

**Call to Order:**

The Zoning Board of Adjustment meeting was called to order at 6:40 p.m. on April 20, 2023 by Vice Chairman Colavita 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 20, 2023 and a copy was posted on the 2<sup>nd</sup> floor bulletin board in Town Hall and also posted on the Township’s website. In addition, notice of this evening’s public hearing was published on April 7, 2023. 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; Mr. Carino, Mr. Colavita, Mr. Kozak, Mr. Powers, Mr. Rice, Mr. Salvadori, Mr. Fiore, Solicitor, Mr. Kernan, Planner. Also present; Ms. Orbaczewski, Secretary, Ms. Gallagher, Clerk Transcriber. Excused; Mr. Cummiskey Mr. Kerr. Mr. Seidenberg, Mr. Heverly, Council Liaison Mr. Sander, Engineer.

**Memorialization of Resolutions:**

1. Res. 21-2023 - #22-59 Stephen Wolf – Use Variance Denied

Mr. Fiore advised the Board that Mr. Coe was handling this as conflict solicitor. Since he was not able to make it this evening, the resolution will be addressed at the next meeting with Mr. Coe present.

2. Res. 26-2023 - #23-12 Lizette Garcia – ROW & Rear Yard Variance Approved

Motion to approve by Mr. Powers, seconded by Mr. Carino. Roll call vote; Ayes- Mr. Powers, Mr. Carino, Mr. Colavita, Mr. Kozak, Mr. Salvadori. Nays- Zero. Abstentions- Zero.

**Public Hearings:**

Mr. Fiore indicated that the application; #23-15 Brenda Boychuck. He stated that due to the Board attendance this evening there is not enough members to vote. He stated that the applicant does not need to do anything further to notice the public; the next hearing date for this matter will be May 4, 2023 at 6:30 p.m. At this point Mr. Kernan was excused since he is not needed for the remaining applications.

1. #23-16 - Venitius Nunez – Lot Coverage Variance

The applicant is requesting a lot coverage variance to allow 48% lot coverage where 30% is the maximum permitted for the construction of a 36’ x 24’ x 8’ shed which is being added to the other impervious improvements on the site, along with any other variances or waivers deemed necessary by the Board. The applicant is also proposing to remove an existing shed. The property is located at 780 Chestnut Street, also known as Block 12105, Lot 19 in the RG-PR Zoning District.

**Public Hearings:** (continued)

1. #23-16 - Venitius Nunez (continued)

Venitius Nunez was sworn in by Mr. Fiore. Mr. Nunez stated that he has a few cars and he needs a garage to keep them. He stated that he currently has his cars in a rented space. Mr. Colavita asked Ms. Orbaczewski if the application could be deemed complete. Ms. Orbaczewski replied yes. Motion passed to deem the application complete. Mr. Fiore asked if they were his personal vehicles. Mr. Nunez replied yes. Mr. Fiore asked if he understood that he can't rent it out. Mr. Nunez replied yes. Mr. Fiore asked if he understood that he can work on his own vehicles but he can't do work on other people's cars. Mr. Nunez replied that he does not do that. Mr. Colavita asked if any utilities would be going to the shed. Mr. Nunez replied no. Mr. Kozak asked if the new garage was going at the end of the concrete. Mr. Nunez replied yes, he'll be removing the old shed to place the garage. Mr. Kozak pointed out that it seems the lot coverage problem is because there's a lot of concrete on the lot.

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

Mr. Fiore summarized the application for the Board. Mr. Fiore advised the Board that if this application is approved, the motion would also memorialize the resolution #23-27. That way it cuts the time delay for the applicant.

Motion to approve by Mr. Powers, seconded by Mr. Carino. Roll call vote; Ayes- Mr. Powers, Mr. Carino, Mr. Kozak, Mr. Salvadori, Mr. Rice, Mr. Colavita. Nays- Zero. Abstentions- Zero.

2. #23-17 – Serena Smith – Side Yard & Lot Coverage Variance

The applicant is requesting a side yard variance to allow 8' where 10' is required and a lot coverage variance to allow 42% where 30% is the maximum permitted for the installation of a 14' x 28' rectangular in-ground swimming pool, along with any other variances or waivers deemed necessary by the Board. The property is located at 815 Kristin Lane, also known as Block 13101, Lot 8.07 in the RG-MR Zoning District.

Mr. Colavita asked Ms. Orbaczewski if the application could be deemed complete. Ms. Orbaczewski replied yes. Motion passed to deem the application complete. Serena Smith was sworn in by Mr. Fiore. Ms. Smith stated that she needs a lot coverage variance for the pool and concrete as well as side yard variance for the placement of the pool. Mr. Colavita asked if there was anywhere else the applicant could place the pool. Ms. Smith replied that was the only location to place the pool. Mr. Kozak asked if they could place the pool behind the pool. Ms. Smith replied no, due to the existing paver patios.

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

**Public Hearings:** (continued)

2. #23-17 – Serena Smith (continued)

Mr. Fiore summarized the application for the Board. Mr. Fiore advised the Board that if this application is approved, the motion would also memorialize the resolution #23-28. That way it cuts the time delay for the applicant.

Motion to approve by Mr. Powers, seconded by Mr. Carino. Roll call vote; Ayes- Mr. Powers, Mr. Carino, Mr. Kozak, Mr. Salvadori, Mr. Rice, Mr. Colavita. Nays- Zero. Abstention- Zero.

3. #23-18 – Francis Mark Perrone – Rear Yard Variance

The applicant is requesting a rear yard variance to allow 10' where 25' is required for the construction of an 18' x 40' x 15' storage shed, along with any other variances or waivers deemed necessary by the Board. The property is located at 109 Chinkapin Avenue, also known as Block 3703, Lot 6 in the RG0PR Zoning District.

Mr. Perrone was sworn in by Mr. Fiore. Mr. Perrone stated that the existing septic leech field is why he is requesting the variance, there is no other place to put the shed. Mr. Colavita asked Ms. Orbaczewski if the application could be deemed complete. Ms. Orbaczewski replied yes. Motion passed to deem the application complete. Mr. Fiore asked if there would be a garage door facing the street. Mr. Perrone replied yes, and a garage door facing the home. Mr. Fiore asked if he would be accessing the garage from the street. Mr. Perrone replied there is a gate but he does not intend on putting a driveway there. Mr. Colavita asked if he could point out where the leech field and tanks are located on the survey. Mr. Perrone drew to his best ability on a printout of the survey, the item was marked as exhibit A. Mr. Perrone stated that the leech field is raised about 4 foot so the grading goes out another 5 feet. He explained that is why he can't place the shed anywhere else in the yard. Mr. Colavita clarified for the Board, the applicant stated that the septic fields are above ground. Mr. Colavita asked the applicant if he could make the building smaller. Mr. Perrone stated that he could, but he chose that size because of the lack of storage space in the home. He would like to use the shed for storage and also to have a space to do woodworking as a hobby.

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

Mr. Fiore summarized the application for the Board. He added that the applicant stated for woodworking as a hobby so the condition would be added that it be for personal use only. Mr. Fiore advised the Board that if this application is approved, the motion would also memorialize the resolution #23-29. That way it cuts the time delay for the applicant.

Motion to approve by Mr. Powers, seconded by Mr. Carino. Roll call vote; Ayes- Mr. Powers, Mr. Carino, Mr. Kozak, Mr. Salvadori, Mr. Rice, Mr. Colavita. Nays- Zero. Abstentions- Zero.

**Public Portion:**

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

**Reports:** None

**Minutes:**

Motion passed to approve minutes from the special meeting on March 30, 2023.

**Adjournment:**

Meeting was adjourned at 7:15 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: Amy Gallagher, Clerk Transcriber