

**CINNAMINSON TOWNSHIP
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
SEPTEMBER 2, 2020**

TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended by A-3850, and in consideration of Executive Orders No. 103 and 107, issued by Governor Murphy on March 9 and 21, 2020 respectively, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the TOWNSHIP OF CINNAMINSON does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the Cinnaminson Township Zoning Board of Adjustment meeting is scheduled for September 2, 2020 at 6:30 p.m. at 1621 Riverton Road, Cinnaminson, New Jersey will be held electronically using Zoom audio and visual technology. Formal action may be taken. Any interested party will be able to appear and fully participate at the hearing, in accordance with the rules of the Zoning Board of Adjustment, including providing comment and offering exhibits. For members of the public who wish to attend using Zoom video and audio features on the internet, visit <https://zoom.us>, click "Join A Meeting", enter the following Meeting ID: 923 868 6246, and enter the following Password: 203375. For members of the public who wish to attend using a telephone, call one of the following numbers: +1 929 205 6099 US, +1 312 626 6799 US, +1 253 215 8782 US, +1 301 715 8592 US, +1 346 248 7799 US, +1 669 900 6833 US, and enter the above listed Meeting ID and Password. It is recommended that any interested party desiring to offer exhibits, or view exhibits that have been submitted on behalf of the applicants, contact the Zoning Board secretary, Patricia Rucci, at 856-829-6000 ext. 2313, in advance for guidance.

PLEASE NOTE: Agenda is subject to change

Zoom Meeting ID: 923 868 6246

Password: 203375

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The Regular Zoom Meeting of the Zoning Board being held September 2, 2020 is scheduled for 6:30 p.m.

Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by advertising this Regular Meeting in the Burlington County Times on January 19, 2020 and by advertising this Regular Meeting in the Courier Post on January 18, 2020 and by advertising this Regular Meeting in the Burlington County Times on August 13, 2020 and in the Courier Post on August 13, 2020.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision, and decorum appropriate to a judicial hearing must be maintained at all times.

ROLL CALL: Members Present – Chairman Bednarek, Mr. Conway, Mrs. Galosi, Mrs. McStravick, Mr. Trampe, Mr. Sell and Mr. Devlin.

Also Present: Mr. Strobel, Board Attorney and Patricia Rucci, Secretary.

MR. BEDNAREK: The Board's policy is not to commence hearing a matter after 10:00 p.m., but instead to adjourn the matter to the next regularly scheduled meeting. Any matters still being heard at 10:00 p.m. may be completed that evening or may be adjourned to the next regularly scheduled meeting at the Board's discretion.

MR. BEDNAREK: Case #19-6-1 – Specialized Industrial Associates – 1705 Industrial Highway, Block 806, Lot 1.02 - – Request for a One Year Extension of Approval for Use Variance and Preliminary Site Plan.

MR. BURNS: Attorney for Specialized Industrial Associates. Preliminary approval is good for three years we don't need an extension on that. Bob Stout contacted him and advised that this application was heard back in July, 2019 and the Use Variance and Preliminary Site Plan approval Resolution was memorialized on August 7, 2019. My understanding is the use variance runs with the land. There has not been anything done at the property. They are waiting for some outside agency approvals. We had the Covid-19 Pandemic impact. We are still interested in pursuing both the use and site plan approvals. They are asking for a one-year extension for the use variance approval. He referred to the Extension Act of March 9, 2020. The extension period started on March 9th. He asked for Richard Strobel's thoughts.

MR. STROBEL: He thinks there is a benefit to address the matter tonight, if the Board chooses to do so. If an extension was granted, one year beyond end date of emergency.

MR. BURNS: Since we are under this extension period, is the Board inclined to grant a one-year extension from the termination of the public health emergency?

MR. BEDNAREK: Are we looking to extend the use variance? Are we looking at the Site Plan as well?

MR. BURNS: I think we have year in for the Site Plan.

MR. STROBEL: What you are proposing is a one-year extension from the termination of the Public Health Emergency declared by the Governor for the use variance and a one-year extension of the Preliminary site plan approval.

MR. BEDNAREK: This is for the parcel that is next to the U-Haul.

MRS. RUCCI: She advised that the applicant's escrow was low. She stated that Mr. Marshall wanted a condition of approval that we get additional escrow from the applicant.

MR. BURNS: We will take care of that.

MR. MARSHALL: I don't know if there is a need for an extension the site plan approval itself. If you are putting another year on site plan is that going to piggy back on what they have now?

MR. BEDNAREK: We want to extend for an additional one year beyond the end date of the emergency. Is that what you are looking for?

MR. BURNS: Yes.

A MOTION IS MADE BY MRS. MCSTRAVICK, seconded by Mrs. Galosi to extend both the Preliminary Site Plan and Use Variance by one year after the end of the Public Health Order rescinded for Covid 19. ROLL CALL VOTE: MR. Conway, Mrs. Galosi, Mrs. McStravick, Mr. Trampe, Mr. Sell, Mr. Devlin and Chairman Bednarek, no opposed, motion passes.

MR. BEDNAREK: Case #20-9-1 – Steven and Gwen Luecke – Bulk Variance – 1202 Columbia Avenue, Block 1602, Lot 8.

MR. STROBEL: He swears in Steven and Gwen Luecke.

MR. BEDNAREK: He knows who Mr. Luecke is. He is a neighbor of my brother, Ed. We don't have an ongoing relationship. He doesn't believe it would skew his ability to judge fairly.

MR. STROBEL: I see no reason for you not to continue in your normal role.

MR. LUECKE: He had no objection.

MR. LUECKE: We propose to add an additional one story car garage to our existing garage. Because we are on a corner property we have different setbacks. The Zoning Ordinance is a 20-foot setback. We are asking for a 14-foot setback. The purpose of this additional space is to store collective car vehicles. With the additional structure, he would exceed the 864 square foot recommendation from the Township by about 300 square feet. He has a split level home. The center portion is two story. To the left and right are one story structures. He proposes to match the same roof line on the left hand side where the garage space is. He is trying to balance out the house and gain our additional storage for our vehicles. Same roof line. He explained the photos to the Board.

MR. BEDNAREK: He referred to the photograph. The area right next to garage that you currently have is the area where you want to construct the additional garage.

MR. LUECKE: Correct.

MR. DEVLIN: He asked if the roof was flat or pitched liked the house.

MR. LUECKE: He stated that the roof will have the same A Frame, pitch style as the right portion of the house and it will be one story. It will match.

MR. LUECKE: We are matching identical shingle material. We plan to side entire structure at same time.

The Board and the Applicant continued to review the photos.

MR. STROBEL: How many car garages will it look like from the front?

MR. LUECKE: From the front there will be three garage doors.

MRS. MCSTRAVICK: She asked if there were any utilities.

MR. LUECKE: Basic Electric. A light and an outlet. This is for Vehicle storage only.

MR. BEDNAREK: He opened the public portion of the meeting.

MR. STROBEL: He swears in Edward Bednarek.

MR. EDWARD BEDNAREK: He is a neighbor of this property. This was basically a vacant house. He sees no issues with this request and is in favor of this application. He recommended that the Applicant should be granted approval for this variance.

MR. BEDNAREK: He reminded Mr. Luecke that vehicles needed to be parked on a hard surface. They need to be parked to the rear behind the property and not on the side.

MR. STROBEL: He referred to Google Maps and a photo of the landscaping from 2013. He asked Mr. Luecke if he was keeping the landscaping on that side.

MR. LUECKE: We are planning on keeping the landscaping on that side. We are going to do some additional plantings after construction. They are screening along the Bromley Avenue side in addition to what already exists.

A MOTION IS MADE BY MRS. MCSTRAVICK, seconded by Mrs. Galosi to approve the additional storage garage. The roof will match the living portion of the house over both garages. The siding will be redone and it will match. A landscape buffer. The driveway can be stone with concrete apron going into garage and the garage floor will be concrete. All standard conditions. ROLL CALL VOTE: Mr. Conway, Mrs. Galosi, Mrs. McStravick, Mr. Trampe, Mr. Sell, Mr. Devlin and Chairman Bednarek, no opposed, motion passes.

MR. BEDNAREK: Case #20-9-2 – Richard L. Hymanson, Jr. – Bulk Variance – 109 Monticello Drive, Block 2605, Lot 7.

MR. STROBEL: He swears in Andrea Hymanson and Nelson Schubert (Andrea Hymanson's Father)

MRS. RUCCI: Will Mr. Richard Hymanson testify this evening?

MRS. HYMANSON: No.

MR. STROBEL: He advised that it was fine for Mrs. Hymanson to testify since she was joint property owner.

MRS. HYMANSON: They want to install a 12 x 45 porch. We are asking for a variance because it will be 37 feet from the street and not 50.

MRS. RUCCI: She showed the site plan and photos of the property.

MR. SCHUBERT: He described the photos, the survey plan and the location of the porch to the Board. It is going to stick out 12 feet. The structure itself is 10 with a 2-foot overhang and go 45 feet long. The porch is going to be open with a pitched roof that will match the pitch of the existing roof on the right hand side of the structure. A concrete slab under the porch. There will be lights and ceiling fans. There will be a concrete floor. The porch will be open to weather and will not be screened in. It will have a roof on it. The roofing materials will match the existing roof material.

MR. MARSHALL: The plan shows metal roofing.

MRS. HYMANSON: She described the photos.

MR. MARSHALL: He referred to the elevation sketch. There is going to be an A Frame peak into the existing roof. Is that correct?

MRS. HYMANSON: Yes.

MR. MARSHALL: He reviewed the Exhibits with the Applicant. It is all an open porch with the roof coming out (inaudible). The roof is going to be tied into the main part of the house. It is going to be that double A roof.

MRS. HYMANSON: Yes.

MR. BEDNAREK: He asked what the columns would consist of. To support the porch roof.

MR. HYMANSON: She said her contractor said they are going to be 6 by 6 vinyl wrapped.

MR. BEDNAREK: Vinyl wrapped posts.

MR. HYMANSON: Yes.

MR. BEDNAREK: He drove around to look at the properties that were on tonight's Agenda. He expressed concern about coming out 13 feet. What is the reason you choose to come out 13 feet?

MR. HYMANSON: Looking to have more space on the porch.

MR. SELL: He referred to the window in the A frame section of the porch. Is that tied into the house? He asked if there was going to be living space above the porch.

MRS. HYMANSON AND MR. SCHUBERT: No

MR. SCHUBERT: It is not going to tie into the existing part of the house.

MR. SELL: It is decorative.

MRS. HYMANSON AND MR. SCHUBERT: Yes

MR. SELL: Could it be a social benefit?

MRS. HYMANSON: Yes.

MR. BEDNAREK: He was concerned about coming out 13 feet.

MR. DEVLIN: Would a lesser setback be effective?

MRS. HYMANSON: We are looking to utilize space.

MR. SELL: Is there detriment for adding a 13-foot porch?

MRS. HYMANSON: No. I don't believe there is.

MR. BEDNAREK: He opened the public portion of the meeting.

MR. TRAMPE: He advised that he knows the Hymansons socially. There is no business relationship.

MR. STROBEL: Since Mr. Trampe can put his personal relationship feelings aside render a fair and impartial decision in this matter, there is nothing to prevent Mr. Trampe from participating.

A MOTION IS MADE BY MRS. MCSTRAVICK seconded by Mrs. Galosi to approve a concrete porch across the front of the property that is 37-foot setback where 50 is required. Roof shingles and everything matches. Per the drawings, the roofs will match what is in the conceptual drawing and the shingle part of the roofs should match the current shingles on the house. ROLL CALL VOTE: Mr. Conway, Mrs. Galosi, Mrs. McStravick, Mr. Trampe, Mr. Sell, Mr. Devlin, NAY, Mr. Bednarek, motion passes.

RESOLUTIONS:

A MOTION IS MADE BY MRS. MCSTRAVICK seconded by Mrs. Galosi to approve the Resolution for Case #20-7-5 – Fernando Bastos – Bulk Variance - 295 Park Avenue – Block 3507, Lot 1.02. Conditionally granting bulk variances to construct accessory building leaving nine (9) foot side yard setback where twelve (12) feet is minimum required and one (1) foot encroachment into front yard which is prohibited. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MRS. MCSTRAVICK seconded by Mrs. Galosi to approve the Resolution for Case #20-8-2 – Mouy Kaing – Bulk Variance – 2620 Riverton Road – Block 3106, Lot 5.16. Conditionally granting bulk variance to construct deck leaving eleven (11) foot rear yard setback where twenty-five (25) is minimum required. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MRS. MCSTRAVICK seconded by Mrs. Galosi to approve the Resolution for Case #20-8-3 - Craig and Karen Lewis – Bulk Variance – 2500 New Albany Road – Block 2901, Lot 1. Conditionally granting bulk variance to construct fence leaving two (2) foot side yard setback where twenty (20) is minimum required. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MRS. MCSTRAVICK seconded by Mrs. Galosi to approve the Resolution for Case #20-8-1– Christopher and Karen Devone – Use Variance – 301 Lilac Lane – Block 2312, Lot 1. Conditionally granting use variance to permit single family dwelling which is not permitted. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MRS. MCSTRAVICK seconded by Mrs. Galosi to approve the Resolution for Case #20-8-4 – Anthony’s Management Services, Inc. – Use Variance – 2703 Broad Street – Block 201, Lot 8. Conditionally granting use variance to permit sale and repair of forklifts, and repair of heavy equipment. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MR. HARE seconded by Mrs. Galosi to approve the Resolution for Case #20-7-6 – AT Wireless Inc. - 1253 Route 130 South, Block 1004, Lot 31- Conditionally granting bulk variance to construct second façade sign where maximum of one (1) is permitted. VOICE VOTE: ALL AYE, Abstain Mrs. McStravick and Mr. Trampe, no opposed, motion passes.

A MOTION IS MADE BY MRS. GALOSI seconded by Mr. Hare to approve the vouchers for Richard Strobel VOICE VOTE: ALL AYE, no opposed, motion passes.

A MOTION IS MADE BY MR. SELL seconded by Mrs. Galosi to approve the Regular Meeting Minutes for July 1, 2020. VOICE VOTE: ALL AYE, no opposed, Abstain, Mrs. McStravick and Mr. Trampe, no opposed, motion passes.

A MOTION IS MADE BY MRS. Galosi seconded by Mr. Devlin to approve the Regular Meeting Minutes for August 5, 2020. VOICE VOTE: ALL AYE, Abstain, Mr. Sell no opposed, motion passes.

MR. BEDNAREK: He opened the public portion of the meeting. No one came forward.

MR. BEDNAREK: He closed the public portion of the meeting.

A MOTION IS MADE BY MRS. MCSTRAVICK seconded by Mrs. Galosi to adjourn the meeting. The meeting is adjourned. VOICE VOTE: ALL AYE, no opposed, motion passes.

Duly passed and adopted

Respectfully submitted,

Patricia Rucci

