

**South Harrison Township
Planning/Zoning Board of Adjustment
January 10, 2011**

The South Harrison Township Planning/Zoning Board of Adjustment held a regular meeting on January 10, 2011 at 7:00 p.m. in the South Harrison Township Municipal Building.

The meeting was called to order by Joseph Marino, Board Chair and led those present in the Pledge of Allegiance to the Flag.

Requirements of the "Open Public Meetings Act" were met.

Roll Call: James McCall – absent, Gary Spinner – present, Thomas Sorbello – absent, Melvin Robertson – present, Joseph Marino – present, Robert Schenk – present, Joseph Wille – present, Stephen Galati – absent, John Horner – present, Neil McIntyre – absent, Gary Thompson, Board Solicitor – present, Leah Furey Bruder – Board Planner – absent, Robert Hunter – Board Engineer – present, Celeste Keen, Secretary – present.

Minutes:

Motion to approve the reorganization minutes of January 3, 2011 was made by Gary Spinner, second by Robert Schenk. **Motion carried.**

Old Business:

Resolution R-11-05

**Resolution Granting Use Variance and Final Site Plan Approval
to National Energy Partners, LLC
Block 6, Lot 1**

Motion to adopt resolution R-11-05 was made by Joseph Wille, second by Melvin Robertson.

Roll Call: James McCall – absent, Gary Spinner – abstain, Thomas Sorbello – absent, Melvin Robertson – yes, Joseph Marino – yes, Robert Schenk – yes, Joseph Wille – yes, Stephen Galati – absent, John Horner – abstain, Neil McIntyre – absent

R.C.V.: 4 – yes, 0 – no's, 2 – abstentions. **Motion carried.**

Resolution R-11-06

Resolution Excluding the Public

Motion to adopt resolution R-11-06 was made by Gary Spinner, second by Robert Schenk.

Roll Call: James McCall – absent, Gary Spinner – yes, Thomas Sorbello – absent, Melvin Robertson – yes, Joseph Marino – yes, Robert Schenk – yes, Joseph Wille – yes, Stephen Galati – absent, John Horner – yes, Neil McIntyre – absent

R.C.V.: 6 – yes, 0 – no's, 0 – abstentions. **Motion carried.**

New Business:

**Ruscitelli & Panna – 007-299-09
Bulk Variance**

William Banks of Paparone Corporation appeared before the Board and advised that he is representing the applicants Joseph Ruscitelli and Tina M. Panna. At which time the applicants and Mr. Banks were sworn. Mr. Hunter, Board Engineer, was also sworn. Mr. Banks explained that when the applicant's home was being constructed the depression made for the apron was placed incorrectly and subsequently the driveway was laid within the sideyard setback. Where 10' is required between a driveway and a lot line the applicant's property has only 5.4'.

The Board requested that any potential future owners of lot 6.07 be made aware prior to purchasing. Mr. Banks agreed that it would be disclosed in the sales agreement. It was noted that all variances stand alone and do not set precedence.

Open Meeting to the Public:

Motion to open the meeting to the public on this matter only was made by Robert Schenk, second by Gary Spinner. Motion carried.

Marc Nagtegaal of 719 Franklinville Road appeared before the Board and was sworn. Mr. Nagtegaal commended Paparone Builders and asked that the Board to approve the variance.

Close Meeting to the Public:

Motion to close the meeting to the public on this matter only was made by Gary Spinner, second by Robert Schenk. Motion carried.

Side fencing requirements were discussed and were determined not to be an issue.

Motion to approve the Bulk Variance with the conditions stated was made by Robert Schenk, second by Gary Spinner.

Roll Call: James McCann – absent, Gary Spinner – yes, Thomas Sorbello – absent, Melvin Robertson – yes, Joseph Marino – yes, Robert Schenk – yes, Joseph Wille – abstain, Stephen Galati – absent, John Horner – yes, Neil McIntyre – absent

R.C.V.: 5 – yes', 0 – no's, 1 – abstentions. Motion carried.

Open Meeting to the Public:

Motion to open the meeting to the public was made by Gary Spinner, second by John Horner. **Motion carried.**

No public spoke.

Close Meeting to the Public:

Motion to close the meeting to the public was made by Gary Spinner, second by Robert Schenk. **Motion carried.**

Payment of the Bills:

Motion to approve payment of the bills was made by Gary Spinner, second by Melvin Robertson.

Roll Call: James McCall – absent, Gary Spinner – yes, Thomas Sorbello – absent, Melvin Robertson – yes, Joseph Marino – yes, Robert Schenk – yes, Joseph Wille – yes, Stephen Galati – absent, John Horner – yes, Neil McIntyre – absent

R.C.V.: 6 – yes’, 0 – no’s, 0 – abstentions. Motion carried.

The Board entered Closed Session

Motion to return to open session was made by Gary Spinner, second by John Horner.
Motion carried.

Motion to authorized Brian Lozuke to act as the Board’s representative while attending the next mediation meeting regarding the NVR litigation scheduled for February 10, 2011 was made by Joseph Wille, second by Robert Schenk. **Motion carried.**

Adjournment:

Motion to adjourn was made by Gary Spinner, second by Joseph Wille. **Motion carried.**

Respectfully submitted,

Celeste Keen
Board Secretary