

**ZONING BOARD OF ADJUSTMENT  
MINUTES  
APRIL 10, 2019**

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

**Roll Call:**

Present: Michael Bimmer  
John Gee, Jr.  
Lu Valentino  
John Zahradnick  
Richard Borden, Alt. #1

Absent: Karen Radie  
Angie Santori  
Steve Schmidt  
Dawn Sadlowski, Alt. #2

Also Present: Robert Kingsbury, Esq.  
John Cantwell, P.E., P.P., C.M.E.  
Kevin Rijs, Community Development Director

**New Business:**

**325 W. Mill Rd. – Block 137; Lot 2; The Palace Associates LLC – ground mounted solar; Z-19-1  
Zone: Residential (RA) Existing Use: Residential (3.7+/- acres)  
Proposed Use: Residential with ground mounted solar to power adjacent nursing home  
(Palace Care Center) property (Block 137, Lot 2.01 – 315 W. Mill Rd., The Palace Associates,  
LLC %Rose Mtn).  
Application: “d” Variance – Power installation to provide electric to neighboring property  
with site plan waiver request.**

*Continuance Requested Until May 8, 2019  
Motion: Bimmer/Zahradnick. Roll Call: All Approve.*

**630 Alexander Ave. – Block 141.01; Lot 6; Mancon Enterprises LLC; Z-19-5  
Zone: Business Development (BD)**

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**Application: “d” Variance – to allow Construction Company storage yard (vehicles and construction equipment)**

*Continuance Requested Until May 8, 2019*

*Motion: Borden/Zahradnick. Roll Call: All Approve.*

**300 S. Lenola Rd. – Block 189; Lot 4.04 (Kingsway Plaza); Stephanie Weinstein (Hot Yoga); Z-19-8**

**Zone: Business Development (BD) Existing Use: Vacant Store front**

**Application: Use “d” Variance to expand existing Yoga Studio into adjacent store front.**

Stephanie Weinstein, Applicant, sworn in by Attorney Kingsbury.

Explanation of photo. Shows 1,400 sq. ft. area (Hot Yoga) and vacant 1,400 sq. ft. area next door. Plan is to expand Hot Yoga which will result in a nicer lobby and two rooms. Hours of Operation: 6 AM – 9:30 PM. Employees: Max of 3 people; Students: Max of 40. Adding two showers; one existing bathroom.

Mr. Cantwell: Non-conforming use variance. Testimony should be provided to the Board showing positive and negative criteria. Positive: promotes general welfare of the community; taking over a vacant store area; offers different types of services with people with different types of abilities; creates community. Recycling – until a water cooler is installed, water bottles will be recycled. Basic trash – not a large amount. Any negative criteria will not be increased. No additional signage – applicant would like to replace current sign. No exterior improvements.

**Board**: Is Hot Yoga a franchise? *No.* How many classes per day? *Classes will be supply/demand.*

**Public**: None. Public Portion closed.

Motion to Approve: Zahradnick/Borden. (Per Attorney Kingsbury, motion includes a site plan waiver.)

Roll Call: All Approve.

**Old Business**: None.

**Minutes**:

March 13, 2019

Motion to Approve: Borden/Zahradnick. All In Favor.

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**Miscellaneous:**

**Reports:**

**Solicitor:**

**March, 2019 letter from Board Attorney to Township Council containing the following Board ordinance recommendations:**

- 1. To allow second garden sheds on residential lots.**
- 2. To permit second level additions on homes containing non-conforming setbacks without needing a variance.**

Chairman Gee read letter into the record. Board discussion and clarification by Mr. Rijs. Motion for Attorney Kingsbury to send letter: Bimmer/Valentino. Roll Call: All Approve.

**Resolutions:**

**2019-ZB-7:1010 Fernwood Ave. – Block 3; Lot 12; Robert & James Petrowitz; Z-19-3**

Motion to Approve: Borden/Valentino Roll Call: All Approve

Eligible to Approve: John Gee, Jr. Richard Borden  
Lu Valentino Dawn Sadlowski  
John Zahradnick

**Engineer:** None

**Community Development:** None

**Once Around:** Happy Easter.

**Adjourn:**

Motion to Adjourn: Bimmer/Zahradnick. All In Favor.