

SHREWSBURY BOROUGH PLANNING COMMISSION

Regular Meeting: August 27, 2007

Planners Jessica Buck, Robert Fisher, George Smith,
Present: Bill Stumbo, Keith Wills

Others Mike Lee, Robert Buzzendore, Esquire, Donald Marvel,
Present: Maynard Marvel, Donald Wallen, Douglas Brent,
 Ken Zampier

Chairman Stumbo convened the regular meeting of the Shrewsbury Borough Planning Commission at 7:30 p.m. in the Municipal Building, 35 W. Railroad Ave.

APPROVAL OF MINUTES

G. Smith moved to approve the minutes of the July 23, 2007 regular meeting. J. Buck seconded the motion. The motion carried with all in favor.

CITIZEN COMMENTS

None

NEW BUSINESS

Donald G. Marvel and Maynard P. Marvel, Jr. - Variance and Ordinance Interpretation/Appeal #2004-1 - for property located at 214 South Main Street.

Robert Buzzendore presented the application. They are requesting a variance for setbacks because of encroachment of a new addition upon Donald Wallen's property at 210 South Main Street. The Marvels purchased the property in 2002 with the intent of fixing it up and selling it. They obtained a building permit and started to build an addition on the back of the house in 2003. In January 2004 they got a notice of violation to cease building because a portion of the new addition was on the neighbor's property at 210 South Main Street. An agreement has now been reached in Court for the Wallens to grant a 5' easement to the Marvels for their addition. The easement would cease if the house is removed. The new addition was kept in 1' from the back corner of the existing house, and the Marvels never realized they were on the neighbor's property until it was close to completion.

They have since found out that a small portion of the

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original house was also encroaching on the neighboring property.

The Planners reviewed the standards for a variance. There is a unique narrowness of the lot and the property line does not run straight back, it angles slightly. A legal agreement has been reached between the Wallens and the Marvels and it does not affect any other neighbors.

G. Smith made the motion to recommend approval of Variance #2004-1. K. Wills seconded the motion. The motion carried with all in favor.

Mike Lee stated that a motion will have to be made regarding the appeal to the Zoning Officer or the appeal will need to be withdrawn. If the appeal is not withdrawn he will need to instruct the Borough's Solicitor to start litigation for the Zoning Hearing on September 13, 2007.

Robert Buzzendore stated he will not withdraw the appeal at this time, but he will submit a letter stating that if an appeal is necessary, it will be at a subsequent zoning hearing.

OTHER BUSINESS

Review Ordinance Revision #2007-03 - Establishing Animated Sign Regulations.

Mike Lee stated that he feels the revised ordinance is too restrictive. Section 301.9 f) states that the sign must be 200 ft. from any intersection. This will not help Alexander's Jewelry because they are approximated 150 ft. from the intersection. He suggested that they may want to consider changing the distance to 100 ft. from the center of any street intersection without a controlled traffic light device and 200 ft. from any intersection with a controlled traffic light device.

K. Wills made the motion to recommend approval of Ordinance Revision #2007-03 with a change to the distance in Section 301.9 f) to 100 ft. from the center of any street intersection without a controlled traffic light device and 200 ft. from any intersection with a controlled traffic light device. B. Fisher seconded the motion. The motion carried with all in favor.

Review Ordinance Revision #2007-04 - Establishing Additional Buffer Yard Requirements and Enhancing Provisions Relative to Impervious Surfaces.

The Planners reviewed the revision. K. Wills is concerned that Exhibit B needs to be clarified because it is confusing. He suggested adding a property line or marker to indicate the division between the commercial/industrial side and the residential side.

M. Lee stated that the impervious surface needs to be addressed because crushed stone is now considered by industry standards to be an impervious surface because it has been found to pack over time. When the Ordinance was written, crushed stone was not considered impervious.

R. Fisher stated that Section 303.6 should also be revised by possibly removing the word "required".

R. Fisher made the motion to recommend approval of Ordinance Revision #2007-04 with the suggestion that delineation between zones is added to Exhibit B and the suggestion that Section 303.6 is also revised with the removal of the word "required."
K. Wills seconded the motion. The motion carried with all in favor.

BILLS AND COMMUNICATIONS

None

REPORTS

None

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Prepared By

Doreen Smith

NEXT MEETING: September 24, 2007