

Call to Order:

The regular meeting of the Monroe Township Zoning Board of Adjustment was called to order at 6: 30 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 12, 2022. A copy was sent to the Township Clerk and a copy is posted on the second floor bulletin board in Town Hall. In addition, notice of this evenings public hearing was sent to the newspaper on February 21, 2022. Be advised, no new item of business will be started after 10:30 p.m. and the meeting shall terminate no later than 11:00 p.m.”

The Board saluted the flag.

Roll call:

Present – Mr. Cossaboon, Mr. Cummiskey, Mr. Kozak, Mr. Powers, Mr. Salvadori, Mr. Sebastian, Mr. Colavita, **Absent**-Mr. DelCampo (excused), Mr. Adams, (excused) Mr. Sanders (excused) Also **present** – Mr. Coe, Solicitor, Mr. Kernan, Planner, Ms. Fox, Liaison, Mrs. Orbaczewski, Secretary, Mrs. Tomasello, Clerk Transcriber.

Memorialization of Resolutions:

1. Res. #90-2021- Blue Cork Winery- Use Variance & Major Site Plan Approved

Motion by Mr. Salvadori, seconded by Mr. Powers to adopt resolution #90-2021. Voice Vote; all ayes; motion passed.

Public Hearings:

1. #22-04 – Osteodocs, LLC- Use Variance/LED Changeable Copy Sign

Present- Leonard Schwartz, applicant’s attorney, Carol Tomasello applicant, Steven Lowry, applicant.

The applicant is requesting a use variance in order to update and improve the existing sign in front of their existing business building. The newly proposed sign is a 72” X 36” LED sign with two single sided 63” x 25” electronic message center signs. The property is located at 220 East Pine Street, also known as Block 1503, Lot 5 in the Commercial Zoning District.

Ms. Tomasello, Mr. Lowry and Mr. Kernan were sworn in by Mr. Coe. Mr. Sebastian asked if the application can be deemed complete. Mrs. Orbaczewski replied the application can be deemed complete. Motion by Mr. Cummiskey, seconded by Mr. Kozak to deem application #22-04 complete. Voice vote; all ayes, motion passed.

Public Hearings (continued)

1. #22-04 – Osteodocs, LLC- Use Variance/LED Changeable Copy Sign

Mr. Schwartz introduced himself as the applicant's attorney. Mr. Schwartz stated that his client is in front of the Board for a use variance for a sign in front of the doctor's office. The existing sign will be replaced with an LED sign. The proposal is also to put below the sign shrubs and planting flowers, so that it would look like a monument. Mr. Schwartz submitted revised plans and will be exhibit A-1, as well as a letter from Think sign marking it as exhibit A-2. Mr. Schwartz stated that the doctor's office is on a residential street, the proposal will be that it would be a condition that the sign will go off with a timer at a certain time. Mr. Schwartz stated that he has not heard any objections from any of the residents. Mr. Coe asked Mr. Schwartz in the revision that Mr. Schwartz had presented to the Board if that is for ground dimensions. Mr. Schwartz replied that A-1 is from the bottom level to the top of the sign as 35 inches from grade and no gap between the sign and the actual sign itself, the revised one takes the gap away. The existing sign is 4ft high and 5ft wide. Mr. Kernan stated that the sign area proposing will stay the same 36 inches for the top and 63.25 for the electronic messaging.

Ms. Tomasello introduces herself as the Practice Manager for Pine Street Medical. She stated that Pine Street Medical has been operating for 60 years as a medical office. Ms. Tomasello stated that within the last two years with the pandemic, the need to be able to communicate with the patients on a quick basis was unfortunate, the medical center stayed open every day through the pandemic just through safety protocol and trying to reach patients. She stated that she uses some form of internet but right now she feels the sign will be the most effective and sufficient for reaching out to patient's. She also stated that it will improve the appearance of the practice as well as the landscaping outside. Ms. Tomasello informed the Board that the sign can also be used for emergencies. The plan on using the sign is to let patients know when Flu shots are available, when the sports physicals can be done as information to the patients. Ms. Tomasello stated that the sign will not be used as external advertisement, the medical center will comply with the Township regulations on what will be allowed on the sign. The sign will be regulated for driving purposes as a speed of 25 MPH that way there is no distractions. Mr. Powers asked if the sign can be used for amber alerts, emergencies, etc. Mr. Lowry replied it will be programmed to dim the sign as the day is brighter the sign will also be bright, when the sun goes down the lights dim. Mr. Kernan asked in reference to the certificate to be received stating that there should be no physical moving parts, revolving parts nor mechanical movement of any kind, they should be box signs. Ms. Tomasello replied correct the sign will have no movement. Mr. Kernan asked Ms. Tomasello in your opinion the location where the sign will be, will that not obstruct traffic visibility or distraction for drivers. Ms. Tomasello replied that is correct. Mr. Lowry stated that the sign will be in the same place the previous sign is, it is back off the sidewalk on to the property.

Public Hearings (continued)

1. #22-04 – Osteodocs, LLC- Use Variance/LED Changeable Copy Sign

Mr. Kernan stated the applicant seeks a use variance approval to update and improve the sign in front of the building by replacing the current sign with a new double sided 72-inch x 36 inch LED sign and two single sided 63-inch x 25-inch electronic message center signs. Mr. Kernan stated that in lieu of a freestanding sign, one monument sign may be erected, provided that it is not situated within a sight triangle, and further provided that said monument sign does not exceed an area of 50 square feet nor exceed a height above grade of eight feet. The proposed sign will function more like a monument sign. The applicant should specify the height to the top of the sign, which appears to be just over 8 feet. Mr. Kernan stated that it is not a monument sign because a monument sign is on a monument, but because of the landscaping it looks like a monument, he stated that a waiver is required and he will support that waiver. Mr. Kernan stated that any on-premises projecting sign having over 30% of the total sign area devoted to purposes other than identification is prohibited. The plan does not conform to this requirement, proposing approximately 38% of the total sign area devoted to electronic messages. As a proposed, a waiver is required, and Mr. Kernan will support that. Mr. Kernan stated that in regards to banana banners. Ms. Tomasello stated she would remove them. Mr. Kernan stated that he went by the property and did notice that the Handicap sign is out dated.

Mr. Coe questioned the Board in regards to the timer, if there would be a set time. He stated that the applicant is willing to turn the sign off a certain time frame. Mr. Schwartz replied that the applicant would rather dim the sign. Mr. Kozak stated that if the lighting does become a problem, as to complaints to the Zoning Officer is the applicant willing to turn the lights off at a certain time frame. Mr. Schwartz replied yes.

Mr. Coe reviewed the use variance request for the Board. Motion by Mr. Powers, seconded by Mr. Cossaboon to grant the use variance to allow the applicant to update and improve the sign in front of the building by replacing the current sign with a new double sided 72-inch x 36-inch LED sign and two single sided 63-inch x 25-inch electronic message sign. The applicant will be seeking a waiver from the freestanding requirement of 8ft. to allow a 3ft. above grade for the sign. The applicant will also receive a waiver allowing the 38% of the total sign area being devoted to electronic messaging. The conditions which are on the motion are that the sign shall be registered for public emergency message use, in which will allow override on any dimming of the sign. There will be no outside advertising on the sign. The applicant will remove the banner signs. The applicant will landscape the sign. The applicant must satisfy any outstanding escrow requirements. The applicant is required to obtain all requisite of construction and building permits and approvals and the sign will be constructed accordance with all plans, surveys submitted with the application. Roll call vote: Ayes- Mr. Powers, Mr. Cossaboon, Mr. Cummiskey, Mr. Kozak., Mr. Salvadori, Mr. Colavita, Mr. Sebastian. Nays- Zero. Abstentions- Zero.

Public Hearings (continued)

2. #22-05- David Schwoyer- Side & Rear Yard Variances

Present-David Schwoyer

The applicant is requesting a side yard variance to allow 9' where 10' is required for his existing pool along with a rear yard variance to allow 25' where 37.5' is required for the existing deck. The property is located at 609 Windmoor Way, also known as Block 1405, Lot 11 in the R-2 Zoning District.

Mr. Schwoyer was sworn in by Mr. Coe. Mr. Sebastian asked if the application can be deemed complete. Mrs. Orbaczewski replied the application can be deemed complete. Motion by Mr. Salvadori, seconded by Mr. Powers to deem application #22-05 complete. Voice vote; all ayes, motion passed.

Mr. Schwoyer stated he is in front of the Board requesting a variance for a pool and deck, he stated that when he purchased the house half of the deck was already there. Mr. Kozak asked Mr. Schwoyer if the deck was already existing when he moved and now he would like to expand. Mr. Schwoyer replied yes, everything is already existing. Mr. Coe asked the applicant what was the shortest distance to the rear property line to the deck. Mr. Schwoyer replied 22 ft.

Mr. Coe reviewed the use variance request for the Board. Motion by Mr. Cummiskey, seconded by Mr. Powers to grant a side yard variance to allow 9ft where 10 ft. is required for the existing pool along with a rear yard variance to allow 21 ft. where 37.5 ft. is required for the existing deck. The conditions which are appropriate on the motion are that the applicant obtain any and all Township permits approvals including construction permits, lot grading approvals that may be necessary. That everything shall be in accordance with the plans and surveys submitted with the application and the applicant will satisfy all escrow requirements. Roll call vote: Ayes Mr. Cossaboon, Mr. Cummiskey, Mr. Kozak., Mr. Powers, Mr. Salvadori, Mr. Colavita, 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. Mrs. Orbaczewski stated to the Board members that the next meeting will be on March 17, 2022 and there are five applications.

Approval of Minutes:

1. 02/03/2022 regular meeting
2. 02/17/2022- regular meeting

Motion by Mr. Kozak, seconded by Mr. Powers to approve the minutes from the regular meeting.
Voice votes; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:10 p.m.

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: Iris Tomasello, Clerk Transcriber.