

# MINUTES

## Hopewell Township Land Use Board

August 16, 2023

**Start Time:** 7:05 p.m.

The **Sunshine Statement** was read into the record by Chairman Caggiano.

The **Flag Salute** was led by Chairman Caggiano.

### **Roll Call:**

Present: Chairman Al Caggiano, Vice Chairman Paul Earnest, Committeeman Tom Tedesco, Committeeman David Miller, Lee Hepner, Jeff Shimp, Betty Lewis, Diane Crispin, Alternate Judy Zirkle.

Also present: Rebecca Bertram, Esquire, LUB Counsel, and Jeannette Pace, Board Secretary

Absent: Member Ken Strait, Engineer Steve Nardelli and Zoning Officer Dave Elwell

**Approval of Minutes:** Minutes from the July 19, 2023 meeting were approved by Motion made by Hepner; Seconded by Earnest with a voice vote all in favor (Tedesco abstained).

**Resolutions: #23-05: Resolution of the Hopewell Township Land Use Board re: Development Application of Samuel Lopez d/b/a Unbound Tattoo Studio – Application No. 2023-03** – Motion to approve by Earnest; Seconded by Lewis; Voice Vote all in favor (Tedesco abstained).

### **Applications:**

**No. 2023-04: Application by Toby H. Cuff for a variance for a non-conforming setback. Property: 19 Harmony Road, Block 12, Lot 5.01**

Chairman Caggiano introduced the application and confirmed receipt of required noticing documents. Caggiano explained the application confirming that applicant had applied for a zoning permit for an expansion of a porch which was previously already non-conforming. The permit was denied, thus the reason for the application. The new application requests a setback of 76'3" where it was previously 81'6" and where 100' is required.

**Completeness:** Motion by Board – Voice Vote:

Discussion: None

Motion to Approve by Miller; Seconded by Shimp; Voice Vote all in favor.

Applicant Toby Cuff was sworn in and presented the application. Cuff confirmed his residential address and ownership of 19 Harmony Road. Cuff indicated he wanted to replace his current porch which has an 81'6" setback and the new porch would have a 76'3" setback so he's asking for an additional 5" setback.

Caggiano confirmed that he received an email from Engineer Nardelli indicating he did not feel a review letter was necessary for this application and didn't want to use escrow funds to prepare one. Caggiano and Tedesco both indicated they drove by the property. Caggiano indicated some of the other nearby properties have a lesser setback and Tedesco doesn't see any negative impact to the neighbors or township.

Motion to Open to the Public by Earnest; Seconded by Hepner; Voice Vote all in favor.

Gary VanMeter of Harmony Road commented to the Board that he lives next door to the property in question. He asked the Board to approve the application because the Cuff family recently purchased the property. VanMeter knows the family and knows they take care of their properties and it will be a benefit to the township to have them there.

Motion to Close to the Public by Hepner; Seconded by Miller; Voice Vote all in favor.

**Variance:**

Discussion: Tedesco noted his appreciation of our engineer not writing a review letter and taking up funds for same since it wasn't necessary in this application and feels it's a good look for Hopewell that we aren't taking applicant's funds for an unnecessary purpose.

Motion to Approve by Hepner; Seconded by Earnest. Roll Call Vote:

	MOVED	SECOND	YEA	NAY	ABSENT	ABSTAIN	RECUSED
Al Caggiano, Chairman			X				
Paul Earnest, Vice Chairman			X				
Tom Tedesco			X				
David Miller		X	X				
Ken Strait					X		
Lee Hepner	X		X				
Betty Lewis			X				
Diane Crispin			X				
Jeff Shimp			X				
Judy Zirkle, Alternate			X				

Motion carried. Approved 9-0.

**Discussion:**

- Finalization of the Master Plan Re-Examination Report

**Resolution No.: 2023-06 Approving Master Plan Re-Examination Report**

Caggiano explained the process of the Master Plan Re-Examination and confirmed the noticing requirements for the meeting. Motion to Approve by Crispin; Seconded by Hepner. Roll Call Vote:

	MOVED	SECOND	YEA	NAY	ABSENT	ABSTAIN	RECUSED
Al Caggiano, Chairman			X				
Paul Earnest, Vice Chairman			X				
Tom Tedesco			X				
David Miller			X				
Ken Strait					X		
Lee Hepner		X	X				
Betty Lewis			X				
Diane Crispin	X		X				
Jeff Shimp			X				
Judy Zirkle, Alternate			X				
Jaime Halka, Alternate						X	

Motion to Open to the Public by Hepner; Seconded by Miller; Voice Vote all in favor. Seeing no one, a Motion to Close the Public portion was made by Earnest; Seconded by Hepner; Voice Vote all in favor.

**Public Comment** Portion: Caggiano noted there is no one present.

**Adjournment Time:** 7:30 p.m.

Motion to Adjourn by Tedesco and seconded by Earnest; Voice Vote all in favor.

**Next Scheduled Meeting:** September 20, 2023 at 7:00 p.m.

Jeannette A. Pace, Land Use Board Secretary

cc: Land Use Board  
Solicitor Rebecca Bertram, Esquire  
Engineer Steve J. Nardelli  
Zoning Officer Dave Elwell