

**MINUTES  
STAFFORD TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
MUNICIPAL BUILDING  
260 EAST BAY AVENUE  
WEDNESDAY, July 15, 2020  
TIME: 7:00 P.M.**

**Please note the fire exits.**

**SALUTE TO THE FLAG:**

**OPEN PUBLIC MEETING ACT:** This meeting complies with the open meeting act by publishing same in appropriate newspapers and notification to the Township Clerk. Notice has also been posted on the Municipal bulletin board.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times

|                          |                                     |         |
|--------------------------|-------------------------------------|---------|
| <b><u>ROLL CALL:</u></b> | MR. JEFF LOPEZ - CHAIRMAN           | PRESENT |
|                          | MR. LOUIS AMATO - VICE CHAIRMAN     | PRESENT |
|                          | MR. BRUCE HAGGAS                    | PRESENT |
|                          | MR. DOMINICK ROSS                   | PRESENT |
|                          | MR. EARL GALLOWAY                   | PRESENT |
|                          | MR. MATTHEW NUZZO                   | ABSENT  |
|                          | MR. TIM HART                        | ABSENT  |
|                          | MR. THOMAS BRESNAHAN - ALTERNATE I  | PRESENT |
|                          | MR. WILLIAM OTTE – ALTERNATE II     | ABSENT  |
|                          | VACANT                              |         |
|                          | MR. MICHAEL MATELSKI – ALTERNATE IV | ABSENT  |

**ALSO PRESENT:**

|                                    |         |
|------------------------------------|---------|
| Terry Brady, Esq. – Board Attorney | PRESENT |
| Court reporter                     | PRESENT |
| Robert Mannix – Board Engineer     | PRESENT |

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**APPROVAL OF MINUTES:**

July 1, 2020 Regular Meeting

Mr. Hart and Mr. Matelski were absent

Motion: Amato

Second: Ross

To: Approve the minutes of July 1, 2020

RCV : Mr. Haggas - yes ;Mr. Ross - yes ;Mr. Galloway - yes ;  
Mr. Amato - yes ;Mr. Lopez - yes ;Mr. Bresnahan - yes ;

**RESOLUTION OF APPOINTMENT:**

**RESOLUTION 2020-11**

RESOLUTION OF MEMORIALIZATION OF THE STAFFORD TOWNSHIP  
ZONING BOARD OF ADJUSTMENT APPOINTING ROBIN BOWLES  
AS RECORDING SECRETARY AND LINDA YOCKACHONIS AS DEPUTY RECORDING  
SECRETARY FOR THE ZONING BOARD OF ADJUSTMENT FROM JULY 15, 2020 TO  
DECEMBER 31, 2020, OR UNTIL THE BOARD RE-ORGANIZES, IN 2021.

Motion: Mr. Galloway

Second: Mr. Ross

To: Approve the Resolution

RCV : Mr. Haggas - yes ;Mr. Lopez - yes ;Mr. Ross - yes ;Mr. Galloway - yes ;  
Mr. Amato - yes ;Mr. Bresnahan - yes ;

**RESOLUTIONS OF APPROVAL:**

1. **Z20-07 CHRISTOPHER DARCANTE AND JOHANNAH NEHRBAUER  
1221 JENNIFER LANE, Block 168 Lot 48**

Motion: Mr. Ross

Second: Mr. Galloway

To: Approve the resolution

RCV : Mr. Haggas - yes ;Mr. Ross - yes ;Mr. Galloway - yes ;Mr. Lopez - yes ;  
Mr. Bresnahan - yes ;

2. **Z20-10 THOMAS AND DENINE REAGAN  
83 WEAVER DRIVE, BLOCK 147.38, LOT 243-244**

Motion: Mr. Galloway

Second: Mr. Haggas

To: Approve the resolution

RCV : Mr. Haggas - yes ;Mr. Ross - yes ;Mr. Galloway - yes ;Mr. Lopez - yes ;  
Mr. Bresnahan - yes ;

Mr. Nuzzo and Mr. Amato voted no on application  
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**3                    Z20-09    MANAFIRKIN BREWERY**  
**450 EAST BAY AVENUE, SUITE 2 BLOCK 229, LOT 29**

Motion: Mr. Galloway            Second: Mr. Amato            To: Approve the resolution

**RCV** : Mr. Haggas - yes ;Mr. Ross - yes ;Mr. Galloway - yes ;  
Mr. Amato - yes ;Mr. Lopez - yes ;Mr. Bresnahan – yes ;

**APPLICATIONS FOR PUBLIC HEARING:**

1.    **Z20-08    LUCY DELZIO**  
**1203 WALTER BOULEVARD, BLOCK 147.07 LOT 332, IN THE RR2A ZONE**

Applicant is proposing to construct 2 roof systems over existing rear decks, one roof area requires 20ft and is proposing 16.4ft and is deficient by 3.6ft and the 2<sup>nd</sup> requires 20 ft and is proposing 19ft and is deficient by 1ft .

**Representative:** Robert Shinn, Esq, 2 N. Union, Manahawkin, NJ  
Applicants Daughter, Mariah Schwerdtfddger was present and testified for her mother  
Builder, John Tursi, 10 Glenn Lake Drive, Medford

- Exhibits:**
- A-1    Application
  - A-2    Survey dated 1/14/20
  - A-3    Zoning permit refusal
  - A-4    Building blue prints
  - A-5    picture of house with awning before house raise
  - A-6    raised house without awnings after raise
  - A-7    Arch plans by David Cummings of proposed structure
  - A-8    picture of home with awnings

Ms. Schwerdtfddger explained her mother has owned the home since 1978, and has had numerous awning on the home over the years.    Storms, bad winds, etc have taken them down and wish to have something more permanent.    Builder said it will only be a roof structure with posts and will basically look like canopy's that have been up over the years.    It will not be enclosed

**Open to public:** seeing none

Motion: Mr. Galloway            Second: Mr. Haggas            To: Approve the application w/conditions  
it will stay open, no enclosures or add to living space

**RCV** : Mr. Haggas - yes ;Mr. Ross - no ;Mr. Galloway - yes ;Mr. Amato - yes ;  
Mr. Lopez - yes ;Mr. Bresnahan - yes ;

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2. **Z20-05 JESSYCA SANTOS**  
**31 GLENN DRIVE, BLOCK 147.05, BLOCK 207, IN THE RR-2A ZONE**

Applicant is proposing a variance for an encroachment of an additional 3' for a 2<sup>nd</sup> floor addition on a raised home. The Required is 12.8 existing, the final build is 9.8'

**Representative:** Robert McGowan, Esq., 1720 NJ-34 #11, Wall Township,  
Marlon Falco – owner

Mr. McGowan explained the application, this was a Sandy damaged home and was raised. Mr. Falco then bought the home and immediately made plans to add two bedrooms above the existing structure. Had plans drawn up and everything was approved and his builder asked if they wanted 2 extra feet of square footage. Says the architect wrote a letter to the Township explaining they would like the 2 extra feet of square footage and his builder said it was approved and built it. Mr. Brady asked if there is a copy of the letter, Mr. Falco says he does not have a copy of the letter but it is definitely in the file here at the Township. Mr. Mannix says it is actually 3 foot encroachment according to Zoning Officers refusal. The board would like to see the letter or the amended building permit.

Motion: Mr. Galloway Second: Mr. Ross To: Carry the application to August 5, 2020 waiving any time limitations.

**RCV :** Mr. Haggas - yes ;Mr. Ross - yes ;Mr. Galloway - yes ;Mr. Amato - yes ;  
Mr. Lopez - yes ;Mr. Bresnahan - yes ;

3. **Z20-03 ROBERT E. COCHRAN**  
**1125 RIDGE AVENUE, BLOCK 51.08, LOT 7 IN THE RA ZONE**

Applicant appeals the Zoning permit 20-50Z dated January 29, 2020 for Mr. and Mrs. Lawrence Hanneman to construct an 80' by 40' hockey rink in the rear yard of their property. The zoning permit has since been rescinded by Zoning Officer, Greg Brown.

**Representative:** Edward Liston, Esq  
Robert Cochran, 5 Little Court, was present

**Exhibits:** A-1 Violation to Lawrence and Sharon Hanneman issue January 8, 2020  
A-2 zoning permit allowing him to build, dated January 29, 2020 issued by Greg Brown  
A-3 appeal challenging the Zoning permit  
A-4 Letter from Mr. Brown to Hanneman, dated February 25, 2020 which rescinds the zoning permit that its not a permitted use per the Twp Attorney.  
A-5 letter dated February 12, 2020 to Mr. Brady stating what the ordinance says.  
A-6 letter from Mr. Brady saying he can withdrawal the application now that the permit has been rescinded, and Mr. Liston wrote why he did not want to do this.

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He had received a phone call from Mr. Hannemans attorney, Mr. York, stating that the permit has been rescinded and there is not a need for an appeal, Mr. Hanneman built this structure during the time the permit was in place, so he has no intention of taking it down.

Mr. Liston would like the board to find the appeal is valid and find that the permit never should have been issued making him able to build this structure. He would like it on record that this permit should never have been issued, and thinks Mr. Hanneman is going to argue that he built this ice rink during which the permit was valid

**Exhibits:** A-7 Picture of ice rink built about 2 winters ago, taken prior to January 8, 2020, sometime in early December, without any permits.

A-8, A-9 and A-10, picture of ice rink as it presently exists.

Robert Cochran testified to the chain of events Mr. Liston explained with his exhibits. Said they ignored the previous ice rink built 2 years ago, which was obviously not within the setback, was built with a liner and water, him and his wife just ignored it at that time. Then when they started putting up the plywood walls and began playing on it, the noise was unbearable when the puck would hit it. He also called the police to ask them about the sound ordinance. The police said yes its breaking the noise ordinance.

Mr. Liston called up Mark Ditmar who lives at 1 Little court lives next to Mr. and Mrs.Cochran in support of this appeal to have this permit wiped off like it never existed. He also called up Thomas Giacalone, 9 Little Court, he is also in support to invalidated and declare this permit void

Mr. Lopez asked Mr. Brady for some guidance as to the boards authority, he said it appears to me that with the rescission of the permit is that the permit is status quo is that the permit had been issued and rescinded and there was no change and the decision of the zoning officer and there has been no appeal or challenge to the zoning officers decision to rescind. This appeal may be considered somewhat moot based on the permit being rescinded.

**Open to public:** Larry Hanneman, 1125 Ridge Ave. - yes he put a hockey rink in and put it to the side so as to not affect the neighbors. His brother was the one who built it not a contractor. After he was turned in for having an illegal hockey rink and was told to get a permit, he did just that, and one was issued. Also Mr Liston stated he is in the R-2 Zone which fits his narrative for not permitted use, but in actuality if he is correct he is in the RA zone, which allows, tennis courts, basketball courts, etc, and fits the square footage of those also and feels this is no different. Mr. Hanneman feels an appeal of the Zoning Officers rescission wasn't necessary since he received a permit to build it.

Kathleen Cochran, 5 Little Court. States that the ordinance allows for basketball courts, tennis courts, but not hockey rinks and the law is the law.

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Mr. Liston is asking for the resolution to state that the permit should never have been issued, and by the Zoning officer rescinding said permit, that there is no validity to it as if it never existed and Mr. Hanneman never appealed that rescission.

Mr. Brady explained to the Board members what they are to rule on, that the zoning permit of January 29<sup>th</sup> is what is being appealed, the zoning officer rescinded that permit on February 25, 2020 and the applicant's appeal should be and hereby is sustained that the January 29, 2020 permit #20-50Z should be and hereby is rescinded, revoked and voided.  
Mr. Hanneman wanted on record that the rink was built in 3 days.

Motion: Mr. Galloway      Second: Mr. Ross      To: to approve the appeal of the January 29, 2020 zoning permit, and stand by the Rescission of the Zoning officer document dated February 25, 2020

RCV : Mr. Haggas - yes ; Mr. Ross - yes ; Mr. Galloway - yes ; Mr. Amato - yes ;  
Mr. Lopez - yes ; Mr. Bresnahan - yes ;

**CORRESPONDENCE:**

**NEW BUSINESS:**

**OLD BUSINESS:**

**REMINDER:** mandatory member class, scheduled tentatively for 9/13/2020

**Voucher(s) Payment:** no vouchers to pay

Motion: Mr. Gallagher      Second: Mr. Amato      Approve the voucher (s )

AIF: aye      OPPOSE: no

**Adjournment:**      8:50      P.M.

Motion: Mr. Gallagher      Second: Mr. Amato      AIF: aye

Respectfully Submitted,



Linda Yockachonis  
Zoning Board Secretary

**NEXT REGULAR MEETING OF THE ZONING BOARD OF ADJUSTMENT  
AUGUST 5, 2020 at 7:00PM**