

**Zoning Board Of Adjustment
May 12, 2021
Draft**

Meeting: Zoning Board of Adjustment

Date: May 12, 2021

- I. Meeting called to order
- II. Pledge of Allegiance
- III. Open Public Meeting Act
- IV. Roll Call

Present

Absent

	Present	Absent
Mr. Richard Borden		X
Ms. Karen Radie	X	
Ms. Santori		X
Ms. Valentino	X	
Mr. Zahradnick	X	
Vice Chair Bimmer	X	
Chairman Gee	X	
Ms. Bebitch Alt #1	X	
Ms. Mortimer Alt #2	X	
Mr. Taylor Alt # 3	X	
Mr. Zerega Alt # 4	X	

V. New Business:

- a. Swearing in of New Alternate Member William Zerega (Alt # 4)

- b. **7 W Woodlawn Ave**-Block 12 Lot 34; Linda O’Neal; Z-21-05
Zone: Residential (R-1)
Existing Use: Two Family Dwelling
Proposed Use: Replace Deck with Addition
Application: Use or d(2) Variance. Expansion of pre-existing non-conforming use.

Chairman Gee to Solicitor Kingsbury: Is this a duplex?

Kingsbury: We have to establish that they are a pre-existing duplex before we hear the Application.

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Chairman Gee: Who is the representative of 7 W Woodlawn Ave?

Mr. Steven Altamuro was sworn in by Solicitor Kingsbury.

Mr. Altamuro testified that it is his client's belief that this property has been a duplex since 1970. Ms. O'Neal has owned the property for the past 10 years. Mr. Altamuro listed the original owners and followed the ownership of the property thru Ms. O' Neal.

Chairman Gee: In hearing the testimony, can the Board declare the property as a duplex?

Kingsbury: Have they proven their case?

Mr. Altamuro stated that the Township Ordinance went in affect in 1975.

Solicitor Kingsbury swore in Linda O' Neal. She is the Applicant and current owner of the property.

The configuration of the home is: Downstairs unit has 2 bedrooms, kitchen, living space and a full Bathroom.

Upstairs Unit has 2 Bedrooms, small kitchen, full Bathroom and small living space.

Mr. Altamuro asked Ms. O'Neal who owned the home prior: Ms O'Neal testified that her Aunt purchased the property in 1985 as a duplex to support her financially.

Ms. O' Neal purchased the property so her elderly mother could live on the first floor and her twin sister would rent the upstairs unit. This enabled them to keep the family together and care for their mother.

Chairman Gee stated that many times when these Applications come to the Zoning Board for approval, it is a condition of the Board that the owner of the property reside in one of the units.

Ms. Radie stated: Linda, Your home is beautiful, would you be living in one of the units?

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Mr. Altamuro testified that his client would be more than willing to agree to that condition.

Chairman Gee: Are there any Board Member questions? None
Chairman Gee opened the meeting to the General Public: None
Chairman Gee closed the Public Portion
Chairman Gee asked for a Motion to Approve Duplex Status:

A Motion was made by Ms. Radie (with the condition of owner living in one of the units), Second by Mr Zahradnick. All Approve

Moving on to the Application of Addition:

Mr. Altamuro testified that the upstairs deck and stairs needs to be replaced, and they are seeking to enclose the area under the deck to enlarge the downstairs living room and to add a powder room.

Ms. O'Neal testified that she is trying to enlarge the areas for ease of her mother's use of a walker.

She also testified that the front stairs going to the second unit are not to Code, so they would like to move the entrance to the second unit to the outside staircase.

Mr. Altamuro testified that there are several other duplexes on the block that are clearly marked Apt A and Apt B.

He continued to testify that Ms. O'Neal is trying to make safety Improvements to the deck and stairs. He also stated that the overall Footprint of the home will not change. He feels this is a positive impact On the neighborhood. There will not be any additional people, traffic or Parking concerns and it will not alter the residential character of the Neighborhood.

Chairman Gee asked Board Engineer McNulty if he had any comments. Mr. McNulty stated that everything is in order and it will be a nice Addition.

Chairman Gee opened the meeting to the General Public, No Comments.

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Closed Public Portion

A Motion was made by Mr. Zahradnick to approve the Addition, second by Ms. Valentino, All Approve.

- c. **100 Fox Meadow Drive**- Block 172, Lots 1, 1.01, 1.02, & 1.04
Deerfield Associates.
Zone: Residential (R-1)
Existing use: Apartments
Proposed Use: Apartments
Application: Interpretation of prior approval as to the number of basketball courts and other site improvements.

Chairman Gee: Is there a representative for Deerfield Associates?

Mr. Mark Malinowski stated he was trying to reach Mr. Coleman by phone.

Mr. Chuck Petrone will represent Raymond and Coleman Associates. He apologizes for technical difficulties and the delay.

Mr. Petrone would like to refresh the 2019 Board Approval of Application:

1. Construction of a new Clubhouse
2. New Pool
3. Self- Storage Units (29)
4. Fencing
5. Site- Lighting
6. Soccer Field
7. Walking Trail
8. Tennis Courts
9. New Courts

Chairman Gee stated "Speaking of the Changes" between 2019 and current.

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Mr. Malinowski stated that the changes were minimal and consistent with the 2019 Approval. (ie: Changing soccer field to Artificial turf instead of grass)

He feels this would have no impact on the Stormwater Management Plan.

Mr. Petrone is seeking administrative approval to explain their compliance plan.

Chairman Gee asked Board Engineer McNulty if he was okay with the changes to the original approval.

The changes he mentioned: Splash pad in the pool area, hardscaping areas, grilling station, volleyball court and Soccer field from grass to turf.

He feels this would have the biggest impact. He has concerns that the outflow pipe located near the turf field would cause erosion issues.

Mr. Malinowski stated that Deerfield Assoc. would be willing to work with the Township Engineer to address his concerns.

Chairman Gee stated that a Motion could be made with a condition of compliance with the Township Engineer.

Chairman Gee asked Board Members for Comments:

Chairman Gee asked about the Basketball Courts?

Zoning Board Attorney Kingsbury will be researching The Motion, Minutes and Resolution with regard to the Basketball Courts.

Kingsbury suggested to combine the Motion with Changes to be worked out with Township Engineer.

Chairman Gee opened the meeting to the Public, No comments. Closed Public Portion

A Motion was made that the Applicant does not have to submit revised plans as long as they work with Township Engineer.

A Motion was made by Ms. Radie, Second by Ms. Valentino, All Approve

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VI. Old Business:

a. Minutes: A Motion was made by Mr. Zahradnick to Approve the Minutes, second by Ms. Valentino, All Approve

b. Reports: Solicitor- Resolutions None

A Motion to adjourn was made by Mr. Zahradnick, second by Ms. Valentino, All Approve

1. 131 E. Kings Highway (NJSH Route 41)-Block 17 Lot 4; BJ's Wholesale (SPR#2020-01)

Zone: BD-1

Existing Use: Retail warehouse with Automotive tire service

Proposed Use: Retail warehouse with automotive tire service and fuel service station

Application: Preliminary & Final Site Plan Approval/ Variance Relief

Attorney George Mateo respectfully asked for continuance until January Meeting for the Applicant

Motion to Approve: Radie, second by Schmidt, All Approve

2. 636 N. Forklanding Rd. Block 2 Lot 2.01 Mr and Mrs Edward Nusslein;

Zone: RA

Existing Use: Single Family Home

Proposed Use: Separated, Multi-Family

Application: Variance Relief(Use)

Attorney Thomas Oshinsky respectfully asked for a continuance until the January meeting.

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Motion to Approve: Schmidt, second by Bimmer, All Approve

Old Business: Minutes from November Meeting

Motion to Approve: Radie, second by Valentino, All Approve

Resolution: 70 W Center Ave, Ryan Hall

Motion to Approve: Bimmer, second by Schmidt, All Approve

Adjourn: Motion by Gee, second by Bimmer, All Approve