

**MEDFORD TOWNSHIP  
ZONING BOARD OF ADJUSTMENT MEETING**

**18 December 2019**

**7:00 p.m.**

**Public Safety Building**

Attorney Norman called the meeting to order at 7:05 p.m. and read the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Law.

**ROLL**

Present: Hamilton, Pullman, Wolf, Simmers, Cocivera, Symons  
Absent: Benstead, Lane  
Professional Staff: Attorney Christopher Norman, Planner Michelle Taylor, Secretary Beth Portocalis

**PLEDGE OF ALLEGIANCE**

**MINUTES:**

November 14, 2019 Regular Meeting – Vice Chairman Cocivera made a motion to approve the November 2019 Zoning Board Regular Meeting Minutes. Mr. Pullman seconded the motion. A unanimous voice vote of all other Board members carried the motion.

November 14, 2019 Executive Session #1 – Vice Chairman Cocivera made a motion to approve the November 2019 Zoning Board Executive Session #1 Minutes. Mr. Simmers seconded the motion. A unanimous voice vote of all other Board members carried the motion.

November 14, 2019 Executive Session #2 – Vice Chairman Cocivera made a motion to approve the November 2019 Zoning Board Executive Session #2 Minutes. Mr. Wolf seconded the motion. A unanimous voice vote of all other Board members carried the motion.

**REPORTS:** None

**EXECUTIVE SESSION:** Vice Chairman Cocivera made a motion to convene in Executive Session at 7:11 pm. Mr. Wolf seconded the motion. A unanimous voice vote of all other Board members was in favor. The regular meeting re-convened at 7:31 pm.

**CORRESPONDENCE:** Ian Kerner (Block 402: Lot 2.02 – Medford Evesboro Road) requesting a second one-year extension for Bulk Variance approvals granted per Resolution 2018-8 to construct a detached garage.

Vice Chairman Cocivera made a motion to approve the extension request for one additional year. Mr. Wolf seconded the motion.

**Recorded Vote:**

Ayes: Hamilton, Wolf, Pullman, Simmers, Cocivera, Symons  
Nays: None  
Abstentions: None  
Motion carried: 6 - 0 - 0

---

**RESOLUTION MEMORIALIZATIONS:**

Robert Wagner/Ott's Restaurant, 656 Stokes Road, Block 4801.01, Lot 24.01. ZVE -1048. Memorialization of Amended Resolution 2019-24A for Monument sign with LED component.

Medford Township Zoning Board  
18 December 2019  
2

Recorded Vote:

Ayes: Wolf, Pullman (2), Simmers, Cocivera (M), Symons  
Nays: None  
Abstentions: None  
Motion carried: 5 - 0 - 0

---

**Kevin & Melissa Looney, 100 Heath Road, Block: 3202.04, Lot: 1, ZVE-1055,**

Bulk Variance approval to install a 4'H picket fence at the rear of the property and a 6' privacy fence facing the secondary street at Tuckerton Road. **Zone: GD**

Recorded Vote:

Ayes: Hamilton, Wolf (2), Pullman, Cocivera (M), Symons  
Nays: None  
Abstentions: None  
Motion carried: 5 - 0 - 0

---

**Craig Cocco, 32 North Main Street, Block: 1602, Lot: 6.02, ZVE-1054,**

Use Variance approval to permit an arcade business. **Zone: HVC**

Paul Gerike, Attorney for Mr. Cocco, requested a clarification of the part of the Resolution which stated that BYOB is not being contemplated at this time, as he believes it to be ambiguous. The Board members responded that a question was specifically asked if BYOB was proposed to be a part of the business operation, and Mr. Cocco responded that he had no present intention. Board members discussed that had Mr. Cocco responded yes, additional questioning would have ensued and added conditions may have been imposed. Mr. Norman stated that the applicant would need to come back to the Board should he wish to add BYOB services to the business; predicated on prior approval from the State Alcoholic Beverage Control Board. Mr. Cocco added that it was not his original intent to offer BYOB, however he had received multiple inquiries since the Board's approval of the business was publicized. He will come back to the Board to request BYOB approval if and when he has ABC Board approval to offer this service.

Accordingly, the Resolution was put to a vote as prepared by Mr. Norman.

Recorded Vote:

Ayes: Hamilton, Wolf, Pullman (2), Cocivera (M), Symons  
Nays: None  
Abstentions: None  
Motion carried: 5 - 0 - 0

---

**APPLICATIONS/OFFICIAL:**

**Lisa Mikulak, 188 S. Lakeside Drive E., Block: 4903, Lot: 149, ZVE-1050,**

Application for Reconsideration of the Bulk Variance denial of a driveway of 630sf with two road openings; and a reduction in the size and setback relief for a shed. Originally proposed Building Coverage 12% required, 21.70% existing, 21.70% proposed; Lot Coverage 30% required, 32.22% existing, 38.46% proposed. Shed requires a 15' side yard setback and 5' is proposed. Two driveway openings are prohibited. **Zone: GD**

*(Carried to the January 2020 meeting to allow professionals additional time to consider the Mikulak's letter of reconsideration request and supporting documentation.)*

**Public: None**

Recorded Vote to carry:

Ayes:	Hamilton, Wolf, Pullman (2), Simmers, Cocivera (M), Symons
Nays:	None
Abstentions:	None
Motion carried:	6 - 0 - 0

---

**David Hernandez & Kelly Monoky, 511 Fairview Road, Block: 5507.01, Lot: 11.07, ZVE-1052,**

Bulk Variance for an existing shed (80sf) to be located in rear yard. Lot Coverage 40.89% existing, 42.75% proposed, 30% permitted. **Zone: RGD-2**

**SWORN:** David Hernandez and Kelly Monoky, Applicants

Mr. Hernandez opened the testimony by explaining that the proposed shed is needed for storage for his growing family. The residence is part of a small duplex with no attic storage. The existing yard is very small and does not leave sufficient space to meet the setback requirements. There are woods in the rear of the property beyond the rear yard.

The shed is being constructed by Mr. Hernandez and will resemble the exterior of the dwelling. T-111 will be used and painted the same color. The roof shingles will match the house. There will be no lighting and no walkway from the dwelling to the shed.

Mrs. Taylor explained that the rear yard setback is a private covenant between the property owners and the Tamarac HOA; and the HOA approved the Homeowners Courtesy notice. The only relief to be granted by the Board is for lot coverage.

**PUBLIC:** None

Vice Chairman Cocivera made a motion to close the public portion. Mr. Hamilton seconded. The voice vote was unanimous.

Vice Chairman Cocivera made a motion to approve an 80 sf shed and lot coverage at 42.75%; and the colors to match the dwelling. Mr. Hamilton seconded the motion.

Recorded Vote:

Ayes: Hamilton, Wolf, Pullman, Simmers, Cocivera, Symons  
Nays: None  
Abst.: None  
Motion approved: 6 -0- 0

---

**Jason Green & Angela Conti, 52 Sunrise Court, Block: 5301.15, Lot: 15, ZVE-1049,** Bulk Variances required to construct a 652 sf in-ground pool. Building Coverage 15.4% existing, 15.4% proposed, 10 % permitted; Lot Coverage 31.9% existing, 35.2% proposed, 20% permitted. **Zone: RGD-1 (\*\*Carry to January 15, 2020 meeting)**

---

**Dynamic Flooring, 751 Stokes Road, Block: 4802, Lot: 14.02, ZVE-1056,** Bulk Variances required to construct a 750 sf storage area to primary commercial building on a non-conforming lot. Front yard setback 52.7' existing, 52.7' proposed, 65' required; Side yard setback 11.2' existing, 3.4' proposed, 15' required; Rear yard setback 9.3 existing, 9.3 proposed, 40' required. Floor area ratio .22 existing, .336 proposed; 275 required. Building Coverage 20.39 % existing, 30.51 % proposed, 25% permitted. Lot Coverage 78% existing, 89% proposed, 65% permitted. Parking spaces 6 existing, +5 proposed, 11 required. **Zone: CC**

**SWORN:** Paul Gerike, Esq.  
Stephen Melchiorre, Owner of Dynamic Flooring  
John Helbig, Planner, Guzzi Engineering

Mr. Melchiorre began his testimony by stating his current business location is 745-747 Stokes Road, which is the adjoining lot that houses several buildings. His space is situated in the back and tucked behind the Lakes Office Supply/Post Office building. He has occupied this space for over 13 years. The majority of his work is as a sub-contractor, but he has been looking for a building to create a showroom area. He added that twice his current storage area, which is underneath the office, has flooded and each time he lost over \$50,000 worth of inventory.

This property houses a long vacated building that provides sufficient showroom and office space, but storage space is needed. This site also provides better visibility to the Stokes Road commercial and residential corridor. Mr. Melchiorre's business has a strong business presence throughout Burlington County, and as such his business flow is appointment driven. The showroom will stock samples of products offering, primarily flooring and carpets

Operating hours will be weekdays 9 am – 5 pm, and Saturdays 9 am – 1 pm. Deliveries would be received weekdays between 7 and 8 am via box truck. Very few tractor trailers make deliveries.

This is the current delivery process taking place at the property next door. All deliveries are special orders for contracted jobs, and the turnaround to transport to job sites is average two weeks. Mr. Melchiorre has only one employee; the rest are subs that report directly to each job site.

Mr. Melchiorre continued that this proposal is not an addition, but rather an enclosed and attached storage area located right next to the existing building. The front of this storage area will have a roll-up door and a door in the rear. There are no internal doors leading to the office/showroom. The roll-up door will be 8 feet in height and will be concealed by barn style doors to create an enhanced visual aesthetic. A wooden sign illuminated with goose-neck lighting would be situated over the barn doors. Building mounted motion sensor lights for security will be included. Down-lighting will be installed under the soffits. The exterior of the storage area will be the same color of the existing building; both to be painted a creamy beige/gray. Hardy plank rather than stucco will be used on the buildings due to existing termite damage.

There are a sufficient number of parking spaces for staff since that vast majority of customers are pre-scheduled one at a time. Mr. Gerike, who owns the adjoining property, and Mr. Melchiorre, indicated they would be willing to enter into cross easements for shared parking.

Mr. Helbig was next to testify. He described the unique features of this 6,720 sf lot. The existing building is one story consisting of a total of 1510 sf, including a small 25 sf atrium entrance. A 750 sf attached storage area is being proposed. The existing configuration of the non-conforming lot necessitates the multiple variance relief. The existing building is over 60 years old, thus pre-dating current zoning ordinances. The Floor Area ratio is a D4 variance request, however the ratio relief should be granted due to the low intensity of proposed use; which could be more intensive given other permitted uses in the Community Commercial Zoning District. The lot can accommodate this use with no substantial detriment to the Master Plan. Being surrounded by other commercial businesses and woods to the rear, there are no negative impacts. This application is consistent with the Zoning ordinances and is a permitted use. The repurposing of a long vacant building is an enhancement to this major commercial area in the Township, and Mr. Melchiorre has proposed architectural enhancements that will result in a desirable visual impact.

Chairwoman Symons asked if a handicapped parking space is being provided. Mr. Helbig replied none are being proposed, but that the building provides handicapped accessibility, and Mr. Melchiorre will provide for one if required as determined by the Construction Code Official.

Vice Chairman Cocivera asked about trash. Mr. Melchiorre responded that he will continue to use the dumpster area located at the rear of his current location. This trash is collected a few times a week. Upon further Board questioning, Mr. Melchiorre and Mr. Gerike explained that dumpster area cannot be enclosed because of the lack of a turning radius due to the location of the multiple buildings on that lot. Mr. Gerike and Mr. Melchiorre agreed to add access to the dumpster area to the cross easements along with the aforementioned shared parking.

Mrs. Taylor recommended the waiver for the street trees, as the County will deny any in their Right-of-Way. The existing monument sign may remain in the ROW, as if it is refaced only it will be pre-existing/non-conforming. As per her letter dated November 18, 2019, the site layout caused the need for most of variance relief sought. It has been vacant for a number of years, so this application represents a significant improvement. Based upon Mr. Hamilton's questions, Mrs. Taylor confirmed that no other development can take place next door due to existing wetlands.

**PUBLIC:** None

Vice Chairman Cocivera made a motion to close the public portion. Mr. Pullman seconded. The voice vote was unanimous.

Vice Chairman Cocivera made a motion to approve the application for the 750 sf storage area, with the waiver granted for the streetscape trees; and the conditions that (1) the colors match; (2) the roll-up door height not exceed 8' height; (3) down-lighting under the soffits and gooseneck lighting on a conforming sign over the delivery door; (4) execution of cross easements for parking and dumpster use; and (5) a handicapped parking space to be provided as determined by the Construction Code Official. Mr. Simmers seconded the motion.

Recorded Vote:

Ayes:	Hamilton, Wolf, Pullman, Simmers, Cocivera, Symons
Nays:	None
Abst.:	None
Motion approved:	6 -0- 0

---

A brief recess was taken at 8:50 pm. The meeting resumed at 8:57 pm

**John Holsinger, 46 Oakwood Drive, Block: 2705, Lot: 6, ZVE-1057,** Bulk Variances to construct a 325 sf addition to the rear of dwelling on a non-conforming lot. Front setback 65.3' existing, 65.3' proposed, 50' required; one side yard setback 5.7' existing, 5.7' proposed, 30' required; second side yard setback 14.3' existing, 14.3' proposed, 30' required; rear yard setback 50.8' existing, 37.8' proposed, 50' required. Building Coverage 18 % existing, 20% proposed, 12 % permitted. **Zone: GD**

SWORN: John Holsinger, Owner

Mr. Holsinger opened his testimony by stating that he needs the addition for his growing family, as his mother and disabled father-in-law will be moving in. When planning the addition, it was determined that a second story would be too cost prohibitive. Due to the layout of the house, no other placement was feasible, and the location of the addition onto the rear of the dwelling was the best suited location. It will be attached to the existing laundry room. The attached porch will remain with a slider door. The addition will match the house in color and roof shingles, and if his budget allows the entire dwelling will be re-sided.

Medford Township Zoning Board

18 December 2019

7

No new or additional lighting is proposed. The addition will extend 13' beyond the existing setback. No trees will be removed.

Mrs. Taylor explained that there is a kitchenette in the proposed addition, which is attached to the primary dwelling. Thus it is not a separate living unit or a two family dwelling as defined. It is an accessory use to the single family dwelling. Mr. Holsinger stated the kitchenette will have a small refrigerator, a bar sink and a microwave.

He concluded that the HOA has approved the addition, and no neighbors have expressed any reservations to his plans.

**PUBLIC:** None

Vice Chairman Cocivera made a motion to close the public portion. Mr. Simmers seconded. The voice vote was unanimous.

Vice Chairman Cocivera made a motion to approve the application as proposed. Mr. Pullman seconded the motion.

Recorded Vote:

Ayes:	Hamilton, Wolf, Pullman, Simmers, Cocivera, Symons
Nays:	None
Abst.:	None
Motion approved:	6 -0- 0

---

**Meredith Gilsleider, 22 Sandtown Road, Block: 807, Lot: 2, ZVE-1059**, Bulk Variance required to exceed the height of a 768 sf detached garage; 24' H proposed, 20'H permitted.

**Zone: AR**

SWORN: Meredith Gilsleider and Shane Gardner, Owners

Ms. Gilsleider opened the testimony by detailing the property which only has a below grade area which is too small to park a vehicle (8' x 7.5'), so it is currently used for yard equipment. Proposed is a two-car garage. The second story of the proposed garage will be unfinished and used for storage. There will be no living space. The first story will have HVAC and lighting for the protection of the items stored, including sports equipment.

The garage will match the house. The exterior will have three scones and motion-sensored flood lights for security on the front corners due to the remote location of the property. There will be no impact on neighboring properties, which are located quite a distance aware.

Mrs. Taylor did clarify that the height variance request should be 26 feet, as the garage is designed with a gabled roof. This will be the same height as the dwelling due to the grading on the property.

**PUBLIC:** None

Vice Chairman Cocivera made a motion to close the public portion. Mr. Pullman seconded. The voice vote was unanimous.

Vice Chairman Cocivera made a motion to approve the application, with a maximum height of 26 feet, and 768 total square feet; and the conditions (1) there is no living space; (2) use will be for storage purposes only; (3) exterior lighting as per testimony; and (4) cold water service only for hose bib connector. Mr. Simmers seconded the motion.

Recorded Vote:

Ayes:	Hamilton, Wolf, Pullman, Simmers, Cocivera, Symons
Nays:	None
Abst.:	None
Motion approved:	6 -0- 0

---

**GENERAL PUBLIC:**

Douglas Poppalardo, 5 Teaberry Court

Mr. Poppalardo wanted to appeal to the Zoning Board the Zoning Official's denial of his Zoning Permit. As the Board was not notified in advance, he was advised by Mr. Norman that the Board could not hear an appeal. However, Mr. Poppalardo did briefly explain that he was denied because he did not have an approved Homeowner's Courtesy Review. Mr. Norman did state that Mr. Poppalardo's rights would be preserved by sending an email to the Zoning Official; and further by sending another Homeowner's Courtesy review notice to the HOA via Certified Mail and sending the receipt of notice to the Zoning Official.

Vice Chairman Cocivera made a motion to close the public portion. Mr. Hamilton seconded. The voice vote was unanimous.

**ADDITIONAL ACTIONS:** Chairwoman Symons thanked Christopher Benstead and Lucinda Lane for their dedicated service as Board members, and also thanked the Board professionals for their detailed work on behalf of the Board's applicants. In turn, the Board members collectively thanked Chairwoman Symons for her leadership.



Medford Township Zoning Board  
18 December 2019  
9

**MOTION FOR ADJOURNMENT:**

Vice Chairman Cocivera made a motion to adjourn the Zoning Board of Adjustment meeting at 9:40 pm. Mr. Wolf seconded the motion. The voice vote was unanimous.



---

Beth Portocalis, Zoning Board Secretary & Recording Secretary