



**ZONING BOARD OF ADJUSTMENT**  
**Thursday, June 7, 2018**  
**APPROVED MINUTES**

*You couldn't pick a better place.*

**OPENING:** The meeting was called to order by Vice-Chairman Daniel DiRenzo, Jr. at 7:57 PM.

**PLEDGE OF ALLEGIANCE:** Led by Vice-Chairman Daniel DiRenzo, Jr.

**OPMA STATEMENT:** Read by Vice-Chairman Daniel DiRenzo, Jr. in compliance with the Sunshine Law.

**ROLL CALL**

- **Members in attendance:** Daniel DiRenzo, Jr.; Wyatt Sklar; Jennifer Apell, Nacovin Norman; Marshall Spevak; and Jill Roth-Gutman.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Director of Community Development; Jacob Richman, PP, AICP Planner; and Allen Zeller, Esq., Zoning Board Solicitor.

**ADMINISTRATIVE ITEMS**

*Adoption Meeting Minutes from May 17, 2018.* Mr. Sklar made a motion, which was seconded by Mr. Norman, to adopt the Meeting Minutes from May 17, 2018. Affirmative votes by DiRenzo, Sklar, Norman, and Apell. Minutes are approved.

**AGENDA ITEMS:**

**18-Z-0003**

Block(s) 340.18 Lot(s) 24

Zone: Residential (R2)

*Relief Requested: Bulk (C) Variance to permit a portico addition (constructed without permits) within the front yard setback.*

**Robert Cornaglia**

510 Mackin Drive

Cherry Hill, NJ 08002

**Applicant's Representatives:** Robert Cornaglia – Applicant & Homeowner; and James Clancy, PE, PP – Applicant's Engineer & Planner.

**Exhibits Submitted:** A-1: Site Photograph; and A-2: Architectural Plan.

Mr. Cornaglia introduced the application for a portico addition and stated that the portico is already under construction and was ultimately stopped by code inspectors. Mr. Cornaglia stated that he did not intend to construct the portico addition without proper permits and that the purpose of the portico was for protection from the elements. Mr. Cornaglia stated that the portico is 18'-10¾" tall. Mr. Cornaglia stated that the rear of the property is undergoing work for the construction of an addition and roof work. Ultimately a portico was put on as the existing overhang did not provide adequate protection from the elements. Mr. Cornaglia stated that he was under the impression that the portico was part of the original plans.

Mr. Clancy affirmed that while the prior front yard setback was at 34' (to the cantilever), the portico is 27.4' from the front property line (where 30' is required). Mr. Clancy submitted exhibit A-1 to showcase the portico which is under construction.

Ms. Luciani acknowledged that in addition to the requested variance, the property also has a preexisting nonconforming lot depth.

Mr. Clancy stated that the neighborhood has many different styles of homes and therefore, the portico won't render any adverse impacts to the neighborhood. Mr. Clancy also stated that many of the residences in the neighborhood are already near the front yard setback and adding a portico to gain protection from the elements would require a variance for many of the neighboring properties. Mr. Clancy also requested a waiver from providing a grading plan and stated that the lot was regraded in a manner that didn't change what the prior conditions were. Ms. Luciani stated that she would not waive the grading plan requirement as disturbing 500 SF or more of land requires a plan showing appropriate grading. The applicant agreed as a condition of approval to submit a grading plan that complies with the grading plan checklist.

Mr. Cornaglia stated that the portico columns will match the stone façade of the house and stated that the portico is located over preexisting steps. Mr. Clancy submitted exhibit A-2 to highlight the architectural plan for the portico.

**Public Comment:** None.

**Motion:** Following a review of the application and conditions of approval by Solicitor Wieliczko, a motion was made by Mr. Spevak and seconded by Ms. Roth-Gutman, with affirmative votes for approval by DiRenzo, Sklar, Norman, Apell, Spevak, and Roth-Gutman for the approval of the bulk (C) variance with conditions. Motion carries 6-0.

**18-Z-0005**

Block(s) 524.03 Lot(s) 14

Zone: Residential Agricultural (RA)

*Relief Requested: Bulk (C) Variances to expand the existing two-car garage into a three-car garage requiring front yard and side yard setback relief. In addition to the proposed 13.5' x 23' (309 SF) garage expansion, the applicant also proposes to expand the existing easterly driveway by 278 SF while eliminating 591 SF of existing concrete from the westerly driveway; thus, a net reduction of 4 SF in overall lot coverage is proposed.*

**Gary Goldblatt**

15 Galway Lane

Cherry Hill, NJ 08003

**Applicant's Representatives:** Laura D'Allesandro, Esq. – Applicant's Attorney; Gary Goldblatt – Applicant & Homeowner; Mark Shourds, PE, PP – Applicant's Engineer & Planner; Lou Regina – Developer/Builder of Subject Residence.

**Exhibits Submitted:** A-1: Site Photographs; A-2: Aerial Photograph; and A-3: Architectural Plan.

Ms. D'Allesandro introduced the application for bulk variances to expand the existing two-car garage into a three-car garage. Ms. D'Allesandro submitted exhibit A-1 and noted that the layout of the cul-de-sac prevents delivery trucks (and other types of service vehicles) from maneuvering back out of the end of the street without doing a K-turn. Ms. D'Allesandro noted the existence of two (2) existing garages (one attached at the rear of the residence and the aforementioned attached two-car garage at the front of the residence). Ms. D'Allesandro explained that the applicant's proposal is to add a third bay to the existing two (2) car garage. Ms. D'Allesandro submitted exhibit A-2 to show the layout of the property. Ms. D'Allesandro stated that testimony will be provided to argue that the proposed application is not a res judicata application (compared to the applicant's previous application to the Board) and that the Zoning Board has to make that determination as opposed to the Zoning Board Solicitor (although legal advice can be provided).

Mr. Goldblatt stated that he is proposing the garage space as he has four (4) cars, one of which is a classic car that he wants to store inside. Mr. Goldblatt stated that the rear garage contains pool equipment and, at best, could only fit a small car like a Fiat. Mr. Goldblatt affirmed that none of his cars can fit in there. Mr. Goldblatt affirmed that the rear garage was there when he purchased the house and that currently, the two-car garage contains two (2) of his vehicles. Mr. Goldblatt stated that after the original variance request was denied by the Zoning Board for a detached garage, he submitted and received zoning approval for a shed instead in order to store his kids' toys which had previously been stored in the two-car garage. Mr. Goldblatt stated that the garage addition has a higher overhead door than the garage doors to the existing two-car garage in order to accommodate his Ford F-250 pickup truck due to its size. Mr. Goldblatt detailed the history of his classic car ownership and noted that there will be no car lift in the proposed garage addition. Mr. Goldblatt submitted exhibit A-3 and discussed the differences between the previously proposed garage and the newly proposed garage. Mr. Goldblatt indicated the presence of a demising wall between the existing two-car garage and the proposed garage, specifically noting that it is for structural purposes.

Mr. Regina stated that he designed and built the subject residence in 1997. Mr. Regina stated that the rear garage is not really a garage due to its size (and location of an interior stairwell) and that it is tough for a car to make the turn at the back of the property due to the steep grade change and tight turning radius. The applicant noted that the driveway is impassable when covered with snow due to the steep grade change. Mr. Regina stated that there used to be a garage on the side of the house but that it was eventually converted into a game room. Mr. Regina affirmed that the rear "garage" is more of a storage area room.

Mr. Goldblatt stated that the garage addition will match the colors and materials of the house but that the proposed garage is slightly larger in size to the existing two-car garage. Mr. Goldblatt affirmed that his Ford F-250 pickup truck does not currently fit in the existing two-car garage as the regular sized overhead door measuring 8' x 8' does provide enough clearance; however, Mr. Goldblatt stated that if the Board made it a condition of approval to not allow the proposed garage to have a larger overhead door and instead utilize the same 8' x 8' sized overhead door that he would agree to that condition. Mr. Goldblatt stated that there will be no tree removal except for the possibility of one pine tree that may need to be removed if it dies off as a result of earthwork operations. Mr. Goldblatt clarified that the classic car (a Ferrari) will be stored in the existing two-car garage and that the Ford F-250 pickup truck would go in the proposed third bay. The Board expressed concern over a lack of photographs and a floor plan showing the interior dimensions of the rear garage as such documents would help the Board understand the true limitations of that area. Mr. Regina stated that he believes

the rear garage is 10' x 12' in size. A discussion ensued regarding a Foundation Plan which was pulled from the Department of Community Development's archive files with respect to the dimensions of areas within the house.

Mr. Shourds stated that proposing the garage attached to this existing two-car garage would present the least impact on the property in that it reduces impervious coverage. Mr. Shourds reiterated the presence of a severe grade change from the front of the property to the rear of the property, particularly when utilizing the westerly driveway. A discussion ensued about the "de-facto" cul-de-sac as it relates to the turn-around, right-of-way, and driveway. The discussion involved the usage of the cul-de-sac with particular attention being brought to the fact that half of the cul-de-sac is on Mr. Goldblatt's property, but that he does his best to keep it clear so the public can utilize the cul-de-sac as a turnaround. Mr. Shourds stated that due to the unique existing conditions of the right-of-way, the requested front yard setback variance is to a grassed area as opposed to an improved roadway. Additionally, Mr. Shourds stated that the side yard variance request is to a 20' wide sanitary sewer easement located on the neighbor's property which cannot be developed and thus there will be a significant buffer. Mr. Shourds stated that he believes this application is substantially different from the previous application from 2014. A discussion ensued about whether the rear garage should in fact be considered a garage due to its size and location. Mr. Shourds stated that he believes approving the garage will help bring cars off the driveway, thus allowing unobstructed access around the cul-de-sac for delivery, municipal service, and emergency vehicles.

A recess was taken at 9:38pm and the open public meeting resumed at 9:45pm.

Mr. Shourds stated that the applicant is amenable to decrease the size of the proposed garage addition so that the total area of the garage space amounts to less than 800 SF so as to not trigger a variance for garage size should the Board consider the garage addition a detached garage due to the demising wall between the two-car garage and the proposed third bay. Mr. Shourds stated that the benefit of the proposed deviation outweighs any detriment and states that not is the applicant's application substantially different from the prior application, it is also less intrusive. Mr. Shourds stated that while he may have stated in the prior application that the previously presented garage was location was the least impactful, the new application has presented new information to the case that make the new proposal even less impactful. A discussion then ensued regarding whether the applicant would need to re-notice the application due to the garage expansion potentially needing a Use d(2) variance. Ultimately, the applicant requested to adjourn the application so that they can provide the additional information that the Board is looking for. The Board had asked that the applicant consider removing the overhead door to the rear garage and replace it with a regular door as well as remove portions of the driveway at the rear of the property. The applicant stated they would waive the tolling period and will re-notice accordingly.

**Public Comment:** None.

**Motion:** Following the applicant's request to adjourn the application, a motion was made by Mr. Spevak and seconded by Mr. Norman, to grant the adjournment request. A unanimous all in favor vote was cast by the Board. Motion carries 6-0.

**RESOLUTIONS:**

**17-Z-0025**

Block(s) 163.01 Lot(s) 19 & 24  
Zone: Institutional (IN)

**Saint Thomas Greek Orthodox Church**

615 Mercer Street  
Cherry Hill, NJ 08002

*Relief Requested: A site plan waiver with bulk (C) variances for lot coverage and open space, and two (2) d(6) variances for height to construct a 44'-3" vertical church dome addition and a 39'-1" bell tower addition at the existing Saint Thomas Greek Orthodox Church.*

**Motion to Ratify:** Following the review of the resolution, Mr. Sklar made a motion which was seconded by Mr. Norman, to memorialize the resolution for Saint Thomas Greek Orthodox Church. Affirmative votes by DiRenzo, Sklar, Norman, and Apell. The resolution is memorialized.

**Meeting Adjourned:** at 10:21 PM.

ADOPTED: 6/21/18

  
DANIEL DIRENZO, JR., CHAIRMAN

ATTEST:

  
LORISSA LUCIANI, PP, AICP  
ZONING BOARD SECRETARY