

**EAST WINDSOR TOWNSHIP ZONING BOARD OF ADJUSTMENT
MINUTES OF July 16, 2015**

The meeting of the East Windsor Township Zoning Board was held on Thursday, July 16, 2015, in the East Windsor Township Municipal Building, 16 Lanning Boulevard, East Windsor, New Jersey, 08520. Zoning Board Chairperson Rochelle Shifman called the meeting to order at 8:03 p.m.

STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, a notice of this meeting's date, time, place, and agenda was mailed to the news media, posted on the Township bulletin board, and filed with the Municipal Clerk.

ROLL CALL

Members Present: Mr. Bailey, Ms. Berdzik, Mr. Cosenza, Ms. Shifman, Mr. Theokas

Members Absent: Mr. Daniels, Mr. Primiano

Professionals and Staff Present: Allison Quigley, Zoning Board Secretary
Michael O'Donnell, Board Attorney
Liz Lehney, Board Planner

NEW AND REAPPOINTED MEMBERS

Michael Theokas, Term Expires: December 31, 2015

Mr. O'Donnell administered the Oath of Office to Mr. Theokas.

APPOINTMENTS

REPORTS/CORRESPONDENCE/ANNOUNCEMENTS

PUBLIC FORUM

Chairperson Shifman opened the meeting to the public. There being no public comment, the public forum was closed.

MINUTES

February 19, 2015

MOTION TO APPROVE THE FEBRUARY 19, 2015 MINUTES MADE BY: Mr. Cosenza
MOTION SECONDED BY: Ms. Berdzik

ROLL CALL

AYES: Mr. Bailey, Ms. Berdzik, Mr. Cosenza, Ms. Shifman
NAYES: None

ABSTAINS: Mr. Theokas

DISCUSSION ITEMS

APPLICATIONS/PUBLIC HEARING

File #ZB15-001 **Leonard and Shelia Small**
30 Debbie Lane
Block 70.01, Lot 10
East Windsor, NJ
Bulk Variance for Construction of a New Addition

Mr. O'Donnell swore in the applicants Leonard and Shelia Small and the Township professionals.

Mrs. Small stated that she and her husband have lived in the community for over forty years and have lived in their current house since 1982. She stated that while they love their house and community, they are getting older and their two story home may not be feasible for them in the future. Instead of looking to move in the future, they want to remain in their home and build a first story master bedroom addition to suit their changing needs.

Mr. Small entered Exhibit A-1 into evidence, "Dwelling Addition Plot Plan" dated May 12, 2015, a current survey of his property to the Zoning Board that reflects the proposed addition prepared by Princeton Junction Engineering. He stated that the addition would measure 420 square feet, of which 168 square feet would serve as a bedroom and 252 square feet would serve as the third garage. Mr. Small stated that to the right of his property is another residential property and to the left of his property is an East Windsor Township park.

Mr. Small stated that they are proposing to extend the house by twelve feet to the right toward the other residential home, which would reduce the right setback to 9.1 feet from the property line. He stated that however, his neighbor's home is an additional 24 feet from the shared property line, meaning the distance between the proposed addition and their neighbor's home is 33 feet. Mr. Small stated that under the Township ordinance, the two side yards have to equal 40 feet, with a minimum of 10 feet on one side. He added that with the proposed addition, the two side yards would equal 34 feet, with only 9.1 feet on one side. The applicant is seeking a bulk variance from the Board to permit the addition, which would encroach upon the side yard requirements.

Mrs. Small presented Exhibit A-2 to the Board, several pictures of the property as it is currently and the property line between the two homes. She stated that all of the trees along the property line between the two homes would not be removed. She also added that their neighbor does not have any windows facing their property or the proposed addition.

Mr. Bailey asked Mrs. Small if their plan requires any tree removal. Mrs. Small stated that it did not, but some of their shrubs would have to be removed.

Mr. Small presented Exhibit A-3 to the Board, "Sheila and Leonard Small" dated June 1, 2015, which shows an architectural layout of their home and the proposed addition. Mr. Small stated that behind the second existing garage, there is a partial room that currently measures 14 feet by 14 feet. He is proposing to extend that room so it measures 14 feet by 26 feet and can serve as a master bedroom. He explained that this is why they chose to extend their home to the right. He added that they also want to build a 12 foot garage to help accommodate their multiple cars. Mrs. Small added that they're really just looking to enlarge an existing room in their home.

Mr. Small went back to Exhibit A-1. He stated that the driveway would not be enlarged. He also stated that the existing siding is vertical wood siding and is very easy to match, so the addition would match the current house seamlessly.

Ms. Lehney asked the applicant if the two garage bay doors shown on Exhibit A-3 were accurate. Mr. Small stated that the garage doors were relocated to the front during initial construction of their home but the drawings were never updated. Ms. Lehney stated that if the application was approved tonight, the applicant should submit corrected architectural drawings. The applicant agreed.

Ms. Lehney stated that under the Township ordinance, they are required to have a minimum side yard of 10 feet, but the applicant is seeking a variance to permit a side yard of 9.1 feet with the addition. Ms. Lehney stated that the difference is relatively de minimis. However, she added that the other zoning requirement requires that both side yards equal 40 feet, and the proposal is for 32.4 feet. Ms. Lehney added that there is also a building coverage variance, as they are required to remain under 15% but the proposal is for 15.21%. She added that they are well below the impervious coverage requirements for the lot. She stated that all of the requested variances are C variances, and the Board would have to determine if there is undue hardship or if granting the variance would provide benefits to the zoning that outweigh any substantial detriments.

Mr. Cosenza stated that the 9.1 foot dimension on the side yard is only at the front corner of the addition and actually increases towards the rear of the property and becomes conformant with the zoning requirements.

Chairperson Shifman asked the applicant what the purpose of the proposed walkway is. Mr. Small stated that it allows them easier access to their backyard and deck.

Mr. Small stated that grading information was also added to the survey to demonstrate that the addition would not cause any additional runoff water to go towards their neighbors. He added that there is a drainage pipe that runs between the two homes, and the grading will run toward the drain.

Mr. Theokas asked Mr. Small if their neighbors had any testimony to provide or if they had any feelings toward their proposal. Mr. Small stated that he did discuss the addition with his neighbors, and his next door neighbor was in favor of the addition and thought it would look very nice. Mrs. Small stated that they spoke with every neighbor that they had to notify within 200 feet of their home and explained their project to them, and they heard no objections.

Mr. Cosenza stated that not only is this a logical location for the garage addition, but the width and design of the addition is appropriate to the property and surrounding homes. He stated that he would consider this a hardship due to the floor plan of the home that limited their options for the addition.

Chairperson Shifman opened the meeting to the public. There being no comments, the public forum was closed.

MOTION TO APPROVE THE APPLICATION MADE BY: Mr. Cosenza
MOTION SECONDED BY: Ms. Berdzik

ROLL CALL

AYES: Mr. Bailey, Ms. Berdzik, Mr. Cosenza, Ms. Shifman, Mr. Theokas
NAYES: None
ABSTAINS: None

Chairperson Shifman requested that the applicant provide copies of the pictures that were presented this evening and the amended architectural drawings for the application file.

ADJOURNMENT OF MEETING

There being no further business, the meeting was adjourned.

CERTIFICATION OF SECRETARY

I, undersigned, do hereby certify;

That I am the Zoning Board of Adjustment Secretary of the Township of East Windsor Zoning Board of Adjustment and that the foregoing minutes of the Zoning Board of Adjustment, held on July 16, 2015, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Zoning Board of Adjustment this 17th day of September, 2015.



Allison Quigley, Board Administrative Secretary
East Windsor Township