

WEST WINDSOR TOWNSHIP ZONING BOARD MEETING
REGULAR MEETING
March 6, 2025

The Regular meeting of the Zoning Board was called to order at approximately 7:02 pm by Chairwoman Abbey in Meeting Room A in the Municipal Building.

STATEMENT OF ADEQUATE NOTICE

Chairwoman Abbey announced that pursuant to the Sunshine Law, a notice of this meeting's date, time, location, and agenda was mailed to the news media, posted on the township bulletin board, and filed with the Municipal Clerk on February 25, 2025.

ROLL CALL AND DECLARATION OF QUORUM

Susan Abbey, Chair
Curtis Hoberman, Vice-Chair
John Church
Henry Jacobsohn
Daniel Marks
John Roeder
Eugene Fridkin, Alt. #2

ABSENT: Michael Garzio, Alt. #1
Carl VanDyke

TOWNSHIP CONSULTANT STAFF PRESENT

Trishka W. Cecil, Esq.
Sam Surtees, Land Use Manager and Zoning Officer
Paula Alexeev, Zoning Board Recording Secretary

MINUTES

February 6, 2025 Minutes

Mr. Roeder made a motion to adopt the February 6, 2025 minutes (without amendments); seconded by Mr. Church. Voice Vote -- All Aye except Mr. Jacobsohn, as he was not present at that meeting.

CHAIR'S COMMENTS & CORRESPONDENCE

There was no correspondence to review, and the Chair had no comments.

Chairwoman Abbey opened the meeting for non-agenda comments from the public. There were no comments from the public.

APPLICATION:

ZB24-07

Steven Jenks

"C" Bulk Variance

1736 Old Trenton Road; Block 27, Lot 10

Property Zoned: R-1/C District

MLUL: 4/15/2025

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The applicant proposes to construct a pavilion, patio, and fire pit area at 1736 Old Trenton Road (0.5 acre parcel). The pavilion measures 18 ft x 18 ft with a paver stone floor, adjacent to a patio (24 ft x 13 ft) with paver stones. The new patio (dining area) will replace an existing patio of similar size. Behind the patio will be a circular fire pit area with a 19 ft diameter surrounded by pea gravel. The above-mentioned area is located behind the existing house. A 12-foot side yard variance will be required for this application.

Mr. Jenks presented his application for approval. He explained that the variance was needed due to the irregular trapezoid shape of his property, which significantly restricts the buildable area behind his house. The proposed pavilion would be placed approximately 12 ft from the property line, which is closer than the required setback of 20 ft. He noted that the house itself is pre-existing non-conforming and 14 ft from the property line, noting that the placement of a septic system further limits the options for the structure's location. The approximate distance from the property line to the neighbor's house is between 80 and 85 ft.

During the discussion, Mr. Jenks confirmed that he would replace the existing brick patio with Mason stones but would maintain the same footprint, including the addition of the pavilion. He stated that the house was built in 1985. Mr. Church then commented that the construction of the house predates the current zoning regulations and setbacks, which is important to note in relation to the application. Mr. Church also stated that he had conducted a site inspection of the property, as the other committee members were unable to attend. He mentioned that he visited the site twice with Mr. Jenks to identify the property markers and assess the location of the proposed pavilion. While noting that determining the exact property line was challenging due to the irregular shape of the lot, he confirmed that the survey provided by the applicant was accurate enough for the purposes of the application.

Following the hearing, Chairwoman Abbey opened the meeting for public comment on the application. Mr. Robert Johnson stated he is Mr. Jenks' neighbor and has no objections to the proposed structure. Mr. Roeder made a motion to close public comment; seconded by Mr. Jacobsohn. Voice Vote -- All Aye.

Chairwoman Abbey then asked the board to consider the practical difficulty and hardship demonstrated by the applicant due to the irregular trapezoidal shape of the property, the pre-existing non-conforming status of the house, and the minimal impact of the proposed pavilion when they vote on the application. She emphasized that in her opinion the variance would not result in a substantial detriment to the public good and would not impair the intent or purposes of the zoning plan. She also noted that the location of the septic tank was an important consideration, as it further restricts the available area for the proposed structure. These were her reasons to vote to approve the application.

Mr. Roeder made a motion to approve application ZB24-07; seconded by Mr. Marks.

Roll Call:

Aye: Church, Marks, Roeder, Jacobsohn, Hoberman, Abbey

Nay: None

Abstain: None

Absent: VanDyke, Garzio

Not Voting: Fridkin

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ADJOURNMENT

With no further business, Chairwoman Abbey made a motion to adjourn the meeting at 7:21 pm; seconded by Mr. Roeder. Voice Vote -- All Aye.

The next meeting is tentatively scheduled for April 3, 2025.

Respectfully submitted,



Paula Alexeev

Recording Secretary