

## **West Windsor Township Zoning Board of Adjustment**

### **Minutes – Regular Meeting**

**July 23, 2020**

The regular meeting of the Zoning Board of Adjustment was called to order at 7:00 p.m. on Thursday, July 23, 2020 by Edwin Schmierer, Esq., in Meeting Room A of the Municipal Building.

#### **STATEMENT OF ADEQUATE NOTICE**

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

#### **ROLL CALL AND DECLARATION OF QUORUM**

Present:        John Church  
                 Eugene Fridkin  
                 Michael Garzio  
                 Curtis Hoberman  
                 Henry Jacobsohn  
                 Daniel Marks  
                 John Roeder  
                 Carl Van Dyke

#### **CHAIR'S COMMENTS & CORRESPONDENCE**

Vice Chair Hoberman asked why 2019 minutes are on the agenda in 2020. Mr. Surtees explained that the recording secretary has been working as the Planning and Zoning Coordinator for Princeton in addition to assisting with West Windsor Planning Board meetings in 2019 and has been inundated with minute preparation. The draft minutes scheduled for review tonight have been prepared in 2020.

#### **REORGANIZATION**

Appointment of Administrative Secretary - Erika Ward

Motion was made by J. Roeder and seconded by H. Jacobsohn to appoint Erika Ward as the Administrative Secretary for the Zoning Board. The vote was 8-0 in favor. Motion carried.

#### **MINUTES**

1. July 25, 2019 - Motion was made by J. Roeder and seconded by H. Jacobsohn to approve the minutes of July 25, 2019 as amended. The vote was 6-0 in favor of those eligible to vote.
2. August 22, 2019 - Motion was made by J. Roeder and seconded by C. Van Dyke to approve the minutes of August 22, 2019 as amended. The vote was 5-0 in favor of those eligible to vote.
3. September 5, 2019 - Motion was made by J. Roeder and seconded by J. Church to approve the minutes of September 5, 2019. The vote was 6-0 in favor of those eligible to vote.
4. September 26, 2019 - Motion was made by C. Van Dyke and seconded by M. Garzio to approve the minutes of September 26, 2019 as amended. The vote was 6-0 in favor of those eligible to vote.
5. October 24, 2019 - Motion was made by J. Roeder and seconded by J. Church to approve the

- minutes of October 24, 2019 as amended. The vote was 7-0 in favor of those eligible to vote.
6. November 7, 2019 - Motion was made by J. Roeder and seconded by H. Jacobsohn to approve the minutes of November 7, 2019 as amended. The vote was 7-0 in favor of those eligible to vote.

### **PUBLIC COMMENT**

No comments were provided.

### **APPLICATIONS**

- a) **ZB19-01**  
**PRINCETON RESEARCH LANDS**  
**Request for 1 year extension of approval**  
Block 23, Lot 110; 1530 Old Trenton Road  
Property Zoned: RR/C District  
MLUL: N/A

Vice Chair Hoberman advised that on June 6, 2019 approval had been granted for bulk variance approval for two properties (lots 110 and 111) on Old Trenton Road but the owner, Bryce Thompson, died on June 21, 2019 and the lots became part of his estate subject to estate evaluation. The executor is constrained from putting up the properties until this process has been completed. A one year extension of the two approvals (ZB19-01 and ZB19-02) have been requested in correspondence received from the applicant's attorney dated March 5, 2020.

Archibald Reid, Esq., appeared on behalf of the applicant, and stated he was present if there were any questions.

The meeting was opened to the public. No one addressed the Board therefore the public portion of the meeting was closed.

Motion was made by J. Roeder to approve the application for a one year extension of time, motion was seconded by J. Church. The vote was 7-0 in favor. Motion carried.

For: Church, Garzio, Hoberman, Jacobsohn, Marks, Roeder, Van Dyke  
Against: No one  
Abstain: No one

- b) **ZB19-02**  
**PRINCETON RESEARCH LANDS**  
**Request for 1 year extension of approval**  
Block 23, Lot 111; 1602 Old Trenton Road  
Property Zoned: RR/C District  
MLUL: N/A

Motion was made by J. Roeder to approve the application for a one year extension of time, motion was seconded by J. Church. The vote was 7-0 in favor. Motion carried.

For: Church, Garzio, Hoberman, Jacobsohn, Marks, Roeder, Van Dyke  
Against: No one  
Abstain: No one

- c) **ZB19-05**  
**MICHEL MCMASTER**  
"c" bulk variance  
Block 42, Lot 9; 16 Fairview Avenue  
Property Zoned: R-20 District  
MLUL: 9/30/20

Edwin Schmierer, Esq., legal counsel for the Board, advised that proof of service is in order and the Board has jurisdiction.

Michael McMaster, owner and applicant, was sworn in and stated that the proposal is for the installation of a 14' x 20' shed in the rear yard of his property which is similar in design and in line with other sheds and/or garages in the Penn's Neck neighborhood. The property is very narrow and sideyard setback variances are required. The proposed shed is being considered seven feet from the northerly property line whereas a 10 foot setback is required. Mr. McMaster stated that if he was required to adhere to the 10 foot setback standard the shed would be pushed towards the center of the rear yard and impact the owners ability to use the rear yard. He advised that the shed will be used for storage only and will not be a habitable structure. The shed is needed for storage purposes because there is no garage or basement space within the home.

The meeting was opened to the public. No one addressed the Board therefore the public portion was closed.

Motion was made by J. Roeder to approve the application for ZB19-05, motion was seconded by J. Church. The vote was 7-0 in favor. Motion carried.

For: Church, Garzio, Hoberman, Jacobsohn, Marks, Roeder, Van Dyke  
Against: No one  
Abstain: No one

## **RESOLUTIONS**

- a) **ZB19-11**  
**CRAIG W. HARDING**  
"c" bulk variance  
Block 33, Lot 34; 144 South Lane

Motion was made by J. Roeder to approve the resolution for ZB19-11, seconded by J. Church. The vote was 6-0 in favor. Motion carried.

For: Church, Hoberman, Garzio, Marks, Roeder, Fridkin  
Against: No one  
Abstain: No one

- b) **ZB19-10**  
**PRINCETON JUNCTION COMMONS LLC**  
d-1; d-4 and "c" bulk variances  
P/F Major Site Plan

Block 10, Lot 15.03; 201 Clarksville Road

Motion was made by J. Roeder to approve the resolution for ZB19-10 as amended, seconded by D. Marks. The vote was 6-0 in favor. Motion carried.

For: Church, Fridkin, Garzio, Hoberman, Marks, Roeder  
Against: No one  
Abstain: No one

c) **ZB19-01**  
**PRINCETON RESEARCH LANDS**  
Request for 1 year extension of approval  
Block 23, Lot 110; 1530 Old Trenton Road

Motion was made by J. Roeder to approve the resolution for ZB19-01, seconded by C. Van Dyke . The vote was 7-0 in favor. Motion carried.

For: Church, Garzio, Hoberman, Jacobsohn, Marks, Roeder, Van Dyke  
Against: No one  
Abstain: No one

d) **ZB19-02**  
**PRINCETON RESEARCH LANDS**  
Request for 1 year extension of approval  
Block 23, Lot 111; 1602 Old Trenton Road

Motion was made by J. Roeder to approve the resolution for ZB19-02, seconded by C. Van Dyke. The vote was 7-0 in favor. Motion carried.

For: Church, Garzio, Hoberman, Jacobsohn, Marks, Roeder, Van Dyke  
Against: No one  
Abstain: No one

Motion was made by C. Hoberman and D. Marks seconded the motion to adjourn the meeting at 8:15 p.m.

Respectfully submitted,

Kerry Philip  
Recording Secretary