

Chairman Brod called the Fourth Regular Meeting to order at 7:00 P.M. in the Court Room  
The Pledge of Allegiance and Moment of Silence was observed

The Board Secretary read the open public notice which was published and posted on 1/12/16

Roll Call taken by Jenifer DeSimone, Zoning Board Secretary

Board Members: Ms. Jones, Absent; Mr. Bailey, Present; Mr. Folcher, Present; Mr. Green, Present; Mr. Kramer, Present; Mr. Killen, Present; Mr. Francescone, Present arrived 7:15; Vice-Chairman List, Present, and Chairman Brod, Present.

Board Professionals: Mr. Michael Angelastro, Traffic Engineer, Present; Mr. Brian McVey, Fire Marshal, Present; Mr. Joseph Petrongolo, Planner, Present; Mr. William Long, Engineer, Present; Mr. Christopher Norman, Board Solicitor, Present; Ms. Jenifer DeSimone, Board Secretary, Present.

Chairman Brod reviewed the Boards Procedures. No Announcements.

Memorialize Resolution:

PASSPORT PROPERTIES, LLC, 15-C-15- Signage, 1230 Rt. 73 South Block 1300.05, Lot 2.02  
Chairman Brod asked for a motion to memorialize the resolution. Board member List moved the motion and Board member Green second the motion. All present voted affirmatively with the exception of Board member Bailey who abstained the vote and the motion was carried.

Minutes: Chairman Brod asked for a motion to adopt the regular meeting minutes of February 3<sup>rd</sup> and March 2<sup>nd</sup>. Vice-Chairman List moved the motion and Board member Folcher second the motion. All present voted affirmatively with the exception of Board member Kramer who abstained from the February 3<sup>rd</sup> minutes and the motion was carried.

Zoning Board Professionals: Mr. Joseph Petrongolo, Planner; Mr. William Long, Engineer, Mr. Michael Angelastro, Traffic Engineer, and Mr. Brian McVey, Fire Marshal were sworn in by the Board's Solicitor Mr. Norman.

Petitions before the Board:

1. **HIRSHLAND & COMPANY**, ZB #15-D-19, 3531 Route 38 – I zone, Block 514, Lot 2 Amended Use Var. Application 1/21/16. The Use/Bulk Variances is sought from section 154-56 of the Zoning Ordinance to enable the applicant to sell at retail goods and services as typically found in neighboring shopping centers. Proposed Multi-Tenant Retail use. The Board Secretary read the application and certified the completeness. This application was continued from the March 2<sup>nd</sup> Zoning Board meeting. Mr. Michael Floyd, Attorney at law represented the applicant discussed the Use Variance to permit an 8,000 square foot retail building and a .92 acre site with 42 parking spaces low-intensity retail commercial tenants. Hours of operation would be from 9 am to 9 pm. Witness' to give testimony Mr. Randy Hope, Partner Hirshland & Company was sworn in by the Board Solicitor. Board member Francescone arrived at 7:15. Mr. Floyd listed the potential tenants such as a Mattress Show Room, Cell phone Dealer store and Hair Salon, as discussed at the staff meeting with the Zoning Board's professionals. Exhibit marked A-5 The March 17<sup>th</sup>. email from Mr. Joseph Petrongolo, Boards Planner to Michael Floyd, Applicant's Attorney with the list of proposed low-intensity retail commercial uses. Mr. Hope testified to the operation of a Cell Phone Dealer store, which is just retail no service or technical support. The Cell Phone tenant would be an AT&T Authorized Dealer and would need 7 to 10 parking spaces. The Board members and Professionals discussed due to the constraints of this site that each tenant change should have a Minor Site Plan Alteration review. Chairman Brod opened the hearing to the public, seeing none, closed the public portion and asked for a motion. Board Solicitor stated the conditions: Use variance, must file a Site Plan; Cell phone Dealer Store no service; MSPA with change of tenants or file an amended Use variance; Tenant list dated March 17<sup>th</sup>. Board member Francescone moved the motion to approve the use variance subject to conditions and Board member Killen second the motion. Roll call vote: Mr. Francescone, Agree; Mr. Killen, Agree; Mr. Folcher, Agree; Mr. Green, Agree; Mr. Kramer, Agree; Vice-Chairman List and Chairman Brod, Agree; motion carried and approved.

Petitions before the Board: continued

2. **JOSEPH R. PERLA**, ZB#15-D10, 344 Texas Avenue – R-3 zone, Block 1005, Lot 2 The Major Preliminary & Final Site Plan and Minor Subdivision w/Bulk Variances and Submission Waivers is sought from section (154-68 B. 3 Landscape Buffer) and (154-69 C Loading Areas) and (138-7 Sidewalks) and (138-36.3 Trash Enclosure and curbing and paving). Use Variance previously granted. The Board Secretary read the application and certified the completeness. Mr. Dominic Favieri, Attorney at law represented the applicant. Witnesses' to give testimony Mr. Joseph R. Perla, Applicant and Mr. Michael E. Avila, Engineer were sworn in by the Board Solicitor. Mr. Favieri stated the Use variance was previously approved for a Landscaping and Tree service business. Exhibits marked A-1 Burlington Co. Letter March 2, 2016, A-2 DEP LOI dated March 4, 2016, A-3 DEP PERMIT Approval Date March 13, 2016, A-4 Email from Dennis DeKlerk, Mt. Laurel Tax Assessor dated March 10, 2016 and A-5 Site Plan. Mr. Perla testified he will have 4 employees that come in 2 cars for work, hours of operation at from 7:00 am to 5:00 pm, 2 to 3 trucks go out to the sites a day, no tractor trailer delivers, trash goes to a recycling facilities, building to be 40' x 60' earth tone color. Mr. Mike Avila testified that Elbo Lane is a County Road and Texas Avenue is a Township Road. Burlington County approved on Elbo lane a right in and a right out. The application proposes to subdivide the 1.962 acre lot into two new lots - proposed lot 2.01 will be for residential use and proposed lot 2.02 will be for commercial use. The Development Checklist items were discussed. The Board Solicitor asked Mr. Avila is he was still a licensed Engineer Mr. Avila said yes. Mr. Favieri stated he was reviewing the agreement for the easement for Colonial pipeline. Mr. Petrongolo, ZB Planner reviewed his report dated March 29, 2016 regarding the Site Plan and Subdivision. The applicant will work with Mr. Petrongolo on the landscaping. Mr. Long, ZB Engineer reviewed his report dated March 29, 2016 and noted the applicant's response of March 24, 2016. Discussed was bulk variances, gravel parking lot. The applicant will work with Mr. Long regarding the lighting and stormwater. Mr. Angelastro, ZB Traffic Engineer reviewed his report dated March 15, 2016 in support of the waiver and no negative impact on traffic with Elbo lane right in and right out and the Texas Avenue all turning. Chairman Brod opened the hearing to the public, seeing none, closed the public portion. Mr. Favieri summarized the application for the submitted Site Plan, Subdivision w/bulk variances and waivers. Mr. Norman, ZB Solicitor reviewed the conditions if approved: Minor Subdivision, Preliminary & Final Site Plan with Bulk Variance and Waivers; Bulk variance for a 25' wide landscape buffer; Landscaping of a double row of trees between the commercial and residential properties; Design Waiver for a stone parking lot and sidewalks; Colonial pipeline agreement, Operating 5 days a week and some limited Saturdays; Hours of operation 7:00 am to 5:00 pm; Trash will be kept inside the building; No façade or freestanding signage; Required affordable housing obligation; Building will be 40' x 60' Earth tone colors; Submit elevation & floor plan design; Applicant to work with the Boards professionals regarding lighting, landscaping, stormwater; No tractor trailers or retail customers at this site. Chairman Brod asked for a motion. Board member Green moved the motion to approve ZB#15-D-10 as stipulated by the Board Solicitor and Board member Killen second the motion. Roll call vote: Mr. Green, Agree; Mr. Killen, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Kramer, Agree; Vice-Chairman List, Agree; and Chairman Brod, Agree; motion carried approved.

Chairman Brod adjourned the meeting for a 10 minute break and reconvened the meeting.

3. **CSH MOUNT LAUREL, LLC**, ZB#16-D-02, Centerton & Creek Roads – MCD zone Block 203, Lot 1.02. The Use Variance & Preliminary and Final Site Plan is sought from section 154-25 of the Zoning Ordinance to enable the application to develop the property with an assisted living facility whereas same is not a permitted use in the MCD zone. The Board Secretary read the application and certified the completeness. Mr. Marc Policastro, Attorney at law represented the applicant.

Petitions before the Board: continued

3. **CSH MOUNT LAUREL, LLC, ZB#16-D-02, Centerton & Creek Roads – MCD zone**  
Witness' to give testimony were Mr. Joseph F. McElwee, Principal at Capital Seniors Housing; Mr. Edward P. Brady, P.E. Manager at Taylor Wiseman & Taylor and Nathan Mosley, Traffic Engineer were sworn in by the Board Solicitor. Mr. McElwee testified this applicant has built 45 Assisted Living communities in the last 11 years. Assisted living is licensed by the Department of Health and bridges the gap at age 86 for the fragile elderly that need help with grooming, bathing, eating, medicine, cleaning rooms & changing linens. There's an Activity Director and a 14 passenger van for daily trips. Testimony was given as to the three (3) shifts the majority of employees work on the first shift from 7:00 am to 3:00 pm. 88 units of which 56 Private, 6 Medicaid & COAH and 26 Memory Care. 53 parking spaces and 3 handicapped spaces. Deliveries will be small box trucks. Food deliveries and Trash removal twice a week. The demographics have shown the need for this type of use at this location. This area has offices, schools, and shopping, residential homes and is convenient for family members to visit. Arbor Management Company will oversee the affordable units they manage (27) communities and (7) of the communities are for Capital Senior Housing. Mr. Brady, Project Site Engineer testified to the seven (7) acre parcel, 73,000 square foot, 3 story building and 101 beds. Exhibit marked A-1 Site Plan dated January 28, 2016, benches and tables will be located in the front and around the building. The Stormwater, DEP and MUA permits have been filed. Mr. Mosley, Traffic Engineer testified that met with the residents and their concerns were the driveway on Creek Road. Mr. McElwee stated that if the Board or Professionals required the entrance on Creek Road closed the applicant would agree with full movement on Centerton Road providing a 2nd access on Centerton Road. Traffic counts were completed on Creek Road 19 trips in the AM peak and 30 trips in the PM peak. This use will not have a large impact on traffic less than 1% at Mainsail Blvd, Creek and Centerton Roads. The employees will park in the back of the building. This use generates less traffic will not negatively impact the Master plan or the Zone plan. Chairman Brod opened the hearing to the public. Ms. Darby, 5 Kendles Run Road, Moorestown, NJ was sworn in by the Board Solicitor and she was concerned with the traffic. Mr. Naik, residing at 21 Starboard Way was sworn in by the Board Solicitor and he was concerned with this use in the area. Mr. Bangad, 23 Buoy Drive, was sworn in by the Board Solicitor and he was concerned with the traffic. Mr. Joseph, residing at 25 Starboard Way was sworn in by the Board Solicitor and he was concerned the use in this area. Mr. Medikonda, residing at 1 Buoy Drive was sworn in by the Board Solicitor and he was concerned about the effect of this community on the rest of Mt. Laurel and the emergency services. Mr. McVey stated if there was a life threatening situation then this facility would have a priority. Board member Francescone a first responder stated the Township has the resources to get wherever they need to get in town and all communities back each other up. Ms. Barbara Ferrara, residing at 55 Overlook Drive was sworn by the Board Solicitor and she was concerned about the traffic count and high vehicle volume on Creek Road. Ms. Barbara Rich, 37 E. Central Avenue, Moorestown, was sworn in by the Board Solicitor and she was concerned about the Test Pit's, Irrigation well, Basin Maintenance plan, Low impact checklist, Stormwater Management. Mr. Policastro stated the applicant has the information and will submit it. Seeing no other public Chairman Brod closed the public hearing. Seeing no further public Chairman Brod closed the public portion of the hearing. Mr. Policastro asked for special meeting. The Board members discussed briefly and Chairman Brod stated the application will be continued to the May 4<sup>th</sup> meeting and asked the Board members for a motion. Vice-Chair List moved the motion and Board member Green second the motion. All present voted affirmatively and the motion carried to continue the CSH Mt. Laurel, LLC public hearing to May 4, 2016, meeting no further need to re-notice or re-advertise. The Board Solicitor stated if the applicant submits new information the public can comment during the public portion.

Petitions before the Board: continued

Chairman Brod and Board members discussed whether to start a new application after 10:00 PM. Board member Francescone asked Patrick McAndrew, Attorney for the applicant how long the applicant's presentation would be. Mr. McAndrew said less than an hour. Chairman Brod asked for a motion to start a new application after 10:00 PM. Board member Francescone moved the motion and Board member Killen second the motion. All present voted affirmatively and the motion was carried.

4. **OAKWOOD LAND GROUP, LLC**, ZB#16-D-03, 131 Hartford Road – R-3 zone, Block 301, Lot 22. The Use, Bulk, Buffer, Parking Variances are sought from sections 154-15, 154-68B, 154-69A & 154- 69D of the Zoning Ordinance to enable the applicant to renovate residential building to be used as a 2,786.4 SF office. The Board Secretary read the application and certified the completeness. Mr. Patrick McAndrew, Attorney at law represented the applicant. Witness' to give testimony Mr. Scott Taylor, AICP, PP, LLA, Vice-President Taylor Design Group, Inc., was sworn in by the Board Solicitor Mr. Norman. The exhibits were marked A-1 TDG Aerial with Site and Surrounding Areas; A-2 TDG View of Site and Surrounding Areas (1/2); A-3 TDG View of Site and Surrounding Area (2/2); A-4 TDG Site Rendering; A-5 TDG/OSK Illustrative Elevations; A-6 TDG/OSK Floor Plans and Shed Elevations; A-7 TDG/OSK Building Elevations; A-8 Banc3 Site Plan. Mr. Taylor, testified there previous office was located in Burlington County College Incubator Building and they vacated this location December 2015. Taylor Design Group currently has 5 full time and 4 part time employees no more than (6) or (7) employees at the office at one time and 95% of their work is for Municipal Boards hours of operation 8:30 am to 5:30 pm Monday through Friday and they work some Saturdays. Deliveries maybe one or two trucks for office supplies. And once or twice a month they will meet with an applicant in there office. Oakwood Land Group, LLC, is a contract purchaser of the property which is a single family, 1 story dwelling 2, 786.4 square feet. The existing 8' x 44' shed will be removed and a new shed will be constructed on the foundation. Removing the existing concrete driveway and parking and constructing an asphalt driveway and parking lot for (17) parking spaces and (1) delivery space. A small 8.55 sf freestanding ID sign to be installed and (3) rain barrels and rain gardens are proposed for stormwater management. Removing existing fencing and installing a board on board fence. Behind the parking lot in the rear yard will be a small employee garden. The existing row of trees at the rear property line will remain. Mr. Taylor discussed the positive and negative criteria to support the Use & Bulk Variances and Preliminary and Final Site Plan. The site is zoned R-3 residential due to the adjacent gas station it is not suitable for a residential use. Mr. Petrongolo, ZB Planner reviewed his report dated March 18, 206 and stated the applicant agreed to comply with the comments in his report. The office is a good transition use low impact facility with no negative impact and he had no objection for this appropriate reuse of the site. Mr. Long, ZB Engineer reviewed his report dated March 16, 2015 and stated the applicant responded with a report dated March 22, 2016. Mr. Angelastro, ZB Traffic Engineer reviewed his report dated March 15, 2016, he would like a stop sign at the driveway. Mr. McVey, Fire Marshal reviewed his report dated March 18, 2016. The applicant agreed to the comments in the Professionals reports. Chairman Brod opened the hearing to the public. Mr. Trevor William, Esquire representing Mr. and Mrs. Ronald Poulin, residing at 125 Hartford Road. Mr. Williams discussed the hours of operation, installation of additional buffer adding (6 evergreen trees) on the left side of the property adjacent to his client's property. Mr. Taylor stated he would be willing to plant the (6 trees). Ms. Alice Bowman Crawford, residing in Brittany Commons she stated that exhibit A-1 exhibit is labeled Summit Apartments and it should be Brittany Commons condos she was concerned about the tree buffer in the back of the property. Mr. Taylor said the trees will remain. Seeing no further public Chairman Brod closed the public portion and asked the Solicitor to reiterate the conditions.

Petitions before the Board: continued

4. **OAKWOOD LAND GROUP, LLC**, ZB#16-D-03, 131 Hartford Road – R-3 zone, Block 301, Lot 22. Mr. Norman stated the conditions: Use & Bulk Variances Preliminary & Final Site Plan; Design Waiver; Zoning Boards professional's reports; Evergreen trees screening the Brittany Commons Condos; Plant (6) additional trees at the side of the driveway entrance, Parking stall size 10 x 20, Housing obligation, No landscaping contractor allowed. Chairman Brod asked for a motion. Board member Green moved the motion subject to the conditions stated by the Board Solicitor and Board member Kramer second the motion. Roll call vote: Mr. Green, Agree; Mr. Kramer, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Killen, Agree; Vice-Chairman List, Agree and Chairman Brod, Agree. Motion carried approved.

Temporary Use Permit:

1. Prince Hotels, LLC aka **Hampton Inn & Suites**, #16-73-02, 2020 Briggs Road, Blk. 304, Lot 4.02. Temporary Use Permit: 3 storage trailers and 1 office trailer. Requesting 8 months for the duration of the Hotel being constructed. Chairman Brod asked for a motion. Board member Francescone moved the motion to recommend the temporary use to Township Council and Vice-Chair List second the motion. All present voted affirmatively and the motion was carried.

Approved

2. Bancroft Neurohealth, aka **Bancroft Campus**#16-73-03, Walton & Marter, Block 509, Lots 1.01, 1.04 & 1.05 -Temporary Use Permit 11 trailers and Temporary Fencing 8' with top cable, Requesting 1 year & 8 mths duration until December 2017. Chairman Brod asked for a motion. Board member Francescone moved the motion to recommend the temporary use to Township Council and Vice-Chair List second the motion. All present voted affirmatively and the motion was carried. Approved.

Adjournment

Chairman Brod asked for a motion to adjourn at 11:10 P.M. Board member Killen moved the motion to adjourn. All present voted affirmatively to adjourn the meeting.

Adopted on: May 4, 2016



Respectfully submitted:

Jenifer DeSimone, Secretary  
Zoning Board of Adjustment