

Mt. Ephraim Land Use Board Reorganization Meeting– July 13, 2020

The regular scheduled meeting of the Mt. Ephraim Land Use Board scheduled for July 13, 2020, in the Borough Hall, at 7:30 PM

The meeting was called to order. The meeting opened with the Pledge of Allegiance to the flag and stated the meeting was advertised and notices posted in accordance with the “Open Public Records Act.”

Roll Call – Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmine Rampolla, present. Mayor Tovinsky, Ken Herman, Thomas Maxwell, Michael Popelak, Nick Smaritto, absent. Mayor Tovinsky got on zoom late.

Oath of Office: Michael Tovinsky – Class I, George Gies – Class III, Gary Prinsky – Alternate #2

Reorganization Meeting:

Motion to elect Robert Carter as chairman, Gary Prinski made motion, the motion was seconded by Steven Eggert.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to elect Steven Eggert as vice-chairman, Michael Schiavo made motion, the motion was seconded by Charles Alexander.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to appoint Tara Weiss as secretary, Robert Carter made motion, the motion was seconded by Gary Prinski.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to re-adopt the rules and regulations, Charles Alexander, the motion was seconded by Gary Prinski.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to continue the meeting date & time for the second Monday at 7:30pm, Charles Alexander, the motion was seconded by Anthony Stagliano.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to establish legal notices in the Gloucester City News & Courier Post, Michael Schiavo, the motion was seconded by Charles Alexander.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to appoint Key Engineers Inc. as the Land Use Board Engineer, Mayor Tovinsky, the motion was seconded by Gary Prinski.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to appoint Brown and Connery as the Land Use Board Solicitor, Charles Alexander, the motion was seconded by Michael Schiavo.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to adopt the Annual Report 2019-2020, Gary Prinski, the motion was seconded by Charles Alexander.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

The first application will be on Holmes, 44 Grant Ave., variance for a 6ft fence to come halfway up the side of the house.

Oath of office for applicants – Zachary Holmes – 44 Grant Avenue, Richard Holmes – 133 Grant Avenue.

Anthony Stagliano recuses himself since he is Zachary's godparent.

Joe Nardi – the application is for a 6ft fence to come up halfway of the side of the house, which the zoning code only allows a 4ft fence along the side of the house. He tells the

applicant it is their burden to explain why they should be allowed to deviate from the code.

Zachary Holmes – states he recently purchased the home, and there was an existing chain link fence, but he really wanted the 6ft privacy fence to keep the property uniform, he also explains he has a puppy and wants to keep the puppy in the yard.

Robert Carter – what type of fence are you purposing?

Zachary Holmes – 6ft white vinyl fence.

Richard Holmes – states it will match the existing fence that is in the rear of the house.

Robert Carter – what is the setback for the fence from Grant Avenue?

Tara Weiss – guys he meets the front yard setback, he meets all the setbacks, except he wants to come to the center of his house with a 6ft fence verse what our code allows, which is only a 4ft fence.

Robert Carter – any questions from the members?

Joe Nardi – just so the record is complete, why is it necessary to go to the middle of the house verse being at the rear of the house.

Zachary Holmes – I want to keep the backyard at a larger size, and if I cut the fence off in the back it will make it much smaller and a weird shape.

Joe Nardi – are there other fences of this size in the neighborhood?

Zachary Holmes – yes, not directly next to me, but there are other houses on Grant Avenue with this size fence.

Robert Carter – any other comments from the board, beings there are no comments I would like to open it up to the public. Hearing or seeing no comments from the public can we have a motion.

Motion to approve application, Charles Alexander, the motion was seconded by Carmine Rampolla.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Gary Prinski, Carmen Rampolla, all voting yes. Anthony Stagliano recused himself.

Next hearing on the agenda will be Meccariello – 65 Remington Ave., - addition to come within 20.6 ft approximately of side property line (corner proper).

Oath of office for applicants – Chris and Angela Meccariello – 65 Remington Avenue.

Joe Nardi – the application is for an addition which is approximately 20ft x 10ft, he also states that there are certain setback requirements, and that the applicant is here because he needs a variance since they do not meet the setback of 25ft, they only have a setback of approximately 20.6ft. He requests that the applicant in detail explain what they plan on doing and why the board should grant the application.

Chris Meccariello – so we live on the corner of Market and Remington Ave., and the side of house that runs parallel with Market St., is about 20 ft from the property line, the setback requirement is 25ft. We propose the extension to extend back 20ft and be 10 ft wide on Market St., the reason we are building an addition is we are expecting our second child and we work from home and we are running out of space.

Joe Nardi – so the proposed addition would be 20.6 ft from Market Street?

Chris Meccariello – that is correct.

Joe Nardi – does anyone else have any questions?

Robert Carter – the setback is 25ft, correct?

Chris Meccariello – correct.

Robert Carter – so they are a corner lot and have two front yards?

Joe Nardi – correct.

Robert Carter – so they have an existing non-conforming house with being 23 ft from Market Street?

Tara Weiss – yes that is correct.

Chris Meccariello – well the house goes from 23ft to 20 ft approximately.

Robert Carter – any questions from the board members, being there are none do we can any comments from the public, with none can we make a motion?

Motion to approve application, Mayor Tovinsky, the motion was seconded by Charles Alexander.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Next hearing on the agenda will be Would – 46 Roosevelt Ave., - 4ft fence to come along the front side of property.

Oath of office for applicants – Shawn Would & Brenda Davis 46 Roosevelt Avenue.

Joe Nardi – explains that the applicant would like to install a 6ft fence to come the front of the house along the one side of house.

Shawn Would – its along the rear side of house, the only variance we need is for the 4ft fence along the front side of my house since zoning only allows a 3ft fence. We had an addition on our property so what Tara told me was to go to original part of house to start the 6ft fence to enclose the rear yard then slope down to the 4ft.

Joe Nardi – for the purpose of the record, what are the reasons for the height deviation?

Shawn Would – our entry way to front of house sits back further then our neighbors house and my neighbor has garbage cans and debris all in front of the house.

Michael Schiavo – where is your property located at?

Shawn Would – 46 Roosevelt Avenue.

Michael Schiavo – your located at the of the first block?

Shawn Would – not quit at the end, but yes, we are close to the end.

Michael Schiavo – East or West side?

Shawn Would – we are the east side.

Michael Schiavo – trying to get my bearings on that street and where you are located, Thank you.

Joe Nardi – do you have an existing fence up now?

Shawn Would – yes, there is one now. I believe it is a 3ft chain link with some type of height extension on there to keep the dogs inside.

Joe Nardi - how close is that to the property line?

Shawn Would – its pretty much on my property line the fence.

Joe Nardi – the borough ordinance states that a 6ft fence that extends past the rear of the house needs a variance.

Shawn Would – we are not requesting a variance for that, the 6ft fence goes to where our original house was before we put the addition on. The variance is only for where we want to put the 4ft fence.

Joe Nardi – is there an existing 6ft fence now?

Shawn Would – not on our property, our neighbor has a chain link fence.

Joe Nardi – so where you put a 6ft fence, there will be no 6ft fence?

Shawn Would – yes there will be, but its our back of house not side, the 6ft fence goes to our original footprint of home not the addition.

Joe Nardi – does anyone have any questions, Greg Fusco do you have any questions?

Greg Fusco – no I do not.

Robert Carter – any other members of the board have questions or comments? Do we have any members of the public?

Wendy Helm – hello, these are my neighbors, and we have issues with them.

Robert Carter - please state your name and address for the record.

Wendy Helm – 50 Roosevelt Ave., so um recently I have called in about this and they moved their drainpipe directed to my property. They were supposed to drain to the street and never did. So, I am not going to agree to a 4ft fence, they need to fix the drainage problem first, and I cannot remember who I spoke with, but I am sure they are on here, he stated he would bring a lawsuit to them if they did not fix the issue.

Robert Carter – we need information that is specifically with this application.

Wendy Helm – also I am a single woman, so I would not like a 4ft fence blocking my view because I do not know who is going to be behind the fence.

Shawn Would – if I could show a power point when we had all that rain and show the yards, I was the one who was flooded not her yard.

Wendy Helm – I have pictures of my flooded yard.

Mayor Tovinsky – is this another matter that has nothing to do with the fence issue.

Shawn Would – I agree this has nothing to do with the fence issue.

Mayor Tovinsky – I am asking the solicitor, please hold on.

Joe Nardi – well no it does not, there is clearly a neighbor dispute, so whether water does or does not go into the neighbor's property that really is not for the purpose of this meeting. The application is for the height of the fence. Are there any other members of the public that have any comments on the application?

Wendy Helm – well I still do, I feel as a single woman with a 4ft fence blocking my view from people coming in, I do not feel safe.

Joe Nardi – does anyone else have any other questions for the applicant. Mr. Chairman hearing none I would suggest public comment being closed.

Robert Carter – public comment is here by closed. Do we have a motion from the board?

Mayor Tovinsky – maybe 1 or 2 of us can go look at this situation and come back at the next meeting with our thought's.

Joe Nardi – so we would need to make a motion to adjourn to the next month meeting.

Shawn Would – what is the reason to carry to the next month?

Joe Nardi – it was suggested so they could get a site visit and see exactly what you have shown, and they want to see it directly.

Shawn Would – can I submit a power point?

Joe Nardi – you can submit something between now and then.

Shawn Would – ok, so when is the next meeting?

Joe Nardi – I believe its August 10th?

Tara Weiss – that is correct.

Joe Nardi -so we need to make a motion.

Motion to adjourn Would application until next month, August 10th, Anthony Stagliano, the motion was seconded by George Gies.

Roll Call – Mayor Tovinsky, Commissioner Gies, Michael Schiavo, Steve Eggert, Charles Alexander, Robert Carter, Anthony Stagliano, Gary Prinski, Carmen Rampolla, all voting yes.

Motion to adjourn.
All voting in favor.

