

Chairman Green called the 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 1/12/15

Roll Call was taken by Jenifer DeSimone, Board Secretary

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

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

Chairman Green reviewed the Board's Procedures and no Announcements.

Memorialize Resolutions:

SCOTT RAVENFELD, ZB#15-C-12, 44 Brookwood Road, Block 700.04, Lot 5. Chairman Green asked for a motion to memorialize the resolution. Board member List moved the motion and board member Folcher second. All present voted affirmatively with the exception of Board members Francescone and Killen who abstained from the vote and the motion was carried; so ordered Chairman Green.

MATTHEW MANWARING, ZB#15-C-13, 56 Sorrel Run, Block 806.02, Lot 15. Chairman Green asked for a motion to memorialize the resolution. Board member List moved the motion and board member Folcher second. All present voted affirmatively with the exception of Board member Killen who abstained from the vote and the motion was carried; so ordered Chairman Green.

UNITED BENGALS, LLC, ZB#14-D-26A, 3601-3065 Route 38, Block 500, Lot 3. Chairman Green asked for a motion to memorialize the resolution. Board member List moved the motion and board member Folcher second. All present voted affirmatively with the exception of Board member Killen who abstained from the vote and the motion was carried; so ordered Chairman Green.

HOUSE PAWS VETERINARY SERVICES, ZB #12-D-04A, Block 101, Lot 1. Chairman Green asked for a motion to memorialize the resolution. Board member List moved the motion and board member Folcher second. All present voted affirmatively with the exception of Board member Killen who abstained from the vote and the motion was carried; so ordered Chairman Green.

JOSEPH R. PERLA, ZB#15-D-10, 344 Texas Avenue, Block 1005, Lot 2. Chairman Green asked for a motion to memorialize the resolution. Board member List moved the motion and board member Folcher second. All present voted affirmatively with the exception of Board member Killen who abstained from the vote and the motion was carried; so ordered Chairman Green.

Chairman Green asked for a motion to adopt the Regular Meeting Minutes of October 7, 2015. Board member Francescone moved the motion to adopt the minutes and Board member Folcher second. All present voted affirmatively and the motion was carried; so ordered Chairman Green.

Zoning Board Professional: Mr. Joseph Petrongolo, 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. DGP PROPERTIES, LLC, ZB#91-C/D-18A, 212 & 216 Ark Road, Block 305.91, Lots 3 & 4.01 – R-3 Residential Zone. The Conditional Use variance sought from section 154-21 D 15 of the Zoning Ordinance to enable the applicant to demolish existing house, consolidate two lots and construct a new Funeral Home. Conditional Use Variance, Amended Preliminary & Final Site Plan. The Board Secretary certified the application complete. Mr. Patrick McAndrew, Attorney at law represented the applicant. The witnesses to give testimony Mr. David & Ms. Marianne Petaccio, Member-Applicant, LLC, Mr. Frank Criniti, Architect and Mr. Michael Avila, P.E. were sworn in by the Board Solicitor Mr. Costa. Exhibits marked A-1 Architect rendering of the elevation of the building, A-2 Front & Rear Elevation of the Building, A-3 Right & Left side elevation of the building A-4 Site Plan. Mr. Petaccio, testified the current funeral home was granted a use variance, site plan and has operated for the last 25 years. The current funeral home is outdated in the needs to serve its client with modern technology. Currently have there is 20 parking spaces and they can service 50 chairs. Today, with cremations they need to have bigger rooms to service 200 clients. They had 197 funerals in 2014 and 50% were cremation and 80% of funerals are done in 1 day. The building is used 2 to 3 times a week. Deliveries are by UPS and vans. The new Funeral Home will be a first class facility the least expensive and new service. Mr. Frank Criniti, Professional Architect testified to the marked exhibits and the new structure will be 30' in height and was designed to look residential to fit into the neighborhood. Mr. Michael Avila, Professional Engineer/Planner, testified to the site plan details in the R-3 zoning district. Everything that is happening is in the front of the building. This is good site and the use already exists and is suitable for the amended use and buffer variances. There's no detriment to the master plan and zone plan or negative impact on the neighbors. The current facility is 3,500 square feet and the proposed is 7,110 square feet. Mr. Petrongolo, Zoning Board Planner reviewed his report dated September 24, 2015. Mr. Long, Zoning Board Engineer reviewed his report dated October 28, 2015. Mr. Angelastro, Zoning Board Traffic Engineer reviewed his report dated September 24, 2015. Mr. McVey, Fire Marshal reviewed his report dated October 27, 2015. Mr. McAndrew summarized the application and noted the current funeral will be closed for a short time during the construction process. Chairman Green opened the hearing to the public, seeing none, closed the public portion and asked a motion. Mr. Costa, Zoning Board Solicitor reviewed the conditions: The applicant must consolidate 2 lots into 1 lot; Buffer variance on the west side of the property 50' proposed and an additional of 50' rear yard setback; Work with the Board's Engineer, Planner and Fire Marshal; Bulk variance for loading berth 154-69C & 154-69D short term parking; Waiver of vertical curbs and sidewalks; Conditional Use, Bulk & Buffer variances and Amended Preliminary and Final Site Plan. Board member List moved the motion to approve ZB#91-C/D18A subject to the conditions stated by Mr. Costa. 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, Agree. Motion carried approved.
2. SHELTER DEVELOPMENT, LLC, ZB#90-C/D-04B , 400 Fernbrooke Lane, Block 510, Lots 6.02, 6.03 & 6.04 – I Industrial Zone. The Use & Bulk variances sought are from section 154-56 & 154-68B of the Zoning Ordinance to enable the applicant to expand the existing Brightview Mount Laurel assisted living facility to include 110 independent living units and 40 assisted living beds. Applicant also requests an off-street parking variance. The application was certified for completeness by the Board Secretary.

Petitions before the Board:

2. SHELTER DEVELOPMENT, LLC, ZB#90-C/D-04B , 400 Fernbrooke Lane, Block 510, Lots 6.02, 6.03 & 6.04 – I Industrial Zone. Use & Bulk variances. Mr. Stephen Nehmad, Attorney at law represented the applicant. Witnesses to give testimony Mr. Robert P. Freud, PE, PP Civil Engineer, Mr. Andy Jafolla, PE, Traffic Engineer, Professional Planner, Mr. James Miller, PP Professional Planner, Mr. David Holland, Principal of Applicant Shelter Development, LLC, were sworn in by the Board Solicitor Mr. Costa. Exhibits marked A-1 Aerial photograph of site and surrounding area, A-2 Site plan rendering superimposed on an aerial photograph, A-3 Rendering of the conceptual site plan, A-4 Architectural rendering of entry view, A-5 Architectural rendering of the rear courtyard, A-6 Shelter Development Firm brochure. Mr. Nehmad discussed the application for a Use variance to expand the existing Brightview Mount Laurel assisted facility to include 110 independent living units, 40 assisted living beds and a parking variance to allow 165 parking spaces instead of the required 290 parking spaces. The application is requesting a D-2 use variance Inherently Beneficial Use. The applicant received a use variance previously from the Zoning Board and is seeking an expansion. Mr. Holland, Vice- President of Development testified to the need for the 110 independent units and 49 assisted living beds. This current facility has no independent units. There is an existing demand for the independent units for senior citizens. The age for this type of need is 75 years old. Independent care includes, dining, housekeeping maintenance, transportation, personal care, social services in a safe environment. There will be 50 employees on the peak shift, 78 employees total full and part time. Mr. Freud, Professional Engineer testified to the property being 31 acres, the surrounding area and the wetlands. Block 6.02 Fernbrook Road has 37 parking spaces, Block 6.03 & 6.04 front on Walton Avenue. There is a stream that goes through the property as well as open space and a stream encroach line (2) detention basins are on the existing facility. Mr. Jafolla, Traffic Engineer testified to the reports traffic impact assessment dated 9/5/15 and the parking counts dated 10/26/15. This use would be much less traffic impact than manufacturing or an office use. The 165 parking spaces is more than what this facility needs. Mr. Miller, Professional Planner testified to criteria for a D-2 use variance inherently beneficial use and the C-2 bulk variance. Further discussed was the purposes of the Municipal Land Use Law positive and negative criteria a.) i.) & l.). The expansion of the 110 independent units and 40 assisted living beds have no substantial detriment to the master plan and zone plan. This is a good use for the public good and a balance use with no impact on the Industrial and Residential zones and buffers. Mr. Petrongolo, Zoning Board Planner reviewed his report dated October 23, 2015. Mr. Long, Zoning Board Engineer reviewed his report dated October 21, 2015. Mr. Angelastro, Zoning Board Traffic Engineer reviewed his report dated October 23, 2015. Mr. McVey, Fire Marshal has no comment on the Use & Bulk variances. Mr. Nehmad summarized the application. Chairman Green opened the hearing to public, seeing none closed the public hearing and asked for a motion. The Zoning Board Solicitor Mr. Costa reviewed the conditions: The Use variance for 110 independent units and 40 assisted beds and Bulk variance number of parking spaces 165; Affordable Housing if applicable; Traffic study; file a Site Plan and Subdivision. Board member Folcher moved the motion to approve ZB#90-C/D-04B and Board member List second. Roll call vote: Mr. Folcher, Agree; Mr. List, Agree; Mr. Francescone, Agree; Mr. Killen, Agree; Mr. Kramer, Agree; Vice-Chair Brod, Agree; and Chairman Green, Agree. Motion carried approved.

Temporary Use Permit:

The Falls Group, LLC t/a The Funplex, #15-73-05, 3328 Route 38, Block 304, Lot 2.01, Temp. Const. Office Trailer 8' x 20' (1) year on site.

Chairman Green discussed the temporary use submitted and asked for a motion. Board member List moved the motion to recommend to Twp. Council and Board member Folcher second. All presented voted affirmatively.

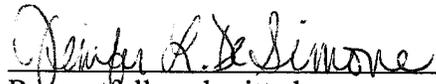
Discussion Items:

The Board Secretary stated the Board of Adjustment would be starting their discussions regarding Municipal Land Use Law 40:55D-70.1 Report on applications, amendment recommendations for 2014 & 2015.

Mr. Costa, Zoning Board Solicitor announced that he would not be filing an RFP - Request for Proposal for 2016. This will be his last year as the Board Solicitor.

Chairman Green asked for a motion to adjourn Board member Killen moved the motion at 9:15 P.M. All present voted affirmatively and the motion was carried.

Adopted on: December 02, 2015



Respectfully submitted,  
Jenifer L. DeSimone, Secretary  
Zoning Board of Adjustment