

**CINNAMINSON TOWNSHIP
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
April 7, 2021**

Zoom Meeting ID: 923 868 6246

Password: 203375

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The Regular Zoom Meeting of the Zoning Board being held April 7, 2021.

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 15, 2021 and by advertising this Regular Meeting in the Courier Post on February 5, 2021.

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.

Members Present – Mr. Bednarek, Mr. Devlin, Mrs. Galosi, Mr. Hare, Mr. Sell, Mr. O’Donnell and Ms. Woodman.

Also Present: Richard 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: He spoke about the passing of Jay Conway on March 21, 2021. Jay was a long time member of the Zoning Board.

MR. BEDNAREK: Case #21-4-1 – Alfred and Michelle Corona – 605 Pomona Road – Bulk Variance – Block 3308, Lot 27.

MRS. RUCCI: She advised the Board that the Applicants, Michelle and Alfred Corona are her next door neighbors.

MR. STROBEL: He swears in Alfred and Michelle Corona.

MR. CORONA: We are here to ask permission to create an in ground pool where we have a five- foot setback from the property line where a minimum of 10 is required.

The rear of our property has a twenty-foot easement that goes from left to right of the rear (the west end of our property). We can't build on that. We have a sewer lateral that shoots directly back. It is in dead center, in the back. To the left rear of the property, we have Maple Tree and shed. We can't build to the left of the property because of the Maple Tree and shed. We have an Easement. We are asking to get five feet off the right side of the property.

MRS. CORONA: While still giving us green space to enjoy.

The following Exhibits were described by the Applicant:

Exhibit A-1 – Photograph of the center of the back yard.

Exhibit A-2 – Photograph showing the Maple Tree, Shed and left side of the property.

Exhibit A-3 – Photograph showing the rear of the property.

Exhibit A-4 – Photograph showing location of 14' x approximately 28' kidney shaped pool.

MR. DEVLIN: So the Sewer Easement is basically in the middle of the property.

MR. CORONA: Correct.

MR. BEDNAREK: The main sewer goes across the back of the property.

MR. CORONA: Correct.

MR. BEDNAREK: Your sewer line shoots out in the middle and bisects your yard.

MR. CORONA: Correct. It is like a T.

Exhibit A-5 – Photograph of stone patio area.

Exhibit A-6 – Survey Plan

MR. CORONA: We are asking for a 5-foot setback from the right side of the property. So that is 5 feet to the water's edge. I believe the concrete that is going to go around is 3 feet all the way around. From the back where you see the easement, it is 23 feet from the back of the fence to the water's edge. Three feet of concrete right up to the twenty-foot easement section. It is not drawn on here, but if we ever get the sewer line marked up, it is on the left corner edge of the concrete heading directly toward the center back.

MR. BEDNAREK: Is there anything on the side of your next door neighbor's fence (neighbor on the right side) such as a deck or structure?

MR. CORONA: There is nothing.

MR. BEDNAREK: So there is just ground on the other side. He wanted to make sure there was no deck or structure on the other side of the fence.

MR. BEDNAREK: The pool will be installed in accordance with all of the Township pool rules and building codes.

MR. CORONA: Yes.

MR. HARE: Will there be any grading especially on the side you are requesting the variance for? Will the grading be the same all the way around? Will there be runoff from the pool going into the neighbor's yard (neighbor on the right side)?

MRS CORONA: We were concerned about that also. One of the Project Managers from the Pool Company came out and he assured us that there would be slight grading. We have a slope, but it doesn't go towards the next door neighbor, it goes back.

MR. CORONA: Away towards the back at the easement level there is a grade going back up the other way.

MR. HARE: He was concerned that if there was special grading, it would not put more water on the neighbor's property.

MR. BEDNAREK: You are basically describing a swale that is in the Easement.

MR. CORONA: Yes.

MR. BEDNAREK: If the variance is approved, he wanted the following condition. That the swale doesn't become altered. The swale has to remain a swale. We don't want to have a berm there.

MR. O'DONNELL: He asked about the location of the pump and filters.

MR. CORONA: The Pool Company prefers that it is near the rear so the pump works correctly. We are assuming it is going to be the left triangular corner, back edge of the pool. It is not in the Easement. We were thinking about getting a little fence to box in to minimize noise.

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

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

MR. STROBEL: He asked for the location of the swale.

MR. HARE: If you look on the survey, you will see the Sewer Easement in back of the property.

MR. BEDNREK: The swale is contained in that. I believe that was the testimony from Mr. Corona.

MR. CORONA: At the back end, there is a little swale.

A MOTION IS MADE BY MR. HARE seconded by Mrs. Galosi to approve the installation of the pool with a five-foot setback on the right side of the property where a 10 foot is required. The swale is to be maintained and will not encroach upon on the back Sewer Easement. Standard conditions and following all codes for installation of pools. ROLL CALL VOTE:

AYE, ROLL CALL VOTE: Mr. Devlin, Mrs. Galosi, Mr. Hare, Mr. Sell, Mr. O'Donnell, Ms. Woodman and Mr. Bednarek, no opposed, motion passes.

A MOTION IS MADE BY MR. HARE seconded by Mrs. Galosi to approve the Resolution for Case #21-1-1 - Steven F. Milewski, Jr. - 3001 Georgetown Road, Block 3011, Lot 16 - Conditionally granting bulk variances to construct deck leaving eleven and one-half (11½) foot side yard setback where fifteen (15) feet is minimum required and thirty-eight (38) foot aggregate side yard setback where forty (40) feet is minimum required. 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 #21-3-1 - Anthony and Stacey Tartaglia – 2320 Riverton Road, Block 2404, Lot 1 - Conditionally granting bulk variance to construct fence leaving zero (0) foot front yard setback where fifty (50) feet is minimum required. ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MRS. GALOSI seconded by Mr. Devlin to approve the vouchers for Pennoni Associates noted on the Agenda. VOICE VOTE: ALL AYE, no opposed, motion passes.

A MOTION IS MADE BY MRS. GALOSI seconded by Ms. Woodman to approve the vouchers for Richard Strobel noted on the Agenda. VOICE VOTE: ALL AYE, no opposed, motion passes.

A MOTION IS MADE BY MRS. GALOSI seconded by Mr. Hare to approve the Regular Meeting Minutes of March 3, 2021. 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. GALOSI seconded by Ms. Woodman to adjourn the meeting. The meeting is adjourned. VOICE VOTE: ALL AYE, no opposed, motion passes.

Duly passed and adopted

Respectfully submitted,

Patricia Rucci