

**A RESOLUTION OF THE
MEDFORD TOWNSHIP
ZONING BOARD OF ADJUSTMENT
RESOLUTION #2021-18**

**INTENDED TO SATISFY THE STATUTORY REQUIREMENT
FOR PREPARATION OF AN ANNUAL REPORT ON ITS FINDINGS
ON ZONING ORDINANCE PROVISIONS
WHICH WERE THE SUBJECT OF VARIANCE REQUESTS AND
ITS RECOMMENDATIONS FOR ZONING ORDINANCE AMENDMENT OR REVISION**

WHEREAS, The Municipal Land Use Law requires the Board of Adjustment to review the decisions on development applications and prepare and adopt a resolution reporting on its findings with respect to Zoning Ordinance provisions which were the subject of variance requests and to make recommendations for Zoning Ordinance modifications or amendment, if any, and that a copy of the report and resolution be provided to the Township Council and to the Planning Board (N.J.S.A. 40:55D-70.1); and

WHEREAS, the Board has compiled a list of applications heard and considered during 2019 with respect to various development applications (a copy of which is attached as Appendix A); and

WHEREAS, the Board has reviewed actions taken regarding development applications heard during 2019, and is desirous of providing a report as provided by statute;

WHEREAS, the Medford Township Zoning Board of Adjustment has made the following findings of fact consequent to its review of activity with respect to development applications during 2019, that:

Findings of Fact:

1. The Board held hearings each month of the calendar year, except February. The Board heard and decided upon 17 applications. Of these, 16 were approved and one (1) was denied.
2. The one (1) denied application was a “d(1)” use variance with “(c)2” variances to permit a drive-through with associated commercial strip development within the CC Community Commercial District, which exceeded the permitted coverage and did not provide sufficient buffers.
3. Of the 16 approved applications, seven (7) were not in residential districts; 1.) six (6) applications were for “d” variances within the PPE Park Public Education, RHO Residential Home Occupation, AR Agricultural Retention, CC Community Commercial, and HVC Historic Village Commercial Districts, and 2.) one (1) was for “c(2)” variance to permit an electronic sign within the CC Community Commercial District.

- a. A "d(1)" use variance to permit a school to operate on the YMCA Ockanickon Campus within the PPE District.
 - b. Two (2) "d(1)" use variance to permit 2 dwellings within the RHO as cooperative sober living houses, where tenants or boarders are not protected by tenant law but permitted to be removed from the residence for non-compliance with house rules as set by management.
 - c. A "d(1)" use variance to permit a winery within the AR District.
 - d. A "d(2)" expansion of a nonconforming use variance for an existing repair facility to an adjoining property within the CC District.
 - e. A "d(1)" variance to permit an arcade within the HVC District.
 - f. A "c(2)" variance to permit an electronic sign within the CC District.
4. Of the 16 approved applications, nine (9) applications were for residential uses within residential zones and requested "c" bulk variances.
- a. The nine (9) requests were approved as follows, 1.) three (3) variances to permit an increase lot coverage within the RGD-1 and RGD-2 Regional Growth Districts 1 and 2 for dwelling additions and in ground pool, including one (1) application seeking principal structure setback deviations within the RGD-1 District, 2.) four (4) variances within the GD Growth Management Area South District sought lot coverage increases for additions, driveways, and a pool, 3.) one (1) variance to permit a fence exceeding the permitted height limit within the front yard within the GD District, and 4.) one (1) application sought an oversized garage within the AR Agricultural Residential District.
 - b. Of the nine (9) approved residential "c" bulk variances in residential zones, were improvements to existing residences. Of the nine (9) approved, two (2) were located within the RGD-2 District, five (5) within the GD District, one (1) within the RGD-1 District, and one (1) within the AR District.
 - c. Of the five (5) applications in the GD Growth District, four (4) required impervious coverage relief; and of those five (5), two (2) required building coverage relief.
 - d. All three (3) applications in the RGD-1 and 2 Reserved Growth Districts included relief related to lot coverage exceedances.

APPENDIX A ATTACHED

2019 Medford Township Zoning Board Annual Report

Appendix A

Res No.	Applicant	Block	Lot	Address	App#	Zone	Principal Setback			Building Coverage	Lot Coverage	Accessory Structures				Other Bulk Variances/notes	Use Variances	Action	
							Front	Side	Rear			Side	Rear	Size (SF)	#				
8	YMCA Camp Ockanickon	5101.01	1, 8, 11, & 13	1303 Stokes Road	ZVE-1033	PPE											Use Var to permit existing Sudbury School to enroll students grade K-12	Y	
9	Timothy Meise - Empower Recovery	2003	11	112 S. Main Street	ZVE-1029	RHO											Cooperative Sober Living Residence ("Sober House")	Y	
10	Timothy Meise - Empower Recovery	2003	10	118 S. Main Street	ZVE-1029	RHO											Cooperative Sober Living Residence ("Sober House")	Y	
12	Adam Taylor	302	47	236 Mount Holly Road	ZVE-1036	AR											Detached 60' pole-barn garage 30' x 45'	Y	
13	Thornberry Holdings, LLC	804	2.02	50-52 Eayrestown Road	ZVE-1038	AR											Use Var to permit wine production, catered public and private events, retail/wholesale wine sales. Accessory uses: grape juice processing, delivery, tasting, onsite offices, and a caretaker unit.	Y	
14	Nicholas Fifis	6401	49	36 MacClesfield Drive	ZVE-1039	RGD-2				23.25/20%							Lot coverage deviation is not substantial and related to the undersized lot (1.01/1.25ac Required.) Rear covered porch, outside grill area, design waiver for existing driveway.	Y	
17	Margaret Reihl	2701.06	11	102 Indian Springs Lane	ZVE-1040	GD					39.99/30%						Requesting 10' x 12' shed in front yard, existing paved patio, design waiver for horseshoe driveway.	Y	
18	Michael & Louise Irvin	3804	5	9 Forest Avenue	ZVE-1041	GD				19.86/12%	35/30%		10'				In-ground swimming pool, rear setback 10' provided /15' required	Y	
19	Wally J. Burdalski	3606	7	20 Woodland Avenue	ZVE-1045	GD	25.6/50'	25.6/30'	39.1/50'	17/12%				3.7 & 4.2/15'			257 SF addition to Single-Family dwelling, existing shed (rear setback 4.2/5'), 374 SF Paver Patio	Y	
20	Hiram & Associates, LLC	805.02	25 & 26	122 & 124 Mt. Holly Rd.	SPR-5748	CC											Site Plan Waiver	Expansion of Nonconforming Use; Site Plan Waiver; and unenclosed storage	Y
21	DePetris Family Associates 2, LLC	2702.01	12.03	200 Tuckerton Road	ZVE-1044	CC					70.9/63%						undersized parcel and proposed retail building design, Min lot area 0.898/2.5 ac, Min lot frontage 153.9/300', parking 33/95 spaces. Front buffer 18.6, 17.2, 14.4/40', side yard buffer 8.8, 10.1/15' Building height >27/27', flat roof no slope	Use Var to construct a 6,379 SF retail building with 4 tenants, including Dunkin Donuts drivethru	N
22	Steve & Susan Scassero	5104.02	9	1414 Stokes Road	ZVE-1046	RGD-1		20.65/50'4 8/50'	95.4/100'		22/15%						299 SF addition, 7- SF covered porch, 160 SF accessory Shed	Y	
23	Jason & Victoria Pinette	4801.05	3	14 Nelson Drive	ZVE-1047	GD					35/30%						288 SF in-ground pool, 238 sf concrete walkway, 56 SF shed, 19.2 SF wooden deck	Y	
24	Roger Wagner - Ott's Restaurant	4801.01	24.01	656 Stokes Road	ZVE-1048	CC											5' x 9' LED monument sign	Y	
24a	Roger Wagner - Ott's Restaurant	4801.01	24.01	656 Stokes Road	ZVE-1048	CC											Amended resolution see above sign	Y	
25	Valerie Meslin	6401	49	24 Pendleton Court	ZVE-105	RGD-1					25.2/20%						Construction of in-ground swimming pool and concrete decking	Y	
26	Kevin & Melissa Looney	3202.04	1	100 Heath Road	AVE-1055	GD											Fence on corner lot, 6' proposed 4' required - wood required	Y	
27	Craig Coccaro	1602	6.02	32 North Main Street	SPR-1054	HVC											Use Var for classic arcade	Y	

BE IT RESOLVED, that a few residential applications were in the GD Zone, which continues the trend from previous years. The Board recommends investigation of the land development patterns in the GD Zone to determine if ordinance amendments are appropriate, particularly with respect to building and lot coverage.

BE IT FURTHER RESOLVED, that a few residential applications were in the RGD Districts, which also continues a trend from previous years for lot coverage variances, however, no immediate trend warrants further review.

BE IT FURTHER RESOLVED, that a copy of this annual resolution be provided to the Secretary for the Medford Township Planning Board for dissemination to members of the Planning Board, as well as to the Township Clerk for dissemination to the Township Council of the Township of Medford, and respective legal counsel.

ROLL CALL VOTE

Those In Favor:

Those Opposed:

Attest:



Beth Portocalis

By:


Donna Symons, Chair

Dated: 4/23/21

Date of Approval: April 21, 2021

Date of Memorialization: April 21, 2021