



**MINUTES OF MEETING  
HAMILTON TOWNSHIP ZONING BOARD  
May 10, 2022**

At approximately 6:00 PM the meeting was called to order followed by the flag salute. Thereafter, the secretary of the board called the roll and announced that a quorum was present in attendance were:

Joseph Weber	James Kochenour
Anthony Angelico	Jamie Volkert
Angela Evans	Sean Carter
Ileana Schirmer	

The Chairman then noted that the meeting was being held in compliance with the Open Public Meetings Act and that proper notice had been given and explained that the ordering of the Agenda is based on the deadline for Zoning Board action as established by the New Jersey Municipal Land Use Law ("MLUL") and, secondly, by the date an application is received by the administrative officer. Procedurally, the Chairman indicated that opening testimony on any given case shall be presented by the Township staff to be followed by testimony by the Applicant. However, this procedure may be reversed at the discretion of the Board Chairman upon staff request.

**HOMEOWNER APPLICATIONS**

Application No: 22-04-007

Type: Residential

Owner/Applicant: Timothy Mulryne & Lisa Zacchino

PROPOSAL: Constructing a solid fence within a front yard area

REQUEST: Waiver of fence design standards

Location: 636 Paxson Avenue; Map 14; Section 1562; Lot 1

Zone: R-15

Board must act by September 1, 2022

Timothy Mulryne

Lisa Zacchino

Mr. Mulryne explains his request for fence as their property is on a corner lot and is considered a front yard. The rear yard does not leave enough room for improvements such as a shed and play area for minor children and they wish to expand the coverage to include some of the front yard area.

Township professionals are then sworn in. Robert Poppert, Township Planner, reads into record his memo dated May 9, 2022. Samantha Brown, Township Engineer, reads into record her memo dated May 2, 2022. Discussions followed.

Public portion is opened and comments were made by the following:

Kevin Crola, 4 Tar Heels Road

Nevin, S., 6 Tar Heels Road

Additional discussions followed with concerns over vehicle and pedestrian traffic and it was recommended to place fence 19 feet back from property line. The application was then approved by majority vote with a motion made by Mr. Kochenour and second by Mr. Angelico.

**RECONSIDERATION** - The Board to hear reconsideration for the following application – Approved by majority

Application No: 21-11-042

Type: Business

Owner: Lukoil North America LLC

Applicant: Mercerville Equities, LLC

PROPOSAL: Constructing a 2,325sq ft Chipotle

REQUEST: Use variance, preliminary & final site plan approval, variance relief from lot coverage, area, frontage, depth, side yard setback, number of parking spaces, buffer, driveway distance to ROW & intersection

Location: 249 Route 33; Map 90; Section 1799; Lot 4

Zone: HC

Board must act by June 3, 2022

Keith Davis, Esq

Lori Pellegrino

Robert Warshefski

Robert Hunter, PE

John McDonough, PP

Ryan Turner

Chris Ward

Michael Burns, Esq, Zoning Board Attorney, opens with a brief explanation of reconsideration. A vote is taken and the Board votes 6-7 to rehear the application.

Mr. Davis then gives brief overview of proposal from the previous 2 meeting. Mr. Mosley is first witness called for traffic testimony. He explains that a minor access permit is required and NJDOT has denied the left turn out of parcel onto Route 33. There are then further discussions regarding parking and landscaping buffer on common lot line, the type of fence will depend on amount of room for footings. The applicant will work with the construction office to relocate the fire door depending on code.

Public portion is opened and no one comes forward. Mr. Davis then gives a brief closing statement. The application is approved with a motion Mr. Kochenour and second by Mr. Angelico and affirmative votes from Ms. Volkert, Ms. Evans and Chairman Weber; with "no" votes from Ms. Schirmer and Mr. Carter.

### **HELDOVER APPLICATIONS**

**Application No: 21-06-023**

Type: Business

Owner/Applicant: 3332 Hamilton Real Estate Inc

PROPOSAL: Constructing a 27-unit condominium/townhome development

REQUEST: Use variance, variance relief from front yard setback & building coverage & concept site plan

Location: 3332 S. Broad Street; Map 283; Section 2527; Lot 17

Zone: R-10

Board must act by May 31, 2022

Dino Spadaccini, Esq.

Jim Kyle, PP

Mark Blasch, Architect

Justin Taylor, PE

**Exhibits**

A6 – Revised site plan

Mr. Spadaccini opens with a synopsis of previous meeting as well as a response from Mercer County DOT being they will only approve one curb cut on South Broad Street. This eliminates the chance of single family development. The plans have been changed to reflect the reduction of number of units to 22 with the integration of 4 affordable. All units are now 3 bedrooms. There will now be a total of 97 parking spaces with 20 being visitor parking. A playground has also been added.

Public portion is opened and comments were made by the following:

Debbie Bedard, 434 Gropp Avenue

The application was then unanimously approved with a motion by Mr. Kochenour and second by Mr. Carter.

**NEW APPLICATIONS**

Application No: 21-12-050 - Carried to Regular Meeting May 24, 2022

Type: Business

Owner: Harveer Singh, Upinder Singh, Kujit Singh

Applicant: Vessel RE Holdings LLC

PROPOSAL: Constructing a 5 story apartment building (48 market units/12 affordable)

REQUEST: Use variance (d1 & d4), preliminary & final site plan, variance from lot area, frontage, width, side yard setback, landscape buffer, conservation area, parking setback, waiver of parking space size, drive aisle width, number of spaces and tree preservation

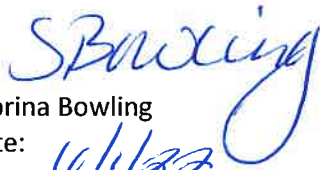
Location: 1472 Kuser road; Map 180; Section 2163; Lot 18

Zone: GSC

Board must act by July 21, 2022

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I hereby certify that the Minutes of the Meeting of the Hamilton Township Zoning Board Regular Meeting which was held on May 10, 2022, was approved and adopted as written at a Meeting of the Hamilton Township Zoning Board Regular Meeting which was held on 5/24/22

  
Sabrina Bowling  
Date: 6/1/22