



ZONING BOARD OF ADJUSTMENT
Thursday, September 18, 2014
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Rardin at 7:40 pm.

PLEDGE OF ALLEGIANCE: Led by Chairperson Rardin.

OPMA STATEMENT: Read by Chairperson Rardin in compliance with the Sunshine Law. Chairperson Rardin made a statement on behalf of the Zoning Board that Councilman John Amato was in a grave condition and that he and his family were in our thoughts and prayers at this difficult time.

ROLL CALL

- **Members in Attendance:** Daniel DiRenzo, Jr.; William Carter; Ivy Rovner; Scott Marcus; Farhat Biviji, Vice-Chairperson; and Jonathan Rardin, Chairperson.
- **Professionals in Attendance:** Paul Stridick, AIA, Director of Community Development; Anthony Zappasodi, Esq., Planning Administrator; Jacob Richman, Planning Technician; Robert Hunter, PE, CME, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor. Solicitor Zeller administered oaths to Mssrs. Stridick, Hunter, and Zappasodi.

COMMENTS FROM THE PUBLIC: None received.

ADMINISTRATIVE ITEMS

Approval of Meeting Minutes from September 4, 2014. Mr. Marcus made a Motion to Approve the Minutes from September 4, 2014, which was seconded by Mr. Carter, with affirmative votes by DiRenzo, Carter, Marcus, and Biviji. Abstention by Rovner and Rardin. Motion carried.

AGENDA ITEMS

14-Z-0019

Block(s) 463.09 Lot(s) 6

Zone: Highway Business (B2) Zone

Relief Requested: A conditional use (D)3 variance, pursuant to section 54 of PL 1975, c.291 (C.40:55D-67), to permit new hotel rooms for an 11,004 SF extended stay hotel to be smaller than 350 SF and to permit kitchenettes in new hotel rooms that are less than 350 SF per §415.C.2(c) of the Cherry Hill Township Zoning Ordinance. This is a bifurcated application.

DC Hospitality Group, LLC

1930 Frontage Road

Cherry Hill, NJ

The attorney for the Applicant sent correspondence to the Department of Community Development requesting an adjournment of this matter to October 2, 2014.

Motion to Adjourn: Motion to Adjourn application 14-Z-0019 until October 2, 2014 was made by Mrs. Rovner and seconded by Mr. DiRenzo, with affirmative votes by DiRenzo, Carter, Rovner, Marcus, Biviji, and Rardin. Motion carried.

Solicitor Zeller made an announcement that this matter will be adjourned to October 2, 2014 and that said announcement shall function as the legal notification requirement and that the Applicant will not have to send out a new additional written legal notices to those property owners within 200 feet of the parcel.

14-Z-0017

Block(s) 524.03 Lot(s) 14

Zone: Residential Agricultural (RA) Zone

Relief Requested: Bulk (C) variances to construct a 625 SF detached garage in the rear yard of a single family home.

Gary Goldblatt

15 Galway Lane

Cherry Hill, NJ

Chairperson Rardin advised the Applicant that he has a right to counsel and to request an adjournment. Solicitor Zeller advised the Applicant that if he did proceed and an adverse decision was made by the Board, then he could not reapply for the same relief unless there was a substantial change in the application. The Applicant stated he understood and wished to proceed with the two requests for bulk variances.

The Applicant, Gary Goldblatt, and his professional, Mark Shourds, PE, PP, from Mark V. Shourds Consulting PC, were sworn in by Solicitor Zeller. Mr. Goldblatt stated that he wants to have a detached garage built on his property so he can keep his antique car onsite. He stated that the size of the proposed detached garage is necessary due to his desiring an electrical lift so that the car did not have to be stored on the ground. He stated that the existing rear garage is not big enough to store the car due to lawn/pool equipment being stored therein and a staircase leading to the second floor. He stated that the front two-car garage is inadequate due to his children's toys contained therein and the need for the electrical lift.

Mr. Shourds testified that the property is a somewhat unique lot on a small cul-de-sac within the RA zone. The parcel is undersized as it is 0.57 acres where the RA zone has a minimum lot size of 1 acre. He provided testimony regarding the existing site conditions, accessory structures, and lot coverage. He opined that the rear of the lot was not usable due to its severe slope. A Variance Plan was marked as Exhibit "A-1". Mr. Shourds stated that the detached garage is 25' x 25' and that there would be a slight driveway expansion totaling approximately 715 square feet of total additional impervious coverage. He stated that the proposed garage is approximately 25' in height from the front and 34' in elevation from the rear. An Architectural Plan with Elevations was marked as Exhibit "A-2". Mr. Shourds testified that a lot coverage variance is necessary as the site is currently 44.4% covered and that this proposal will result in a 2.7% increase when the maximum lot coverage in the RA zone is 30%. Another bulk variance is necessary since only one garage is permitted per residential lot. Mr. Shourds testified that the proposed location was the best spot in his opinion since it complied with the 10' minimum setbacks applicable for garages. He opined that the benefits outweigh the detriments. He opined that any negative impact is mitigated by the utilization of a drywell stormwater management system with a swale. He stated that the front circular driveway cannot be removed from the site. A Tax Map was marked as Exhibit "A-3". Three photographs showing the proposed location of the garage were marked as Exhibit "A-4". Three photographs of the circular driveway/cul-de-sac were marked as Exhibit "A-5". Mr. Shourds stated that the Applicant agreed to comply with the conditions contained in the Township's review letters.

Board members asked for additional clarification and testimony regarding the following: the overall drainage onsite and the new drywell system including downspouts and swales; soil tests; stormwater runoff onto neighbors' properties (existing and proposed); matching existing aesthetics; and the need for the additional garage rather than an addition or a shed. A photograph showing the swale with some large rocks in it was marked as Exhibit "A-6". There was discussion regarding possible alternatives that would comply with the zoning regulations rather than a variance for an additional garage. Discussion continued on the need for the garage and whether there is any benefit to the public good.

Mr. Hunter testified regarding his office's review letter dated September 17, 2014. Mssrs. Stridick and Zappasodi testified regarding their Department's review letter dated September 5, 2014.

Chairperson Rardin opened the meeting to the public. Lou Regina from 20 Manning Lane testified that he supported the project since Mr. Goldblatt is a great neighbor and the project was not a big deal. Mr. Regina did not believe any new drainage easement would be necessary through his property and commended the Applicant for his immaculate property maintenance. Chairperson Rardin closed the public portion of the hearing since there were no other members of the public present.

A photograph of a large tree on a slope in the rear yard was marked as Exhibit "A-7". Mr. Shourds opined that he did not see a detriment to the project and provided additional testimony on the drainage, noise, lighting, and dust. Mr. Goldblatt stated that he believes he should have the right to store his car and enjoy his property. Board members provided additional comments regarding the application and discussed the justifications presented.

Motion to Deny request for bulk variances under application 14-Z-0017: motion made by Mr. Marcus and seconded by Mrs. Biviji, with affirmative votes for denial by DiRenzo, Rovner, Carter, Marcus, Biviji, and Rardin. None opposed. Motion carried. Variance requests denied.

RESOLUTIONS: None.

Meeting Adjourned: 9:17 pm.