

# MEDFORD TOWNSHIP ZONING BOARD OF ADJUSTMENT

15 February 2023 - 7:00 p.m.

Public Safety Building - 91 Union Street

Attorney Patrick Varga called the meeting to order at 7:02 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, Simmers, Rickards, Wolf  
Absent: Umba, Morrison  
Professional Staff: Attorney Patrick Varga, Planner Michelle Taylor, Secretary Ann Bell

## CORRESPONDENCE: None

## MINUTES:

January 18, 2023 Regular Meeting – Vice Chairman Rickards made a motion to approve the January 18, 2023 Zoning Board Regular Meeting Minutes. Mr. Wolf seconded the motion. A unanimous voice vote in favor by the other members carried the motion.

January 18, 2023 Executive Session – Vice Chairman Rickards made a motion to approve the January 18, 2023 Executive Session 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 #2023-08, M2 Properties, 131 Mt. Holly Road, 404.07/24, ZVE-1114  
Use Variance approvals to permit property management business and landscaping business in addition to residential use. **Zone: RHO**

### Recorded Vote

Ayes: Hamilton, Meehan (2), Pullman, Simmers, Wolf, Rickards (M), Cocivera  
Nays: None  
Abst.: None  
Motion carried: 7 - 0 - 0

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Resolution #2023-09, Jeffery Sallade, 12 Nelson Drive, 4801.05/2, ZVE-1141  
Bulk variance approvals for roof over expanded paver patio area exceeding permitted building and lot coverages, and side yard setback relief for an existing shed. **Zone: GD**

### Recorded Vote

Ayes: Hamilton, Meehan, Pullman (M), Simmers (2), Wolf, Rickards, Cocivera  
Nays: None  
Abst.: None  
Motion carried: 7 - 0 - 0

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**APPLICATIONS/OFFICIAL:**

**Gil Steinberger, 181 Taunton Blvd, 3508/3.01, ZVE-1142** – Bulk variance for exceeding the rear yard setback and maximum building coverage to enclose an existing screen porch as a four-season room with windows and a bathroom.

**SWORN:** Gil Steinberger, Owner

Mr. Steinberger opened his testimony by explaining that he wishes to enclose a screened in back porch that was added to house at some unknown date. The house itself was built in 1939. The back porch enclosure would have windows and include a bathroom, as the only existing bathroom in the dwelling has a door that opens to the outside yard since it was a converted outhouse. Mrs. Taylor confirmed it is a pre-existing, non-conforming condition since the screened porch is only 23' from the lake.

The house is only 1100 square feet, so that added space is needed when family and friends come to visit. The house was built into a hill, so the first floor is at the front entrance, but at the rear, it is the second floor. The porch area will be covered in cedar shake shingles and match the dwelling.

A 12' deep x 35' wide deck is also proposed, which would be 11' from the lake. The width is the same as the dwelling. The steps will be to the side and not the rear of the deck, therefore no closer to the lake than the proposed deck. If 30' is maintained with a landing, no side yard setback is required. Mr. Steinberger may not build the deck, but since he is before the Board for approval to enclose the screen porch, he is asking for approvals should he ultimately decide to add the deck. It would be constructed of pressure treated lumber and Trex.

Mrs. Taylor stated Mr. Noll has no objections to the information submitted for wetlands buffers and runoff having any adverse impacts. She also stated cedar shake shingles would be consistent with the neighborhood and lakefront property, and the lighting is not a concern if he follows Mrs. Taylor's recommendations for minimal lighting.

Mr. Steinberger stated that his neighbors have been notified and voiced no objections since side views of the lake may be impacted on the adjoining properties. The HOA Courtesy notice approval was for 30' from the lake; so there approval is not valid since the application is for an 11' setback from the lake. Mr. Varga stated that it is in the Board's purview to make it a condition that the applicant receive HOA approval prior to the issuance of zoning and construction permits.

Mrs. Taylor calculated that with a landing, the steps would be approximately 22.8' feet from the side yard, and thus would require a side yard setback variance.

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

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Eric Peterson – 179 Taunton Boulevard. He is the neighbor to Mr. Steinberger. He is supportive of the application and stated it will beautify the lake. Mr. Steinberger and his family will be able to enjoy the lakefront rear yard area more. There are others along the lake who have similar decks or hardscaping that close to the lake and it has not been a detriment. Mr. Peterson added the deck would not impede his view of the lake.

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

**MOTION:** Vice Chairman Rickards made a motion to approve the application as submitted, with the additional side yard setback variance of 22.8'; conditioned upon (1) minimal lighting per Mrs. Taylor's recommendation; and (2) the HOA approves the 11' rear yard setback to the lake. Should the HOA deny the 11' setback for the deck, the enclosed screen porch is approved without this condition as the rear yard setback of 23' is pre-existing/non-conforming.

**Recorded Vote:**

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

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**EXECUTIVE SESSION:** None

**ADDITIONAL ACTION(S) BY THE BOARD:** None

**MOTION FOR ADJOURNMENT:**

Mr. Pullman made a motion to adjourn the February 15, 2023 Zoning Board of Adjustment meeting at 7:39 pm. Mr. Simmers seconded the motion. The voice vote was unanimous in favor.



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Ann Bell, Zoning Board Secretary



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Beth Portocalis, Recording Secretary