

MANSFIELD TOWNSHIP  
ZONING BOARD  
MINUTES

October 2, 2017

The regular meeting of the Mansfield Township Zoning Board was held on the above shown date with the following in attendance: Chairman William Tahirak, James Soden, Robert Harrison, Robert Gawron, John Beckes, Marion Hay, Mark Clark and Secretary Ashley Jolly. Ralph Wainwright and Jay Feldman were not in attendance.

The meeting was called to order by Chairman Tahirak followed by the flag salute and the following opening statement:

The Notice requirements provided for in the open Public Meetings Act have been satisfied. Notice of this meeting was properly given in the annual notice which was adopted by the Mansfield Township Zoning Board on January 4, 2017. Said Resolution was published in the Burlington County Times, e-mailed to the Burlington County Times and Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body, and mailed to each person who has requested copies of the regular meeting schedule and who has prepaid any charge fixed for such service. All the mailing, posting and filing having been accomplished on January 8, 2017.

**APPLICATION ZB2017-2BV- Block 42.21, Lot 6, 40 Settlers Lane, Variance to build 10x23 Sunroom.**

**Christopher Myers, Patio Enclosures** was sworn in. He was there representing the applicant Carmela Aiello. He stated that Ms. Aiello's daughter requested he represent her this evening because of the advanced age. He acknowledged that Ms. Aiello gave a notarized letter allowing him to testify on her behalf. He explained that she is asking for a variance because the setback is supposed to be 15ft and they would be going to 10ft from the neighbor behind. **Attorney Petrone** stated that **Attorney Coleman** had asked Ms. Aiello to submit a notarized letter asking for representation. **Attorney Petrone** cautioned the board that if during the course of the public hearing, if Mr. Myers cannot answer questions regarding the property, the board may need to carry to another meeting.

**Engineer Malinowski** referenced his report dated September 27, 2017. He explained that there needs to be testimony provided with regards to the sunroom expansion and the preexisting residential dwelling. He asked for support for granting the variance as the applicant is asking for rear yard setback variance to add on a sunroom. He asked to testimony for the reason for the sunroom and the request for the variance.

**Mr. Myers** stated that right now she has the 24x10 patio out back. The only thing Patio Enclosures could do presently would be a 5x23, so for furniture purposes 10x23 is what would be needed. The current concrete slab would not be expanded, just adding additional support for footings. **Engineer Malinowski** stated that this is in the Homestead development which requires Homeowners Association approvals. He asked for the status of the approval. **Mr. Myers** stated that they are trying to get the variance approved first. **Engineer Malinowski** stated that if the board granted approval it would be conditioned upon HOA approval. **Mr. Myers** agreed. **Engineer Malinowski** asked Mr. Myers to explain some of the grading around the property and particularly the relationship between where the sunroom is going. **Mr. Myers** stated that it was above level, he believes four to five inches is the current slab. **Engineer Malinowski** asked if the grade around the existing slab slopes away. **Mr. Myers** stated that it slopes down and straight to the rear of the property. **Mr. Myers** stated that he is unaware of any swale in

the area. **Engineer Malinowski** asked if there were any proposals for outdoor lighting. **Mr. Myers** stated only an egress light for when you walk out the slider door. He stated it would be a typical back light. **Engineer Malinowski** asked if there were any utilities proposed for the enclosure. **Mr. Myers** said no only electrical. **Engineer Malinowski** stated that all proposed improvements need to construct in accordance with the conditions of the Homestead Homeowners Association. He recommended that the downspouts need to be s5 blocks at the bottom so it controls erosion and that they are directed away from the neighbors. **Mr. Myers** agreed. **Engineer Malinowski** stated if the board grants approval it may be conditioned upon positive drainage away from the existing dwelling and make sure that it doesn't create a problem for the neighboring properties.

**Planner Fegley** references her September 26, 2017 report with similar questions as the Engineer. She stated that the reason **Mr. Myers** stated was if they didn't use the 24x10 which is the existing concrete slab the projection would be 5ft. **Mr. Myers** said yes. The width is not the issue it is the projection. **Planner Fegley** stated that 5ft doesn't give them much room. **Mr. Myers** explained that it ends up being like a hallway. **Planner Fegley** stated that the plot plan is about 20 years old; therefore she wanted to know if there were any additions etc. on the plot plan. **Mr. Myers** stated that there were not. **Planner Fegley** mentioned colors and compatibility with the existing residences. **Mr. Myers** stated that she is doing a white aluminum that would match the existing and they would always check with the HOA first.

**Attorney Petrone** mentioned lot 16 & 17 to the rear are residential properties. **Mr. Myers** stated that they were. **Attorney Petrone** asked if there were any similar structures on those lots. **Mr. Myers** stated that there are some around there but not directly behind her or to the sides.

**Ms. Hay** asked what is directly behind the proposed sunroom. **Mr. Myers** stated that it's another person's backyard. **Ms. Hay** asked how far away the next part of their dwelling would be. **Mr. Myers** stated 15ft. **Ms. Hay** asked if that would be 15ft after the sunroom is built. **Mr. Myers** stated after the sunroom is built it will be 10ft to the rear property line; currently it is 15ft. **Ms. Hay** asked if there was anything comparable to this building. **Mr. Myers** stated that there was. **Ms. Hay** questioned the drainage. **Mr. Myers** stated that it doesn't slope to the degree that any runoff would run onto the backyards property or slab they have. It is a slow pitch.

**Mr. Beckes** asked about the similar structures and whether they were original or added. **Mr. Myers** stated that those structures were added. **Mr. Soden** asked if lots 16 & 17 in the rear have the same elevation. **Mr. Myers** stated that they did. **Mr. Soden** if the drains lean toward the back house. **Mr. Myers** stated that it leans to the back, but there is a small hill directly behind her slab and then it thins out. It may be about 6 inches. **Mr. Soden** asked if there would be drains on the patio. **Mr. Myers** explained that they always do a gutter and a downspout that will go directly to the back. **Mr. Soden** stated that in the past they have had the drains towards the sides rather than the back. **Mr. Myers** stated that they could do that. **Engineer Malinowski** stated that if you put it towards the back it would be more concentrated, however if you put it towards the sides it splits it.

**Chairman Tahirak** asked if there was any heating going in the sunroom. **Mr. Myers** stated that there would be no heating installed. **Chairman Tahirak** asked if there would be another slab or walkway. **Mr. Myers** stated that there was no walkway and if needed they would put a slab in. **Engineer Malinowski** stated that would fall under the construction code. **Engineer Malinowski** recommends a sconce light be installed so it does not bother the neighbors.

**PUBLIC COMMENT:**

There was none

**Attorney Petrone** stated that the board would be making a motion to approve the application with variance for the new construction of a 10x23 3 season room addition, resulting in a rear yard setback of 10.2ft. Subject to approval from the HOA. Subject to variance approval not guaranteeing the issuance of any construction permits to the applicant. Subject to a permit to be obtained before the commencement of construction. Subject to the downspouts being directed to the side of the property. The sunroom will have electricity only and the exterior light shining down and not onto adjacent properties.

A motion to approve the above was offered by **Mr. Beckes** and was seconded by **Mr. Soden**. Motion carried on a roll call vote recorded as follows:

**AYE: BECKES, SODEN, HARRISON, GAWRON, HAY, CLARK, TAHIRAK**  
**NAY: NONE                      ABSENT: WAINWRIGHT, FELDMAN**

**MINUTES**

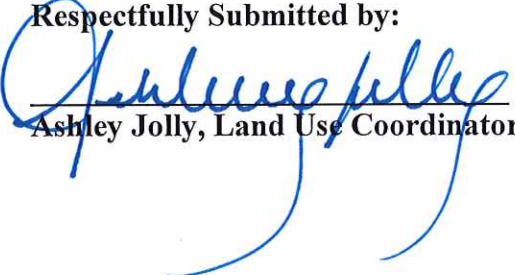
A motion to approve the minutes from September 5, 2017 was offered by **Ms. Hay** and seconded by **Mr. Beckes**. Motion carried on a roll call vote recorded as follows:

**AYE: HAY, BECKES, HARRISON, GAWRON, TAHIRAK**  
**NAY: NONE                      ABSENT: WAINWRIGHT, FELDMAN**

**ADJOURNMENT:**

A motion to adjourn the meeting was offered by **Ms. Hay** and was seconded by **Mr. Harrison**. All ayes. Motion carried.

**Respectfully Submitted by:**

  
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**Ashley Jolly, Land Use Coordinator**

**Date Approved:**

11-6-17