

**CINNAMINSON TOWNSHIP
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
August 4, 2021**

Zoom Meeting ID: 923 868 6246

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.

The Regular Zoom Meeting of the Zoning Board being held August 4, 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. Trampe, 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: Case #21Case #21-7-1 – Emine Yalcin – Bulk Variance – 2597 Branch Pike, Block 3210, Lot 1.14.

MR. STROBEL: He swears in Emine Yalcin.

MS. YALCIN: She wants to install fencing. The neighbor's yard is basically in our front yard.

MR. BEDNAREK: You are looking for a zero foot setback with a six foot high fence.

MS. YALCIN: The fence will be a 6 foot, white, vinyl, privacy fence.

MS. YALCIN: She described the Exhibits described below:

Exhibit A-1 – Photograph of Driveway. The Shed is the neighbor’s back yard. You can see the Applicant’s home in the Photograph.

Exhibit A-2 – Photograph of the side of the Applicant’s Home. The trees will be inside the fence.

MR. BEDNAREK: The variance is for the area along the small trees. There is no variance for everything else. Is that correct?

MS. YALCIN: Yes.

Exhibit A-3 – Photograph of the Neighbor’s back yard.

Exhibit A-4 – Photograph of the Neighbor’s back yard.

Exhibit A-5 – Photograph of driveway. Gates will be by the house.

Exhibit A-6 – Photograph showing the side view.

Exhibit A-7 – Survey Plan. The Applicant’s Home is 200 feet off of Branch Pike.

The Applicant and the Board discussed the location of the fence.

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 Mr. Sell to approve the variance for a 6 foot high vinyl fence in the front yard with a zero foot setback. The side yard is a front yard. It should meet all the zoning requirements for fencing and standard conditions. ROLL CALL VOTE: AYE, Mr. Devlin, Mrs. Galosi, Mr. Sell, Mr. O’Donnell, Ms. Woodman and Mr. Bednarek, no opposed, motion passes.

MR. BEDNAREK: Case #21-8-1 – Nathan Boyd – Bulk Variance – 2310 Laurel Drive, Block 2404, Lot 17.

MR. STROBEL: He swears in Nathan Boyd.

MR. BOYD: The fence is already installed. The fence is past the setback. He is requesting a variance. The setback is 6 foot where 30 feet is required. The fence is a 4 foot split rail/poster rail wooden fence with a metal wire mesh. The wire mesh is black.

The following Exhibits were explained and described to the Board:

Exhibit A-1 – Photograph showing the view from Laurel Drive.

Exhibit A-2 – Photograph of the yard. The house is to the left.

Exhibit A-3 – Survey Plan. The red line represents the fence.

Exhibit A-4 – Survey Plan showing the gates. The chain link fence is not on the Applicant’s property.

MR. BOYD: He wants to keep his family safe. All of the fencing and gates were installed at the same time. The fence was installed a month or month and a half ago.

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 MR. SELL seconded by Mrs. Galosi to approve the variance on the footprint that currently exists for a 4 foot split rail fence with wire mesh with a setback of 6 foot where 30 feet is required. This fence is to be maintained as a split rail and wire mesh. The material can only be split rail and wire mesh and only can be 4 foot high. The Applicant would need Board approval to change any of the materials or height. Standard conditions. ROLL CALL VOTE: AYE, Mr. Devlin, Mrs. Galosi, Mr. Sell, Mr. O'Donnell, Ms. Woodman and Mr. Bednarek, no opposed, motion passes.

MR. BEDNAREK: Case #21-8-2 – Barton and Katherine Spencer – 17 Purnell Avenue, Block 1503, Lot 9.

MR. STROBEL: He swears in Barton Spencer.

MR. SPENCER: He has a corner property. His house faces Franklin Avenue, but his address is Purnell Avenue. He wants to install a 6 foot high privacy fence. He would like to do a PVC privacy fence. The current setback is 40 feet from Purnell Avenue. We are looking for a 10 foot setback from the sidewalk for the fence.

The following Exhibits were explained and presented to the Board:

Exhibit A-1 – Photograph of the front of the House from Franklin Avenue.

Exhibit A-2 – Photograph of the side yard. The street to the right is Purnell Avenue.

Exhibit A-3 – Photograph of the side yard. The fence proposed would be on inside of the bushes that are on the berm along Purnell Avenue.

Exhibit A-4 – Photograph showing the current landscaping that would be in front of the fence.

Exhibit A-5 – Survey Plan.

MR. BEDNAREK: The fence would be 10 feet at a minimum from your property line on Purnell.

MR. SPENCER: Yes.

MR. BEDNAREK: You are looking to do a six foot high privacy fence. Would the color be white?

MR. SPENCER: He still has to meet the fence contractor. He didn't want to make a selection until the variance was approved.

MR. BEDNAREK: You have two gates, a left side and a right side gate that you are planning on.

MR. SPENCER: That is correct.

A MOTION IS MADE BY MR. DEVLIN seconded by Mr. Sell to grant the variance for a 6 foot, privacy fence with a front yard setback of 10 feet where 40 feet is required with standard

conditions and customary requirements. The berm will be on the outside of the fence. The berm will be maintained. ROLL CALL VOTE: AYE, Mr. Devlin, Mrs. Galosi, Mr. Sell, Mr. O'Donnell, Ms. Woodman and Mr. Bednarek, no opposed, motion passes.

A MOTION IS MADE BY MR. O'DONNELL seconded by Ms. Woodman to approve the Resolution for Case #21-7-2 – Hummingbird Builder and Development, LLC - 2390 Church Road, Block 3401, Lot 37.01 – Conditionally granting bulk variance to construct fence leaving zero (0) foot front 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 MS. WOODMAN seconded by Mr. O'Donnell to approve the Resolution for Case #21-7-3 – Hummingbird Builder and Development, LLC - 2404 Church Road, Block 3401, Lot 36.01 – Conditionally granting bulk variance to construct fence leaving zero (0) foot front 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 MRS. GALOSI seconded by Mr. Devlin to approve the Resolution for Case #21-7-4 – Hummingbird Builder and Development, LLC - 2408 Church Road, Block 3401, Lot 36.03 – Conditionally granting bulk variance to construct deck leaving five (5) foot side yard setback where fifteen (15) feet is minimum required. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MRS. GALOSI seconded by Mr. O'Donnell to approve the Resolution for Case #21-7-5 – Wayne Oliver - 101 Green Briar Court, Block 3106, Lot 5.05 – Conditionally granting bulk variance to construct fence leaving ten (10) foot front yard setback where thirty (30) feet is minimum required. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MRS. GALOSI seconded by Mr. Devlin to approve the Resolution for Case #21-7-6 – Jeremias Rodrigues De Miranda and Autiany Sousa - 1113 Cinnaminson Avenue, Block 1702, Lot 7 – Conditionally granting bulk variances to construct addition leaving 10.3 foot front yard setback where twenty-five (25) feet is minimum required and zero (0) foot side yard setbacks where eight (8) feet is minimum required. Conditionally granting bulk variance to construct rear patio roof leaving zero (0) foot side yard setbacks where eight (8) feet is minimum required. VOICE VOTE: ALL AYE, Abstain, Mr. Sell, no opposed, motion passes.

A MOTION IS MADE BY MS. WOODMAN seconded by Mrs. Galosi 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 Ms. Woodman to approve the vouchers for Pennoni noted on the Agenda. VOICE VOTE: ALL AYE, no opposed, motion passes.

Mr. STROBEL: Corporate Applicants are required to submit a Stock Holder Statement.

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 MS. WOODMAN seconded by Ms. 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