

STRATFORD JOINT LAND USE BOARD
MINUTES
May 23, 2024

The meeting was called to order by Chairman Mike Mancini at 6:30 pm and the public statement was read that the meeting was advertised in the Courier Post, the Collingswood Retrospect and a notice was posted on the bulletin board at the Borough Hall stating the time and place.

The Chairman led the board in the pledge of allegiance and a prayer.

ROLL CALL:

Present

P. McGovern, Vice Chairman Class IV
T. Hall Class IV
R. Morello Class II
R. St. Maur Class IV

K. Walton, Alternate II

Absent

Mancini, Chairman Class IV
K. Campbell Class IV
T. Lomanno Class III
T. Czerniawski Class IV
J. Keenan Class I
M. Chicago, Alternate I

A. Costa, Solicitor
C. Kanaplue, Engineer, Bach Associates
S. McCart, Secretary

MINUTES: Motion by Mr. St. Maur and seconded by Mr. Walton to approve minutes of April 25, 2024. All Ayes.

MEMORIALIZATION OF RESOLUTION: 2024:11 Geoffrey & Virginia Baskerville, 107 S. Atlantic Avenue E., Block 35, Lot 9

Motion by Mr. Hall and seconded by Mr. St. Maur to approve Resolution 2024:11. Roll call: Mr. Hall, yes, Mr. Morello, yes, Mr. St. Maur, yes, Mr., yes, Mr. McGovern, yes. Walton

NEW BUSINESS: Christopher Boaggio, 14 Buttonwood Road, Block 100, Lot 3, Front and Side Yard Variance, Height Variance, Use Variance

Mr. Boaggio was sworn in by Mr. Costa. Mr. Costa stated that Mr. Boaggio was asking for seeking a use variance and a variance for front and side yard setbacks and for the height of the structure. It explained that for a use variance, Mr. Boaggio would need 5 affirmative votes. With the other variances, he would need just a majority. There were five members on the Board. Mr. Boaggio agreed to proceed.

Mr. Boaggio stated he had read the code book and could not find anything that prohibited the carport. He cannot fit any of his cars in his garage. He has two expensive cars and one classic car. He was using a car cover but they were not holding up. He cannot extend his garage because of the set back on side. He cannot put in the back because that is not allowed. The only thing he could do was put up a car port. He spoke with neighbors on both sides. They are both in attendance tonight. He didn't have sides put on so it wouldn't impede anyone's vision.

Mr. Costa asked if he received a copy of Bach's review letter. Mr. Boaggio stated he had. Mr. Costa stated in Paragraph three it explains a D variance the applicant must prove the positive and negative criteria to justify the variance. The applicant must prove that there are special reasons for the Board to grant the requested relief by demonstrating that the site is particularly suited to the proposed use and that the proposed use will advance the purpose of Municipal Land Use Law and the Borough's Master Plan and the Zoning Ordinances. The applicant must show the variance can be granted without substantial detriment to the public and that the variance will not substantially impair the intent or purpose of the zone plan and zoning ordinance.

Then there are certain bulk variances that are needed. The front yard set back is only two feet where 25 feet is required. The side Yard set back is approximately zero feet where the setback should be ten feet. The building height is approximately 15 feet where the maximum height on an accessory structure cannot be over 12 feet.

Ms. Kanaplue, Bach Associates, Planner, was sworn in by Mr. Costa. Ms. Kanaplue reviewed the letter from Bach Associates, dated May 16, 2024. Proofs are required. What if granting the variance must not negatively affecting the public good. You did touch on when you stated the structure was not solid, not impeding the view. You also have certain bulk variances that are required. A bulk variance wouldn't be required unless the use variance is granted. The front yard set back in the zoning district that your property in is 35 feet. You only have two feet. The side yard set back is zero feet where the minimum where ten feet is required. The structure is fifteen feet where 12 feet is allowed. Mr. Boaggio stated it was fourteen feet. Ms. Kanaplum stated that will have to be a correction.

Mr. Costa asked Mr. Boaggio if he wanted to start with the Use Variance. Mr. Boaggio stated his daughter graduates this year so they would be selling in one to two years. The structure will only be there for a year or two when he sells the house, he would take it with him.

Mr. Morello asked who erected the structure. Mr. Boaggio stated the company that he purchased from and it was only supposed to be twelve feet.

Ms. Kanaplue stated the dimension are approximate because the application did not provide any dimensions or a survey. The structure does not appear to be anchored.

Mr. Boaggio stated it is supposed to be able to withstand 130-mile force winds.

Mr. Morello asked if it was on pavers? Mr. Boaggio stated it was on pavers. Mr. Walton asked if it was bolted in the dirt? Mr. Boaggio stated it is on blocks and drilled in four-

or five-foot deep rod. Mr. McGovern asked for the dimension of the structure. Mr. Boaggio stated it is 25 feet in length and 22 feet wide. Mr. McGovern asked how many vehicles can fit under it? Mr. Boaggio stated four. He stated they have seven vehicles.

Mr. Morello asked if he repaired cars? Mr. Boaggio stated no, he just has cars that he wanted. Mr. St. Maur asked if the erector applied for a building permit. Mr. Boaggio stated they said I didn't need one.

Motion by Mr. St. Maur and seconded Mr. Walton to open to the public. All eyes

Angel Frazier, 9 Buttonwood, was sworn in. She lives across the street. She stated it doesn't bother her, doesn't obstruct her vision and is ok with it.

Roberta Glen, 13 Buttonwood, was sworn in. She lives across the street. The most obvious is that it is unattractive. It doesn't belong in a residential neighborhood. It went up in two to two and half hours. I am concerned about the safety and how it is bolted in the ground. It doesn't belong there and is a violation of ordinances.

Mr. Costa stated the state statute give the applicant the right to come in and present to the board and ask for relief. If the applicant presents certain proofs to the board, the Board has the power to grant the variance. Anyone can apply. They doesn't mean that it is an automatic approval.

Denise Hopkins, 12 Buttonwood, was sworn in. She lives next door and they share the driveway. She stated Chris didn't ask her but told her about the car port. I was blown away when I saw it. She doesn't feel it belongs in residential area. She is concerned about stability. She took pics and her family are also concerned. If he falls down her car is only three feet away. She also worries about the resale value of her home. When she looks down the street, all she sees is the monstrosity down the street. She feels Mr. Boaggio should consider his neighbors. The size is inappropriate.

Susan Dirmeyer, 15 Buttonwood, was sworn in. Chris has been over and asked me if I like it. I think it looks like an army barracks. She feels if he is a car collector, he should find a storage unit for his cars.

Eugene Lomax, 9 Buttonwood, was sworn in. He stated it doesn't bother him. If doesn't look like a gust of wind would knock it down. He did say if he moves, he would take it with him. I would like to have that in writing. He stated kids have cars. His son's car was totaled a few years ago parked in the street. It is a public street. You can park anywhere.

Jim Sierk, 16 Buttonwood, was sworn in. He stated it is big. You can look from my house and see it. It does not inhibit my view. He doesn't make it unsafe. It protects his cars. It doesn't bother me.

Mayann Hee, 18 Buttonwood, was sworn in. If granted, does it strengthen the application for the next person who wants a car port. What is everyone on our street decided to put one up. It would be unsightly. I don't agree. It is metal and so close in front yard. Could harm someone? Is there a genuine hardship with homeowners? That was his choice to collect cars. It doesn't protect from humidity or rain. Not a responsible use of his property.

Joel Lyons, 31 Buttonwood, was sworn in by Mr. Costa. He stated the way it is put up, stakes are not coiled, that structure will lift. Looks horrible. Everyone takes care of their property on the street. He stated you put it up with no permit. If you had applied, you would have known before putting up that it was a problem. He feels it should be taken down.

Kimberly Garland, 13 Buttonwood, was sworn in by Mr. Costa. She wanted to make it clear that this was not personal. We are all still neighbors.

Motion by Mr. St. Maur and seconded by Mr. Walton to close the public portions. All ayes.

Mr. St Maur stated we have a problem with this particular project. It was very unfortunate that you didn't check with the town. You can only bring this to the board one time. He asked would it be possible for them to withdraw and not be turned down, then

get professional representation. Mr. Costa stated they can always withdraw but he would have to take down. If the board were to vote tonight and approve, it's done. If the board votes and turns it down, then the only way he could come back is if he could convince the board that there was a substantial change in the application.

Mr. Boaggio stated the only thing he could change would be the height. Mr. McGovern asked what is time frame? How long would he have to take down. Mr. Costa stated reasonable time, couple days, week? If denied, it would have to state a time or be subject to fines.

Mr. Boaggio stated I would have to get onto their schedule to take down. It may be a month out.

Motion by Mr. St. Maur and seconded by Mr. Walton to deny the application. Roll call vote: Mr. Hall, yes, Mr. Morello, yes, Mr. St Maur, yes, Mr. Walton, yes, Mr. McGovern, yes. Mr. Morello stated it lacks proof that it would not be a detriment, lacks catachrestic of neighborhood. Mr. Hall stated it should be down within a month. Mr. Costa stated the zoning officer would take action if not down in 30 days that brings us to June 23, 2024. The application is denied and will be taken down within 30 days.

BOARD COMMENT: None

PUBLIC COMMENT: Motion by Mr. St. Maur and seconded by Mr. Hall to open to public. Hearing none. Motion by Mr. St. Maur and seconded by Mr. Walton to close public session.

COMMUNICATION/ORGANIZATION: Next meeting will be June 27, 2014 @ 6:30 pm

ADJOURNMENT: Motion by Mr. Walton and seconded by Mr. Hall to adjourn. All ayes