

Chairman Brod called the Twelfth Regular meeting to order at 7:00 P.M. in the Municipal Courtroom
The Pledge of Allegiance and Moment of Silence were observed

The Board Secretary read the open public notice which was published and posted on January 12, 2016

Roll Call was taken by Jenifer DeSimone, Board of Adjustment Secretary

Board Members: Ms. Jones, Present; Mr. Bailey, Present; Mr. Folcher, Present; Mr. Green, Present;
Mr. Killen, Present; Mr. Kramer, Present; Mr. Francescone, Arrived at 7:03; Vice-Chairman List, Present;
Chairman Brod, Present.

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

Procedures and Announcement: Chairman Brod reviewed the Zoning Boards procedures per the By-Laws

Announcement: 1). The application "Back Nine Ramblewood Associates, LLC, ZB#16-C/D-19, 200
Country Club Parkway, is continued to the Board's meeting Wednesday, January 11, 2017 at 7:00 pm.

Memorialize Resolutions:

1. Gerald P. Campagna, ZB#16-C-16, 30 Rancocas Boulevard. Chairman Brod asked for a motion to memorialize the resolution. Vice-Chair List moved the motion and Board member Killen second the motion. All present voted affirmatively and the motion was carried.
2. Automotive Rentals, Inc. ZB#16-C-17, 2001 Bishops Gate Boulevard. Chairman Brod asked for a motion to memorialize the resolution. Vice-Chair List moved the motion and Board member Killen second the motion. All present voted affirmatively and the motion was carried.
3. Automotive Rentals, Inc ZB#16-C-18, 4001 Leadenhall Road. Chairman Brod asked for a motion to memorialize the resolution. Vice-Chair List moved the motion and Board member Killen second the motion. All present voted affirmatively and the motion was carried.
4. Mount Laurel Veterinary Real Estate, ZB#16-D-16, 220-230 Mount Laurel Road. Chairman Brod asked for a motion to memorialize the resolution. Vice-Chair List moved the motion and Board member Killen second the motion. All present voted affirmatively and the motion was carried.
5. Shelter Development, LLC, ZB#90-C/D-04B, 400 Fernbrook Lane. Chairman Brod asked for a motion to memorialize the resolution. Vice-Chair List moved the motion and Board member Killen second the motion. All present voted affirmatively and the motion was carried.

Minutes: Chairman Brod asked for a motion to adopt the Regular Meeting Minutes of November 02, 2016. Vice-Chair List moved the motion and Board member Francescone second the motion. All present voted affirmatively and the motion was carried.

Zoning Board Professionals: Mr. Angelastro, Mr. McVey, Mr. Petrongolo, Mr. Long were sworn in by the Zoning Boards Solicitor Mr. Norman.

Petitions before the Board:

1. DOUGLAS TAYLOR, ZB#16-C-21, 6 Lake Drive, Block 101.25, Lot 57 - R-2 Residential zone
The Bulk Variance sought is from section 154-65(8) E2 of the Zoning Ordinance to enable the applicant to: Construct 24' x 36' detached garage with a maximum height of 19'6" due to grade slope where 15' is permitted and a 13'6" side yard setback where 21" is required. The Zoning Board Secretary read the application and certified the completeness. Mr. Taylor was sworn in by the Board Solicitor. Mr. Taylor testified that he needs the detached garage for additional space for his woodworking hobby. The materials for the garage will match the Log cabin. Chairman Brod opened the hearing to the public, seeing none, closed the public portion and asked for a motion. Board member Francescone moved the motion to approve ZB#16-C-21 and Board member Killen second. Roll call vote: Mr. Francescone, Agreed; Mr. Killen, Agreed; Mr. Folcher, Agreed; Mr. Green, Agreed; Mr. Kramer, Agreed; Vice-Chair List, Agreed; Chairman Brod, Agreed. The application was approved.

Petitions before the Board:

2. MICHAEL JOHNSON, ZB#16-D-22, 264 St. David Drive, Block 1006.00, Lot 25 PUD zone
The Use Variance sought is from section 154-15 of the Zoning Ordinance to enable the applicant to: Construct an In-Law Suite addition bedroom, bathroom, sitting area with wet bar. The Zoning Board Secretary read the application and certified it complete. Mr. Johnson was sworn in by the Board Solicitor Mr. Norman. Mr. Johnson testified that he was requesting the addition for his Mother in law to live with them as she is 68 years old and can't live alone. The addition will have an exterior entrance and the materials will match the existing home. The kitchen will be expanded to additional room. The addition will be used for his mother in law and when it is no longer needed it will be used as a bedroom only. Chairman Brod opened the hearing to the public, seeing none, closed the public portion and asked for motion from the Board members. Vice-Chair List moved the motion to approve subject to the addition is utilized for non-rental purposes and Board member Killen second. Roll call vote: Vice-Chair List, Agreed; Mr. Killen, Agreed; Mr. Folcher, Agreed; Mr. Francescone, Agreed; Mr. Green, Agreed; Mr. Kramer, Agreed; Chairman Brod, Agreed. The application was approved.

3. SCARBOROUGH LAND GROUP, LLC, ZB#16-D-04, 523-525 Pleasant Valley Ave., Block 1205. Lots 1 & 2, R-3 zone. The Zoning Board granted the Use Variance 6/1/16. The applicant is requesting a Major Preliminary and Final Site Plan and Bulk Var. for Facade and Freestanding Signs: To construct an 1830 square foot Dunkin Donuts restaurant with drive-thru along with accessory onsite parking, landscape buffering. Fencing. ACT BY: 01/17/2017 - Public Hearing continued from 10/5 & 11/2

Mr. Nehmad, Attorney at law represented the applicant and stated the Use Variance was granted by this Board at the June Regular meeting and this is the third hearing for the Preliminary and Final Site Plan. The witnesses for the applicant Mr. Edmond Speitel, Professional Engineer and Mr. David Shropshire, Traffic Engineer and James Miller, Professional Planner were sworn in at the last month's meeting by the Board Solicitor Mr. Norman. Chairman Brod opened the hearing to the public if they hadn't spoken at the Previous meeting and testimony for new concerns. Mr. Richard Miller, 35 Edinburgh Lane was sworn in by the Board Solicitor. Mr. Miller was concerned with the Buffer which was at 15' and now is at 18' and he Understands this is a blighted area as he walks his dogs there. Mr. Nehmad stated that the Buffer Variance is subsumed incorporated by the operation of the law at the time of the Use Variance that was approved in June. Ms. Elizabeth Adams residing at 275 Fellowship Road was sworn in by the Board Solicitor. Ms. Adams was concerned about the water and sewer for the property as she is serviced by Moorestown water and sewer and drainage of this property. Also, who is going to pick up the paper products that blow? around she asked the applicant to fence in the whole property. Ms. Mary Miller residing at 35 Edinburgh Lane was sworn in by the Board Solicitor. Ms. Miller questioned the Handicapped parking spaces. Mr. Speitel reviewed the parking with the Handicapped spaces in front of the building. Mr. Josh Schwartz was sworn in at the June hearing discussed the space between the driveway and Fellowship Road. Mr. Shropshire discussed the 22' Radii to the access driveway for the right turn in and right turn out the driveway has to be wider to guide the movements. Mr. Michael McDowell residing at 4 Edinburgh Court was sworn in by the Board Solicitor. Mr. McDowell was concerned with the Land Use values of homes. Mr. Norman stated that issue is not relevant to this application. Chairman Brod closed the public portion and asked Mr. Nehmad to summarize the application. Mr. Nehmad summarized the Preliminary and Final Major Site Plan application with bulk variances, design and submission waivers. The Board Solicitor enumerated the conditions: Preliminary and Final Major Site Plan, buffer consisting 6' vinyl fence with Norway pine or Blue Spruce plantings of 8' to 10' in height. An as-built noise study once the Dunkin Donuts is open to be reviewed by the Boards Engineer. Parking lot is subject to title 39. Façade, freestanding signs with no logo on the directional signs. The applicant has agreed to comply with the Boards professionals reports. Chairman Brod asked for a motion. Vice-Chair List moved the motion to approve the application subject to the conditions stated by the Board Solicitor and Board member Killen second. Roll call vote: Vice-Chairman List, Agreed; Mr. Killen, Agreed; Mr. Folcher, Agreed; Mr. Francescone, Agreed; Mr. Green, Agreed; Mr. Kramer, Disagree "due to the traffic signal and the two driveways so close to the intersection I don't think it's going to work." Chairman Brod, Agreed. The application was approved. Chairman Brod asked for a five minute break then reconvened the meeting.

Petitions before the Board:

4. HEALTHY WAY OF LIFE IV, LLC, ZB#16-D-20, 3939 Church Road, Block 13 10, Lot 1.01. The applicant is the operator of fitness center and now proposes to install a solar system with 1,026 panels on the roof of the building. The subject property is in the Fellowship Area Redevelopment - RA2 zone where the permitted accessory uses do not include roof-mounted solar energy systems as a conditional use in Residential Districts only. The Use Variance and Site Plan Waiver can be granted as the proposed use of a solar energy system is benefit to the public and will not substantially impair the intent and purpose of the zoning ordinance. CERT BY: IF P.H. on 12/07/16 or 12/11/16 ACT BY: 4/06/2017 or 4/10/17

The Board Secretary certified the application complete. Mr. Robert Baranowski, Attorney at law represented the applicant. Mr. Michael Swanke, Architect, Life Time Fitness was sworn in by the Board Solicitor. Mr. Baranowski stated the applicant was seeking a Use variance and Site Plan waiver as the use is not permitted in the RA2 zone for the installation of roof mounted solar array on the Life Time Fitness Center. Exhibits marked A-1 Aerial photograph of the site; A-2 Elevation of the Front of the Building; A-3 Site line exhibit viewing 5' from Church Road. This roof mount solar panels is inherently beneficial as their will be no noise, there not visible, the panels don't move, and there is no signal. The positive & negative criteria have been met as no detriment to the current site or surrounding area. Mr. Michael Swanke, testified the construction on Lifetime Fitness Center started in 2014 and the facility opened in 2015 it is a 2 story athletic center. There will be 1026 solar panels on the roof which are stationary and 14" in between panels there will be monthly inspections of the system. Mr. Petrongolo, Planner reviewed his report dated November 17, 2016. Mr. Long, Engineer reviewed his report dated November 11, 2016. Mr. McVey, Fire Marshal reviewed his report dated November 16, 2016. Mr. Baranowski on behalf of the applicant agreed with the professionals reports. 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 the Use Variance and Site Plan Waiver application and Board member Green second the motion. Roll call vote: Vice-Chair List, Agreed; Mr. Green, Agreed; Mr. Folcher, Agreed; Mr. Francescone, Agreed; Mr. Killen, Agreed; Mr. Kramer, Agreed, Chairman Brod, Agreed. The application was approved.

Discussion Items: Chairman Brod discussed the following list with the Board members final action will be taken at the Reorganization & Regular Meetings 2017

- a. Calendar of Meeting Dates
- b. Chairperson, Vice-Chairperson, Secretary & Asst. Secretary
- c. Designation of Official Newspapers
- d. Setting of Fees
- e. By-Laws - Rules and Regulations
- f. MLUL 40:55D-70.1 Report on Variance Applications, Amendment Recommendations to Township Council and Planning Board 2014, 2015 & 2016
- g. Resignation of Board of Adjustment members- Chairman Brod & Board member Folcher

Adjournment: Chairman Brod asked for a motion to adjourn the meeting at 9:40 P.M. Board Member Killen moved the motion all present voted affirmatively and the motion.

Adopted on: March 01, 2017


Jennifer L. DeSimone, Zoning Board Secretary