

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

**SEPTEMBER 7, 2022 MINUTES  
APPROVED OCTOBER 12, 2022**

**TIME AND PLACE OF MEETING**

The regular meeting of the Cranbury Township Zoning Board of Adjustment was held via Zoom <https://us06web.zoom.us/j/89352721724> Webinar ID: 893 5272 1724 on September 7, 2022, at 7:00 p.m.

**CALL TO ORDER**

Ms. Meacock, ZBA Chairperson, called the meeting to order and presided over the meeting.

**STATEMENT OF ADEQUATE NOTICE**

Adequate notice as well as electronic notice of this meeting was provided in accordance with the requirements of the Open Public Meetings Act and the regulations governing remote public meetings. The notice included the time, date and location of the meeting and clear and concise instructions for accessing the meeting. A copy of the agenda for this meeting was made available to the public for download on the Township's website, and all documents and other materials pertaining to any applications listed on the agenda were posted electronically and made available for download at least forty-eight hours prior to the meeting.

All participants in this meeting are required to keep their microphones muted until recognized or directed otherwise. The Board will engage the Zoom "mute" function until the time for public comment is reached.

Members of the public who wish to make a comment are required to use the "Raise Hand" feature in Zoom, or, if participating by telephone, by pressing \*9. Once recognized by the chair, the participant will be able to unmute his or her microphone and offer a comment. Interested parties wishing to ask a question or make a comment during a public hearing on an application will be sworn in and asked to provide their name and address before proceeding. The Board Chair or his designee will manage the order of the comments.

**MEMBERS IN ATTENDANCE**

- ☒ Joseph Buonavolonta
- ☒ Robert Diamond
- ☒ John Hoffman
- ☒ Richard Kallan

- ☒ David Nissen
- ☒ Steven Schwarz
- ☒ Frank McGovern (Alternate #1)
- ☐ Saras Kothari (Alternate #2)
- ☒ Merilee Meacock

#### **PROFESSIONALS IN ATTENDANCE**

- ☒ Robert Davidow, Zoning Board of Adjustment Attorney
- ☒ Robin Tillou, Secretary
- ☐ David Hoder, Engineer
- ☒ Liz Leheny, Planner
- ☐ Andrew Feranda, Traffic Consultant

#### **MINUTES**

Upon a motion made and seconded the minutes for August 3, 2022 were unanimously approved by those members eligible to vote on said dates.

#### **RESOLUTION**

**ZBA305-17 Mobin Management  
Block 18.07, Lot 44 & 45, Zone GC,  
112 South Main Street  
Amendment to Preliminary and Final Site Plan with Bulk Variances**

MOTION TO APPROVE RESOLUTION: Mr. Kallan

SECONDED: Mr. Schwarz

#### **ROLL CALL**

AYES: Mr. Kallan, Mr. Schwarz, Mr. McGovern and Ms. Meacock

NAYS: None.

ABSTAIN: None.

#### **APPLICATIONS**

**ZBA362-22 Rick and Pat Gavenda  
Block 35, Lot 20, V/HR Zone  
25 Station Road  
Bulk Variance – Setback (Shed)**

Representative: Rick Gavenda, Homeowner of 25 Station Road

## EXHIBITS

A-1 – Page 22 of Application – Photos from Different Angles of Proposed Location

A-2 – Page 23 of Application – Photos from Different Angles of Proposed Location

A-3 – Page 24 of Application – Photos from Different Angles of Proposed Location

A-4 – Page 25 – Architectural Renderings of Proposed Shed

A-5 – Survey

A-6 – Photo of View from Southern Side of Garage

A-7 – Corner of Lot Near 2 Oak Lane

O-1 – Photo of temporary Shed from his back property

O-2 – Lateral Photo of Temporary Shed

O-3 – View Of 25 Station Road from Oak Lane

O-4 and O-5 – Rainwater Runoff at Property

O-6 – Photo of Garage

Mr. Davidow announced that notice for this application is adequate, and this Board can take jurisdiction over this application.

Mr. Davidow swore in Mr. Gavenda.

Mr. Gavenda introduced his application by stating he is looking to replace an existing temporary shed with something that is more appealing to the detached garage. He is proposing to install a 10 x 20 shed with the siting to match the existing garage and the roof to match the existing garage roof. His challenge is he is located on a corner lot. Depending on who is viewing it from the back and side yard, this would be the best location to install the shed as opposed to putting it out closer to Oak Lane and Station Road. If he did do it on the Oak Lane side, it would be right in the middle of the yard itself. He is looking for relief due to hardship of location and trying to be consistent with the neighbors.

Mr. Gavenda displayed Exhibit A-1 – Page 22 – Photos of Proposed Location of Shed.

Mr. Gavenda stated he put the temporary shed up approximately three years ago and this view is between 23 and 25 Station Road and looking at it from 2 Oak Lane. Mr. Gavenda went through the pictures from Exhibit A-1 from separate locations.

Mr. Gavenda displayed Exhibit A-2 – Page 23 of Application – Photos from Different Angles of Proposed Location.

Mr. Gavenda explained the views the Board was viewing on Exhibit A-2.

Mr. Gavenda stated the question of a road from google maps was put in Ms. Leheny's review

letter and the picture was taken in 2013 on google maps but there is nothing there at all now. Mr. Gavenda went over the views on Exhibit A-2.

Mr. Davidow asked of the statement regarding approvals of the garage and if he can go into more detail of that.

Mr. Gavenda stated the Zoning Board approved the location of the garage in the rear in 2013.

Mr. Davidow advised the Board that any conditions from the 2013 garage approval is still in effect.

Mr. Gavenda displayed Exhibit A-3 - Page 24 of Application – Photos from Different Angles of Proposed Location.

Mr. Gavenda went over the different views of Exhibit A-3.

Mr. Gavenda displayed Exhibit A-4 - Page 25 – Architectural Renderings of Proposed Shed.

Mr. Gavenda stated the shed will be the same color as the garage. The doors on the side facing 2 Oak Lane will be a double door, each door being 2' wide. There will be a hinge on the right and left of the door which swings open. There will be a 3' wide x 6' tall door facing Station Road that will look similar.

Chair Merilee asked if it is a shed roof off the back of the garage.

Mr. Gavenda stated correct.

Mr. Gavenda displayed Exhibit A-5 – Survey.

Mr. Gavenda went over the survey.

Chair Merilee asked if the setback encroachment is on the western property line.

Mr. Gavenda stated correct.

Ms. Leheny stated the requirement for an accessory structure shed on a residential property is 10 ft. Because this is a corner lot, it has two front yards and two side yards.

Mr. Davidow announced photos were sent to the administrative officer from the owner of 23 Station Road. Mr. Davidow was able to vet those photos and the photos were then sent to the applicant who agreed they could share those pictures and be entered into evidence.

Mr. Kallan asked the measurements of the existing garage.

Mr. Gavenda stated the existing garage is 20 x 28.

Mr. Kallan asked if the applicant has thought of putting the shed on the south side of the garage.

Mr. Gavenda stated that would take away from the seating area in the rear.

Mr. Kallan asked which way the roof shed would be sloping.

Mr. Gavenda stated it will be sloping off the back.

Mr. Kallan asked for confirmation that it would be shedding water towards his rear property line.

Mr. Gavenda stated yes.

Mr. Schwarz asked if the applicant was looking to put foundation and floor in the proposed shed.

Mr. Gavenda stated he will put stone down to keep the moisture out. He is contemplating whether to put wood floor or pavers in it.

Ms. Leheny asked if he considered expanding the garage toward the home to make the garage more spacious for the equipment.

Mr. Gavenda stated by coming out into the yard it comes into the view of the large picture window of the home.

Ms. Leheny asked if he could put the shed between the patio and the existing garage. It is not enough to landscape the buffer.

Mr. Gavenda stated all the buffer from 23 Station Road would block it and 2 Oak Road has no issues with it being extended.

Chair Meacock opened the meeting to the public.

Mr. McGuirk displayed Exhibit O-1 – Photo of temporary Shed from his back property.

Mr. Edward McGuirk, 23 Station Road, stated they have six photos to share. He is opposed to the approval of this applicant's variance. The applicant should prove a hardship reason for this variance.

Mr. McGuirk displayed Exhibit O-2 – Lateral Photo of Temporary Shed.

Mr. McGuirk displayed Exhibit O-3 – View Of 25 Station Road from Oak Lane.

Mr. McGuirk stated the photo from their yard of the exhibit shown by the applicant is misleading due to the leaves falling in the Autumn showing the shed much clearer. The location of this shed was chosen without the possible negative effects including the enjoyment of their property of the actual view from their backyard. There is a drainage issue with the land sloping down on his property. The slope of the shed's roof would channel all rainwater from the existing garage but also from the new shed toward their property.

Mr. McGuirk displayed Exhibit O-4 and O-5 – Rainwater Runoff at Property

Mr. McGuirk displayed Exhibit O-6 – Photo of Garage.

Mr. McGuirk stated as shown in exhibit O-6, the installation of gutters, leaders and downspouts that were originally installed on the back of the garage have been removed. An additional location would be on the southern side of the garage however the applicant can place this shed elsewhere on the property without seeking a variance. He feels the variance should be rejected and the immediate removal of the existing temporary shed should be mandated.

Ms. Tillou stated she is the HPC Administrative Officer, and she had spoken with the Chair of HPC, and it was indicated that the structure is not seen from the street and the property is in the buffer area. The HPC will be discussing the application and it is of no fault of the applicant that it has not been discussed by HPC yet.

Mr. Gavenda displayed Exhibit A-6 – Photo of View from Southern Side of Garage.

Mr. Gavenda stated putting the shed on the southern side of the garage will give up current space.

Mr. Gavenda displayed Exhibit A-7 – Corner of Lot Near 2 Oak Lane.

Mr. Gavenda stated there has been more drainage since 23 Station Road has moved in due to the oasis placed in their backyard.

Chair Meacock stated if a 6' x 20' shed was placed at the northern side of the garage a variance would not be needed.

Ms. Leheny stated that is correct.

Mr. Gavenda stated he can place the shed there, that can be an option.

Mr. Kallan asked why the gutters were removed from the rear of the garage.

Mr. Gavenda stated the rear gutters were removed due to snow and ice coming down on it. It was clogging up the gutters. The gutters in the rear do not get sunlight there.

Mr. Buonavolonta asked where the dry well was put with the agreement to the garage approval.

Mr. Gavenda stated it fills up.

Mr. McGovern stated the applicant agreed to place the shed at another location to eliminate a need for a variance. Can the applicant withdraw his application?

Mr. Davidow stated yes, the applicant can withdraw his application.

Mr. Gavenda stated he would like to consent to withdraw his application and will move the shed to the north side of the garage.

Chair Meacock opened the meeting to the public. With no public comment, Chair Meacock closed the public forum.

## **DISCUSSION**

Ms. Tillou announced that ZBA meetings will now be in person at Town Hall, 23A N. Main Street at 7 pm. It will be streamed via YouTube. The public can attend the meetings in person but cannot make comment via virtual. The public would have to be in person to make a comment.

## **ADJOURNMENT OF MEETING**

There being no further business, Mr. Kallan made a motion to adjourn, and Mr. Schwarz seconded, the meeting was thereupon adjourned at 8:15 pm.

## **CERTIFICATE OF SECRETARY**

I, the undersigned, do at this moment certify that I am duly elected and acting secretary of the Cranbury Township Zoning Board of Adjustment and, that the preceding minutes of the Zoning Board of Adjustment, held on September 7, 2022, consisting of eight (8) pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS of which, I have hereunto subscribed my name of said Zoning Board of Adjustment this October 13, 2022.

Robin Tillou  
Robin Tillou, Secretary