31/15
	Mrs. Martyn	T/E 12/31/15
	Mrs. Gieryck	T/E 12/31/17
	Mr. Holt	T/E 12/31/15
	Mr. Carmen	T/E 12/31/15
	Mr. Anderson	T/E 12/31/14

Absent:	Mr. Miller	T/E 12/31/16
	Mr. Owens	T/E 12/31/14

Also Present:	Mr. Strickland, Solicitor
	Mr. Polistina, Engineer
	Mr. Caregnato, Zoning Officer
	Mrs. Kent, Secretary

Mr. Miller gave prior notice of his absence.

Motion made by Mayor Teasenfitz and seconded by Mr. Anderson nominating Mrs. Lea as Chairperson for the year 2014. Roll call vote taken. All in favor. Motion carried.

Motion made by Chair Lea and seconded by Mayor Teasenfitz nominating Mr. Goodman as Vice-Chairperson for the year 2014. All in favor. Motion carried.

Motion made by Chair Lea and seconded by Mr. Goodman to appoint Linda Kent as Board Secretary for the year 2014. All in favor. Motion carried.

Motion made by Mr. Goodman and seconded by Mrs. Lea to appoint Vince Polistina of Polistina & Assoc. as Board Engineer for the year 2014. All in favor. Motion carried.

Appointment of the Planning/Zoning Board Solicitor is being held over until the February meeting.

Motion made by Chair Lea and seconded by Mr. Goodman to accept meeting dates for 2014 as listed on the attached schedule which is at 7:00pm the first Tuesday of each month except for June and November. All in favor. Motion carried.

Motion made by Chair Lea and seconded by Mr. Goodman designating The Press and The Atlantic County Record as the official newspapers. All in favor. Motion carried.

Approval of Minutes

Motion made by Mr. Goodman and seconded by Mr. Anderson to approve the minutes for December 03, 2013. All in favor called. Motion carried. Mayor Teasenfitz, Ms. Givens, and Mr. Taggart abstained.

Zoning Officer's Report

Motion to approve zoning officer's reports for November & December 2013 made by Mr. Goodman and seconded by Chair Lea. All in favor called. Motion carried.

Wayne reported that the Tharpe matter was heard in Superior Court last Thursday and is now waiting on judge's decision.

Correspondence

There was no new correspondence.

New Business

Pat Rattigan – Block 50, Lots 5.01 – Hardship Variance Undersized Lot

Ted Strickland, solicitor, advised the Board that they needed to decide that this is a new application.

Vince Polistina, engineer, stated that this is a new application because the setback has been changed and the variance being requested is therefore not the same.

Motion made by Chair Lea and seconded by Mr. Taggart accepting new application from Pat Rattigan. All in favor. Motion carried.

Vince Poilistina, engineer, stated her had no issues with the board granting waivers for items 6, 14, 17, 18, 19, 20, 21, and 26.

Wayne Caregnato, zoning officer, advised the board that he had contacted Pinelands and they have no interest in what is happening on the property, so the decision is up to the board. Also the residence is registered as a mobile home, and if it was replaced as a mobile home he only have to abide by construction regulations. He is not aware of any ordinance that says you can not have a mobile home but does have to meet a square footage requirement.

Motion made by Chair Lea and seconded Mr. Taggart deem application complete granting waivers to items 6,14, 17, 18, 19, 20, 21 and 26 listed under Completeness Review on the Engineer's Report. All in favor. Motion carried.

John & Pat Rattigan, 4 Staples Court, Marmora, were sworn in by Ted Strickland, solicitor.

John Rattigan testified that he now owns the property, and hired a surveyor to relocate the house and bring in closer to compliance. He has also contacted the adjoining property owners to purchase land and has not had any response. The new proposed setback would be 150'. He does not want to mow down anymore trees than he has too and would still like to utilize existing well and septic.

Wayne Caregnato, zoning officer, explained that developmental credits apply to un-developed lots, applicant is not required to obtain credits as the property is already developed. The double wide trailer is a legal residence. A CO was issued by the City of Estell Manor on 11/26/13 for the trailer.

Vince Polistina, engineer, explained that the property is an existing undersized lot, that in order to address the area and depth issue the applicant was required to contact adjoining property owners and he did that, so he has proven he has a hardship. The setback is a different issue, he has stated the benefits of the proposed setback as less clearing of trees and using existing utilities.

Motion made by Chair Lea and seconded by Mr. Goodman to open meeting to the public for the Rattigan Application. All in favor. Motion carried.

Joe Venezia – regarding setback, when Pinelands came out the scenic corridor was 200' and rural was 75'. He also just received his letter from Mr. Rattigan on Saturday. He also knows that there are wetlands. He thought with new construction, wetlands delineation maps were required.

Vince Polistina, engineer, explained that those maps are only required with new construction, but since this is pre-existing they are not required.

Wayne Caregnato, advised that the Pinelands stated the new plans actually move the house further away from the wetlands.

John Rattigan – stated he did all noticing in the appropriate timeframe

Chris Ottaviano- commends Mr. Rattigan for buying property, he trying to improve it and thinks the board should come to a compromise with the man.

Motion made by Chair Lea and seconded by Mr. Goodman to close meeting to the public for the Rattigan Application. All in favor. Motion carried.

Motion to approve Rattigan, Block 50, Lot 5.01 – Hardship Variance for lot depth, area and setback of 150' made by Mr. Goodman and seconded by Mr. Holt. Roll call vote taken.

Mayor Teasenfitz	y
Mr. Kellner	y
Ms. Givens	y
Mr. Taggart	y
Mr. Goodman	y
Mrs. Martyn	y
Mrs. Gieryck	n
Mr. Holt	y an improvement all around
Chair Lea	y

Eight ayes and one nay. Motion carried.

Motion to memorialize **Resolution R-05-2013** Joseph Baumgarten – Block 23, Lots 25.01 & 26 – Hardship Variance Undersized Lot, **Resolution R-06-2013** Pat Rattigan – Block 50, Lots 5.01 – Hardship Variance Undersized Lot and **Resolution R-07-2013** recommendation to Governing Body to adopt NJDEP Model Floodwater Damage Prevention Ordinance made by Chair Lea and seconded by Mr. Goodman. Mayor Teasenfitz, Mr. Taggart, Ms. Givens and Mrs. Martyn abstained.

Motion to open meeting to public made by Chair Lea and seconded by Mr. Goodman. All in favor. Motion carried.

No one spoke.

Motion to close meeting to public made by Chair Lea and seconded by Mr. Goodman. All in favor. Motion carried.

Vince Polistina addressed the board regarding the Pineland Clustering Ordinance and where the City was, because we are passed the compliance date. It was agreed that the City was waiting for a response from Pinelands on the build out number. Vince will send letter to Pinelands saying City incorporate CMP after receiving response from Pinelands.

Motion to adjourn meeting made by Chair Lea and seconded by Mr. Goodman. All in favor. Motion carried.

Meeting adjourned at 8:15pm.

Respectfully submitted,

Linda L. Kent
Planning Board Secretary