

Chairman Brod called the Fifth 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, Present; Mr. Bailey, Present; Mr. Folcher, Present; Mr. Green, Present; Mr. Killen, Present; Mr. Kramer, Present; Mr. Francescone, Present; Vice-Chairman List; Absent; and Chairman Brod.

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, Solicitor and Ms. Jenifer DeSimone, Secretary, Present.

Chairman Brod reviewed the Zoning Boards procedures. No Announcements.

Memorialize Resolutions:

HIRSHLAND & COMPANY, ZB #15-D-19, 3531 Route 38-- I zone, Blk 514, Lot 2

Chairman Brod asked for a motion to memorialize the resolution. Board member Francescone moved the motion and Board member Killen second the motion. All present voted affirmatively with the exception of Board member Bailey who abstained from the vote and the motion was carried; so ordered Chairman Brod.

JOSEPH R. PERLA, ZB#15-D10, 344 Texas Avenue – R-3 zone, Blk 1005, Lot 2

Chairman Brod asked for a motion to memorialize the resolution. Board member Green moved the motion and Board member Killen second the motion. All present voted affirmatively with the exception of Board member Bailey who abstained from the vote and the motion was carried; so ordered Chairman Brod.

OAKWOOD LAND GROUP, LLC, ZB#16-D-03, 131 Hartford Road, Blk 301, Lot 22

Chairman Brod asked for a motion to memorialize the resolution. Board member Francescone moved the motion and Board member Kramer second the motion. All present voted affirmatively with the exception of Board member Bailey who abstained from the vote and the motion was carried; so ordered Chairman Brod.

Minutes: Chairman Brod asked for a motion to adopt the Regular Meeting Minutes of April 06, 2016. Board member Francescone moved the motion and Board member Folcher second the motion. All present voted affirmatively with the exception of Board member Bailey who abstained from the vote and motion was carried; so ordered Chairman Brod.

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. **YVETTE LINCOLN**, ZB#16-C-07, 7 Woodlark Drive, Block 313.01, Lot 61, R-8 overlay zone. The Variance sought is from section 154-16 of the Zoning Ordinance to enable the applicant to construct a 38' x 14' deck with a rear yard setback of 10' where 20' is required. There is a walk out basement and the deck is on the second story 8' from grade. WOODLARK HOME OWNERS ASSOCIATION APPROVED DECK. The Board Secretary read the application and certified the completeness. Ms. Yvette Lincoln, residing at 7 Woodlark Drive was sworn in by Board Solicitor. Ms. Lincoln testified the proposed deck would be 38' x 14' and would be constructed off the second floor 8' above grade the home has a walkout basement. Currently, in the kitchen the sliding doors have a barrier installed on the outside. The existing rear yard setback is 23.53' theirs only room for a 4' deck with the required 20' rear yard setback.

Petitions before the Board: continued

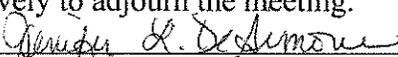
1. YVETTE LINCOLN, ZB#16-C-07, 7 Woodlark Drive

Chairman Brod opened the public hearing, seeing none, closed the public portion and asked for a motion from the Board members. Board member Green moved the motion and Board member Killen second the motion. Roll call vote: Mr. Green, Agree; Board member Killen, Agree; Mr. Bailey, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Kramer, Agree; Chairman Brod, Agree. Motion carried approved – Memorandum signed for the applicant.

2. 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. Survey and Plot plans revised on April 14, 2016. ACT BY: 07/12/16 P. H.: 4/6/16 continued to 5/4/16 meeting. Mr. Policastro, Attorney for the applicant stated the application was continued from the last months Zoning Board meeting. Mr. Brady, Applicants Engineer testified to the plan change with the submission by eliminating the entrance on Creek Road and relocating a secondary entrance on Centerton Road. Mr. Michael Kauker, PP, AICP - Planner was sworn in the Board Solicitor. Mr. Kauker, testified to the applicant has requested a use variance and Preliminary & Final Site Plan w/ Bulk Variances for an Assisted Living facility, 101 beds, 3-story and 72,000 square foot on Creek and Centerton Roads in the MCD zoning district, 6.9 acres. He discussed the adjacent properties and uses. He further testified to reviewing the Master Plan and how the property is consistent with the plan and the goals and objectives. The MLUL identifies this use as an Inherently Beneficial Use defined by the Sica Court case. He discussed the positive and negative criteria per the Municipal Land Use Law. Mr. Petrongolo, Zoning Board Planner reviewed his report dated April 21, 2016. Mr. Long, Zoning Board Engineer reviewed his report dated March 16, 2016. Mr. Angelastro, Zoning Board Traffic Engineer reviewed his report dated April 21, 2016. Mr. McVey, Fire Marshal reviewed his report dated April 21, 2016. Mr. Policastro stated the Laurel Creek Country Club has more than enough parking spaces and would not need to have a cross access easement. Chairman Brod opened the hearing to the public. Mr. Norman discussed the 53 parking spaces proposed on this site 48 are required, so there is no need for the overflow parking spaces for the Laurel Creek Country Club. Mr. Naik, residing at 21 Starboard Way was previously sworn in at the May 4th meeting. Mr. Naik testified that this was a nice project and there should in Mount Laurel like this. Chairman Brod closed the public portion of the hearing and asked the Board Solicitor to review the conditions. Mr. Norman reviewed the following conditions: The applicant is seeking an approval for a Use Variance and Preliminary & Final Site Plan with Bulk Variances, the Zoning Board’s Professional reports, (11) COAH Affordable Housing units, the phantom parking on the subject property to service the Laurel Creek Country Club is no longer required due to applicant’s traffic study. Chairman Brod asked for a motion. Board member Killen moved the motion subject to the conditions stated and Board member Green second the motion. Roll call vote: Mr. Killen, Agree; Mr. Green, Agree; Mr. Bailey, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Kramer, Agree; Chair Brod, Agree. Adjournment: Chairman Brod asked for a motion to adjourn at 7:40 P.M. Board member Bailey moved the motion. All present voted affirmatively to adjourn the meeting.

Adopted on: June 1, 2016



Jennifer DeSimone, Secretary
Zoning Board of Adjustment