

MEDFORD TOWNSHIP ZONING BOARD OF ADJUSTMENT

18 May 2022 - 7:00 pm Public Safety Bldg.-91 Union Street & Zoom On-Line Conference

Attorney Jerry Dasti called the meeting to order at 7:17 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, Pullman, Rickards, Simmers, Stefanoni,
Morrison
Absent: Meehan, Wolf
Professional Staff: Attorney Jerry Dasti, Planner Michelle Taylor, Secretary Beth
Portocalis

CORRESPONDENCE: None

MINUTES:

April 20, 2022 Regular Meeting – Mr. Pullman made a motion to approve the April 20, 2022 Zoning Board Meeting Minutes. Mr. Hamilton seconded the motion. A unanimous voice vote in favor carried the motion.

REPORTS: None

RESOLUTIONS TO BE MEMORIALIZED:

**Randy & Cynthia Senkle, 112 Hickory Lane, Block 906.05//Lot 1, ZVE-1110
Resolution #2022-17**

Bulk Variance approvals to construct a 10' wide, 325sf asphalt driveway extension adjacent to the existing attached garage and driveway of the residence; and a 10' wide, 360sf concrete/stone parking pad alongside the garage continuing from the proposed asphalt driveway in order to park a recreational vehicle. The proposed requires a side yard setback relief whereby 10' is required and 1.5' is proposed; lot coverage relief is required whereby 30% is permitted, 29.74% is existing, and 34.66% is proposed. Also, a design waiver was approved per section 520 I from the Land Development Ordinance, for the driveway and parking area to be located less than 10' from the side property line. **Zone: GMS**

Recorded Vote

Ayes: Hamilton, Pullman (2), Simmers (M), Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 5 - 0 - 0

Christine Suchecki, 21 Shadow Oak Drive, Block: 3202.14//Lot 7, ZVE-1115
Resolution #2022-18

Bulk Variance approvals to construct two additions and an attached garage addition (3 total additions) to the principal dwelling; with one addition totaling 320.5sf to one side of dwelling; a front attached garage addition of 276 sf, and a rear addition of 110sf. Building Coverage relief approved whereby 9.7% was existing, 13.8% was proposed and 12% is permitted; front yard principal building setback whereby 43.48' was existing, 28' was proposed and 50' is required; and side yard principal building setback relief whereby 35.5' was existing, 15.5' was proposed and 30' is required. **Zone: GD**

Recorded Vote

Ayes: Hamilton, Pullman (M), Simmers (2), Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 5 - 0 - 0

Jennifer A. Lynch, 39 Union Street, Block: 1601//Lot 11, ZVE-1112
Resolution #2022-19

Use Variance granting approvals to revert a residential dwelling that was most recently utilized as a commercial property (a permitted use in the Restricted Commercial (RC) Zone District) back to residential use whereby residential use is not a principal permitted use in the RC Zone. **Zone: RC**

Recorded Vote

Ayes: Hamilton, Pullman (2), Simmers (M), Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 5 - 0 - 0

Robert & Susan Grant, 103 East Lake Blvd., Block: 3601//Lot: 2, ZVE-1113
Resolution #2022-20

Bulk Variances granting approvals for both existing and proposed unpermitted conditions (three decks, stairs, landings, brick and concrete walks/paths); and a proposed patio area and retaining wall totaling 500 sf. Approvals granted for exceeding building coverage, whereby 30% was previously approved, 33% was existing, and 12% is permitted; for exceeding lot coverage whereby 30% was existing*, 74% was proposed, and 20% is permitted; one side yard principal building setback whereby 12' was existing, 11' was proposed and 15' is required; other side yard principal building setback whereby 8' was existing, 0' was proposed and 15' is required; front yard principal building setback whereby 24.2' is existing and 50' is required; rear yard principal dwelling setback relief whereby 38' was existing, 26' was proposed and 50' is required. (*Prior

Bulk Variance approvals granted in 1990 permitted 30% lot coverage) A portion of existing wood fence along the south side property line is located on an adjoining property and is to be relocated to applicant's property. Wetlands buffer encroachment relief was also granted due to existing conditions along the lakefront. **Zone: GD**

Recorded Vote

Ayes: Hamilton, Pullman (2), Simmers (M), Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 5 - 0 - 0

APPLICATIONS/OFFICIAL:

Matthew Shinn, 268 Atsion Road, Block 6504//Lot 11.03, ZVE-1119

Seeking bulk variances required to permit a proposed oversized residential detached garage 30' x 50' (1500 sf) whereby 24' x 45' (1,080 sf) is the maximum size permitted. Proposed location meets all setback requirements and coverage allowances. **Zone: RGD-1**

SWORN: Matthew Shinn, Owner

Mr. Shinn opened his testimony by explaining that the detached garage will be used to store his yard equipment, motorcycles, a plow, 2 trailers and 4 pick-ups. All are for personal use, as he maintains older vehicles as a hobby. It is proposed to be located at the end of the driveway 60 feet from the dwelling, and 15 feet from the side yard property line. No addition for the driveway is proposed; just the pad for the garage. It is proposed to be a wood pole barn with metal siding; and will match the house. Electric service is anticipated to the garage. The only other accessory structure will be a shed. There is one old shed that is going to be removed. Mr. Shinn currently has a shipping container on the property, but after being advised by Mrs. Taylor that they are not permitted, Mr. Shinn said he will remove it and replace it with a shed that will be 8' x 20'. It is currently holding the items that will be relocated to the proposed garage, so the Board members stated it must be removed as soon as the new garage is finished.

Upon questioning by the Board, Mr. Shinn indicated he plans to have motion sensor lighting on the exterior of the garage. Discussion also ensued about the size of the garage door. Mr. Shinn wanted a 12' high garage door in the event he purchases and RV; but after comments from Board members and Mrs. Taylor expressing their hesitancy for a commercial sized door, Mr. Shinn agreed to accept a garage door that will be only 10 feet in height. (and 12 feet wide)

Mrs. Taylor asked about the existing dirt piles and tire piles. Mr. Shinn stated the tires will be relocated inside the garage, and he plans to re-grade the dirt piles. She asked Mr. Shinn if he would be willing to scarify and seed the areas where the soil is to be spread, and add some landscaping as she recommended in her review letter. She also asked Mr. Shinn if he planned to install a lift in the garage, to which he replied no. She also asked if he planned to have a pneumatic machine (air compressor), and Mr. Shinn responded yes.

PUBLIC: Mr. Pullman made a motion to open the public portion. Mr. Simmers seconded. The voice vote was unanimous in favor.

No one from the public spoke.

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

MOTION: Mr. Simmers made a motion to approve the application as submitted, with the conditions to (1) garage door cannot be larger than 10' in height and 12' in width; (2) remove the storage container prior to issuance of Certificate of Occupancy; (3) undertake the scarification, reseeding and landscaping; and (4) use dark sky lighting on the exterior of the garage. Mr. Pullman seconded.

Recorded Vote:

Ayes:	Hamilton, Pullman, Simmers, Stefanoni, Morrison, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7 - 0 - 0

James & Jacqueline Boggs, 8 Thrush Way, Block 4701.01//Lot 25, ZVE-1117

Seeking retroactive bulk variance approvals for an existing 60 sf shed and 1,215 sf patio installed without permits. Also seeking bulk variance approvals for a proposed front and rear porch totaling in 324 sf requiring lot coverage relief whereby 29.61% is existing, 29.32 % is proposed and 15% is permitted on a pre-existing non-conforming sized lot. **Zone: RGD-2**

SWORN: James Boggs, Owner
Joseph Adamson, Principal Architect

Mr. Boggs opened the testimony by describing that he and his wife had purchased the property last March. The dwelling was built in 1977. The proposed additions are modest in scale and will compliment the house while still fitting in with the neighborhood. As part of the project for the front porch and screen porch additions, the existing siding will be painted a warm, neutral color. In designing the project, the Boggs gave careful consideration of the neighboring properties, and the plans have been shared with the HOA.

He acknowledged the pavers and shed are in violation and caused the permitted lot coverage to be exceeded.

Mr. Adamson, who designed the additions, stated he reviewed Mrs. Taylor's review letter, and the existing coverage is actually being slightly decreased since the additions will be placed over existing impervious areas. He described the front porch addition is adding 4 feet, and the screen porch being 18 feet x 18 feet. It was designed to match the steep pitch in the existing roof and complement the existing house. A front porch light is proposed, as is dark sky lighting on the railings. He concluded that no new landscaping is proposed.

Mrs. Taylor had no comments.

PUBLIC: Mr. Simmers made a motion to open the public portion. Mr. Pullman seconded. The voice vote was unanimous in favor.

No one from the public spoke.

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

MOTION: Mr. Simmers made a motion to approve the application as submitted. Mr. Morrison seconded.

Recorded Vote:

Ayes: Hamilton, Pullman, Simmers, Stefanoni, Morrison, Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 7 - 0 - 0

Patrick & Patricia Mackey, 82 Branch Street, Block 1804//Lot 6, ZVE-1118

Pre-existing non-conforming lot requires Bulk Variance approval to demolish an existing laundry room of 166 sf and construct family room and laundry room additions totaling in 640 sf. The applicant is also seeking approvals to install a 256 sf paver patio area and 250sf of sidewalks. A proposed covered porch requires side yard setback relief whereby 4' is proposed, 9.3' is existing, and 15' is required; front yard setback relief 8.1' existing, 8.1' proposed, 15' required. **Zone: HVR**

SWORN: Patrick Mackey, Applicant
Randall Holberg, Architect

Mr. Mackey opened the testimony by describing the small laundry/mudroom addition that exists on the rear of his dwelling. He is proposing to remove the addition along with an existing patio, and use the space for a modest addition for a laundry room and family room area. A side entry door into the addition area is also proposed, as is a 16' x 16' paver patio area in the rear of the dwelling next to the new addition. The addition will match the plane of the house. The entry being moved to the side of the dwelling prompted the need for the side yard setback relief request. The siding colors will match, as will the roof shingles and grills in the windows.

Mrs. Taylor noted that a Certificate of Appropriateness is required being the property is in the HVR Zone. She added that an overhang porch with stairs is more to keeping with the historic origins of the dwelling.

Mr. Holberg described the current laundry room is more a shed against the existing dwelling, which is not in character with the HVR Zone. The double windows are in proportion to the existing

windows. The lower pitch was designed to maintain the upper window in a bedroom, but the sloped roof is more conforming.

Mrs. Taylor commented that the addition could not be added anywhere else, and acknowledged the overall design improvements to the dwelling. She confirmed the side yard setback as proposed is 4 feet.

PUBLIC: Mr. Pullman made a motion to open the public portion. Ms. Stefanoni seconded. The voice vote was unanimous in favor.

No one from the public spoke.

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

MOTION: Mr. Rickards made a motion to approve the application as submitted, with a four foot side yard setback; and granting the Certificate of Appropriateness. Mr. Simmers seconded.

Recorded Vote:

Ayes: Hamilton, Pullman, Simmers, Stefanoni, Morrison, Rickards, Cocivera

Nays: None

Abst.: None

Motion carried: 7 - 0 - 0

Jamie Griffith, 4 Sarnesfield Way, Block 6401/Lot 3, ZVE-1120

Seeking retroactive Bulk Variance approvals required to maintain a concrete decking area and in-ground pool sized larger than was previously approved. Approvals required for a pavilion & concrete area exceeding the required side yard setback whereby 5' is required and 1.49' is proposed. **Zone: RGD-2**

SWORN: Jamie Griffith, Applicant
Joseph Mancini, P.E., Tri-State Engineering

Ms. Griffith opened the testimony by acknowledging that changes to the originally approved pool and concrete decking were not filed with the Township by her contractor. The added areas fit more naturally with the contours of her yard and fencing at the corner of her property. She confirmed a 12' x 14' gazebo pergola/pavilion with a 10' peak was added; not exceeding the 168sf permitted size for accessory sheds and non-garage structures.

Mr. Mancini referred to his survey/site plan, which confirms 15.7% coverage is existing where 20% is permitted; therefore no variance relief is required for coverage. The pavilion is 1.49' from the property line, and 5' is required. The concrete decking for the pool is 8 feet from the property line, where 15 feet is required. The pool itself is 18 feet from the property line. He stated the pool and pavilion are aesthetically pleasing, and hidden from the neighbors' view by the substantially wooded areas. Mr. Mancini concluded his remarks by stating that there has been no

negative impact on the drainage due to the added impervious, as it is already built and has not created any stormwater issues.

Mrs. Taylor was satisfied that the testimony addressed her comments in her review letter.

PUBLIC: Mr. Simmers made a motion to open the public portion. Mr. Pullman seconded. The voice vote was unanimous in favor.

Joseph Halin – 4 Chelmsford Court. He lives west of the Griffith property and has no issues or concerns; and has experienced no drainage issues.

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

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

Recorded Vote:

Ayes:	Hamilton, Pullman, Simmers, Stefanoni, Morrison, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7 - 0 - 0

Ian Fawthrop, 4 Grist Mill Court, Block 5301.23// Lot 3.10, ZVE-1123

Seeking bulk variance relief required for a proposed in-ground pool of 600sf with 551 sf of concrete decking exceeding the permitted lot coverage whereby 19.43% is existing, 24.04% is proposed and 20% is permitted. **Zone: RGD-1**

SWORN: Ian Fawthrop, Applicant

Mr. Fawthrop opened the testimony by describing the modest pool and concrete decking area he proposes to install in his rear yard. His lot does not meet the zone district requirements, so any improvement would result in exceeding the lot coverage maximum. The fence as shown on the survey is incorrect; it will be on the property line.

Mrs. Taylor acknowledged that the lot is undersized, so the scale of the pool on the lot is not significant. The lot size is required to be one acre; and this lot is only 25,000 square feet, and is only over by 4 percent. Mr. Noll approved the pool grading plan, and with the sandy loom soils in this area of the Township, the added impervious coverage should not cause any drainage issues.

PUBLIC: Mr. Pullman made a motion to open the public portion. Mr. Simmers seconded. The voice vote was unanimous in favor.

No one from the public spoke.

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

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MOTION: Ms. Stefanoni made a motion to approve the application as submitted. Mr. Morrison seconded.

Recorded Vote:

Ayes: Hamilton, Pullman, Simmers, Stefanoni, Morrison, Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 7 - 0 - 0

GENERAL PUBLIC:

Mr. Pullman made a motion to open the general public portion of the meeting. Mr. Simmers seconded the motion. The voice vote was unanimous in favor.

Brian Carns – 265 Mount Holly Road. The Zoning Officer has issued summons for Cornerstone Tree Service commercial vehicles being parked on the farm. It's a family tree farm operating for decades and he invited Board members to come out and visit.

David Carns – 9 Atkinson Court. The Township Attorney had instructed the family to come to the Zoning Board. No one on Council is answering the family's questions. They were preparing an application several years ago, but he said they withdrew it because of the fees they were paying and because a review letter from Mrs. Taylor was putting too many demands to operate commercially. He has been asking for an interpretation of the commercial vehicles on qualified farmland.

Patrick Duff. No address given. He was representing the Carns and the farm at 265 Mount Holly Road.

Mr. Pullman made a motion to close the general public portion of the meeting. Mr. Simmers seconded the motion. The voice vote was unanimous in favor.

EXECUTIVE SESSION: Mr. Rickards made a motion to enter into Executive Session at 9:30 pm. The meeting resumed at 9:43 pm.

ADDITIONAL ACTIONS BY BOARD: None

MOTION FOR ADJOURNMENT:

Mr. Morrison made a motion to adjourn the May 2022 Zoning Board of Adjustment meeting at 9:44 pm. Ms. Stefanoni seconded the motion. The voice vote was unanimous in favor.


Beth Portocalis, Zoning Board Secretary & Recording Secretary