

**MEDFORD TOWNSHIP
ZONING BOARD OF ADJUSTMENT MEETING**

15 May 2019

7:00 p.m.

Public Safety Building

Attorney Norman called the meeting to order at 7:02 p.m. and read the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Law.

ROLL

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

PLEDGE OF ALLEGIANCE

MINUTES:

April 17, 2019 Regular Meeting – Mr. Pullman made a motion to approve the April 2019 Zoning Board Regular Meeting Minutes. Mr. Wolf seconded the motion. Vice Chairman Cocivera recused himself. A unanimous voice vote of all other Board members carried the motion.

April 17, 2019 Executive Session – Mr. Benstead made a motion to approve the April 2019 Zoning Board Executive Session Minutes. Mr. Pullman seconded the motion. Vice Chairman Cocivera recused himself. A unanimous voice vote of all other Board members carried the motion.

REPORTS: Annual Report discussion & adoption moved to the end of the Agenda

CORRESPONDENCE: None

EXECUTIVE SESSION: None

RESOLUTIONS:

#2019-14: Nicholas & Lori Fifis, 6401/49, 36 Macclesfield Drive, ZVE-1039, Bulk Variance approval to construct a rear covered porch & outside grilling area exceeding lot coverage - 19.97% existing, 22.99% proposed, 20% permitted. Design waiver for existing driveway. Zone RGD-2.

Recorded Vote:

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

#2019-15: Appointing Robert Kingsbury, Esq. as Conflict Attorney

Recorded Vote:

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

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#2019-16: Appointing Jerry Dasti, Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris, & Conners as Conflict Attorney

Recorded Vote:

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

APPLICATIONS/OFFICIAL:

Margaret Reihl, 2701.06/11, 102 Indian Spring Lane, ZVE-1040. Bulk Variance request for existing 120 sf shed in the front yard on a corner lot with two front yards (Tavistock Drive & Indian Spring Lane). Building Coverage 12.85 % existing, 12.85% proposed, 12% permitted; Lot Coverage 39.42% existing, 39.99% proposed, 30% permitted. Design Waiver required for existing horseshoe driveway. Retroactive approval for patio (214 sf) & screened-in porch (154 sf). **Zone: GD**

SWORN: Margaret Reihl, Owner

Mrs. Reihl opened the testimony by explaining that she purchased the property in 2018. The driveway, patio, porch, and fence were existing. She added the shed to store lawn equipment, bicycles, surfboards and other items. The three car attached garage is used for three family vehicles and two motorcycles. The shed was placed close to the driveway as there is no back yard access because of existing trees and also the ground is perpetually soft because of standing water. Mrs. Reihl also noted there is no pool as noted in Mrs. Taylor's letter of May 10, 2019.

Mrs. Taylor advised the Board that Variance relief is also required for the patio setback; where 30' is existing and 50' is required. Mrs. Taylor also added that the shed location does meet the CI Variance criteria, as it is the best location being on the driveway on the garage side of the house and the access is easier for the items stored inside. As per her letter, the Board may wish to consider some added shrubbery to enhance the view and partially screen the shed.

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 the application, including the design waiver for the driveway and the setback for the patio; and retroactive approval of the existing fencing; with the condition that (1) rhododendrons or other shrubbery is added for screening of the shed. Mr. Wolf seconded the motion.

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Recorded Vote:

Ayes: Benstead, Wolf, Pullman, Simmers, Cocivera, Symons
Nays: Hamilton
Abst.: None
Motion carried: 6 - 0 - 1

Michael & Louise Irvin, 3804/15, 9 Forest Avenue, ZVE-1041 Bulk Variance request to construct a 442-sf in-ground pool. Building Coverage 19.86% existing; 19.86% proposed; 12% permitted. Lot Coverage 26.8% existing, 32.7% proposed, 30% permitted. Rear Yard Setback 10' proposed, 15' permitted. **Zone: GD**

SWORN: Louise Irvin, Owner

The testimony opened with Mrs. Taylor explaining a discrepancy on the Building & Lot Coverage worksheet. A former application submitted in 2012 had noted 24% Lot Coverage. This was incorrect. The applicant had received prior approval for 34.6% Lot Coverage. Line #24 should have read 26.17%. The proposed pool and concrete walkway totals 576 sf. So the requested Lot Coverage should be 34.84%. The rear yard setback variance relief as proposed is correct; 15' required; 10' proposed.

Mrs. Irvin detailed for the Board that the pool will also provide therapeutic benefits for her two children. No trees will be removed; and the property already has multiple garden areas. It is a small yard, and the pool will only be a few steps from an existing deck and paver patio area. The pool equipment will not be in a shed, it will be on a concrete slab. Board members recommended that Mrs. Irvin amend her request to increase the lot coverage variance to 35% for the pool equipment slab and a few steps or walkway to the pool. Mrs. Irvin concurred.

PUBLIC: None

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

Mr. Hamilton made a motion to approve the application as submitted, with an increase of the lot coverage to 35% and the rear yard setback of 10'. Vice Chairman Cocivera seconded the motion.

Recorded Vote:

Ayes: Benstead, Hamilton, Wolf, Pullman, Simmers, Cocivera, Symons
Nays: None
Abst.: None
Motion carried: 7 - 0 - 0

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ADOPTION OF 2018 ANNUAL REPORT

Board members had no additional questions on the 2018 Annual Report as distributed and summarized by Mrs. Taylor at the April meeting.

Mr. Pullman made a motion to approve the 2018 Annual Report as prepared by Mrs. Taylor. Mr. Wolf seconded the motion.

Recorded Vote:

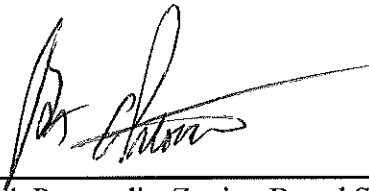
Ayes:	Benstead, Hamilton, Wolf, Pullman, Symons
Nays:	None
Abst.:	Cocivera, Simmers
Motion carried:	5 - 0 - 0

GENERAL PUBLIC: None

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

MOTION FOR ADJOURNMENT:

Vice Chairman Cocivera made a motion to adjourn the Zoning Board of Adjustment meeting at 7:55 pm. Mr. Hamilton seconded the motion. The voice vote was unanimous.



Beth Portocalis, Zoning Board Secretary & Recording Secretary