# EAST WINDSOR TOWNSHIP ZONING BOARD
# MINUTES OF OCTOBER 15TH, 2026

The meeting of the East Windsor Township Zoning Board was held on Thursday, October 15, 2026. Zoning Board Chairperson Rochelle Shifman called the meeting to order at 5:35 p.m.

## STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, a notice of this meeting's date, time, and place, was sent to the Trenton Times on October 13, 2026, filed in the office of the Municipal Clerk, and posted on the East Windsor Municipal Building and the Township website. All requirements of the Open Public Meetings Act have been satisfied.

## ROLL CALL

Members Present: Mr. Absalom, Mr. Monahan, Mr. Primiano, Ms. Shifman

Absent: Mr. Baumann, Mr. Cosenza

Professionals and Staff Present: Elijah Domine, Zoning Board Secretary
Jay Weiner, Board Attorney
Hanah Davenport, Township Planner
Kevin Meade, Township Engineer
Allison Quigley, Township Clerk

## REPORTS/CORRESPONDENCE/ANNOUNCEMENTS

NONE

## PUBLIC FORUM

NONE

## MINUTES

**Not yet available, will be carried to November 19th, 2026 meeting.**

## RESOLUTIONS

**Resolution 2026-09**
EWT File ZB26-001
Frank Garone
9 Curie Court
East Windsor NJ 08520
Block 47.02, Lot 30.14
Minor Site Plan with Bulk Variances

Resolution 2026-09 was prepared by Mr. Weiner and introduced with no amendments.

Mr. Monahan made a motion to adopt the resolution, which was seconded by Mr. Primiano.

AYES: Mr. Absalom, Mr. Monahan, Mr. Primiano, Ms. Shifman

NAYES: NONE

ABSTAIN: NONE

## DISCUSSION ITEMS

NONE

## APPLICATIONS

**EWT ZB26-002**

**Austin and Jenna Pinkney**
2 Stanford Court
East Windsor NJ 08520
Block 66, Lot 48
Appeal of Zoning Officer Decision/Bulk Variance

**Application Description**

The Applicant is seeking to construct a pole barn garage measuring 30 feet by 30 feet, for a total footprint of 900 square feet. The structure is proposed to be located to the west of the principal structure, within the front yard abutting Berkshire Drive. The application materials indicate that the structure will be utilized for the Applicant's personal use, specifically to store vehicles and perform maintenance. The proposed structure will accommodate up to two (2) vehicles. No architectural drawings or elevations have been provided, but the Applicant indicates that the pole barn is proposed to be constructed with a concrete slab base as well as steel walls and roof.

## MINUTES

Mr. Pinkney was present before the Board to represent his application.

Mr. Weiner confirmed that the Applicant provided adequate notices and that the Board did have jurisdiction to consider the application. Mr. Weiner stated for the record that the original application designated the matter as an appeal of the Zoning Officer's decision as opposed to an application for a "C" variance/bulk variance. The Applicant did include consideration of a bulk variance in their noticing, and Mr. Weiner clarified that an application solely appealing the Zoning Officer's decision would be concluded with no further action upon findings either in support of or overruling the Zoning Officer's original decision. He explained that a bulk variance was used to get permits for applications who do not fit under Township zoning ordinance and do allow for approvals or denials. Mr. Weiner asked Mr. Pinkney if he wanted the Board to consider both the appeal and the bulk variance request.

Mr. Pinkney asked the Board to consider just the bulk variance request and withdrew his request for an appeal of the Zoning Officer's decision.

Mr. Weiner reiterated for the record that the Applicant's notice included both requests, and that it remained sufficient in light of Mr. Pinkney's withdrawal of an appeal request.

Mr. Pinkney apologized if his action created confusion.

Mr. Weiner swore Mr. Pinkney in under oath. He confirmed his full name, address, and status as the Applicant.

Mr. Pinkey said he was interested in building a pole barn next to his property. He said he was denied based off of the Township's setback requirements, which he does not dispute. He said he was previously under the impression that he had to appeal the decision but understands that he is now looking for bulk variance relief. He said he is looking to build a 30ft-by-30ft pole barn for vehicle storage and a space to work on them. Mr. Pinkney stated that he is an automotive technician by trade and would like to work on his vehicles at home. He asked the Board for guidance on how to proceed.

Mr. Primiano questioned why the Board continues to receive applications with no materials submitted with them. He highlighted that the application at hand provided a property survey but lacked engineering drawings, plot plans, topography maps, stormwater plans, architectural drawings and elevations, color renderings, material samples, zoning chart/bulk schedule, or building height. He mentioned that there is a checklist that is a part of the Zoning Board's application process.

Mr. Weiner stated that he reviewed the matter with Ms. Quigley and that the checklist materials referenced by Mr. Primiano are not a part of the Zoning Board's application process.

Mr. Primiano asked that when applicants submit an application to the Board, do they have no idea what additional materials they are supposed to submit?

Ms. Quigley stated for the record that when the Pinkneys filed their application, they came to her. Addressing the referenced checklist, Ms. Quigley clarified that that checklist is used for site plan review before the Planning or Zoning Board. Ms. Quigley specified that applicants for a bulk variance are guided by a single paragraph in Township ordinance that asks them to submit a plan. Ms. Quigley stated that the Pinkneys' application was shared with the Planners' office and based on the completeness standards set forth by the Zoning Board application for bulk variance, the Pinkneys met those requirements and were scheduled.

Mr. Primiano asked if the Board could make a recommendation to change the application requirements.

Ms. Quigley stated that such a change would need to be done through ordinance.

Mr. Weiner said he did not disagree with Mr. Primiano, but confirmed that a change in requirements would need to be done through ordinance or an adoption of rules. He stated that until such a change happens, the burden may fall on the Applicant to satisfy the Board's wishes. He said that this may be unfair to the Applicant but explained that the Board will often need more information in order to come to a decision.

Ms. Shifman noted that in the past, applicants have brought renderings, colors, and dimensions of proposed structures.

Mr. Primiano highlighted that the Applicant is led to believe his application is sufficient before the Board because it meets all explicit requirements, but it only satisfies a bare minimum of what he would want to see.

Ms. Quigley specified that Township staff are administratively bound by ordinances and that those are what outline completeness requirements. She reiterated that the Board can have a desire to see more, but the Applicant was guided by administrative principles set by ordinance.

Ms. Shifman noted that while she understands that and some applications are viewed as deficient, other applicants are well-prepared. She expressed that the Board prefers more material.

Mr. Monahan questioned if the Board can inquire about more information even if the application is deemed complete with minimal materials.

Mr. Weiner and Ms. Quigley affirmed this, and Ms. Quigley noted that the conversation was potentially creating confusion with the Applicant given the focus on lack of materials even though he did meet the completeness threshold.

Mr. Monahan suggested that the professionals present could tell the Board what additional material needs to be provided.

Mr. Primiano noted that he could not consider the setback issue at hand because of the absence of more submission material. He highlighted the question of alternatives considered by the Applicant but noted that the survey submitted in the application did not have the setbacks included. He accepted that the application was procedurally complete and that the Board could issue recommendations but that it would likely force a scenario where the Applicant has to come back before the Board again at a future date.

Mr. Weiner concurred with Mr. Primiano and noted that the Board lacked the authority to require more from the Applicant for completeness unless such requirements were set forth in the application. He said that often, review letters provide guidance for what materials applicants need to bring before the Board and that without more information, the Board could not come to a determination on whether to grant relief or not. Mr. Weiner suggested that the Board give the Applicant an idea of what additional information it wanted in preparation for the case where the Applicant had to come back at a future date.

Mr. Monahan asked if the Board is allowed to request additional information.

Mr. Weiner and Ms. Quigley confirmed the Board's ability to do so, and Ms. Quigley added that such requests cannot be issued to the Applicant during the completeness process given current ordinance.

Ms. Shifman said she did not realize that the Applicant was only required to bring minimal materials.

Ms. Quigley noted that the application requirements have been the same since she began work with the Township 10-12 years ago.

Ms. Shifman recalled that applicants usually bring much more material to support their application.

Ms. Quigley responded that such a decision is the Applicant's prerogative. Ms. Shifman concurred, and said the Board will typically ask for additional material, but noted that the professional reports are asking for a lot more material from this specific application.

Mr. Weiner noted that the Board has not had a lot of recent activity. He highlighted that one of the most recent applicants was seeking relief for a commercial development where the tenor of the process was markedly different, bringing in professional consultants and reports. Responding to Mr. Monahan, Mr. Weiner clarified that Township ordinance outlines the requirements for application completeness. The Board's desire to request more information, alternatively, is governed by the NJ Municipal Land Use Law.

Mr. Monahan asked Mr. Pinkney if he had any questions up to this point. He asked him if he understood the Board's line of discussion and explained that the Board recently heard an Applicant who did not bring enough information to make a determination, and that they had to tell the Applicant to come back at a future date. Mr. Monahan asked the present experts to identify what materials were needed from the Applicant.

Mr. Weiner stated that the first thing the Applicant needed to provide was information on the proposed structure itself. He asked for specifications; height, width, length, as well as location on the property in relation to the setbacks. He said this is usually provided through a variance plan.

Mr. Primiano expressed his desire to avoid imposing the financial costs of hiring professionals on the Applicant in the case where returning before the Board with more materials may still not satisfy the Board. Mr. Primiano asked if the development was a cluster or non-cluster.

Ms. Davenport responded that this was a question they posed in their memo and that the zoning chart they used was based on a non-cluster standard. She mentioned that if the development was indeed built on a cluster development and the Applicant proved that, the less stringent standards associated with a cluster development could be applied. Ms. Davenport said that she did not have that information, but also said that if it was a cluster development, it would only change the Stanford Court accessory structure setback from the street line. Proposed at 51.3ft, the requirement for a non-cluster development is 70ft, and 40ft for a cluster development. Ms. Davenport noted that regardless of that particular streetline, the same variance would be required for Berkshire Drive.

Mr. Primiano noted that the proposed structure (900sqft) is about 50-60% of the size of the Applicant's house (1,600sqft). He asked Mr. Pinkney to explain why the structure needed to be a pole barn as opposed to a typical framed structure to match the house.

Mr. Pinkney responded that he did not realize that there was a difference and believed the pole barn was the most cost-effective method of building the structure.

Mr. Primiano asked Mr. Pinkney if he was familiar with what a pole barn usually looks like, explaining that it is more of a commercial-looking structure that is built with metal panels, and that it does not look like a house nor is it something typically seen in residential areas.

Mr. Pinkney replied that he was.

Mr. Primiano asked if there was a reason the Applicant did not want to expand his house, building out the garage in a manner that was attached to the existing structure and matched the style of it.

Mr. Pinkney said that was something he had considered, but did not want to go that route because he thought the pole barn proposal was better for consistency with the neighborhood as opposed to attaching a large structure to his home. His other concern was having carbon monoxide emissions directly adjacent to his home while he works on running vehicles.

Mr. Primiano noted that the Applicant already had a garage attached to the house and could install a firewall with a fire door to mitigate the risk of emissions. He asked if the Applicant considered placing the structure on the other side of the property.

Mr. Pinkney responded that he did not prefer that alternative because that side of the property is sloped and would require grading to put a foundation down. He believed that the setback requirements would be an issue on that side of the property as well, and did not think the appearance of the structure on that side would be better.

Mr. Primiano said that if the Applicant were able to prove that the property was in a cluster development and only had to comply with a 40-ft setback, placing the structure on the other side of the house would be more in line with the appearance of the house, and would provide more room for construction without needing to remove the fence. Mr. Primiano noted that examining alternative options is echoed in the professional reports. He also noted that many front yards in the development are designed to keep corner space open and that structures typically do not get placed in this open space. Mr. Primiano explained that setbacks impose numerous limitations on the planned location of the proposed structure, whereas the other side of the property has lots of space beyond the setback. He emphasized that matching the style of the structure to the house and relocating it away from the front yard would be more in line with the character of the neighborhood. He also noted that in that area, he could not find any comparable examples of such constructions that might justify providing the variance in the proposed configuration. Mr. Primiano returned to the issue of missing information, explaining that the need for examining alternatives and the need for more information were jointly compounding and that he did not want an outcome where the Applicant acquired professional consultation but did not consider alternatives and was potentially denied before the Board.

Mr. Weiner noted that the proposed pole barn may be allowed permitted by the zone if it conforms, but questioned what the pole barn is going to be used for. He highlighted that ordinance limits use as well. He stated that if it does not fit within permitted uses under ordinance, the Applicant may need to seek a "D" variance/use variance. He asked Mr. Pinkney to tell the Board what he intends to use the pole barn for.

Mr. Pinkney apologized for a lack of materials and expressed that he had previously asked five (5) different individuals what he should bring to the hearing. He said he was told that a topographical survey was what he needed to bring. He expressed a willingness to procure the information being requested by the Board.

Mr. Primiano expressed a desire to request more information and provide guidance rather than jump to an approval or denial prematurely, in the interest of the Applicant. He reiterated a caution towards overburdening the Applicant due to the reality that applications still risk denial.

Mr. Weiner echoed the need for more information and advised on the possibility that the Applicant may need to consult with a professional to practically provide the information sought by the Board. He explained that under the law, the burden of proof for variance relief is placed on the Applicant, even if they satisfy the minimum application completeness requirements. Mr. Weiner reintroduced the question of the Applicant's intended use for the pole barn, in order to verify the correct variance relief being sought.

Mr. Pinkney said he would like a space to store his large collection of tools, and would like to install a lift in the future.

Mr. Weiner asked if the structure would be limited to personal use. Mr. Pinkney replied yes. Mr. Weiner asked if there would be any type of commercial use, or if the Applicant would be fixing other peoples' vehicles. Mr. Pinkney responded that there would be no commercial use, and the only vehicles being repaired would be those of him and Ms. Pinkney.

Ms. Davenport stated that in the zoning ordinance, private garages and car ports are permitted accessory uses.

Mr. Weiner highlighted that the Applicant would be limited to personal use, and even if the Board granted variance relief for personal use and the Applicant wanted to switch to commercial use in the future, he would have to come before the board to seek a use variance.

Mr. Pinkney confirmed his understanding of this and reiterated that he has no desire to make it a commercial operation. Mr. Weiner clarified that the large size of the structure is what prompted the Board to ensure noncommercial use, and noted that should the Applicant seek a use variance, he would have to re-notice.

Mr. Pinkney mentioned that he solicited a quote from a vendor for the cost of constructing the pole barn and offered it to the Board. He said he did not submit it with everything else because he was told he had submitted everything necessary. Mr. Weiner said that it would be highly beneficial for Mr. Pinkney to submit that.

Ms. Davenport noted that her memo included guiding questions for the bulk variance and the burden of proof, as well as outstanding pieces of information which include the height, materials, and colors of the barn. She also referenced questions on whether the barn is a fully enclosed structure, and if not, how is it secured, in addition to how many doors and windows are included in the proposed structure.

Mr. Weiner added that if Mr. Pinkney intended to solicit an engineer to prepare a plan, the engineer would be the only individual qualified to testify to those plans and answer any questions the Board might have.

Mr. Meade touched on his list of desired information, including pole barn access, utility proximity, landscaping, lighting, and stormwater management.

Mr. Pinkney apologized for gaps in information, and stated that he thought that the topographical survey he commissioned would include sufficient information, based on what he was required to submit. He mentioned that he had a boundary survey done when he purchased the home in February, and had the same surveyor conduct a topographical survey.

Mr. Monahan asked if Mr. Pinkney was required to hire an engineer. Mr. Weiner said no, and stated that hiring an engineer was a recommendation for consideration, not a requirement. Mr. Monahan said that the Applicant may want to hire an engineer for professional expertise, but wanted the Applicant to understand that he was not under requirement to do so. Mr. Weiner echoed this, emphasizing that the purpose of hiring professionals is to help provide the Board with enough information to obtain an approval. Mr. Weiner stated that if the Board were to go through the entire process at this meeting, it would be unable to make a decision based on the lack of information.

Mr. Primiano asked Mr. Pinkney if he would be opposed to turning the pole barn to be perpendicular to the driveway to address access and reduce the need for increasing impervious coverage. Mr. Pinkney responded no.

Mr. Primiano asked Mr. Pinkney if he understood that rotating the proposed structure could potentially reduce the amount of the pole barn sitting within the existing setbacks. Mr. Pinkney responded yes.

Mr. Primiano asked Mr. Pinkney if he understood that touching the proposed pole barn to the existing house at the front corners in a V-shape could create an area that could be enclosed and used for tool storage, leaving the main garage space for cars which could be firewalled to protect the house from emissions. Mr. Primiano said that an alternative like this could provide more square footage. Mr. Pinkney affirmed his understanding of this.

Mr. Primiano asked Mr. Pinkney if he understood that connecting the two structures could allow for the new structure to be designed to match the existing house. Mr. Pinkney responded yes.

Mr. Primiano stated that there are options to redesign the structure to ensure the pole barn is more in line with the character of the house, reduce the amount of the structure in the setbacks, and overall create a more harmonious design. Mr. Primiano told the Applicant that he did not need to go to a professional to do something like this, but that professionals provide benefits to improving design aspects.

Mr. Weiner echoed Mr. Primiano's point on the benefit of professional consultation, reminded Mr. Pinkney that bringing professionals in on his application was not a requirement, and reiterated the question on vehicle access to the proposed pole barn. Mr. Weiner mentioned that any additional paving would affect the impervious surface coverage, potentially triggering the need for additional variance relief.

Mr. Primiano recommended to Mr. Pinkney that he bring an architectural set and an engineering set before the Board and posed a set of questions that architectural and engineering sets would address. Mr. Primiano also mentioned that based on what he had seen, he did not think that the proposal was at risk of triggering an additional variance for impervious surface coverage. He

also advised Mr. Pinkney to provide photos of the house and the property. Mr. Weiner added that providing the specifications of the pole barn would be prudent.

Mr. Primiano returned to his line of questioning on why the proposed structure needed to be a pole barn. He reminded the Applicant that it presents more of a commercial feel, and explained that accessory structures are typically required to be on the back or side of the property because they often do not match the look of the neighborhood. He stated that the Applicant would benefit from matching the proposed structure to the look of his house.

Mr. Primiano explained that he would also want to look into landscaping. He observed the presence of mature trees in the area of the proposed pole barn and expressed a desire to hear testimony on the condition of the trees and the Applicant's plan in regards to them.

Mr. Weiner noted that the relevance of structure appearance and landscaping lends itself to the potential need for the Applicant to prove a hardship to justify the proposed construction as opposed to alternatives. He also discussed the negative criteria, which was expressed as the need to prove to the board that there will not be a detrimental impact on the public good.

Mr. Pinkney stated he prefers to utilize the proposed location for the pole barn because it fits in place without needing to remove any mature trees.

Mr. Primiano stated that the surveyor's map shows a 6-inch maple tree in proximity to the structure that would likely need to be removed due to the foundation work required for the pole barn.

Mr. Monahan asked the Board to consider the next steps for the application. He said the Board is in agreement that they do not have enough information to make a decision. He asked if the Board is recommending the Applicant come back, or if the Board is making a decision on what he presented so far.

Mr. Weiner stated that the Applicant had not closed his application yet and outlined two options for Mr. Pinkney. At the conclusion of testimony and questioning, the application would be closed and the Board would then have to vote on the bulk variance request. Mr. Weiner said the Applicant could alternatively ask for a new date to come back before the Board with more information, submitted at least ten (10) days in advance. Mr. Weiner gave Mr. Pinkney the choice.

Mr. Pinkney chose to ask the Board for new date.

Mr. Monahan suggested offering Mr. Pinkney the opportunity to contact the Board professionals directly. Mr. Weiner noted that the offer had already been made. Mr. Monahan emphasized that hiring professionals is not strictly required, but noted that Mr. Pinkney wants to install a lift and might need consultation for what he wants to achieve.

Ms. Shifman and Mr. Pinkney expressed a desire to present the application the right way.

Mr. Pinkney asked if the variance request was an unrealistic measure to get approved by the Board. Mr. Weiner stated that the Board cannot answer that question, and cannot predetermine a decision. Mr. Weiner said that the more information the Applicant provides, the better chance the

Applicant has at approval. He highlighted the abundance of feedback provided by the Board and recommended that Mr. Pinkney take it under consideration due to the burden of proof imposed on the Applicant. He illustrated a similar situation with a recent Applicant who initially presented a lack of information and experts, and highlighted the steps they took to provide the Board with what it needed to make a decision.

Mr. Monahan noted that the Board is not looking to prevent people from doing things, but is looking to ensure that ordinance is followed.

Mr. Primiano noted that most zoning boards would not provide suggestions for alternatives and would typically deny an application instead.

Mr. Weiner emphasized that the more information provided to the Board by the Applicant provides the Board a greater ability to approve an application. Ms. Shifman stated that the Board's goal is always to help the Applicant.

Mr. Primiano emphasized the role the Zoning Board plays in protecting the neighborhood and nearby residents in considering applications.

Mr. Weiner explained that the reason for the 200-ft notice requirement is to protect the legal right of nearby residents to review plans and ask questions pertaining to applications before the Board.

Mr. Primiano noted that the Applicant's notices were adequate and that no members of the public were in attendance.

Mr. Weiner asked if there was a calendar with upcoming hearing dates.

Mr. Monahan asked the Applicant how much time he needed before coming back before the Board. Mr. Pinkney replied that he did not know. Mr. Monahan recommended at least a month.

Mr. Primiano asked Mr. Pinkney if he was planning to continue his application by himself, or if he planned on hiring professionals. Mr. Pinkney replied that he would hire professionals. Mr. Primiano replied that he would need more time if he was bringing in professionals because they will need time to prepare relevant documents.

Mr. Weiner presented the next Zoning Board meeting date of November 19th, 2026, and December 17th, 2026. He advised that if neither of those dates were appropriate, Mr. Pinkney would have to renotice. Ms. Shifman added that the first Zoning Board meeting date of 2027 would be January 21st, 2027.

Ms. Quigley asked if the Board was able to carry Mr. Pinkney to a January 2027 date if the Board's 2027 calendar was not officially set yet. Mr. Weiner replied no and that the Applicant would have to renotice if he was not rescheduled for a date before the end of the year.

Mr. Pinkney asked how long the certification of notice he already provided is valid for. Mr. Weiner explained that the certification of notice is only carried if a date for carrying the application is agreed upon the same night of the hearing.

Mr. Monahan asked if the Board would have a calendar officially set by December 17, 2026. Ms. Quigley and Ms. Shifman replied that the Board should be setting the calendar at that meeting.

Mr. Monahan asked if the Board could carry Mr. Pinkney to the December 17th meeting, and then reschedule him again once the calendar was set if he did not have enough information to request a decision from the Board. Mr. Weiner said that this was not an option, and that notice cannot be waived.

Mr. Monahan asked if Mr. Pinkney needed to resubmit as a new Applicant. Mr. Weiner said that he would not, he would just need to renotice. If no additional variances are being sought, he can use the same notice and send it out again, with the updated date.

Mr. Weiner recommended adjourning, with a new date to be determined and new noticing by the Applicant.

Mr. Pinkney agreed, and had nothing further.

Ms. Shifman opened the matter to the public. There were no comments or objections.

There was no further business.

Mr. Primiano made a Motion to Adjourn, which was seconded by Mr. Monahan.

Meeting Adjourned at 6:46PM.

**CERTIFICATION OF SECRETARY**

I, undersigned, do hereby certify;

That I am the Zoning Board Secretary of the Township of East Windsor Zoning Board and that the foregoing minutes of the Zoning Board, held on October 15th, 2026 constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Zoning Board this November 19th, 2026.

Elijah Domine
Zoning Board Administrative Secretary
East Windsor Township