

**MINUTES
OF THE
CRANBURY TOWNSHIP
ZONING BOARD OF ADJUSTMENT
CRANBURY, NEW JERSEY
MIDDLESEX COUNTY**

**MINUTES DECEMBER 6, 2017
APPROVED JANUARY 3, 2018**

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Zoning Board of Adjustment was held at the Cranbury Township Hall Municipal Building, 23-A North Main Street, Cranbury, New Jersey, Middlesex County on December 6, 2017 at 7:30 p.m.

CALL TO ORDER

Merilee Meacock, Chairman called the meeting to order and presided over the meeting until a Chairman was appointed.

STATEMENT OF ADEQUATE NOTICE

Pursuant with the Sunshine Law, adequate notice in accordance with the Open Public Meeting Act was provided of this meeting's date, time, place and agenda was mailed to the news media, posted on the Township bulletin board, mailed to those requesting personal notice, and filed with the Municipal Clerk.

MEMBERS IN ATTENDANCE

- Joseph Buonavolonta
- Sean Deverin
- Robert Diamond
- Michael Dulin
- John Hoffman
- David Nissen
- Frank McGovern (Alternate #1)
- Richard Kallan (Alternate #2)
- Marilee Meacock

PROFESSIONALS IN ATTENDANCE

- Andrew Feranda, Traffic Consultant
- David Hoder, P.E., Board Engineer
- Trishka Cecil, Zoning Board of Adjustment Attorney
- Josette C. Kratz, Secretary
- Richard Preiss, P.P., Board Planner
- Virginia Guinta, Court Reporter

RESOLUTION FOR AN EXTENSION OF TIME

ZBA 235-13 APCO Petroleum Corporation
Block 17, Lot 1, GC Zone
2736 Route 130 & South Main St.
Extension of Time

MOTIONED BY: Mr. Dulin
SECONDED BY: Mr. Diamond

VOTE ROLL CALL

AYES: Mr. Buonavolonta, Mr. Diamond, Mr. Dulin, Mr. Nissan, Mr. McGovern, Mr. Kallan
NAYS: None
ABSTAIN: None
ABSENT: None

MOTION CARRIED

APPLICATION

ZBA296-16 Mukesh Somani
Block 7, Lot 15, Zone I-LI-S
65 Station Road
Use Variance (“D” Variance) & Site Plan

REPRESENTATIVES: Frank Brennan, Esquire
Mukesh Somani, Owner/Applicant
Loralie E. Totten P.E., P.P – Crest Engineering
Rick Perez, Architect and President of Perez & Radosti Assoc

Ms. Cecil announced jurisdiction of the Board.

Mr. Brennan introduced himself and briefly explained the overall scope of the application. This is an application for site plan approval for offices on both floors or a use variance and site plan approval if a rental residential apartment unit on second floor with office use on the first floor. Site was used as a single-family home dating back long before current zoning was in effect, however, is residential on second floor a use variance approval would now be required under the current zoning. The property is undersized at .14 acres, under required lot frontage at 50-ft in width, front yard setback variance required for having only 9-ft, side yard setback at only 14-ft, and a shed which is over the property line (which they propose to move and will require a variance for its proposed placement). The new variance necessary would be for impervious coverage, required no more than 50% and the existing condition is 73.6% and proposed would be 79% impervious coverage. There were design waivers for the size of the driveway, distance of the edge of the parking lot and the side yard, no loading zone, and landscaping.

Ms. Cecil swore in the applicant and his professionals and the Board's professionals.

EXHIBIT A-1 Four (4) photos of property with house
EXHIBIT A-2 Six (6) photos of subject property
EXHIBIT A-3 Aerial photo of property
EXHIBIT A-4 Sheet 3 Right Half of Plan
EXHIBIT A-5 Sheet 3 Left Half of Plan
EXHIBIT A-6 Architectural Floor Plan

Mr. Somani introduced himself and explained the proposed application. He owns a computer consulting firm, which he intends on utilizing the first floor, of the existing building, for his business and wishes to use the second floor as an apartment or an office. The apartment rental would be for either third party rental or his own employees. The frontage is owned by Middlesex County; Mercer County acquired frontage property when Station Road was realigned. Mr. Somani anticipates four to six employees, very few not no visitors (most work is performed over the phone). Rarely one or two visitors to the site. Deliveries are mostly UPS, Amazon or Staples. Mr. Somani felt there is no need for a formal loading zone. Trash would be handled by Waste Management and would be walked out to the curb for pick up on appropriate pickup days. Trash would be minimal.

Ms. Totten testified on the proofs associated with the use variance and felt it would not impair the zone plan.

Mr. Kallan pointed out some discrepancies between the plans/application and the Board engineer's report of which the applicant agreed they would make the appropriate corrections; both to soil calculations and parking.

Mr. Preiss felt there should be some landscaping for shade in the front and any unattractive views, particularly the air conditioning units and the dumpster.

Mr. Hoder mentioned the request for grading and contours and whether the applicant could keep the soil on site. Ms. Totten mentioned some of material was not (only) soil, but millings and stone presently on site.

There were no comments made from the public (no public was present).

There was question regarding the use/structure to be re-built (in the event of a fire). Ms. Kratz stated past practice has been for Mr. Graydon (Zoning Officer) to review the plan(s) before reconstruction, and has ruled the re-built structure had to be within the same footprint/square footage/elevation/etc., as the pre-existing structure. If the proposed re-building plans have deviations from the previously pre-existing structure he generally remands back to the Board.

Motion made to allow the mixed use as proposed. Motion made by Mr. Nissen. Seconded by Mr. Dulin.

MOTIONED BY: Mr. Nissen
SECONDED BY: Mr. Dulin

VOTE ROLL CALL

AYES: Mr. Diamond, Mr. Dulin, Mr. Hoffman, Mr. Nissen, Ms. Meacock
NAYS: Mr. Buonavolonta, Mr. Deverin
ABSTAIN: None
ABSENT: None

MOTION CARRIED

APPROVAL OF MINUTES

Upon a motion duly made and seconded the minutes of November 1, 2017

ADJOURNMENT OF MEETING

There being no further business, on motion duly made, seconded, and carried, the meeting was thereupon adjourned.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify;

That I am duly elected and acting secretary of the Cranbury Township Zoning Board of Adjustment and, that the foregoing minutes of the Zoning Board of Adjustment, held on December 6, 2017, consisting of 3 pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Zoning Board of Adjustment this January 3, 2018.

Josette C. Kratz, Secretary

/jck