

ZONING BOARD OF ADJUSTMENT MEETING MINUTES

FEBRUARY 03, 2016

Chairman Brod called the Second 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 01/12/2016

Roll Call taken by Jenifer DeSimone Board Secretary

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

Boards Professionals: Mr. Joseph Petrongolo, Land Planner, Present; Mr. William Long, Engineer, Present; Mr. Brian McVey, Fire Marshal, Present arrived at 7:55; Mr. Christopher Norman, Board Solicitor, Present; Ms. Jenifer DeSimone, Board Secretary Present.

Chairman Brod Reviewed the Boards Procedures and the Announcements were made that Hirshland & Co. ZB#15-D-19, 3531 Route 38 continued to the March 3<sup>rd</sup> Zoning Board Regular meeting no further need to re-notice property owners or re-advertise. Mr. Norman, Board Solicitor noted the application for 3030 Route 38 LLC ZB#15-B-20, is being continued to the Board's Regular meeting March 3<sup>rd</sup>.

Memorialize Resolution:

1. STAR POWER SERVICES, LLC, ZB#15-D-18, 3601 Route 38, Block 500, Lot 3  
Chairman Brod asked for a motion to memorialize the resolution. Vice-Chairman List moved the motion and Board member Folcher second the motion. All present voted affirmatively and the motion was carried.

Minutes: Chairman Brod asked for motion to adopt the minutes of the Reorganization meeting January 6, 2016 & 1<sup>st</sup> Regular meeting of January 13, 2016. Board member Folcher moved the motion to and Vice-Chairman List second the motion. All present voted affirmatively with the exception of Chairman Brod, Board member Killen and Board member Francescone abstained from meeting of 1/6/16, and abstained from the vote and the motion was carried.

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

Petitions before the Board:

1. GREGORY CARARATTA, ZB#16-C-01, 12 Arianas Court, Block 1102, Lot 20.06, The Bulk Variance sought is from section 154-16 of the Zoning Ordinance to enable the applicant to construct a 285 square foot rear covered porch violating the rear yard setback of 26' instead of the required 35' including a 182 square foot paver deck. The Board Secretary read the application and certified the completeness. Mr. Camaratta was sworn in by the Board Solicitor and discussed the reasons for the porch addition. Marked into evident was exhibit A-1 survey of the property. The proposed rear porch addition will match the aluminum siding and roofing material on the existing residential dwelling. The lot is undersized containing 9,463 square feet the minimum lot size is 10,000 square feet. Chairman Brod opened the hearing to the public, seeing none, closed the public portion and asked for a motion. Vice-Chairman List moved the motion to approve ZB#16-C-01 and Board Folcher second the motion. Roll call vote: Vice-Chair List, Agree; Mr. Folcher, Agree; Mr. Bailey, Agree; Mr. Francescone, Agree; Mr. Green, Agree; Mr. Killen, Agree; Chairman Brod, Agree. Motion carried approved memorandum signed.

Petition before the Board: continued

2. DAVIS RACEWAY, LLC, ZB#15-D-14, 503 Fellowship Road, Block 1202, Lot 2

The Use variance sought is from section 154-56D of the Zoning Ordinance to enable the applicant to develop the property for residential use apartment units where residential uses are prohibited. The Board Secretary read the application and certified the completeness.

Mr. Robert Baranowski, Jr., Attorney at law represented the owner/applicant. Witness' to give testimony Mr. Mitchell Davis, President, Davis Enterprises; Mr. Robert R. Stout, PE, PLS, Engineer; Mr. Creigh Rahenkamp, AICP, NJPP, Planner; Mr. David R. Shropshire, PE, PP, Traffic Engineer and Mr. Bruce Englebaugh, AIA Architect were sworn by Chris Norman, Solicitor. Exhibits marked into evidence: A-1 Aerial photograph; A-2 Concept Site Plan; A-3 Concept Building plan; A-4 Concept Building elevations; A-5 Aerial Higher elevation.

Mr. Baranowski stated the application was to permit the construction of a four-story apartment building with 145 rental apartments units, including twenty-two (22) for low and moderate income rental for the affordable housing set aside of 15%. One-hundred six (106) apartment would be 1,100 square foot two-bedroom units and thirty-nine (39) apartments would be 950 square-foot one-bedroom units. Mr. Shropshire, Traffic Engineer testified to the 246 parking spaces to be provided and 51 spaces would come from private garages that will face the adjoining Doubletree Suites property. Cross-access easements would be provided for parking with the adjoining phase 1 office building. Mr. Englebaugh, Architect testified to the modified E shape building design plan. The clubhouse has a fitness room 2,500 square feet for the tenants use only. The market for this residential rental apartment building is single persons and young couples without children, seeking places to live close to work with the nearby office and retail establishments. Mr. Rahenkamp, Planner testified the proposed rental apartment use is particularly suitable at this proposed location. They will provide for affordable housing units to help satisfy Mount Laurel Township's affordable housing obligations. There is a lot of office space that already exists in Mount Laurel and the surrounding south Jersey region and that such condition has not improved, since the 2008 building recession in part due to the changing demographics. Many large corporate employers are relocating their offices to urbanized area, such as Camden for tax incentives. He also justified the positive and negative criteria per the Municipal Land Use Law. Mr. Stout, Engineer testified to the proposed site plan the number of issues and all the infrastructure is in place such as ADA, lighting, landscaping, parking will have cross access with the office building. The buffer around the property and the plans complies with RSIS. Mr. Petrongolo, ZB Planner reviewed his report dated December 14, 2015. Mr. Long, ZB Engineer reviewed his report dated November 11, 2015. Mr. Angelastro, ZB Traffic Engineer reviewed his report dated December 15, 2015. Mr. McVey, Fire Marshal didn't have comments on the Use Variance, but would have comments when the site plan is filed. Board member Bailey questioned whether there would be anyone on site in the leasing office. Mr. Davis stated there will be one (1) employee in the leasing office. Chairman Brod opened the hearing to the public, seeing none, closed the public hearing. Chris Norman enumerated the conditions: Filed Use variance subject to a site plan being approved and resolving all the issues discussed the applicant agreed to the affordable housing requirements. Chairman Brod asked for a motion on ZB#15-D-14. Vice-Chair List moved the motion subject to the conditions stated by the Solicitor and Board member Killen second motion. Roll call vote: Vice-Chair List, Agree; Mr. Killen, Agree; Mr. Bailey, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Green, Nay; Chairman Brod, Agree. Motion carried approved.

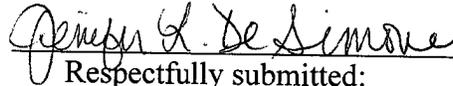
Petition before the Board: continued

3. VSNA, LLC ZB#14-D-15A, 2051 Briggs Road, Block 510, Lot 4.06. The Amended Use Variance and Site Plan Waiver sought is from section 154-56 C. of the Zoning Ordinance to enable the applicant to locate on a Mobile Modular MRI Trailer on wheels which is not permitted. The Board Secretary read the application and certified the completeness. Mr. Tony Hatab, Attorney at law represented the VSNA, LLC. Witnesses to give testimony Dr. Anthony J. DeCarlo, VMD; Mr. Marc Leber, P.E., P.P. & CME; Mr. Paul Morgan, Director Sigma Imaging Technologies, Inc., Dr. Jenny Saronow, Neurologist were sworn in by the Board Solicitor Chris Norman. Exhibit marked into evidence A-1 Topography of parcel. Mr. Hatab discussed the proposed amended use variance and site plan for the mobile MRI trailer on wheels at the veterinary hospital. Dr. DeCarlo, testified to the Amended Use variance and Site Plan waiver for the Veterinary Hospital services and the 24-hour emergency medical care for animals and operates at a second location in Tinton Falls, NJ with use of a Mobile MRI Trailer. There is no kennel at the property. The 24-hour facility with 70 employees, working three-shifts, including 40 employees on-site during the peak hour shift. Further the technological changes in the veterinary MRI equipment have been rapid, requiring upgrading of such costly equipment on a periodic basis. It is the most cost efficient in an economically challenged veterinary emergency services industry to provide the best technology by housing the MRI equipment in trailers, which can be quickly and readily replaced. The MRI equipment is highly specialized and cannot be placed within the existing building or the basement area. The in-house MRI services are vital to the operation of a 24-hour veterinary emergency hospital. The nearest comparable facility is operated by the University of Pennsylvania. Adding the MRI trailer will not increase the number of employees at the hospital. Mr. Marc Leber, Engineer/Planner testified to the positive and negative criteria in that this site was already approved to operate and animal hospital and the addition of the MRI service will enhance the medical care provided. The MRI trailer would be located in the back of the building not visible. Dr. DeCarlo stated that the area around trailer would landscaped and a canopy would be erected over the walkway from the building to the trailer. Mr. Paul Morgan, Director, Sigma Imaging Technologies, Inc. testified to the scope of the chamber and systems as to why having the Mobil MRI trailer versus having the MRI equipment inside the existing building and would be an accessory to the animal hospital. Mr. Petrongolo, Planner reviewed his report January 21, 2016. Mr. Long, Engineer reviewed his report January 22, 2016 and requested full site plans be submitted. Mr. McVey, Fire Marshal reviewed his report January 22, 2016. Mr. Hatab summarized the Amended Use variance and Site Plan Waiver applications Chairman Brod opened the hearing to the public, seeing none, closed the public portion. The Board Solicitor reviewed the conditions: The applicant is seeking an Amended Use variance and Site Plan waiver. In the future, administrative approval for site improvements, landscaping and plan detail for the transporting of animals from the main building to the MRI trailer. Chairman Brod opened the hearing to the public, seeing none, closed the public portion and asked for a motion. Board member Green moved the motion subject to the condition enumerated and second by Vice-Chairman List. Roll call vote: Mr. Green, Agree; Vice-Chairman List, Agree; Mr. Bailey, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Killen, Agree; Chairman Brod, Agree, Motion carried approved.

Discussion Items: Joseph Rocco, Attorney at law discussed the continued application for 3030 Rt. 38 in the article was incorrect the applicant is proceeding with the application on March 2. Chris Norman said he wanted the applicant to contact the Courier Post to print a retraction.

Adjournment: Chairman Brod asked for a motion to adjourn at 9:30 P.M. Vice-Chairman List moved the motion and all present voted affirmatively and the motion was carried.

Adopted on: April 06, 2016



Respectfully submitted:

Jenifer L. DeSimone

Zoning Board of Adjustment Secretary