

The Regular Meeting was called to order by Chairman List at 7:00 P.M.

The Pledge of Allegiance and Moment of Silence was observed by Chairman List

The Open Public notice was read by the Board Secretary

Roll Call taken by Jenifer DeSimone, Board Secretary

Board Members: Ms. Jones, Present; Ms. Liciaga, Present; Mr. Kiernan, Absent; Mr. Kramer, Present; Mr. Killen, Present; Mr. Green, Present; Mr. Francescone, Present arrived 7:03; Vice-Chairman Bailey, Present; and Chairman List, Present.

Board Professionals: Mr. Angelastro, Traffic Engineer, Present; Brian McVey, Fire Marshal, Present; Mr. Petrongolo, Land Planner, Present; William Long, Engineer, Present; Ms. O'Hagan, Zoning and Planning Assistant and Ms. DeSimone, Board Secretary.

Announcements and Review of Boards Procedures by Chairman List: Chairman List stated there were no announcements and he reviewed the Boards Procedures.

Memorialize Resolutions:

1. Daniel F. & Maureen Samanns, ZB#16-C-23, 315 Linden Lane, Bulk Variance.

Chairman List asked for a motion to memorialize the resolution. Board member Green moved the motion and Vice-Chairman Bailey second. All present voted affirmatively and the motion was carried.

2. Back Nine Ramblewood Associates, LLC ZB#16-C/D-19, 200 Country Club Pkwy.

Chairman List asked for a motion to memorialize the resolution. Board member Francescone moved the motion and Board member Killen second. All present voted affirmatively and the motion was carried.

3. Davis Raceway, LLC ZB#15-D-14, 503 Fellowship Road, (1) yr. Ext. Use Variance.

Chairman List asked for a motion to memorialize the resolution. Board member Killen moved the motion and Board member Green second. All present voted affirmatively and the motion was carried.

4. Davis Raceway, LLC, ZB#15-D-14, 503 Fellowship Road, Prel. & Final Site Plan.

Chairman List asked for a motion to memorialize the resolution. Board member Francescone moved the motion and Board member Killen second. All present voted affirmatively and the motion was carried.

Adopt Minutes:

Chairman List asked for a motion to adopt the meeting minutes of 12/7/16. Board member Francescone moved the motion and Board member Green second. All present voted affirmatively with the exception of Board member Liciaga who abstained from the vote and the motion was carried.

Chairman List asked for a motion to adopt the meeting minutes of 12/19/16. Board member Francescone moved the motion and Board member Kramer second. All present voted affirmatively with the exception of Board member Liciaga who abstained from the vote and the motion was carried.

Chairman List asked for a motion to adopt the minutes of the Reorganization meeting of January 11, 2017. Vice-Chairman Bailey moved the motion and Board member Francescone second. All present voted affirmatively with the exception of Board member Liciaga and the motion was carried.

Chairman List asked for a motion to adopt the minutes of the 1st Reg. meeting of January 11, 2017. Vice-Chairman Bailey moved the motion and Board member Francescone second. All present voted affirmatively with the exception of Board member Liciaga and the motion was carried.

Professionals: Mr. Petrongolo, Land Planner; Mr. Long, Engineer; Mr. Angelastro, Traffic Engineer; Mr. McVey, Fire Marshal; were sworn in by the Board Solicitor Evan Crook.

Petitions before the Board:

1. ZACHARY HOWES, ZB #17-C-02, 2959 Marne Highway, Blk. 205.01 Lot 21, O-3 zone. The Bulk Variance sought is from section 154-16 of the Zoning Ordinance to enable the applicant to: Construct a 15'x32' detached garage on a preexisting non-conforming lot 9,147 sq. ft. where 2 acres is required. The Board Secretary read the application and certified the completeness. Mr. Howes, residing at 2959 Marne Highway was sworn in by the Board Solicitor. Mr. Howes testified that his basement is wet and can't have any storage. The shed will have electricity and be insulated and would allow for storage and personal work space. Chairman List 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 #17-C-02 and Board member Killen second. Roll call vote: Mr. Francescone, Agree; Mr. Killen, Agree; Ms. Liciaga, Agree; Mr. Kramer, Agree; Mr. Green, Agree; Vice-Chair Bailey, Agree and Chairman List, Agree; Chairman List stated the application was approved a memorandum will be in the Zoning Office.

2. HIRSHLAND & COMPANY, ZB #15-D-19, 3531 Route 38, Block 514, Lot 2, I-zone. The Major Preliminary and Final Site Plan, Bulk Variances and Design Waivers sought are from sections 154-69B of the Zoning Ordinance to enable the applicant to: Propose 42 parking spaces for the proposed Shopping Center project. The Use Variance was previously granted. PROF. STAFF MTG.:01/17/2017 & 02/07/2017, P.H. MTG.: 03/01/2017, ACT BY:04/21/2017 The Board Secretary noted the application was complete. Mr. Michael Floyd, Attorney at law represented the Applicant. Exhibits marked into evidence: A-1 Existing Condition Aerial Plan; A-2 Rendered Site Plan; A-3 Current Environmental Conditions Plan; A-4 Rendering of Monument Sign; A-5 Conceptual Building Elevations with Façade Signage (4 sides); A-6 Conceptual Floor Plan; A-7 Trash Enclosure Drawing; A-8 Truck Turning Templates. Witnesses' to give testimony for the applicant: Mr. Andrew McManus, General Manager, Global Wireless; Mr. D. Alexander Tweedie, P.E., Senior Project Manager, LANDCORE; Mr. David Robinson, LSRP, Synergy Environmental; Ms. Deanna B. Drumm, P.E., P.P., PTOE, Traffic Planning & Design; Mr. Josh Eckert, R.A., P.P., LEED-AP, City Invincible. All were sworn in by the Board Solicitor. Mr. Floyd stated the Use Variance was granted April 6, 2016. The applicant has two (2) tenants; The Mattress and Cell Phone stores (no service) both are retail operations. Mr. Robinson, Synergy Environmental testified to exhibit A-3 Current Environmental Conditions Plan. The wells were installed in order to monitor ground water – sample water – not drinking water. Mr. McManus, General Manager, Global Wireless testified to exhibit A-2 Rendered Site Plan. That AT&T wireless will be retail only no servicing the customers. There will be two (2) employees during the week and the three (3) employees during the weekend all full time. If they sell five (5) phones a day, the company makes money. They figure that 30 to 40 people will come to the store every day. The AT&T Wireless tenant will occupy 2,000 square feet of space. Mr. Tweedie, P.E., Senior Project Manager, LANDCORE testified to exhibit A-8 Truck Turning Templates; Showing the small box truck movements off Route 38 & Marter Avenue and the Fire Truck can circulate the parking lot. Further discussed the Trash Enclosure on Marter Avenue. Mr. Angelastro, ZB Traffic Engineer asked if the applicant would move the Trash Enclosure for better access so the doors are pushed further back on the site. Mr. Tweedie discussed the right in and right out on Marter Avenue and Route 38. The number of parking spaces discussed during the Use variance was 44 spaces and now there will be 42 spaces and the underground stormwater basin. Ms. Drumm, P.E., P.P., PTOE Traffic Planning & Design testified to exhibit A-2 Rendered Site Plan.

Petitions before the Board: Hirshland & Company Public Hearing Continued

2. HIRSHLAND & COMPANY, ZB #15-D-19, 3531 Route 38, Block 514, Lot 2, I -zone. The Mattress & Cell Phone stores will have low volume retail. In the morning and the peak hour's traffic will back up. There will be 44' from the curb line to the first parking space. A Board member asked about people cutting through the shopping center to avoid the traffic light. Ms. Drumm suggested to elevate that potential problem Township Council can apply for Title 39 so that the Mount Laurel Township Police would be able to ticket people that drive through the parking lot to avoid the traffic light. Other traffic calming was discussed such as speed humps in the parking lot with the anticipated volume of traffic. Ms. Drumm stated no need for speed humps. Also, discussed was the third (3) tenant is still unknown. The applicant agreed that when the third tenant is known the applicant would file a Minor Site Plan Alteration for review by the Zoning Boards Professional Staff. Mr. Eckert, R.A., P.P., LEED-AP City Invincible testified to the requested waivers and bulk variances listed in Mr. Joseph Petrongolos report dated February 15, 2017. The Board members discussed moving the freestanding sign 48 square feet on the Eastside of Route 38 in front of the entrance driveway. Board member Francescone discussed the three (3) tenants listed on the Southside elevation façade each sign 2' high. Also, discussed exhibit A-7 Trash Enclosure Drawing and the applicant will work with the Planner regarding the façade signage and trash enclosure location. Mr. Joseph Petrongolo, ZB Planner reviewed his report dated February 15, 2017, with concerns with the signage, landscaping and location of the driveway on Marter Avenue. Mr. William Long, ZB Engineer reviewed his report dated January 17, 2017, discussed submission waivers, phase 1, storm water, impervious surface underground detention basin. Mr. Michael Angelastro, ZB Traffic Engineer reviewed his report dated January 24, 2017, the applicant is going to comply with the Board's Traffic Engineers Letter. Mr. Brian McVey, Fire Marshal reviewed his report dated February 15, 2017, the fire hydrant needs to be moved to Marter Avenue. Chairman List opened the hearing to the public, seeing none, closed the public portion. Chairman List asked the Board Solicitor to review the conditions. Mr. Crook stated the conditions: Major Preliminary and Final Site Plan, Bulk Variances for Façade, Freestanding signage; 42 parking spaces proposed 43 required; Design Waivers, Submission Waivers and Development Checklist Waivers; Pursue title 39 with Township Council; Minor Site Plan Alteration required for (3) tenant compliance; The applicant will work with the Planner regarding landscaping, signage and the trash enclosure; No storage of trash and material outside the back door on Marter Avenue; All of the Zoning Board's professionals report.

Discussion Items:

1. Chairman List discussed the Zoning Boards By-Laws/Rules and Regulation for 2017 to be adopted and asked for a motion. Board member Francescone moved the motion to adopt the By-Laws / Rules and Regulations and Board member Killen second. All present voted affirmatively and the motion was approved.
2. Chairman List discussed the Zoning Board of Adjustment Report on Applications 2014, 2015 & 2016. The Board discussed the following issues: 1). Zoning Ordinance 154-65 Accessory buildings size of sheds in R1-D zone. 2). Zoning Ordinance 154-21 and in the Commercial Districts Solar Energy systems. 3). Zoning Ordinance 154-43B. Allowing Food facility or fast food with motor vehicle service station. 4). Zoning Ordinance 154: Allowing LED lights on gas station pricing on the Freestanding signs. Further discussed by the Board was the need for a Maintenance Ordinance and a Foreclosure Ordinance. Chairman List asked for a motion Vice-Chairman Bailey moved the motion and Board member Francescone second. All present voted affirmatively and the ZB Report on Applications was approved.

Temporary Use Permits:

1. Ethel Lawrence III and Connell Tract #17-73-01, Ethel Lawrence Blvd. Block 601, Lot 23. Temporary placement of one 40' X 10' mobile construction office trailer to be used on site management of two projects known as Ethel Lawrence III and the Connell tract for the duration of 12 months. Chairman List asked for a motion. Board member Francescone moved the motion to recommend to Twp. Council for 1 year and Board member Liciaga second. All present voted affirmatively and the motion was approved.

2. ACTEON #17-73-02, 124 Gaither Drive, Block 237.02, Lot 1.02. Proposed a temporary 40' x 10' storage container located at the rear parking lot located at their place of business in the East Gate Center. Time frame for temporary storage to commence April 1, 2017 and will not exceed December 31, 2017.

Chairman List asked for a motion. Vice-Chairman Bailey moved the motion to recommend to Twp. Council from April to December 2017 and Vice-Chairman Bailey second. All present voted affirmatively and the motion was approved.

Adjournment:

Chairman List asked for a motion to adjourn the Zoning Board meeting at 9:35 P.M. and Board member Killen moved the motion. All present voted affirmatively and the motion was approved.

Adopted on: April 5, 2017



Respectfully submitted by:
Jenifer DeSimone, Secretary
Zoning Board of Adjustment