The Chairman called the meeting to order and stated it was being held in compliance with the “Open Public Meeting Act” and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Cohen, Mr. Cupersmith, Mr. Daddario, Mr. Leoncio, Mr. Weil, Mr. Willard, Mr. Schwenke, Mr. Senges

Absent: Mr. Brocco

Also, present, Stuart Platt, Board Solicitor, Ben Matlack, CME, Board Engineer, Chris Dochney, CME, Planner, and Corrine Tarcelli, Zoning Board Secretary

**MINUTES FOR APPROVAL**

Mr. Weil motioned to approve the minutes from November 8, 2018; seconded by Mr. Cupersmith; none (0) against, Mr. Schwenke abstained.

Mr. Cohen motioned to approve the minutes from January 10, 2019; seconded by Mr. Willard; none (0) against, Mr. Cupersmith, Mr. Schwenke abstained.

**RESOLUTIONS FOR APPROVAL**

 Mr. Willard motioned to approve Resolution for Case #ZC2018-021, Higher Ground Education; seconded by Mr. Willard; none (0) against, Mr. Cupersmith, Mr. Daddario, Mr. Schwenke abstained.

 Mr. Senges motioned to approve the Reorganization Resolutions for the Zoning Board Appointments for 2019; seconded by Mr. Weil; none (0) against, Mr. Cupersmith, Mr. Schwenke abstained.

**NEW BUSINESS**

**Charles Arman**

162 Peregrine Drive

Block 218.25, Lot 6

Case #ZC2018-026

Mr. Chris Dochney, Planner, CME Associates, One Market Street, Camden, NJ, a licensed professional planner since 2012, was sworn in to testify.

Mr. Platt summarized the application stating the Applicant is seeking bulk variance relief from Section 152.003(D)(2)(c)2 of the ULDO to allow the existing deck to remain with a side-yard setback of .1 feet where 10 feet is required and with a side-yard setback of 3.5 feet where 10 feet is required. Also seeking any and all other variances, waivers, and/or other relief as may be deemed necessary by the Board and/or its professionals.

Charles Arman, the applicant, was sworn in and testified under oath in support of the application. He testified that he purchased a bank owned property as an investment property. The home had a deck and patio already existing in the backyard. Mr. Arman testified that he does not want to change the footprint of the backyard. He advised that he added new pressure treated boards to the deck as the deck was in poor condition when he purchased the home. Mr. Arman further testified the deck and patio add to the aesthetics of the backyard and provides a safe place for his tenant’s children to play and the family to enjoy the backyard. The deck does not hinder the back yard in any way. The neighbors do not have a problem with the deck and they’re glad to see someone has purchased the property. Additionally, he testified his tenant’s family has access to and from the deck through the sliding glass door into the family room of the home.

The meeting was opened to the public. Seeing no one, the public portion was closed.

Mr. Weil made a motion to approve relief from Section 152.003(D)(2)(c)2 of the ULDO to allow the existing deck to remain with a side-yard setback of .1 feet where 10 feet is required and with a side-yard setback of 3.5 feet where 10 feet is required; seconded by Mr. Cupersmith.

Ayes: Mr. Cohen, Mr. Weil, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Cupersmith; Mr. Senges abstained.

Nays: None

**Jason Morovich**

9 Convington Lane

Block 213.11, Lot 3

Case #ZC2018-025

Mr. Senges recused himself from the meeting due to a conflict. Mr. Cupersmith Vice-Chairman was appointed as Acting Chairman. Mr. Platt summarized the application stating the Applicant is seeking bulk variance relief from Section 150.15(D)(3) and 150.13(A)(6) of the ULDO to allow the paver patio to remain with a side-yard setback of 6 feet where 15 feet is required and with a rear-yard setback of 12.7 feet where 15 feet is required. Also seeking any and all other variances, waivers, and/or other relief as may be deemed necessary by the Board and/or its professionals.

 Mr. Morovich was sworn in to testify. Mr. Morovich stated they installed a built-in pool from Niagara Pools. Initially, Niagara wanted to install berms in the back yard. In speaking with the landscaper and engineer, they decided that probably wouldn’t be the best choice, and opted to install a retaining wall instead. In doing so, the landscaper and the engineer failed to place the pavers on the plans. When the engineer inspected the as-builts, he failed the project because the pavers were not on the original plans. The variance is to include the pavers.

 Mr. Platt stated the Applicant would have to show a C-1 hardship due to the property itself, with respect to the topography, the size and shape of the yard or a C-2 standard which would have to show a better planning alternative that benefits the community. Under both standards both negative and positive criteria must be established and the Applicant would have to prove the project does not result in a substantial impairment. Mr. Platt inquired as to whether or not the Applicant had a planner with him or anyone to testify on his behalf. Mr. Morovich stated he did not. He further stated he wasn’t told or advised to have professionals appear on his behalf and was not prepared. Mr. Platt inquired as to whether or not Mr. Morovich would like to continue his application or if he would like the Board to vote on the application that evening.

 Mr. Morovich was informed he has the right to consult with his professionals and continue his application.

The meeting was opened to the public. Mr. Robert Greenwood, 11 Covington Lane stated he lives next door to the Applicant. He has lived at 11 Covington for 19 years and has never had a water problem until last summer when the pool was installed. He also has a neighbor in the rear that installed a berm. Mr. Hale, Code Enforcement went out to the property to inspect the situation. Every time there is a storm Mr. Greenwood gets 18 inches of water in his yard. He spoke to the neighbor in the rear. The neighbor stated he wasn’t going to do anything to change what he installed eight years ago. He wants to be a good neighbor and doesn’t want to go against Mr. Morovich’s variance request, he would just like the issue resolved with the water that is ponding on his property.

Mr. Shinkle, 23 Elliott Drive, Voorhees, NJ was sworn in to testify. Mr. Shinkle stated they are having a problem with water in the yard originating from the same corner. He is not sure whether or not the pavers are a contributing factor. He feels as though they may have had a problem in the past. The sidewalk in the front of his house is also covered with water. Mr. Shinkle presented photographs that were marked as P-1, taken in January, 2019 and P-2, taken January 24, 2019.

Mr. Shinkle stated his sump pump runs fairly often and he is going to perform an analysis. Water is now ending up in the front yard and he is not sure whether or not it is underground water. Their sump pump also permeates on that side of the house.

 Seeing no one further, the public portion was closed.

 Mr. Morovich stated earlier that same day, there was water in the rear of the yard and further stated his back yard was a swamp. He’s been at the property for two years. When they removed the berms, the ground was higher on his side. The landscaper leveled everything and had a drain pipe installed. The land is high on their either side. That is another contributing factor. The drain that was going through the back yard was removed. The photo Mr. Morovich presented was taken at 5 p.m. the same day as the hearing showing the water had receded. Mr. Platt marked the photos as Exhibit A-1, Exhibit A-2.

 Mr. Morovich stated there were actions taken to not have that water flowing and had the drain removed. Mr. Greenwood’s back yard is built up from behind him.

 Mr. Platt suggested the Applicant either request a continuance or have the board vote on the application this evening. Mr. Morovich opted to continue the application.

Mr. Cupersmith made a motion to continue the meeting to February 28th; seconded by Mr. Daddario.

Ayes: Mr. Cohen, Mr. Weil, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Cupersmith, Mr. Schwenke

Nays: None

**George Zugaib c/o Salon Zu’Gaib**

407 Kresson Road

Block 219, Lot 4

Case #ZC2018-024

Mr. Platt summarized the case stating the Applicant is seeking Use Variance relief and minor site plan approval from Section 152.002 of the ULDO to allow a portion of the property to resume being used as a home hair salon business operated by himself and one employee. The salon area would contain 360 square feet where Section 152.003(A) limits the floor area to 250 square feet. The Applicant is also seeking relief from parking limits of seven spaces where four spaces are permitted including one handicapped accessible space and seeks relief from the requirement that prohibits salon patrons from visiting the site. The Applicant’s proposed minor site plan seeks dimensional variances from Section 152.005(A) to allow a pre-existing area of .79 acre where 1 acre is required and from Section 152.005(D)(3) to allow a pre-existing side-yard setback of 24.3 feet where 30 feet is required. Also seeking any and all other variances, waivers, and/or other relief as may be deemed necessary by the Board and/or its professionals.

 Mr. Michael Ward, Applicant’s Attorney introduced himself and his professionals, Mr. Gravlin, Professional Engineer, Mr. Miller, a NJ licensed Professional Planner, Mr. Alt, Registered Architect who prepared floor plans as well as a schematic, and Mr. Zugaib, the Applicant.

 Mr. Ward stated Mr. Zugaib has been in the industry for many years. He has a very well-known and established hair salon business in Marlton. Because of medical and personal issues, he would like to go from running a full-time salon to running a salon inside his home.

 Mr. Platt requested the professionals step forward to be sworn in. Mr. Miller, Professional Planner, 222 Nicholson Drive, Moorestown, NJ. Jack Gravlin, Jr. 5345 White Horse Pike, Mullica Township, Professional Engineer, Mr. Alt, 36 Route 70 West, Cherry Hill, NJ Architect in the state of New Jersey and Pennsylvania. Mr. Alt has presented before a Board approximately 20-30 times. All were qualified as experts.

 Mr. Ward submitted photographs of the subject property. Mr. Platt marked four photographs as Exhibits A-1 through A-4 representing existing conditions. The photographs were taken December, 2018. Mr. Ward stated Mr. Zugaib was requesting a conditional variance to allow to use the property subject to certain conditions and also seeking minor site plan approval. Mr. Ward stated Mr. Zugaib confirmed there will be one assistant and has worked with Mr. Alt to develop a site plan for the property and a layout for the house. Mr. Zugaib stated he is going to have two salon chairs, two sinks, two hair dryers with one assistant. He further stated services will be provided by appointments only, no walk-ins. Women will be scheduled 45 minutes to an hour, men will be half-hour. Hours of operation will be 9 a.m. to 5 p.m. Tuesday through Friday, Saturday 9 a.m. to 3 p.m., closed on Sundays and Mondays. The last appointment will be taken at 4:30 for a male, a woman, 4:00 to 4:15. Everything in the hair salon will be laid out so that no client or customer is inconvenienced. There will be a couple of chairs for individuals who are waiting and there will be a maximum of two to three people at the salon at any given time. Mr. Alt confirmed the salon needs to be handicapped accessible. Mr. Ward confirmed they are requesting from the Board to grant a deviation from a limitation from the ordinance that limits the home occupancy space from 250 square feet. The applicant is requesting an area of 360 sq. feet which would include the waiting area and the rest of the salon. Mr. Zugaib stated they would only be selling products that are used on their clients. The products would be placed on a small display; no retail sales to the public.

 Mr. Platt requested Mr. Matlack explain the square footage relative to the deviation based on his report dated January 11, 2019 from CME, Page 3, Item A. Mr. Matlack stated there is 360 sq. feet for the shop itself, as well as a wash room, break room, and a bathroom that are dedicated to the salon resulting in a total of 512 sq. ft. The total square footage of 512 is also indicated on the architectural plans.

 Mr. Ward requested Mr. Gravlin explain the design of the plans. Mr. Gravlin stated he prepared the minor site plan. The property is located on the corner of Kresson and Birch. It is 3.79 acres within the RR Zone. It is a one and half story single family dwelling, concrete driveway, with a small stone parking area. A portion of the existing structure was previously utilized as a hair salon. Residential properties are located on all sides of the property with the exception of the property to the north which is undeveloped. The plan is to expand the floor area of the hair salon as well as the residence. The residential portion will increase from 1,773 square feet to 2,876 square feet. The hair salon from 303 square feet up to 512 square feet. That is consistent with the Planner’s report. Mr. Matlack agreed to Mr. Gravlin’s testimony. They are converting the existing garage to residential use and constructing a new garage behind the property as indicated on the site plan. They will be expanding the existing stone parking area. A total of five spaces as being required, however, Mr. Gravlin is proposing six spaces within the parking lot, two within the garage for a total of eight spaces. He also indicated one bank parking space for future use in the event that it becomes necessary. One of the spaces in front of the structure will be a fully paved handicapped van accessible space. When designing the parking area, Mr. Gravlin tried to maintain the residential nature of the property. A one-way drive pattern is proposed at the entrance at Kresson with an exit onto Birch. There is an existing driveway on Birch. The proposed parking will be vested along the one way drive at a 45 degree angle and will have a stone surface. The driveway will be paved all the way from Kresson Road to the front entrance to the hair salon. A paved barrier free access is also provided from the handicapped parking to the salon entrance. There is a very large 60 inch specimen tree as indicated with a circle on the plans. It is a monstrous specimen tree. The plan is to do everything possible to protect that tree. The existing secondary cobblestone drive that currently goes out to Kresson Road will be removed. The tree will be protected with a tree protection fence during construction. The majority of the rear will remain exactly as it currently is as a residential use. There will be a slight modification to the existing driveway at Kresson Road and widened for the handicapped parking stall as well. Mr. Gravlin is proposing a small 14 foot one way entrance off of Kresson Road. The applicant will not require anything in access of that. There will be a limited number of patrons and the subject property is primarily a residential use. ADA signage will be installed. The proposed impervious coverage will increase from 27.93 square feet to 53.21 square feet, 8% to 15%. As a result there a total of 25% impervious coverage is planned which is well below the 45% permitted. Site disturbance will be approximately 28% of the site. Mr. Gravlin did prepare a grading plan. The minimal increase in the impervious coverage results in the project being exempt of the full stormwater standards. Mr. Gravlin is confident by letting the water go into the existing woods there would be no impact whatsoever to either the subject property or any of the neighboring properties.

 There is an existing wooded area between the structure and Birch Street and it will be preserved to the extent possible. Mr. Gravlin proposes cutting into it slightly at the top end for the new parking. However, the majority of it will remain and will result in a very nice natural buffer. He is also proposing to plant an additional 47 trees and shrubs that will be placed in a new front planting bed and additional buffering plantings are also proposed.

 Mr. Gravlin stated the plans include two small six pack LED fixtures. One will be located on the front of the structure itself which will illuminate the front driveway. The other will be installed on a pole in the parking area itself. The ordinance permits 14 foot and he will adhere to the 14 foot. These fixtures will be full cut off compliant fixtures, oriented, directed downward and no spillage whatsoever off the site. He is also proposing one small 20 square foot monument sign in the front along Kresson Road identified on the site plan at the location of the previous sign. He further stated the Applicant does not take any exceptions to any of the recommendations in Mr. Matlack’s letter.

 Mr. Gravlin believes the proposed improvements related to the home occupation, to onsite traffic circulation, pedestrian safety, the proposed site layout and additional landscaping, which will enhance the site aesthetics, will minimize impacts to the neighborhood and surrounding uses.

 Mr. Platt requested further clarification from the engineer’s report, on Page 5. Regarding stone driveways. Mr. Gravlin stated because of the de minimis usage, he believes a stone parking area and lack of curbing is appropriate. It lends itself to more of a residential look. There was a stone parking lot on the property for many years. The important parts of the site will be paved, the entrance off of Kresson up to the front of the residence. Mr. Matlack did not have any objections.

 Mr. Gravlin stated there is no easement existing at Birch Street. The Board has the right to require one and he is proposing to clear to the extent needed to maintain a good sight triangle. He agree there is a limited visibility issue when pulling out from Birch Street and agrees to fix that, installing a 25 foot triangular easement.

 Mr. Matlack requested Mr. Gravlin further discuss the sign. Mr. Gravlin stated there are remnants of an existing sign, a pole sign. Mr. Gravlin is going to have the pole sign removed and replace it with a monument sign, a two foot base, three feet up above that with landscaping on both sides. He will prepare an actual detail, but it will be 20 square feet which is what is suggested in this zone for other uses. He is requesting a five foot setback mainly because of the presence of the large tree. He’s concerned if he goes back 10 feet, the sign will not be visible. The sign will not be illuminated. Therefore, he is requesting a setback variance of 5 feet for the sign where 10 feet is required.

 Mr. Matlack requested Mr. Gravlin speak about refuge management. Mr. Zugaib will be picking up his own supplies on Mondays. They will not be delivered. Mr. Zugaib is not aware of when the scheduled pick up for trash is in his neighborhood. They are not proposing a dumpster or a trash enclosure. The trash will be placed out with the normal domestic trash. Mr. Gravlin is proposing a new curb at the actual entrance. He is not suggesting any sidewalks since there are no sidewalks on this side of the street anywhere in the area. Mr. Gravlin is concerned by installing a sidewalk, it will absolutely damage the roots of the large tree. The tree has a fairly shallow root system. There is a sidewalk across the street and in addition there is a bicycle lane. The only curbing improvements Mr. Gravlin is proposing is to expand the curbing at the Kresson Road driveway and at the Birch Street driveway.

 Mr. Matlack inquired as to what the purpose of the banked parking spot is. Mr. Gravlin stated he could remove it from the drawing because he doesn’t feel as though it is going to be needed. Mr. Miller will further discuss parking in his testimony. A stop bar will be installed at the exit driveway as well as a ‘do not enter’ sign. The color rendering Mr. Gravlin referred to during his testimony was marked as Exhibit A-6.

 Mr. Miller stated the property is in the RR (rural residential) Zone. RR is a low density residential district and it does allow a home business as a conditional use. In this specific location of the RR, there is an additional provision that allows certain low intensity office uses. This provision dates back to 1995 when the Master Plan was updated by Carl Hintz. Apparently some of the property owners along this portion of Kresson Road approached the Planning Board and testified there was a lot a traffic in the area and it made it difficult to market properties on this side of Kresson Road. There was a zoning amendment that would allow a limited amount of office uses as well as the underlying residential uses.

 In terms of the adjoining uses, on the far right hand side of the aerial is a law office built in conjunction with the low intensity office use and there is a church. The property two doors down going westward is a contractor which is another home business. There are a lot of properties with extensive off-street parking areas. A lot of the residential properties have extensive parking due to the traffic conditions on Kresson Road and also allows for parking for visitors. The aerial Mr. Miller referred to during his testimony was marked as Exhibit A-7.

 Mr. Miller stated they are seeking relief from a D-3 variance because there are deviations from the conditional use standards for the home business use. Mr. Miller concurs with the opinion of the Board that the area that is devoted to the conditional use is 512 square feet. The additional laundry, storage, and sitting area is also part of the use. Mr. Miller stated there will be a total of 8 parking spaces which includes the two garage parking spaces. If there ever was a need for the banked parking spot, the Applicant should come before the Board. There are four deviations. The first deviation for the floor standard which is 250 sq. ft. or 10%. The applicant is requesting 512 sq. ft. The Ordinance allows a maximum additional two parking spaces for a home business, the Applicant is requesting six. The code does not allow clients or patrons of a home business. Mr. Zugaib is anticipating 10-12 clients on a normal day. The code prohibits signage for a home business and the Applicant is requesting a sign. Therefore, he has to show that the site under the positive criteria remains appropriate for the use to spite the deviations and that standard comes from Coventry Square. Mr. Miller believes there are two purposes for this use including advanced Purpose A and Purpose G.

 Mr. Miller further stated relative to the capacity of the site itself, the site contains .7 acres. With the stone driveway and the addition, it is still well under the 45% impervious surface standard of 25% and it is also under impervious standard of 40% which is applied to a low intensity office use. It is also going to satisfy the clearing limits of the ordinance for all the setback and bulk requirements. The site has ample capacity to support the proposed use. In addition there is an established tree line in between the Birch right of way and the main structure. Even in the winter time, it will provide extensive buffering. It will also provide a means of buffering for parking and mitigating any potential visual impact that parking could have on the property. It is also a property that was previously recognized as being appropriate for this use albeit a smaller version of the use. A prior Board did consider this to be a site that was appropriate for the use and that approval created the current regulations which enabled the home business which enabled the low intensity office use. All these factors show the site can accommodate the use to spite the deviation. The four deviations existed in the previous application for the salon that existed there previously. The previous application received a D-1 variance as opposed to a D-3 so that application had to satisfy a higher standard.

 The primary works space is 360 square feet. The use is still going to meet the standard of being accessory to the home itself. It is going to be secondary to the principal residential use. The house will retain its residential character. The non-residential element is not discernable from the public right of way. The structure has a residential character and the activity is going to be contained within the residential structure and on the side where it is less intrusive and screened from view from the existing buffer and maintains the overall residential character of the property with the exception of the sign.

 Mr. Miller further stated regarding the parking standard deviation, the impact of that has been mitigated by a number of design factors. The parking is going to have a deep set back from Kresson Road. The buffer mitigates the visual impact. The stone surface is also a benefit. It is a less intensive form of improvement and the parking also is consistent with the development patterns in the area. Even the residential homes in the area have comparable parking areas. The site will remain appropriate for the use to spite the deviation for the parking. The one-way drive will mitigate the impact of the parking spaces as well.

 Regarding the deviation relative to on-site clients, Mr. Miller believes that is a relatively minor deviation. It increases the trip generation by approximately 24 trips at the maximum if 12 patrons are scheduled on any given day. The trips are on and off a major county road. Kresson Road is a very busy road which is the reason why some of the unique zoning provisions have been attached to the north side of Kresson Road. Given the character of that road, it’s not likely that those 24 trips distributed over the time of hours of operation is going to have any discernable or significant impact on the traffic on Kresson Road. The primary reason the ordinance limits home businesses in the way it does, it didn’t want non-residential traffic encroaching into residential areas. This lot fronts on a county road. That coupled with the fact that there are a minimal number of trips, Mr. Miller thinks the site remains appropriate for the use to spite that deviation.

 Mr. Platt inquired as to whether or not Mr. Miller believed given the limited number of hours of operation and operation by appointment only, does that factor into that purpose? Mr. Miller stated he thinks this use factors very well. It has to do with the hours of operation. It has to do with the way the parking is designed. The activity of the use itself is contained within the structure. There will not be any activity of the use that will spill over into the side or the rear yard of the property where it would impact an adjoining residence. For all those reasons Mr. Miller feels spill-over is eliminated from a non-residential use into a residential area. There will not be a lot of activity in the evening and on the weekend. The activity that does occur will be contained within the structure.

 Mr. Miller further stated when there is a business, a sign is needed to identify the business. Primarily so individuals can locate the business safely. The sign is purposely designed in conformance with the standard of a low intensity office. In this specific location with this specific use the deviation can be granted without any detriment. Since the nature of this operation is that there are existing customers by appointment only and the idea is to keep it low intensity. Mr. Platt inquired as to whether or not a sign is really necessary and is having a sign inconsistent with the conditional use but also inconsistent with the idea that the Applicant is not going to be encouraging a lot of foot traffic and customer traffic. Mr. Platt stated he has concerns regarding the sign. Mr. Miller concedes that the sign out of all the impacts of this use, that’s the one impact which is not mitigated fully and is a bit inconsistent with the otherwise maintaining of the residential character. Mr. Miller reviewed that within the context of the zoning code. If there are uses permitted in the area, they would have a comparable sign that offsets that to some extent. You also have signage for the law office and the church which are comparable and those signs do not have any negative impact on the area. For those reasons Mr. Miller does not believe the impact of the sign rises to the level that it would violate the standard of the Coventry Square. The site would remain appropriate for the use to spite the signage.

 Mr. Miller further stated under the negative criteria. Whether the use is going to create the substantial detriment to the public welfare is determined by a two-prong test. The first prong is that the deviation will not result in such damage to the character of the surrounding area or a detriment to the public good. The second criteria is that the deviation can be reconciled with the township’s determination where it is otherwise permitted. In turning to the detrimental prong, Mr. Miller believes there is no substantial detriment. The reasons include the fact that the structure will continue to have a residential character. The design of the building is such that it contains the activity. The off-street parking impacts have been mitigated by the buffering. The parking is consistent to the scale and size for parking for other uses in the area. The number of clients are limited. The site is located on a county road which further mitigates that impact. The sign has a limited impact as well and one that is consistent with the regulations applied to other uses in the area. In terms of reconciling the use with the standard, Mr. Miller feels the conditional use standard is recognized in an area within the Township where it’s appropriate to have a combination of business and residential uses because of the unique traffic patterns and unique character of this segment of Kresson Road which has been recognized by the Master Plan of 1995 when the change was inserted with low-intensity business use without any detriments to the community.

 Mr. Miller stated the use that is being proposed is one that is similar to the use that was previously approved at the same location under prior relief. There is also a benefit of reoccupying the structure itself. This building has been vacant for the last four years. That again reflects the thinking in the code which basically recognizes that there are impacts of the viability of these properties because of the location. To off-set that impact, the code allows non-residential uses that has been enumerated in the code.

 Mr. Alt stepped forward and stated the question that hasn’t been answered is in regards to the Engineer’s question relative to the height of the building. The height of the existing residence is 21 feet. The new proposed shop area height is 18 feet from grade to peak. The chimney measures an additional two feet. The garage is separated by a one hour fire-rated wall. The business will also be separated by a one hour fire-rated wall. It would be very difficult to expand the business without a major reconstruction. The addition will match in terms of materials and roofing. There will be a front facing gable where the original garage door was located. It will be integrated and consistent with the residence.

Hearing no further testimony, the meeting was opened to the public. Seeing no one, the public portion was closed.

As summarized by Mr. Platt, Mr. Weil made a motion to approve a conditional use variance relief and minor site plan approval from Section 152.002 of the ULDO to allow a portion of the property to resume being used as a home hair salon business operated by himself and one employee. The salon area would contain 360 square feet where Section 152.003(A) limits the floor area to 250 square feet; relief from parking limits of seven spaces where four spaces are permitted including one handicapped accessible space and seeks relief from the requirement that prohibits salon patrons from visiting the site. As well as proposed minor site plan seeks dimensional variances from Section 152.005(A) to allow a pre-existing area of .79 acre where 1 acre is required and from Section 152.005(D)(3) to allow a pre-existing side-yard setback of 24.3 feet where 30 feet is required. 152.003(D)(2)(c)2 of the ULDO to allow the existing deck to remain with a side-yard setback of .1 feet where 10 feet is required and with a side-yard setback of 3.5 feet where 10 feet is required, as well as a sign variance relative to the setback only and site triangle easement; seconded by Mr. Willard.

Ayes: Mr. Cohen, Mr. Weil, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Schwenke, Mr. Cupersmith.

Nays: None

Seeing no further business Mr. Cupersmith makes a motion to adjourn, seconded by Mr. Weil. Meeting was adjourned.

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 Corrine Tarcelli

 Zoning Board Secretary