

WEST WINDSOR DEVELOPMENT REVIEW BOARD

Draft Minutes

July 6, 2017

Members Present: Shannon Harrington,, Jane Hoisington, Dick Beatty, Genevieve Lemire, Courtney McKaig (alternate)

Others Present: Robynlee Reichard, Deb Shearer

1) Site Visit to 2711 Rush Meadow Road, the meeting was called to order by chair Shannon Harrington at 7:00 pm.

2) The meeting was called to order by chair Shannon Harrington at 7:00 pm.

3) Changes or additions None

4) Public Comment None

5) Public Hearing on application #2656 by Robynlee Reichard for a variance to construct a 120x 8 foot covered porch on the north and west side of the house (parcel #04-56) was opened with a reading of the hearing notice. No DRB member disclosed any ex parte communications or conflicts of interest. No one requested status as an interested person. Robynlee Reichard was sworn in. Shannon noted that all of the 5 variance criteria must be met and proceeded to review the responses to the variance criteria that Robylee submitted by email.

#1 NW rear corner is 35 feet from the north property line on the six acre lot. The existing house is currently currently non-conforming. The NW corner of the proposed porch would be 22 feet from the property line.

#2. Robyn stated she is trying to create a front entrance to the house into a common area instead of bedroom or kitchen front door in a common area of the house. Clarifying she would be adding only covered outdoor living space not enclosing the porch Shannon said In the rules it is difficult to meet the criteria

#3 The existing home is considered a non-conforming structure. The house was bought by Robynlee in 2012. Shannon said this was the difficult problem to tackle as to the way the regulations were written. (section 3.9-3) A nonconforming structure shall not be moved, altered, extended, or enlarged in a manner which will increase the existing degree of non-conformance. The phrase 'shall not increase the degree of non-conformance' shall be interpreted to mean that the portion of the structure which is nonconforming shall not increase in size (or decrease in the event of failing to meet minimum standards such as parking and lighting). Therefore, portions of a structure within a setback area cannot be enlarged, portions above the maximum height cannot be expanded, a nonconforming deck or porch cannot be enclosed, where parking is deficient the number or size of spaces cannot be reduced, etc. This phrase is not intended to prevent existing unfinished space from being finished or other similar scenarios provided there is no increase in size.

#4. Genevieve asked about lighting: Robynlee said only soffit lighting would be used.

Deb said All abutters were notified by mail as per (statute) all are second homeowners.

#5. Robynlee said she kept the plans of the porch that would be the minimum comfortable level for access 8 feet any smaller would not really be functional. Jane asked if the would the whole porch be kept to 8 feet? Yes. Dick asked if she could put a porch just on the north side. Robynlee responded it would not create a front door feel. Deb said that one could possibly need a variance as well. Shannon agreed. Would it be an open sided porch, no railing? Robynlee submitted a elevational sketch of the porch showing height with tied in roofline .

Shannon asked if there were any other questions. Dick said was looking for help on non conforming part of the regulations. (3.9-3) The prohibition of the expansion of an already non conforming structure. Shannon said the only part that may help is (section 3.9-4) The DRB shall permit the alteration or expansion of a nonconforming use for the sole purpose of compliance with mandated environmental, safety, health, or energy codes.

Dick moved to close the Hearing Courtney seconded.

The hearing was closed at 7:29 PM. Robynlee Reichard left the room.

A deliberative session followed.

6) Other Business None

7) Approve Minutes for April 11, 2017 The approval for the April 11 was passed over.

8) Adjourn The meeting was adjourned at 7:55pm

Respectfully submitted,

Deb Shearer