

Call to Order:

The regular meeting of the Monroe Township Zoning Board of Adjustment was called to order at 6:00 p.m. by Chairman Sebastian who read the following statement: “Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings on January 8, 2021. Notice for this evening’s public hearings was published in the newspaper on January 9, 2021.”

Roll Call:

Mrs. Farrell commented that she sent the Board notice of Mr. McLaughlin’s resignation effective immediately.

Present – Mr. Cossaboon, Mr. Cummiskey, Mr. Kozak, Mr. Rybicki, Mr. Sebastian, Mr. Powers, Mr. Adams. Absent – Mr. Salvadori, (excused), Mr. Sander, (excused), Ms. Pellegrini, (excused). Also present – Mr. Coe, Solicitor, Mrs. Fox, Council Liaison, Mrs. Farrell, Secretary, Mrs. Orbaczewski, Clerk Transcriber.

Public Hearings:

1. #20-52 – Angie Chavarria – Front & Side Yard Variances

Present – Angie Chavarria, applicant.

The applicant is requesting front and side yard variances in order to be allowed to construct an enclosed, wraparound porch on her existing single family dwelling. The required side yard setback is 15 feet and the applicant is proposing 10 feet and the required front yard setback is 50 feet and the applicant is proposing 41.55 feet. The property is located at 3339 South Black Horse Pike, also known as Block 8301, Lot 22 in the RD-C Zoning District.

Ms. Chavarria was sworn in by Mr. Coe. Mr. Sebastian asked if the application can be deemed complete. Mrs. Farrell replied that the application can be deemed complete. Motion by Mr. Cummiskey, seconded by Mr. Cossaboon to deem application #20-52 complete. Voice vote; all ayes, motion passed.

Ms. Chavarria stated she is before the Board for variances concerning the construction of an enclosed wraparound porch. She stated she needs a front yard variance and side yard variance. Mr. Sebastian asked if Ms. Chavarria was in agreement that she needs a side yard variance of 10 feet where 15 feet is required and a front yard setback of 41.55 feet where 50 feet is required. Ms. Chavarria was in agreement with the setbacks and variances needed.

Public Hearings: (continued)

1. #20-52 – Angie Chavarria (continued)

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Mr. Coe reviewed the variance requests for the Board. Motion by Mr. Cummiskey, seconded by Mr. Cossaboon to grant the side yard and front yard variances conditioned upon the applicant obtaining all zoning and construction permits required, lot grading approval, constructing the porch in accordance with the plans submitted, any COAH requirement deemed necessary, and maintenance of the escrow account. Roll call vote: Ayes – Mr. Cummiskey, Mr. Cossaboon, Mr. Kozak, Mr. Rybicki, Mr. Powers, Mr. Adams, Mr. Sebastian. Nays – Zero. Abstentions – Zero.

2. #20-53 – Donald DeBruce – Side Yard Variance

Present – Donald DeBruce, applicant.

The applicant is requesting a side yard variance of 10 feet where 20 feet is required in order to construct an addition to his existing home. The property is located at 384 Broadlane Road, also known as Block 5303, Lot 7 in the FD-10 Zoning District.

Mr. DeBruce was sworn in by Mr. Coe. Mr. Sebastian asked if the application can be deemed complete. Mrs. Farrell replied the application can be deemed complete. Motion by Mr. Cossaboon, seconded by Mr. Cummiskey to deem application #20-53 complete. Voice vote; all ayes, motion passed.

Mr. DeBruce stated he is before the Board for a side yard variance in order to construct an addition on his existing home. His house was constructed on an angle and his property is long and narrow so his home is close to the side yard and as such he cannot meet the side yard requirement.

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Mr. Coe reviewed the variance request for the Board. Motion by Mr. Kozak, seconded by Mr. Cummiskey to grant the side yard variance conditioned upon the applicant obtaining all necessary zoning and construction permits, any COAH requirement deemed necessary, constructing the addition in accordance with the plans submitted, lot grading approval, and maintenance of the escrow account. Roll call vote: Ayes – Mr. Kozak, Mr. Cummiskey, Mr. Cossaboon, Mr. Rybicki, Mr. Powers, Mr. Adams, Mr. Sebastian. Nays – Zero. Abstentions – Zero.

Public Portion:

Motion passed to open the meeting to the public. There being none, motion passed to close the meeting to the public.

Reports:

1. Mr. Coe advised the Board that the Wood Management application, scheduled for a special meeting next Tuesday, may have to be adjourned to a new date. He explained that notice was properly sent by the applicant; however, there are objectors who raised the issue of the applicant using Airport Drive, which is a private roadway but a different lot; and even though the notice contained this information, there may be different residents who are part of Lot 4.01, that were not on the list of names provided to the applicant. Mrs. Farrell has sent for the list of names from the County for Lot 4.01 and if the list contains names also included on the list used to send notice, then the hearing can take place as scheduled. If there are new names on the list, then there are two options for the applicant; the meeting will be adjourned to a new date and new notice must be sent or the applicant can give notice to those residents along with a waiver which says they are waiving their right to be noticed 10 days prior to the hearing. If waivers are signed and notice given, then the hearing can take place as scheduled. At this time, the Board will have to wait until the list of names is provided by the County so it can be determined if the names are the same as the other list or if there are new names. Mr. Coe stated he will send an email to the Board members to let them know how the matter will proceed.

2. Mr. Kozak wanted to thank Mr. McLaughlin for all his years serving on the Board and wished his wife a speedy recovery. There was conversation about the number of years Mr. McLaughlin served on the Board and Mr. Coe suggested doing a proclamation for Mr. McLaughlin. Mr. Sebastian asked Mrs. Farrell to take lead on that matter.

Approval of Minutes:

1. 1/5/2021 reorganization meeting.

Motion by Mr. Cumiskey, seconded by Mr. Kozak to approved the minutes from the January 5, 2021 reorganization meeting. Voice vote; all ayes, motion passed.

Mr. Sebastian addressed the Board and stated there is nothing worse than dead air when hearing a zoning application. He stated when the Board members review the application, they should have some thoughts and questions in mind. He added they should not be afraid to step up and make the motion. He also made note that all motions are made in the affirmative, even if the Board member is going to vote nay, the motion is made in the affirmative and then they can vote nay if they so choose. He also commented that if the Board members have any legal questions concerning what they can do or not do during the meeting, they can call Mr. Coe and ask him. Mr. Coe stated he will send an email to the Board members with his cell phone number.

Mr. Kozak asked if there have been any classes scheduled yet for the new members. Mrs. Farrell replied that they will probably be held virtually but she has to go on the website and figure out when the next classes are scheduled. As soon as she knows when and how the classes are being done for new members, she will reach out to them with the dates and times so they can be registered.

Mrs. Farrell informed the Board members that there will still be a meeting on Tuesday, January 26, 2021 at 6:00 p.m. even if Wood Management is not heard as there is another application scheduled for a bulk variance.

Adjournment:

The meeting was adjourned at 6:25

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings.

Respectfully submitted by: Ninette Orbaczewski, Clerk Transcriber