

Chairman Green called the Regular Meeting to order at 7:00 P.M.

The Pledge of Allegiance and Moment of Silence was observed

The Board Secretary read the open public notice which was published and posted on 1/12/15.

Roll Call taken by the Jenifer DeSimone, Board Secretary:

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

Board Professionals: Mr. Petrongolo, Planner, Present; Mr. Long, Engineer, Present; Mr. Angelastro, Traffic Engineer, Present; Mr. McVey, Fire Marshal, Present; Mr. Costa, Board Solicitor, Present; Ms. DeSimone, Board Secretary, Present.

Chairman Green reviewed the Board Procedures and no Announcements

Memorialize Resolutions:

Chairman Green asked for a motion to memorialize PEDRO MARTINS, #15-C-09 – Bulk Variance resolution. Board member List moved the motion and Board member Francescone second. All present voted affirmatively with the exception of Board member Folcher who abstained from the vote and the motion was carried; so order the Chairman

Chairman Green asked for a motion to memorialize COLUMBIA BANK, 15-C-08 – Bulk Sign Variance resolution. Board member List moved the motion and Board member Killen second. All present voted affirmatively with the exception of Board member Folcher who abstained from the vote and the motion was carried; so ordered the Chairman.

Chairman Green asked for a motion to memorialize WU AND ASSOCIATES, INC., 15-D-07- Use Variance and Minor Site Plan resolution. Board member List moved the motion and Board member Killen second. All present voted affirmatively with the exception of Board member Folcher who abstained from the vote and the motion was carried; so ordered the Chairman.

Chairman Green asked for a motion to Adopt Regular Meeting Minutes of August 05, 2015. Board member List moved the motion to adopt the minutes and Board member Killen second. All present voted affirmatively with the exception of Board member Folcher who abstained from the vote; so ordered the Chairman.

Zoning Board Professionals:

Mr. Joseph Petrongolo, Land Planner; Mr. William Long, Engineer; Mr. Michael Angelastro, Traffic Engineer, Mr. Brian McVey, Fire Marshal; were sworn in by the Zoning Board Solicitor Mr. Costa

Petitions before the Board:

1. CHRISTOPHER FRITZ, #15-C-11- 95 Hillside Lane, Block 601.11, Lot 50 – R-3 zone  
The Variance sought is from section 154-16 of the Zoning Ordinance to enable the applicant to construct a 12' x 22' deck with a rear yard setback of 30' where 35' is required. The Board Secretary read the application and certified the completeness. Mr. Christopher Fritz, residing at 95 Hillside Lane was sworn in by the Board Solicitor Mr. Costa. Mr. Fritz testified the sliding glass doors from the kitchen to the backyard are raised 1' off the ground and the deck will allow easier access to the backyard. There is open space behind the back yard. Chairman Green opened the hearing to the public hearing, seeing none, closed the public portion and asked for a motion. Board member Francescone moved the motion to approve #15-C-11 and Board member Killen second the motion. Roll call vote: Mr. Francescone, Approve; Mr. Killen, Approve; Mr. Folcher, Approve; Mr. Kramer, Approve; Mr. List, Approve; Vice-Chair Brod, Approve and Chairman Green, Approve. Motion carried approved

Petitions before the Board: continued

2. UNITED BENGALS, LLC, #14-D-26A, 3601- 3605 Route 38, Block 500, Lot 3 addl. 2 & 4 – (I) Industrial zone. The Use & Bulk Variances sought are from section 154-56A of the Zoning Ordinance to enable the applicant to construct a free-standing Dunkin donuts facility with drive-thru facility. Amended Preliminary & Final Site Plan & Waivers. The Board Secretary certified the application complete. Mr. Brad Sclar, Attorney at Law represented the applicant. Witnesses to give testimony for the applicant Mr. David Kreck, P.E., C.M.E. Professional Site Engineer, Mr. Nathan Mosley, P.E., C.M.E. Professional Traffic Engineer, Mr. James Miller, AICP, PP Professional Planner were sworn in by the Board Solicitor Mr. Costa. Mr. Sclar discussed the previous approval for the drive thru window and this application for a freestanding Dunkin Donuts building. Mr. Kreck, Professional Site Engineer testified to the adjacent properties Wawa and the Martins Liquor Store, access lanes, the drive thru having 9 cars in the queue and all of the vehicle movements into the site are right turns. The applicant proposes 38 parking spaces and 155 spaces are required, sidewalks are proposed and bumper blocks will be installed in the parking lot. Deliveries will be once a week for about 30 to 60 minutes. The drive thru lanes will be unaffected by the deliveries. He went on to discuss signage however, after much discussion with the board, it was decided that the Use variance would be acted on this evening, and the Site plan would be tabled. Mr. Miller, Professional Planner testified that the Township ordinance prohibits fuel and food service on the same site. He further discussed the purposes of the Municipal Land Use Law criteria a). And g). this site is suited for the use that is being proposed. The Use variance is more technical because they are rearranging the uses. The applicant is basically modifying the proposed uses Dunkin Donuts exists inside the Martins Liquor store however, it is being moved to a freestanding building. All three uses are independent and function separately. The freestanding Dunkin Donuts use satisfies the positive and negative criteria per the MLUL. Mr. Petrongolo, ZB Land Planner, reviewed his report dated August 20, 2015. Mr. Long, ZB Engineer, reviewed his report dated August 21, 2015 and discussed the prohibition to a fourth use at this site. Chairman Green opened the public hearing. Mr. Siva Kanakaedala, part owner in the Martins Liquor Store was sworn in by the Board Solicitor Mr. Costa. Mr. Kanakaedala stated the previous owner of Martins Liquor Store operated a sandwich deli and in the future the owners might want to put the deli in. Mr. Costa reviewed the conditions. The Use variance, consolidate the lots, abandon the previous approval for the Dunkin Donuts Drive-thru, restrict the use of the property to the Owner-Martins Liquor Store, Dunkin Donuts & Wawa and subject to Site Plan Approval. Chairman Green asked for a motion. Board member Francescone moved the motion to approve application #14-D-26A subject to the conditions stated by the Solicitor and Board member List second the motion. Roll call vote: Mr. Francescone, Agree; Mr. List, Agree; Mr. Folcher, Agree; Mr. Killen Agree; Mr. Kramer, Agree; Vice-Chairman Brod, Agree; and Chairman Green, Agree. Motion carried approved.

3. JOSEPH ORLANDO, #15-D-03, 4518 Church Road, Block 1100.02, Lot 6, R-3 Residential zone, Major Preliminary & Final Site, Bulk Variances. Use Variance previously approved. The Bulk Variances are sought from sections 154-21 A (18) (19), 63, of the Zoning Ordinance to enable the applicant to: Construct the proposed facility on an undersized lot with undersized play area and additional building coverage. The Board Secretary certified the completeness.

Petitions before the Board: continued

3. JOSEPH ORLANDO, #15-D-03, 4518 Church Road, Block 1100.02, Lot 6, R-3 zone  
Mr. Jeffrey Baron, Attorney at Law represented the owner/applicant. Witnesses to give testimony Ms. Michelle Gregory, Project Manager, Mr. Joseph Mancini, Project Engineer & Planner, Mr. Christopher Weiss, Vice-President of Construction for Lightbridge Academy and Mr. Andrew Feranda, Traffic Engineer, Shropshire Consultants were sworn in by the Board Solicitor Mr. Costa. Mr. Baron explained that the applicant previously received a conditional use variance to construct a 10,290 square foot, 1-story child-care center and the total play outdoor play area is 9,360±. The Variance for the lot size and play area were granted. Introduced into evidence A-1 Architectural Elevation plans of the front and rear of the building using neutral colors. A-2 Architectural Elevations of the side of the building using neutral colors. A-3 Aerial Photograph of adjacent properties. A-4 Overall Site Plan. Ms. Gregory testified at this point nothing is planned on the Evesham parcel, and reviewed exhibits A-1, A-2 & A-3. Mr. Weiss, V-P of Construction for Lightbridge Academy testified to the hours of operation 6:30 am to 6:30 pm. Parents must park their car and walk the child into the building which takes about 5 to 7 minutes. The maximum number of students would be 191 and they expect 80%. Deliveries are once a week from WB Mason in a box truck between 9:00 am and 3:00 pm. Mr. Baron discussed the two façade signs on the building and a monument sign. The applicant would be willing to eliminate one façade sign on the Church Road side of the building if the monument sign could be 45.7 square feet instead of the 32 square feet. The monument sign will be back lit channel lettering and the sign would be turned off at 10:00 pm. Mr. Feranda, testified to no access from Church Road to the property. He had a meeting with Burlington County and they denied a driveway cut on Church Road. The applicant will go to Burlington County for an emergency access on Church Road. The larger monument freestanding sign would be a benefit and safer to the people driving on Church Road. He explained the ingress and egress and indicated there is good circulation on and off the site. There is no detriment to loading and deliveries between 9:00 am & 3:00 pm. He discussed the stacking lanes and parking stalls are not in Mt. Laurel there in Evesham a variance for an off-site condition. An easement for access, parking and maintenance would be covered. There is no access to the back of the parcel in the rear portion of the property which is in Evesham Township and is under an acre. Mr. Mancini, Professional Engineer/Planner testified to the need for the variances: a bulk variance to eliminate the loading dock, a bulk variance for the building coverage because of the narrowness of the lot and a bulk variance for buffer requirement and a bulk variance for the façade and monument signage and no need for an EIS waiver, light post and sidewalks. Mr. Petrongolo, ZB Land Planner reviewed his report dated August 20, 2015 and recommends the Board require the applicant to obtain site plan approval from Evesham Township, landscaping, screening trash enclosure, the lot straddles Mt. Laurel and Evesham Townships and can't be consolidated. Mr. Long, ZB Engineer reviewed his report August 21, 2015 and discussed drainage, stormwater management, emergency access and questioned the applicant regarding any proposal for the use of the rear lot in Evesham Township. Mr. Angelastro, ZB Traffic Engineer reviewed his report dated August 24, 2015 and discussed #6. In regards to removing existing shrubs in the center island located along the main drive aisle. Mr. Mancini stated the applicant can't comply with #6 or Mr. Angelastro' report. Mr. McVey, Fire Marshal reviewed his report dated August 20, 2015 and discussed the site circulation and sufficient access. Mr. Baron stated nothing is proposed at this time on the Evesham Township part of the lot.

Petitions before the Board: continued

3. JOSEPH ORLANDO, #15-D-03, 4518 Church Road, Block 1100.02, Lot 6, R-3 zone

There is one entrance to this site and he was concerned and requested a secondary entrance for emergency access. Mr. Baron on behalf of the applicant agreed to all of the professional's reports and would supply an easement for additional parking and maintenance in Evesham Township and would seek approval from Burlington County for an emergency access and submit a phase 1 instead of the EIS, the applicant would seek site plan approval from Evesham Township. Further if the rear parcel in Evesham Township proposes a use of a residential character living in a home or the applicant receives a secondary access in Evesham Township the use doesn't impact the Mt. Laurel parcel. Mr. Baron summarized the application. Chairman Green opened the hearing to the public seeing none closed the public portion. Mr. Costa reviewed the conditions: Preliminary and Final Site Plan, 1. No truck loading 2. Building coverage 3. 1 Façade and 1 Monument Signage 4. Emergency Access on Church Road 5. 1 light pole 6. Submission Waiver for EIS – will submit a Phase 1 7. Buffer 8. Sidewalk Waiver on Church Road 8. Rear parcel in Evesham Twp. if a residential use in character is proposed or a secondary access in Evesham Township that doesn't impact Mt. Laurel. 9. Site Plan Approval from Evesham regarding Lightbridge Academy 10. Parking for this site and Maintenance easement. Chairman Green asked for a motion. Board member List moved the motion to approve #15-D-03 subject to the conditions stated and Board member Killen second the motion. Roll call vote: Mr. List, Agree; Mr. Killen, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Kramer, Agree; Vice-Chairman Brod, Agree and Chairman Green. Motion carried application approved.

Chairman Green asked for a motion to adjourn at 9:50 P.M. Board member Kramer moved the motion and Board member Folcher second.

Adopted on: October 07, 2015



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Jennifer L. DeSimone, Secretary  
Zoning Board Secretary