

Mount Laurel Township Zoning Board of Adjustment
Regular Meeting Minutes
August 1, 2018

Opening

The Sixth Regular Meeting of the Mount Laurel Zoning Board of Adjustment August 1, 2018 was called to order by Chairman Francescone at 7:10 p.m.

Pledge of Allegiance and Moment of Silence were observed

The Open Public notice was read by Suzanna O'Hagan, Board Secretary

Roll Call

Chairman Francescone-Present, Vice Chairman List-Absent, Mr. Bailey-Present, Mr. Green- Present, Mr. Kiernan-Present, Mr. Killen-Present, Mr. Kramer-Absent, Ms. Liciaga-Present, Ms. Jones-Present

Board Professionals in attendance

Jay Petrongolo-Zoning Board Planner, William Long-Board Engineer, Brian McVey-Fire Marshal, Evan Crook-Zoning Board Solicitor and Suzanna O'Hagan-Zoning Board Secretary

Announcements and Review of Boards Procedures

The application for Blair Sign Programs, ZB#18-D-12 has been continued by request of the applicant.

Memorialized Resolutions

1. Daniel Quattrone, ZB#18-C-06, 3816 Church Road, R-2018-ZB11, Chairman Francescone asked to a motion to approve the resolution, Mr. Bailey moved the motion, Mr. Kiernan second, all present voted affirmatively, the resolution was approved
2. Matthew Meyer and Alison Lupinetti, ZB#18-C-10, 99 Glen Street, R-2018-ZB12, Chairman Francescone asked to a motion to approve the resolution, Mr. Killen moved the motion, Mr. Kiernan second, all present voted affirmatively, the resolution was approved
3. V&R Property LLC, ZB#18-D-02, 2026 Briggs Road, Suite C, R-2018-ZB13, Chairman Francescone asked to a motion to approve the resolution, Killen moved the motion, Mrs. Jones second, all present voted affirmatively except Mr. Bailey who abstained, the resolution was approved
4. Mount Laurel Veterinary Real Estate, ZB#16-D-16A, 220 Mount Laurel Road, R-2018-ZB14, Chairman Francescone asked to a motion to approve the resolution, Mr. Killen moved the motion, Mr. Green second, all present voted affirmatively, the resolution was approved
5. The Falls Group, ZB#18-D-03, 3320 Route 38, R-2018-ZB15, Chairman Francescone asked to a motion to approve the resolution, Mr. Killen moved the motion, Mrs. Liciaga second, all present voted affirmatively except Mr. Green who abstained, the resolution was approved
6. VOADV Property Inc., ZB#11-D-27C, Centerton Road & Marne Hwy., R-2018-ZB16, Chairman Francescone asked to a motion to approve the resolution, Mr. Killen moved the motion, Mrs. Liciaga second, all present voted affirmatively except Mr. Green who abstained, the resolution was approved
7. Mount Laurel Manor Apartments, LLC., ZB#18-D-09, 123 Creek Road, R-2018-ZB17, Chairman Francescone asked to a motion to approve the resolution, Mr. Killen moved the motion, Mrs. Jones second, all present voted affirmatively except Mr. Green who abstained, the resolution was approved

Adopting the Minutes

Chairman Francescone asked for a motion to adopt the Fifth Regular meeting minutes of 06/06/2018, Mrs. Liciaga moved the motion Mr. Killen second, all present voted affirmatively and the motion was carried. Chairman Francescone asked for a motion to adopt the First Special meeting minutes of 7/11/2018, Mr. Killen moved the motion, Mrs. Jones second, all present voted affirmatively except Mr. Green who abstained and the motion was carried.

Swearing in of the Professionals

Zoning Board Professionals were sworn in by Zoning Board Solicitor Mr. Crook

Petitions before the board

1. Todd Geweke, ZB#18-C-14, 150 Canterbury Road, Block 902.04 Lot 20, R-1 zone. This Bulk variance is being sought from section 154-16 of the Mount Laurel Township Zoning Ordinance to allow replacement of a pre-existing non-conforming storage shed 2' 3" from the rear property line where 6' is required and 3' 2" from the side property line where 6' is required. The Secretary read the application. Mr. Geweke was sworn in and testified that his property shape and size only allowed for the shed at its current site. Chairman Francescone opened the meeting to the public for questions or comments, seeing none, closed the public portion. Chairman Francescone asked for a motion to approve ZB#18-C-14. Mr. Killen moved the motion and Mr. Bailey second, Roll call vote: Mr. Killen, agree; Mr. Bailey, agree; Ms. Jones, agree; Ms. Liciaga, agree; Mr. Kiernan, agree; Mr. Green, agree; Chairman Francescone, agree. Motion Carried Approved.

2. Michael and Emeline Winters, ZB#18-C-15, 699 Decatur Drive, Block 1003.04 Lot 27, R-1D zone. This Bulk variance is being sought from section 154-44 of the Mount Laurel Township Zoning Ordinance to allow a fence 2' from the property line in a side yard adjacent to a street where 30' is required. The Secretary read the application. The applicant was not present. Chairman Francescone asked for a motion to continue the application to the September 5, 2018 Zoning Board meeting. Mr. Green moved the motion, Mr. Killen seconded, all present voted affirmatively and the motion was carried.

3. Friends of Cyrus, ZB#18-D-08, 351-357 Hartford Road, Block 405 Lot 8.01, R-3 zone. This Use variance is sought from section 154-15.A(6) of the Mount Laurel Township Zoning Ordinance to use the Residential zoned premises as an adult day care center for autistic adults with offices in two existing buildings. The secretary ready the application. Denis Germano represented the applicant. Daren Singhani, Managing Member of Friends of Cyrus LLC. and Kamelia Kameli, Member of Friends of Cyrus, LLC. were sworn in by board solicitor Mr. Crook.

Ms. Kameli testified that Friends of Cyrus currently runs ten (10) group homes from Bergen to Salem County, FOC is a for profit organization licensed by the Division of Developmental Disabilities and funded by Medicare, that provides in home support services as well as group homes and day programs. They service adults age 21 and older with developmental disabilities. Currently there are two (2) day program sites both at maximum capacity. The program will run from 9:30am to 3:30pm Monday through Friday with no weekend or night hours, the staff to participant ratio is 1 to 6, all supervisors are registered behavior technicians and the program provides transportation to and from the school using six passenger vans, no busses will be used. The goal of the program is to get participants out of the building and into the community in small groups based on function level. Not more than 10 people will be in the building for the majority of the day.

Mr. Singhani testified that he expects 30 – 40 participants, all will begin the day at the location, most will leave to jobs or therapeutic field trips, the participants may or may not return to the school at the end of the day. Six (6), 6 passenger vans will be used to transport the participants. There will be no cooking on premises, the outside of the buildings will not change with the possible exception of a 10'x10' horticulture area. The additional two (2) buildings will be used as offices only. The property is currently in poor condition however, this program is well funded and is subject to State Inspections to assure all standards are being met therefore, the property and buildings will be well maintained. Mr. Singhani believes the 43 existing parking spaces are very sufficient.

Jay Petrongolo reviewed his report dated 7/18/2018. Mr. Petrongolo believes the applicant needs a planner to testify as per case law. Board Solicitor Mr. Crook agrees expert testimony is required in regard to the impact on the Municipal Land Use Law and the Master Plan.

Dennis Germano requests to adjourn to the September 5, 2018 Zoning Board Meeting because they do not have a planner to provide expert testimony as to the negative criteria.

Chairman Francescone opened the meeting to the public for questions or comments.

Donald and Barbara Morgan of 2 Wellington Court, were sworn in by Solicitor Crook. Mr. Morgan presented exhibit M-1, Depiction of the original configuration of the Church. Mr. Morgan testified that the conditions of the 1989 Site Plan approval including landscaping has not been kept up on with any of the four (4) churches that have been in the location. Currently the property is in disrepair to include falling gutters. Mr. and

Mrs. Miller expressed their support of this application believing the applicant will keep the property well maintained and that this use is inherently beneficial to the neighborhood.

Chairman Francescone, seeing no other questions or comments by the public, closed the public portion.

Mr. Crook reviewed the application.

Chairman Francescone asked for a motion to adjourn application ZB#18-D-08 to the September 5, 2018 Zoning Board meeting to allow the applicant to provide Professional Planner testimony. Mr. Killen moved the motion Mr. Green seconded, all present voted affirmatively, motion carried approved.

Chairman Francescone adjourns for a break at 8:38pm and reopened the meeting at 8:45pm.

4. **1190 South Church LLC., ZB#18-D-16**, 1190 South Church Street, Block 1103 Lot 8.01 R-1 zone. This Use variance is being sought from section 154-15 of the Mount Laurel Township Zoning Ordinance to allow a private fitness center and leasing office to be constructed on the lot as an accessory to the Ramblewood Village Apartments located on a separate lot.

William Hyland Esq. represented the applicant.

Mark Madera, Project Manager, Eagle Rock Advisors LLC.; Michael J Citerone, PE, Professional Engineer, Taylor Wiseman and Taylor; Andrew Feranda, PE, PTOE, CME, Traffic Engineer, Shropshire associates LLC. and James A. Miller, AICP, PP, Professional Planner, J.A. Miller Planning Consultants were sworn in by Board Solicitor Mr. Crook.

Mr. Hyland presented the application and entered exhibit A-1, Site Plan. Mr. Hyland stated that the applicant is requesting only a Use variance at this time and is currently in a "Due Diligence" period.

Mr. Madera testified, he purchased the Ramblewood Village Apartments approximately one year ago.

Currently, an apartment unit is being used for a leasing office. The property in question has been abandoned for two (2) years and is in disrepair, his estimates show \$90,000.00 of deferred maintenance. If approved part of the existing building on Church Street will be demolished and the pool will be renovated. Mr. Madera later testified that the facility will include meeting spaces and spaces that may be rented out for special occasions.

Mr. Citerone testified, the location will be deficient five (5) parking spaces. The applicant will provide landscape and sidewalk additions from the apartments to the site and will accommodate any Site Plan requirements. The proposed leasing office/fitness center will serve all three (3) phases of the Ramblewood apartments.

William Hyland clarified that the applicant will not consolidate the lots, due to financing limitations, but will have cross easements.

Mr. Feranda testified, the total square footage of the proposed building will be 1000 square feet less than the existing building. The proposed use of the land will produce significantly less trips in the am and pm hours and three (3) less trips on peak Saturday hours. Visitors to the site will likely be walking from the apartments decreasing the vehicle trips and parking demand. Mr. Feranda believes the existing parking is adequate due to the higher pedestrian traffic and that there will be no significant impact on the zone plan.

Mr. Miller testified, the proposed project advances Municipal Land Use Law by purpose of special reasons and site suitability. The prior use is no longer viable and the location is not suited for an R-1 use. The building is 87 years old and in disrepair. The proximity to the apartments is ideal and the facility will be a good fit to the surrounding site. Mr. Miller testified to the negative criteria stating that the project will not impair the Zone Plan and it will advance public welfare by redeveloping a property in disrepair. The proposed use is more compatible with the surrounding uses.

Jay Petrongolo reviewed his report dated 7/18/2018. Mr. Petrongolo stated his belief that the proposed use would be beneficial and a good transition within the existing zones with no negative impact.

William Long reviewed his report dated 7/20/2018.

William Long reviewed Michael Angelastro's report dated 7/23/2018.

Brian McVey reviewed his report dated 7/23/2018.

Chairman Francescone opened the meeting to the public for questions or comments, seeing none, closed the public portion.

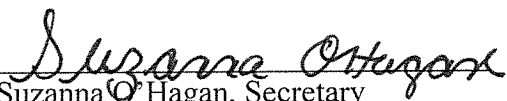
Mr. Crook reviewed the application siting the condition that the applicant apply for Site Plan approval.

Chairman Francescone asked for a motion to approve the Use variance for ZB#18-D-16, 1190 South Church LLC. Mr. Killen Moved the motion, Ms. Liciaga seconded. Roll call vote, Mr. Killen, agree; Ms. Liciaga, agree; Ms. Jones, agree; Mr. Kiernan, agree; Mr. Green, agree; Mr. Bailey, agree; Chairman Francescone, agree. Motion carried, approved.

Adjournment:

Chairman Francescone asks for a motion to adjourn, Mr. Killen moved the motion, all present voted affirmatively and the motion was carried.

Adopted on: September 5, 2018


Suzanna O'Hagan, Secretary
Zoning Board of Adjustment