

MEDFORD TOWNSHIP ZONING BOARD OF ADJUSTMENT

21 December 2022 - 7:00 p.m.

Public Safety Building - 91 Union Street

Attorney Jerry Dasti called the meeting to order at 7:00 p.m. and read the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Law.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Cocivera, Hamilton Meehan, Pullman, Rickards, Wolf, Stefanoni,
Morrison
Absent: Simmers
Professional Staff: Attorney Jerry Dasti, Planner Michelle Taylor, Secretary Ann Bell

CORRESPONDENCE: None

MINUTES:

November 9, 2022 Regular Meeting – Mr. Pullman made a motion to approve the November 9, 2022 Zoning Board Regular Meeting Minutes. Mr. Wolf seconded the motion. A unanimous voice vote in favor by the other members carried the motion.

REPORTS: None

RESOLUTIONS TO BE MEMORIALIZED:

Resolution #2022-40, Perkins, 26 Oak Ct., 5301.06/3, ZVE-1133

Bulk variance approvals for exceeding building coverage, lot coverage and rear yard setback for the construction of a deck, walkway and patio. **Zone: RGD-1**

Recorded Vote

Ayes: Hamilton, Meehan, Pullman (2), Wolf, Rickards (M), Cocivera
Nays: None
Abst.: None
Motion carried: 6 - 0 - 0

Resolution #2022-41, Sakoian, 1 Travis Ct., 4101.01/20, ZVE-1136

Bulk variance approval to construct an entranceway element, front porch, that would exceed the 45% maximum linear distance of the foundation wall. **Zone: VRD**

Recorded Vote

Ayes: Hamilton (M), Meehan, Pullman, Wolf (2), Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 6 - 0 - 0

Resolution #2022-42, Kelchner, 554 McKendimen Rd., 5101.01/4.02, ZVE-1122

Bulk variance approvals for an existing oversized accessory structure (carport), exceeding the number of accessory structures permitted and locating an accessory structure in the front yard.

Recorded Vote

Ayes: Hamilton (M), Meehan, Pullman, Wolf, Stefanoni, Rickards (2)
Nays: None
Abst.: None
Motion carried: 6 - 0 - 0

APPLICATIONS/OFFICIAL:

M2 Properties, 131 Mt. Holly Road, 404.07/24, ZVE-1114-Use Variance to permit property management business and landscaping business plus residential use. (Continued from August & September meetings)

There was a request to further continue the application to the January 18, 2023 meeting.

MOTION: Mr. Hamilton made a motion to continue the application to the January 2023 meeting with the requirement to re-notice. Mr. Wolf seconded.

Recorded Vote:

Ayes: Hamilton, Meehan, Pullman, Stefanoni, Wolf, Cocivera
Nays: Rickards
Abst.: None
Motion carried: 6 -1 - 0

Julie Blinderman – Barnett, 26 S. Wendover, 6103/18, ZVE-1134 – Seeking bulk variances to construct a front addition which encroaches into the front yard and side yard setbacks and a rear addition that encroaches into the side and rear yard setbacks; both exceed the 10% maximum building and 20% lot coverages allowed. **Zone: RGD-2**
(*Mr. Hamilton recused himself from this application)

SWORN: Jason Sunkett, Esquire
Gregg & Julie Blinderman-Barnett, Owners
Joseph Adamson, Architect, Adamson & Riva Architects

Mr. Sunkett opened the testimony by offering that his clients purchased the property and plan to renovate before moving in. He introduced Mr. Adamson, who was next to testify to detail the specifics of the application. Mr. Adamson explained that the lot is severely undersized being 6200sf where 3.2 acres is required. The existing dwelling setbacks are already pre-existing, non-conforming in the front, rear and side yards. There are also existing topographical elevations changes of 9 feet on the lot, which resulted in the existing walkout basement. The house orientation is angled on the lot and unusually shaped.

To remodel the home for the new owners with a more functional layout and current exterior design necessitated the number of variances requested. Mr. Adamson distributed Exhibit M-1; which was a series of exterior elevations of all sides of the proposed updates. He explained that the additions are modest and square off the exterior, which will create a simpler layout and more living space.

Mr. Adamson then went thru Mrs. Taylor's December 18, 2022 review letter, which summarizes the seven (7) total bulk variances requested. He further explained that the entire dwelling will have new siding and roofing, including more natural earth color tones (green) that will blend into the natural environment; replacing the current gray exterior color. He confirmed that the HOA approved the proposed plans, including Exhibit M-2, the rear yard landscaping plan. Mr. Adamson also shared Exhibit M-3, several photos of the existing dwelling.

Mr. Adamson continued that the mechanicals need to be placed in the front of the dwelling; and the plan is to construct a 42" high knee-wall made of solid composite materials to screen them from the street view. Mrs. Taylor stated that this constitutes a fence, and will require a variance being of solid construction (non-wood) with no opacity; as 50% opacity is required.

Discussion then ensued about the existing shed in the front yard. Mr. Adamson stated that historical street views place the shed in that location back to at least 1999. A new survey of the property revealed that this shed is partially on the neighboring property. He explained why it could not be moved too much, as the septic is in the front yard, and the topography challenges. Mr. Bennett added the shed is approximately 80sf, and is needed to store yard equipment. The plan was to reconstruct the shed as it is old and in dilapidated condition. He confirmed upon Board questioning that it will match the re-sided dwelling. It does have electric for one interior light and an exterior light that illuminates the driveway. It was mutually agreed upon by Mrs. Taylor and Mr. Adamson that it can be moved approximately 1' off the property line, but will also require variance relief by the Board for the non-conforming setback. Mr. Adamson concluded that no additional impervious coverage is proposed.

Mrs. Taylor agreed that the lot is extremely undersized, and the proposed additions are modest and are located as such due to the topography and the angled location of the existing dwelling on the lot.

PUBLIC: Mr. Pullman made a motion to open the application to the Public. Mr. Wolf seconded.

No one from the public spoke.

Mr. Pullman made a motion to close the public portion. Vice Chairman Rickards seconded. The voice vote was unanimous in favor.

MOTION: Mr. Pullman made a motion to approve the application as submitted, with the conditions (1) grant side yard setback relief by relocating the shed so that it is one foot off the property line and no more than 80sf, and will match the dwelling; (2) granting variance relief for the 42" solid composite knee wall in the front yard; and (3) the landscaping is completed per the HOA approved plan. Mr. Meehan seconded.

Recorded Vote:

Ayes:	Meehan, Pullman, Stefanoni, Morrison, Wolf, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7- 0 – 0

William & Trisha McGehrin, 71 N Lakeside Dr W, 3010/6, ZVE-1139 – Seeking bulk variance to construct covered outdoor kitchen exceeds the 12% maximum building coverage allowed. **Zone: GD**

SWORN: William & Trisha McGehrin, Owners

Mr. McGehrin opened his testimony by describing the proposed addition onto the rear of the dwelling, which will be a gabled roof over a portion of pavers and grass, in order to create an outdoor kitchen area. The added area would result in 12.8% lot coverage, where 12% is permitted and 10.2% is existing.

Mrs. Taylor confirmed that this is a very small increase in the overall lot coverage, and is consistent with the lakefront neighborhood.

PUBLIC: Vice Chairman Rickards made a motion to open the application to the public. Mr. Hamilton seconded.

No one from the public spoke.

Vice Chairman Rickards made a motion to close the public portion. Mr. Hamilton seconded. The voice vote was unanimous in favor.

MOTION: Mr. Hamilton made a motion to approve the application as submitted. Vice Chairman Rickards seconded.

Recorded Vote:

Ayes:	Hamilton, Meehan, Pullman, Stefanoni, Wolf, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7 – 0 – 0

Thomas & Cynthia Durham, 215 Taunton Blvd, 3708/3, ZVE-1137 – Seeking bulk variance to construct front porch extension which exceeds the 10% maximum building coverage and 20% maximum lot coverage allowed. **Zone: GD**

SWORN: Thomas & Cynthia Durham, Owners

Mr. Durham opened his testimony by explaining that he wishes to add a front porch to the one-story dwelling, which sits on a non-conforming lot surrounded by three roads. The front porch is

proposed to be 10' x 13.6 feet. The front porch canopy will be located over existing sidewalk, which leads to the street. Currently they have no real front door onto Taunton Road, the entrances are on both sides of the dwelling. Having no defined front door has caused delivery issues. He also described how they have nothing in the rear yard to enjoy, so the front porch will provide a small area to have the benefit of the property.

Mrs. Taylor detailed that in this zone, 12% building coverage and 30% lot coverage are permitted. The proposed porch would result in 16.81% building coverage and 31.58% lot coverage. A front yard setback variance is also required for the expansion of the non-conforming setback; reduced from the 50 feet required to 28.04 feet. But overall the front porch makes sense for the dwelling and property, and fits in with the neighborhood scheme and zone district requirements.

PUBLIC: Mr. Hamilton made a motion to open the application to the public. Mr. Wolf seconded.
No one from the public spoke.

Mr. Hamilton made a motion to close the public portion. Mr. Wolf seconded. The voice vote was unanimous in favor.

MOTION: Mr. Hamilton made a motion to approve the application as submitted including the added front yard setback variance. Mr. Wolf seconded.

Recorded Vote:

Ayes:	Hamilton, Meehan, Pullman, Wolf, Stefanoni, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7 – 0 – 0

Lucas Mitchell, 23 Ponte View Dr, 6405.01/9.19, ZVE-1138 – Seeking bulk variance to construct in-ground swimming pool which exceeds the 20% maximum lot coverage allowed.
Zone: RGD-1

SWORN: Lucas Mitchell, Owner

Mr. Lucas began his testimony by describing he is proposing to construct a 1,573sf in-ground pool and concrete decking in the rear yard. This includes the pool equipment. The size of the pool is comparable with others in the development. He conceded that the existing U-shaped driveway accounts for much of the added lot coverage, but is needed to navigate in and out of the property given the location of the attached garage.

The existing fence will be changed and re-located closer to the property line to allow more natural space for his children to play. The two sheds on the property were approved by a prior variance granted by the Zoning Board.

Mrs. Taylor had no comments; other than confirming that 20% lot coverage is permitted; and with the pool the proposed lot coverage will be 24.7%.

PUBLIC: Mr. Meehan made a motion to open the application to the public. Mr. Hamilton seconded.

No one from the public spoke.

Vice-Chairman Rickards made a motion to close the public portion. Mr. Hamilton seconded. The voice vote was unanimous in favor.

MOTION: Mr. Hamilton made a motion to approve the application as submitted, with lot coverage not to exceed 25%. Mr. Meehan seconded.

Recorded Vote:

Ayes:	Hamilton, Meehan, Pullman, Stefanoni, Wolf, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7 – 0 – 0

Jeff Wilson, 8 Muirfield Ct, 905/13.04, ZVE-1140 – Seeking bulk variance for an existing 6 foot-high, white-vinyl fence in front yard on a corner property which exceeds the maximum 4 feet height and 50% opacity allowed. Zone: RS-1

SWORN: Jeff Wilson, Owner

Mr. Wilson opened his testimony by describing how his property is located on a corner lot and the dwelling is angled such that the side yard is a second front yard. He installed the fence to provide privacy for his family, and with the plan to install an in-ground pool in the near future. Deer have also been an issue on the property, and they would not be restricted by a 4' split rail fence.

He acknowledged that the lack of permits was a misunderstanding with the fence company, who was supposed to obtain the Zoning permits.

In the time that the fence has been up, there have been no sight triangle visibility issues or neighbor complaints due to it being located sufficiently off the property line.

Mrs. Taylor suggested to the Board that if they were inclined to approve the application, that they should consider having the applicant place 6-8 deer resistant shrubs in front of the fence in the front yard area to tone down the bright white color of the fence.

PUBLIC: Mr. Hamilton made a motion to open the application to the public. Mr. Pullman seconded.

No one from the public spoke.

Mr. Hamilton made a motion to close the public portion. Mr. Pullman seconded. The voice vote was unanimous in favor.

MOTION: Mr. Hamilton made a motion to approve the application as submitted, with the condition of the applicant planting 6-8 shrubs in the first planting season (spring 2023) with the variety and location approved by the Board Planner. Vice Chairman Rickards seconded.

Recorded Vote:

Ayes:	Hamilton, Meehan, Pullman, Stefanoni, Wolf, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7 – 0 – 0

GENERAL PUBLIC: No one from the public was present to speak.
Mr. Hamilton made a motion to close the general public portion of the meeting. Mr. Pullman seconded the motion. The voice vote was unanimous in favor.

EXECUTIVE SESSION: 2023 Professional Board Appointments
Mr. Hamilton made a motion to go into Executive Session at 8:35 pm. Mr. Wolf seconded. The voice vote was unanimous in favor

The Regular Meeting resumed at 9:17 pm.

ADDITIONAL ACTION(S) BY THE BOARD: None

MOTION FOR ADJOURNMENT:

Mr. Hamilton made a motion to adjourn the December 21, 2022 Zoning Board of Adjustment meeting at 9:18 pm. Mr. Pullman seconded the motion. The voice vote was unanimous in favor.



Ann Bell, Zoning Board Secretary



Beth Portocalis, Recording Secretary