

**Town of Southeast
Zoning Board of Appeals
Minutes of August 17, 2020**

Timothy Froessel, Chairman	Present
Paul Vink, Vice Chairman	Present
Roderick Cassidy	Present
Greg Wunner	Present
John McNeill	Present
Steve Corozine	Present
Andres Gil	Absent
Ashley Ley, Town Planner	Present
Willis Stephens, Jr., Town Attorney	Absent
Victoria Desidero, Board Secretary	Present
JoAnne Ciralli, Assistant Secretary	Present

Work Session:

Regular Session:

Chairman Froessel: OK. Good evening. Welcome to the Town of Southeast Zoning Board of Appeals public meeting for August of 2020. We'll begin by reciting the Pledge of Allegiance. If everyone could please stand. Ashley, if you could put the flag up. Here we go. If everyone could stand and recite the pledge. (All recited the Pledge of Allegiance.) OK. My name's Tim Froessel. I'm the Chairman. Vice-Chairman Paul Vink is on this Zoom meeting as well and our other Board members: Steve Corozine, John McNeill, Rod Cassidy and Greg Wunner are on as well. Boardmember Andres Gil is not on yet and we think he may be away and won't be attending this meeting. Just for the purposes of the recording and because of the format in which we're doing this meeting, I'm just going to do a roll call of the Board Members and just have them indicate 'present' when I say their name for the record. (Roll call taken. Results above.)

**1. Robert Burns & Alicia Gasparini, 230 North Brewster Road,
Tax Map ID 45.60-1-13**

This was a Public Hearing to review an application for area variances for three existing accessory structures as follows: a Carport requiring an east side setback variance of 12 ft. where 8 ft. exists and 20 ft. is required; a 10 ft. by 16 ft. Shed requiring a south side yard setback variance of 12 ft. where 8 ft. exists and 20 ft. is required; and a 5 ft. by 5.5 ft. Shed requiring both an east side yard setback variance of 10 ft. where 10 ft. exists and 20 ft. is required and a south side yard setback variance of 7 ft. where 13 ft. exists and 20 ft. is required.

Owner Alicia Gasparini represented the application.

Chairman Froessel: We have only one applicant on the agenda for this evening. It's Robert Burns and Alicia Gasparini, 230 North Brewster Road. Oh, I should also mention that our Administrative Assistants Victoria Desidero and JoAnne Ciralli are on this Zoom conference as well. So, without further ado, why don't we go ahead with applicant number one. Is anyone on for Robert Burns and Alicia Gasparini?

Alicia Gasparini: Yeah. I'm Alicia Gasparini. I'm here.

Chairman Froessel: Hi. How are you?

Ms. Gasparini: I'm good. How are you?

Chairman Froessel: Very good. OK. So, why don't you just fill us in on the background of your application please?

Boardmember Vink: Mr. Chairman, can I... can I swear them in first please?

Chairman Froessel: Before you do that... before you do that, let me have the... the Vice-Chairman swear you in please.

Ms. Gasparini: Sure.

Boardmember Vink: Ms. Gasparini, can you raise your right hand for me please? Do you swear the testimony you are about to give us is the truth to the best of your knowledge?

Ms. Gasparini: Yes.

Boardmember Vink: Thank you. Victoria, are the mailings in order?

Secretary Desidero: Yes, the mailings are in order.

Boardmember Vink: Thank you.

Chairman Froessel: And, Victoria, one more question for you before we get too deep into this. I think North Brewster Road is a County Road, is it not?

Boardmember Wunner: It is.

Ms. Desidero: Is it?

Boardmember Wunner: Yes.

Chairman Froessel: I think it is.

Ms. Desidero: OK. I think we missed that.

Chairman Froessel: OK. So we may not be able to vote on this tonight then?

Ms. Desidero: That is possible. I apologize but, to be honest, we probably wouldn't have gotten it back anyway.

Chairman Froessel: Probably not.

Ms. Desidero: It's still taking 30 days.

Chairman Froessel: Yes, and OK. Well, in any event, we... so we may not... Ms. Gasparini, we may not be able to vote on your application due to the provision of State law that says if you're on a County road, the application has to go to County Planning and they have to give an indication of whether they approve or not before we can vote on it. To avoid violating State law, I think we can't vote this evening but we can at least hear your application and get the background on it and be prepared to vote on it next month.

Ms. Gasparini: OK. Sure. I mean this is all new to me. I'm... I'm representing my Dad who was born and raised in Brewster, grew up in Brewster. They... he and my Mom purchased the house on 230 North Brewster Road in August of, I believe, 1972. When they purchased the house, you know, there was two existing sheds on the property. Not realizing... My Dad's 79. He is just trying to get his estate in order and the reason this kind of came to light is because we had a neighbor who recently passed away and had made my husband the executor on his estate and a lot of things came to, I guess, fruition. We were going through his estate planning... that, you know, certain variances and what-not just because it was done so long ago weren't taken out. So, after speaking with my Dad, he wanted to, you know, make sure that things were in order because, obviously, Codes and all that kind of stuff has changed over the years. So that's when we proceeded to put the application in for the sheds that are on the property.

Chairman Froessel: OK and, if I'm looking at the application correctly, there's two sheds and a carport?

Ms. Gasparini: Correct.

Chairman Froessel: OK.

Ms. Gasparini: Like I said, I mean the sheds were both there. The small wooden shed was there and is still there since they purchased it. The other one was a metal shed originally on the property and that, in a storm that was done so my Dad, just you know, put up another shed on the existing slab that was there, and the carport was really more or less... My parents had two cars. They didn't have a garage. They kind of built like a lean-to to kind of to keep the snow off the trucks in the winter, and that's where we are. You know, not realizing that he needed to, you know, the Zoning wasn't... didn't... he didn't know he had to do it so...

Chairman Froessel: OK. It looks like all of these are kind of on the east side of the property there along the... you've got a neighbor to the left there.

Ms. Gasparini: Yes.

Chairman Froessel: OK. You said the small... the small... there's two sheds here. One that requires a variance on the south side yard and another requires it on the south and the east, which... Oh, I see he put the dimensions on here... never mind.

Ms. Gasparini: I think they're...

Chairman Froessel: There's a 10 ft. by 16 ft. shed that's... that needs a south side yard variance and a 5 ft. by 5.5 ft.... by 5 ft. 5 inch shed that's more in the corner.

Ms. Gasparini: Yeah. Right.

Chairman Froessel: OK. So this survey we're looking at just shows one shed that I see unless I'm missing something.

Ms. Gasparini: Yeah. I know we did send in some pictures with the paperwork, you know, the best that we could get. The Google maps and whatever wasn't really good because obviously with all trees. They're kind of hidden by all the trees on the property but..

Chairman Froessel: Was a... was a violation issued on the property or did you... did you just go to the Building Department and... I'm sorry?

Ms. Gasparini: No. No violation was issued. Like I said, he just wanted to... after what we had gone through with our neighbor, my Dad just, you know, when I told him about this, he didn't know and he just wanted to get his, you know, his estate or his affairs in order. You know, he has a living trust for my sister and I and just didn't want to make things, you know, complicated down the road.

Chairman Froessel: Any of the other Board members have any other questions for the applicant?

Boardmember Corozine: I had a question. On the east side of the carport, there's what appears... I... I had driven by the property... there appears to be like a partial fence and my question was is your father's property on the fence or is that a neighbor's fence?

Ms. Gasparini: I believe it's on my Dad's property. There's a ditch that's between the two properties and I believe that ditch is actually the property line.

Boardmember Corozine: Thank you.

Ms. Gasparini: Sure.

Chairman Froessel: Anyone else? Any questions? Is there anyone... any member of the Public on this Zoom conference that has any comments or questions for the Board about this application? (Pause.) OK. I'll take the silence as a 'no.' All right, well, I'll... I'll tell you I think your application seems pretty straightforward and actually I wish we could vote on this tonight and get you what you need. Although it sounds like you're probably not in a great rush anyway since the structures are already existing and you're just trying to clean up sort of for Zoning purposes on the property.

Ms. Gasparini: Right.

Chairman Froessel: So, I apologize for making you have to do this again next month, but I think for everything to be legal, we need to do that.

Ms. Gasparini: OK. So there'll be another... there'll be another meeting next month is what you're saying?

Chairman Froessel: Yeah. I don't know what... what... It'll be the third Monday. I forget...

Ms. Desidero: I think it's the 21st.

Ms. Gasparini: 21st. OK.

Chairman Froessel: Yeah that makes sense so... And you'll be first on the agenda so we'll... we'll get you on. We'll already have the background and... and hopefully County Planning will have gotten back to us and we'll be able to vote right away.

Ms. Gasparini: OK. So there's nothing else that I need to do on my end though?

Chairman Froessel: No. Nothing you need to do.

Ms. Gasparini: OK.

Ms. Desidero: You're... you're all set, Alicia.

Ms. Gasparini: OK, great. I appreciate everybody's time.

Chairman Froessel: OK. Thank you. We'll see you next month.

Ms. Gasparini: Thank you.

Chairman Froessel: OK. That's our one application.

The motion to approve the Meeting Minutes of July 20, 2020 was introduced by Boardmember Wunner, seconded by Boardmember Vink and passed all in favor.

The motion to adjourn the meeting was introduced by Chairman Froessel seconded by Boardmember Cassidy and passed all in favor.

Respectfully submitted,
Victoria Desidero
JoAnne Ciralli

FULL AUDIO RECORDING OF THIS MEETING AVAILABLE AT: <https://www.southeast-nj.gov/335/Zoning-Board-of-Appeals-Audio-Files>