



ZONING BOARD OF ADJUSTMENT
Thursday, October 5, 2017
APPROVED MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairman Jonathan Rardin at 7:46 PM.

PLEDGE OF ALLEGIANCE: Led by Chairman Jonathan Rardin.

OPMA STATEMENT: Read by Chairman Jonathan Rardin in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Jonathan Rardin, Daniel DiRenzo, Jr., Wyatt Sklar; Ivy Rovner; Jeff Potter; Nacovin Norman; and Jennifer Apell.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Zoning Board Secretary; Stacey Arcari, PE, CME, PP, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from September 28, 2017. Mr. Spevak made a motion, which was seconded by Mr. Sklar, to adopt the Meeting Minutes from September 28, 2017. Affirmative votes by Rardin, DiRenzo, Sklar, Norman, and Apell. Minutes are approved.

AGENDA ITEMS:

17-Z-0024

Block(s) 515.18 Lot(s) 8
Zone: Residential (R1) Zone

Anthony Salvatore
203 Longstone Drive
Cherry Hill, NJ

Relief Requested: Bulk (C) Variances to permit the construction of a 16' x 36' in-ground pool (5.5' deep) and associated concrete surround walkway in the rear yard of the property.

Applicant's Representatives: Anthony Salvatore – Applicant; Charles Miller – Owner of Roundbird Pools; and James Maccariella, Jr., PE – Applicant's Engineer.

Exhibits Submitted: None.

Mr. Salvatore stated that he is the owner of the subject property and is proposing to construct a 16' x 36' in-ground pool in the rear yard. A variance is required as the pool is proposed to be located 7'-6" from the principal structure where a 12' setback is required. Mr. Salvatore stated that moving the pool away from the house would result in the need for variances for setbacks from the side and/or rear yard. As such, Mr. Salvatore stated he would rather have the pool closer to his home than the adjoining properties. Mr. Salvatore explained that after he purchased the home that he expanded the existing patio and that he acknowledges that the expanded patio was causing lot coverage issues; therefore, Mr. Salvatore stated that he has since removed the nonconforming portion of the patio and that the requested lot coverage variance of 41.5% is being reduced to 37.8% where a maximum of 35% is permitted.

Mr. Salvatore noted that there are existing nonconforming conditions associated with his property including lot size, frontage, and aggregate side yard setback. Mr. Salvatore added that the lot is irregularly shaped and that the current topography of the property is such that the front of the property slopes down to the rear. Mr. Salvatore posited that it is virtually impossible to install a swimming pool without requiring one or more variances. Mr. Salvatore agreed to implement the recommendations indicated in the Zoning Board Engineer's review letter with regard to mitigating any potential stormwater runoff onto neighboring properties. As such, the proposed infiltration trench will be redesigned to accommodate a 50 year storm. Mr. Salvatore acknowledged that it is his responsibility to maintain the infiltration trench and agreed to a condition of approval to execute a maintenance agreement for the infiltration trench, pool, and other drainage improvements. Mr. Salvatore agreed to record the agreement with the Camden County Clerk's Office and to provide notice to the public and any future purchaser about the infiltration trench and maintenance obligations.

Mr. Miller stated that he is the owner of Roundbird Pools and will be installing the swimming pool. Mr. Miller stated that his company has installed infiltration trenches in other locations. Mr. Miller affirmed that it is impossible to have water runoff drain towards the front of the property as the front of the property sits 12 inches higher than the rear of the property where the pool is proposed to be located. Mr. Miller stated he will ensure that the pool and drainage improvements will be properly installed in a manner that mitigates stormwater runoff onto neighboring properties.

Mr. Maccariella reiterated that the stormwater runoff currently drains toward and onto the adjoining properties as a result of current topographical conditions. Since there is no way to re-grade the property to direct water towards the front of the house, the installation of an infiltration trench is the only way to prevent stormwater runoff from draining onto adjoining properties. Mr. Maccariella stated that the original design for the infiltration trench was to accommodate a 10 year storm in accordance with New Jersey State Best Practice requirements; however, based upon the recommendation of the Zoning Board Engineer, the infiltration trench will be redesigned to accommodate a 50 year storm. Mr. Maccariella stated that a percolation test was performed at the site and that it passed the standards for New Jersey and that the test was conducted at a depth of 4 feet. Mr. Maccariella stated that he will certify any as-built plans or drawings that are prepared once the pool and infiltration trench have been installed. Mr. Maccariella stated that in his professional opinion, the proposed drainage improvements will improve the existing stormwater runoff conditions. Lastly, Mr. Maccariella stated that the application currently has a 6 foot tall fence around the perimeter of the property but that the applicant will also install a separate 5 foot high fence with a gate around the pool for security reasons.

Public Comment: Mr. In Han of 205 Longstone Drive stated that he would like the pool to moved further away from his property due to privacy reasons. He also requested that the infiltration trench be relocated so it is not as close to his property line. Lastly, Mr. In stated that he would like to have the existing fence moved to a different location.

Motion: Following a review of the application and conditions of approval by Solicitor Zeller, a motion was made by Mr. Norman and seconded by Ms. Rovner, with affirmative votes for approval by Rardin, DiRenzo, Sklar, Rovner, Potter, Norman, and Apell for the approval of the Bulk (C) Variances with conditions. Motion carries 7-0.

RESOLUTIONS

None.

Meeting Adjourned: at 8:54 PM.

ADOPTED: 11/16/17

ATTEST:



LORISSA LUCIANI, PP, AICP
ZONING BOARD SECRETARY



JONATHAN RARDIN, CHAIRMAN