

Mount Laurel Township Zoning Board of Adjustment
Meeting Minutes
May 2, 2018

Opening

The Regular Meeting of the Mount Laurel Zoning Board of Adjustment May 2, 2018 was called to order by Chairman Francescone at 7:00pm

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-present, Mr. Bailey-Present, Mr. Green- Present, Mr. Kiernan-Present, Mr. Killen-Absent, Mr. Kramer-Absent, Ms. Liciaga-Absent, Ms. Jones-Present

Board Professionals in attendance

Mr. Petrongolo-Zoning Board Planner, Mr. Crook-Zoning Board Solicitor and Ms. O'Hagan-Zoning Board Secretary,

The attendance of Mr. Angelastro-Board Traffic Engineer, Mr. Long-Board Engineer and Mr. McVey-Fire Marshal, was not required.

Announcements and Review of Boards Procedures by Vice Chairman List

The applications for ACE Landscaping and Lawn Care Service, ZB#15-D-10, The Falls Group, ZB#18-D-03, and Daniel Quattrone, ZB#18-C-06 are carried to the June 6, 2018 Zoning Board meeting.

Adopting the Minutes

Chairman Francescone asked for a motion to adopt the Third Regular meeting minutes of 04/04/2018, Vice Chairman List moved the motion Ms. Jones second, all present voted affirmatively 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. **CRM ENTERPRISES, ZB#18-C-05**, 3019 Fostertown Road, Block 303 Lot 7, R-3 zone. The Bulk variance is being sought from section 154-16 of the Mount Laurel Township Zoning Ordinance to allow a 28' rear yard setback from the wetlands buffer for the proposed home and a 17.8' rear yard setback from the wetlands buffer for the proposed deck. The secretary read the application. Mr. Doug May, Project Manager, Pat McAndrew, attorney for the applicant and Mr. Sean May, brother of the applicant were sworn in by the board solicitor. Exhibits P1, photo of existing home and P2, photo of property were entered. Mr. May testified that it is necessary to set the home further back on the property due to the high traffic on Fostertown Road. Mr. Petrongolo questioned Mr. May about the plan for the garage. Mr. May then requested a variance of 13.5 from the side yard setback where 15' is required for the rebuild of the existing garage be added to the application. Chairman Francescone opened the meeting to the public for comments or questions, seeing none, closed the public portion. Mr. Crook reviewed the application. Chairman Francescone asked for a motion to approve Bulk variance ZB# 18-C-05 with the additional variance of 13.5' side yard setback where 15' is required for the reconstruction of a garage. Vice Chairman List moved the motion and Mr. Bailey second. Roll Call Vote; Vice Chair List, agree; Mr. Bailey, agree; Ms. Jones, agree; Mr. Kiernan, agree; Mr. Green, agree; Chairman Francescone, agree. Motion carried and approved.

2. **JOSHUA MITNICK, ZB#18-C-11**, 21 Tara Court, Block 810.01 Lot 14, R-3 zone. The Bulk variance is being sought from section 154-144 of the Mount Laurel Township Zoning Ordinance to allow a fence 15' from the property line on a reverse frontage property, where 30' is required. The secretary read the application. Mr. Mitnick, homeowner was sworn in.

Mr. Mitnick testified that the allowed fence setback would detrimentally impact his usable yard space as it would be close to the center of his back yard. Chairman Francescone opened the meeting to the public for comment or questions. Mr. Kevin Elsey, 19 Tara Drive was sworn in by Board Solicitor, Mr. Crook. Mr. Elsey requested clarification of the proposed location of the fence and Chairman Francescone clarified the location. Seeing no one else from the public with questions or comments, Chairman Francescone closed the public portion. Mr. Crook reviewed the application. Chairman Francescone asked for a motion to approve Bulk variance ZB# 18-C-11. Vice Chair List moved the motion, Ms. Jones seconded. Roll Call Vote, Vice Chair List, agree; Ms. Jones, agree; Mr. Kiernan, agree; Mr. Green, agree; Mr. Bailey, agree; Chairman Francescone, agree. Motion carried and approved.

3. TWO FARMS, INC., ZB#16-D-06B, 3123 Route 38, Block 301.22 Lots 28 & 28.01, I-zone. The Bulk sign variance is being sought from section 154-92.7B(3) and Section 154-92.6C of the Mount Laurel Township Zoning Ordinance to allow a freestanding pylon sign with a total area of 88 square feet where 36 square feet is allowed and 18' in height where 8' is allowed. The applicant previously received Zoning Board of Adjustment relief to allow this sign to be 69.33' in total area and 18' in height with the adoption of resolution ZB#16-D-06 on June 1, 2016. The applicant also received Zoning Board relief to allow an offsite monument sign to be 112.6 total square feet and 8' in height and now proposes to reduce the size of that sign to total of 35.2 square feet and 8' in height. Mr. Damien DelDuca, attorney for the applicant, Mr. Matt DiGiulio, Royal Farms Site Selector and Mr. Mosley, Traffic Engineer were sworn in by the Board Solicitor.

Mr. DelDuca reviewed the application and entered exhibits A1-Site Plan sheet 3 of 17 highlighting the sign proposal, A2-Site Plan sheet 16 of 17 showing the approved freestanding sign on route 38, A3- Proposed 3 panel sign and A4-proposed freestanding sign revision, into evidence.

Mr. DiGiulio testified that the revised sign plan would show the octane and fuel price in 18" characters and make the sign more visible on Route 38. Adding that this is the smallest sign being proposed by two farms in South Jersey.

Mr. Mosley testified to the traffic safety aspect of the sign, stating that the size allows motorist to see the information with enough time to safely maneuver into the site. This assertion is based on "decision site distance".

Mr. DelDuca further testified to the positive and negative criteria.

Mr. Jay Petrongolo, Zoning Board Planner reviewed his report dated April 19, 2018 noting the reduction of overall square footage of sign sized from 181 square feet to 123 square feet.

Chairman Francescone opened the meeting to the public for comment or questions, seeing none, closed the public portion. Mr. Crook reviewed the application. Chairman Francescone asked for a motion to approve Bulk Variance ZB#16-D-06B. Vice Chairman List moved the motion and Mr. Green seconded. Roll Call Vote, Vice Chair List-agree, Mr. Green-agree, Ms. Jones-agree, Mr. Kiernan-agree, Mr. Bailey-agree, Chairman Francescone-agree. Motion carried and approved.

Adjournment:

Chairman Francescone asked for a motion to adjourn the meeting at 7:42 P.M. Mr. Bailey moved the motion. All present voted affirmatively and the motion was carried.

Adopted on: June 6, 2018

Suzanna O'Hagan, Secretary
Zoning Board of Adjustment