

Call to Order:

The Zoning Board of Adjustment meeting was called to order at 6:31 p.m. on June 15, 2023 by Chairman Cummiskey 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 2nd 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 June 2, 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. Cummiskey, Mr. Kerr, Mr. Kozak, Mr. Powers, Mr. Rice, Mr. Salvadori, Mr. Seidenberg, Mr. Kernan, Planner, Mr. Fiore, Solicitor, Mr. Heverly, Council Liaison. Also present; Ms. Orbaczewski, Secretary, Ms. Gallagher, Clerk Transcriber. Excused; Mr. Colavita, Mr. Sander, Engineer.

Public Hearings:

1. #23-22 – Lisa Smart – Front Yard Setback Variance

The applicant is requesting a front yard setback variance to allow 22.9 feet where 30 feet is required for the construction of a covered porch on the front of the existing house, along with any other variances or waivers deemed necessary by the Board. The property is located at 618 Westover Court, also known as Block 1404, Lot 7 in the R-2 Zoning District.

Mr. Fiore reviewed the application for the Board. Motion passed to deem the application complete. The applicant was sworn in by Mr. Fiore. Ms. Smart stated that she wants to build a porch to keep the sun from beating on the front of her house, and also for curb appeal. Mr. Salvadori asked where the porch would begin and end on the front of the house. Ms. Smart stated that it would be the length of where the house bumps out in the front. Mr. Kozak asked what the size of the porch would be. Ms. Smart replied that it will come out 8’ 3”, then the full length of the house.

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.

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

Ms. Orbaczewski confirmed with Mr. Fiore and advised the applicant that the approved motion also covers the memorialization of the resolution.

Public Hearings: (continued)

2. #23-23 – David Bonewicz – Lot Coverage Variance

The applicant is requesting a lot coverage variance to allow 42.5% where 30% is the maximum permitted lot coverage, for the installation of an inground swimming pool, along with any other variances or waivers deemed necessary by the Board. The property is located at 261 Rushfoil Drive, also known as Block 103.0201, Lot 17 in the RG-PR Zoning District.

Motion passed to deem the application complete. Mr. Fiore reviewed the application for the Board. The applicant was sworn in by Mr. Fiore. Mr. Bonewicz stated that he would like to install an inground pool and needs a lot coverage variance. Mr. Salvadori asked if the water run off would be affected by this. Mr. Bonewicz stated that the grading plan will route the rain water to where it already naturally drains. Mr. Kozak asked if there was to be any drainage problems he would address it. Mr. Bonewicz replied yes.

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 also stated that the motion will also memorialize the resolution.

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

3. Vincenzo & Marie Cannuscio – Side & Rear Yard Variances

The applicant is requesting a side yard variance to allow 2.4 feet where 5 feet is required and a rear yard variance to allow 2.9 feet where 5 feet is required for the existing shed and concrete patio, along with any other variances or waivers deemed necessary by the Board. The property is located at 1166 W. Malaga Road, also known as Block 9401, Lot 13 in the RD-A Zoning District.

Motion to deem the application complete. Mr. Fiore reviewed the application for the Board. The applicants were sworn in by Mr. Fiore. Mr. Cannuscio stated that he is requesting a variance for the shed. Mr. Kozak asked the applicant how many dogs, and were they registered. Mr. Cannuscio replied they have three dogs and they are registered with the Township. Ms. Cannuscio added they do not plan to get any more dogs. Mr. Fiore stated that if they do plan to get more dogs in the future, they would have to go to the Board of Health for a variance.

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.

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

Public Hearings: (continued)

4. #23-25 – Charles Walker, III – Rear Yard & Lot Coverage Variances

The applicant is requesting a rear yard variance to allow 39.9 feet where 75 feet is required and a lot coverage variance to allow 35% where 30% is required, for the construction of a 433 square foot addition on the existing single-family home, along with any other variances or waivers deemed necessary by the Board. The property is located at 514 Kirkwall Drive, also known as Block 13702, Lot 4 in the R-2 Zoning District.

Motion passed to deem the application completed. Mr. Fiore reviewed the application for the Board. The applicant was sworn in by Mr. Fiore. Mr. Walker stated that he is building an addition so he can move his mother in. Mr. Kozak asked what the addition would consist of. Mr. Walker stated it would be a bedroom, walk-in closet and bathroom. Mr. Kozak stated that if circumstances changed, Mr. Walker could not rent the unit out in the future. Mr. Walker was aware it could not be rented and stated that he did not plan to do that. Mr. Salvadori asked if the addition was going on the back. Mr. Walker replied yes.

Motion approved 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. Kozak asked about the hot tub mentioned in the application packet. Mr. Walker stated that the hot tub was there when he purchased the home, but he has removed it.

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

5. #23-26 – Mark Hagan – Side Yard Variance

The applicant is requesting a side yard variance to allow a 9.9-foot setback where 10 feet is required for an above ground swimming pool and a side yard variance to allow 2.11 feet where 5 feet is required for the existing shed, along with any other variances or waivers deemed necessary by the Board. The property is located at 1508 Beech Court, also known as Block 11203, Lot 16 in the RG-PR Zoning District.

Motion passed to deem the application complete. Mr. Fiore reviewed the application for the Board. The applicant was sworn in by Mr. Fiore. Mr. Hagan stated that he purchased the home with the pool and shed already existing and later found it was not approved. He replaced the pool and didn't think he needed a permit to replace the pool and also needed variances for side yard setback. Mr. Kozak asked if he's had any drainage problems in the last 8 years he's lived there. Mr. Hagan replied no.

Public Hearings: (continued)

5. #23-26 - Mark Hagan (continued)

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.

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

Mr. Kozak excused himself from the meeting at this time.

6. #23-15 – Bonnie Boychuck – Use Variance (continued from 5/18/23)

Ms. Boychuck was present for the hearing. She stated that Stephen Hopkins was not present. Mr. Fiore suggested that Ms. Boychuck could withdraw her application without prejudice, to reapply at a later time when she could be sure that Mr. Hopkins would be able to appear. Mr. Fiore also suggested that she could ask for a continuance or withdraw without prejudice. Mr. Fiore stated that in order to resubmit an application, she would have to pay the applicable fees all over again. Ms. Boychuck stated that she understood that, and that she would have to do certified mail to notice the neighbors. Ms. Orbaczewski also stated that if the application is withdrawn, that she would have to notify the Zoning Officer. Ms. Boychuck stated that she would like to withdraw her application. Mr. Fiore stated that the withdraw would be without prejudice, meaning that she can reapply at any time.

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 the meeting minutes from the 5/18/2023 regular meeting.

Adjournment:

Meeting was adjourned at 7:02 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