

CITY OF ESTELL MANOR
Planning Board Meeting Minutes
February 04, 2014

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

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

Roll call was taken.

Roll Call Present: Mayor Teasenfitz
Mrs. Givens
Chair Lea
Mrs. Gieryck
Mr. Miller
Mr. Holt
Mr. Carmen
Mr. Anderson

Absent: Mr. Kellner
Mr. Taggart
Mr. Goodman
Mrs. Martyn
Mr. Owens

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

Motion made by Mayor Teasenfitz and seconded by Mr. Holt to appoint James Schroeder of Schroeder Law Group as Board Solicitor for the year 2014. All in favor. Motion carried.

Approval of Minutes

Motion made by Chair Lea and seconded by Mr. Anderson to approve the minutes for January 07, 2014. All in favor called. Motion carried.

Zoning Officer's Report

No zoning report available.

Correspondence

There was no new correspondence.

New Business

Matthew Smaniotto – Block 5, Lot 9.01 – Hardship Variances

Polistina, engineer, explained that the above lot meets all bulk requirements however it does not front on an improved street. Also, he has no issue with the Board granting waivers to the items listed under Completeness Review on the Engineer’s report. He further explained that the variance being sought was actually a variance from Municipal Land Use law.

Motion to deem application complete granting waivers from all items (12,14, 17-21, & 28) listed under Completeness Review on the Engineer’s Report made by Chair Lea and seconded by Mrs. Giercyk. All in favor. Motion carried.

Matthew Smaniotto, was sworn in. He explained that the owner, Doug Taylor, was a friend of the family. He further stated that he was not represented by council.

Smaniotto testified that the property is a flag lot which back up to 7th Avenue West which is unimproved. When the lot was originally subdivided an easement to the property was granted through lots 9 & 8. He stated that if he was made to pave 7th Avenue it would be an extreme hardship. His intention is to have his house face Cumberland Avenue not 7th. He also stated that the paved portion of 7th west is further from his lot than Linwood Avenue.

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

Creed Pogue – This is a legacy situation. Its matter of paving just shy of 2 10ths of a mile as opposed to having a driveway off Cumberland.

Mario Bardales – If driveway allowed he will have trouble selling property.

Robin Eccles – No problem with easement.

Motion made by Chair Lea and seconded by Mayor Teasenfitz to close meeting to the public for the Smaniotto Application. All in favor. Motion carried.

Caregnato, zoning officer, explained that the driveway would have to be constructed to code.

Smaniotto explained that he planned to run underground electric back to the house.

Motion made by Chair Lea and seconded by Mr. Miller to grant Hardship Variance to use the easement with the requirement of running underground electric. Roll call vote taken:

Mayor Teasenfitz	n
Mrs. Givens	n
Mrs. Giercyk	y
Mr. Miller	y
Mr. Holt	n
Mr. Carmen	y
Mr. Anderson	y
Chair Lea	n

Four ayes and four nays. Motion failed.

Motion to memorialize **Resolution R-01-2014** resolution appointing Vince Polistina & Assoc. as Planning/ Zoning Board Engineer. **Resolution R-02-2014** Pat Rattigan – Block 50, Lots 5.01 – Hardship Variance Undersized Lot made by Chair Lea and seconded by Mr. Anderson.

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

Creed Pogue – Has no interest in application. Decision is arbitrary and capricious, with no reasons given for denying.

Allison Rattigan – applicant should have to reapply.

Motion to close meeting to public made by Mayor Teasenfitz and seconded by Chair Lea. 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.

Monty Holt asked that the board please review the information he distributed regarding Cluster Development. Polistina, engineer did receive some more information from Pinelands and will be forwarding that to the city.

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

Meeting adjourned at 7:47pm.

Respectfully submitted,

Linda L. Kent
Planning Board Secretary