

**MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT
VIRTUAL WEBEX MEETING**

DATE: February 22, 2021

7:00PM

THE CLINTON TOWNSHIP BOARD OF ADJUSTMENT HAS CHANGED THE FORMATS OF ITS REGULAR MEETINGS FOR THE DURATION OF THE COVID-19 PUBLIC HEALTH EMERGENCY TO “VIRTUAL” MEETINGS VIA A WEBEX BRIDGE.

THESE CHANGES HAVE BEEN INSTITUTED TO PROTECT HEALTH, SAFETY AND WELFARE OF RESIDENTS, EMPLOYEES, MUNICIPAL OFFICIALS, APPLICANTS AND CONSULTANTS IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

Chairman McCaffrey called the meeting to order at 7:04pm.

Chairman McCaffrey led the Flag Salute.

Chairman McCaffrey read the Public Notice.

This is a public meeting of the Zoning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the Township website, on the bulletin board mounted to the front of the Municipal Building, the door of the Public Safety Building and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger, no later than the Friday prior to the meeting. The agenda states that the meeting will be held as a virtual meeting via a Webex video bridge.

MEMBERS IN ATTENDANCE

Lewis, McCaffrey, McTiernan, Pfeffer, Roberts, Stevens, Yager

MEMBERS ABSENT

Rohrbach

PROFESSIONALS/STAFF IN ATTENDANCE

Jonathan Drill, Esq., Board Attorney
Thomas Behrens, Jr., PP, AICP, Board Planner
Denise Filardo, Board Secretary

MEETING MINUTES

1) Meeting Minutes – December 14, 2020

A motion was made by Dr. Lewis and seconded by Mr. Roberts to adopt the December 14, 2020 Meeting Minutes. The vote record follows.

Roll Call: Meeting Minutes of December 14, 2020						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Lewis	X		X			
McCaffrey (Chair)			X			
McTiernan			X			
Pfeffer (Vice Chair)			X			
Roberts		X	X			
Rohrbach (Alt. 1)					X	X
Stevens			X			
Yager			X			

RESOLUTIONS

None.

APPOINTMENT OF PROFESSIONAL

Area of Expertise	Expert	Firm
Radio Frequency Engineer	Charles A. Hecht	Charles A. Hecht & Associates

A motion was made by Ms. Stevens and seconded by Mr. Roberts to appoint Charles A. Hecht as the Board’s Radio Frequency Engineer for 2021. The vote record follows.

Roll Call: Appointment of Charles A. Hecht as the Board’s Radio Frequency Engineer						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Lewis	X		X			
McCaffrey (Chair)			X			
McTiernan			X			
Pfeffer (Vice Chair)			X			
Roberts		X	X			
Rohrbach (Alt. 1)						X
Stevens			X			
Yager			X			

There was no one from the public in virtual attendance.

The Board reviewed the vouchers and there were no comments or questions.

PUBLIC HEARING

1) THOMAS AND CAROL ANN SAYERS

6 Dartmouth Road

Block 82.07, Lot 28

Application No. 2020-06

The applicant is seeking a “c” Bulk Variance from the Ordinance governing lot area, lot dimensional, setback and yard requirements to construct an enclosed addition to the existing dwelling.

Chairman McCaffrey explained that the applicant should provide the following information:

1. Describe what you physically intend to build
2. State the relief requested
3. Give the Board some justification by providing reasons:
 - a) Hardship – perhaps it is an unusual lot, or;
 - b) Benefits vs. Detriments – show some public good, show that the positive outweighs the negative

The following individuals were sworn and testified during the hearing:

1. Thomas Sayers, Applicant
2. Carol Ann Sayers, Applicant
3. Brian Adams, Applicant’s Architect & Construction Manager
4. Tom Behrens, Jr., PP, AICP, Board Planning Expert
5. Denise Filardo, Zoning Officer

Mr. Sayers’ testimony included and was not limited to a brief description of the proposed project which is to remove the existing deck and construct a sunroom as an addition to the home utilizing the same footprint as the existing deck. The sunroom will be a four-season climate-controlled room with a gable roof.

Mr. Adams’ testimony included and was not limited to the following:

- Description of the proposed sunroom with gable roof.
- Dimensions of the proposed sunroom.
- The existing and proposed rear yard setback with respect to the dwelling and the proposed sunroom addition.
- Description of the electric heat pump for the proposed sunroom.
- Structural materials and indoor fan light kit for the proposed sunroom.

Mrs. Sayers provided testimony regarding a zoning permit which was issued for the existing shed on the property.

Discussion ensued regarding:

- The actual shape of the existing deck as compared to the shape depicted on the survey dated September 11, 2013. It was determined that the shape of the existing deck on the survey is wrong.
- Mr. Sayers said he did not know when the deck was added to the home and was under the impression that permits had been obtained.
 Board Attorney Drill called upon Ms. Filardo in her capacity as Zoning Officer to ask if she had any information about the existing deck. Ms. Filardo stated that she researched and was not able to find any evidence of a permit issued for the existing deck.
- The height of the proposed sunroom, the distance the light fan kit will hang from the peak of the roof, the height of the rear yard fence and the distance to the closest neighbor.
- Dimensions and location of existing shed which is not shown on the survey or the plans and whether a permit was issued and if it is in a compliant location.

BOARD FINDINGS AND CONCLUSIONS

- The proposed sunroom dimensions of 16 feet by 23 feet will encroach 6 feet into the required 40-foot setback.
- The size of the sunroom would have to be reduced to 10 feet by 23 feet in order to comply with the 40-foot setback. A 10-foot by 23-foot sunroom is unreasonably small and it would be a hardship to ask the applicant to reduce the sunroom to an unreasonable size.
- There is no other place where the sunroom could be constructed.

It was noted that there was no one from the public in virtual attendance.

RELIEF GRANTED

- C(1) Variance was granted with conditions to construct a sunroom addition to be constructed thirty-four (34) feet from the rear yard property line where a forty (40) foot setback is required.

A motion was made by Mr. Yager and seconded by Mr. Roberts to grant a C(1) Variance. The vote record follows.

<i>Roll Call: Thomas & Carol Ann Sayers – C(1) Variance</i>						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Lewis			X			
McCaffrey (Chair)			X			
McTiernan			X			
Pfeffer (Vice Chair)						X
Roberts		X	X			
Rohrbach (Alt. 1)						X

Stevens			X			
Yager	X		X			

Note: Mr. Pfeffer lost his internet connection and exited the virtual meeting just prior to the vote on the Sayers application.

ADJOURNMENT

A motion was made by Mr. Yager and seconded by Ms. Stevens to adjourn. The meeting was adjourned at 7:58pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on March 22, 2021.