

Mt. Laurel Township Zoning Board of Adjustment

Regular Meeting Minutes

August 7, 2019

Opening

The Seventh Regular Meeting of the Mount Laurel Zoning Board of Adjustment August 7, 2019 was called to order by Chairman List at 7:00 p.m.

Pledge of Allegiance and Moment of Silence were observed

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

Board Members in Attendance

Chairman List, Vice Chairman Bailey, Mr. Green, Mr. Kiernan, Mr. Killen, Mrs. Liciaga, Mr. Kramer and Mrs. Jones.

Absent

John Francescone

Board Professionals in Attendance

Joseph Petrongolo, Board Planner and Evan Crook, Board Solicitor

Announcements and Review of Board Procedures

The application of Dustin and Kristen Weisman has been removed from the agenda.

Adopting the Minutes

Chairman List asked for a motion to adopt the sixth regular meeting minutes of 6/05/2019, Mr. Killen moved the motion Mr. Kramer second, all present voted affirmatively, except Chairman List who abstained, and the motion was carried

Memorialized Resolutions

1. **R-2019-ZB18** - Michael Guiliano, ZB#19-C-10, 420 Pimlico Way, Block 805.1 Lot 41. Chairman List asked for a motion to approve the resolution, Mr. Killen moved the motion, Mr. Bailey second, all present voted affirmatively except Chairman List and Mr. Green who abstained and the motion was carried.
2. **R-2019-ZB19** - Douglas Miller, ZB#19-C-15, 12 Millstream Drive, Block 604.04 Lot 6. Chairman List asked for a motion to approve the resolution, Mr. Killen moved the motion, Mr. Bailey second, all present voted affirmatively except Chairman List who abstained and the motion was carried.
3. **R-2019-ZB20** - Jennifer and James Matta, ZB#19-C-19, 26 Stanwyck Rd., Block 700.10. Chairman List asked for a motion to approve the resolution, Mr. Killen moved the motion, Mrs. Liciaga second, all present voted affirmatively except Chairman List who abstained and the motion was carried.
4. **R-2019-ZB21** - Thomas Lizzio, ZB#19-C-16, 29 Stanwyck Road, Block 700.09 Lot 8. Chairman List asked for a motion to approve the resolution, Mr. Killen moved the motion, Mr. Bailey second, all present voted affirmatively except Chairman List who abstained and the motion was carried.
5. **R-2019-ZB22** - Reed Sign Company LLC, ZB#19-C-11, 5000 Dearborn Circle, Block 512 Lot 1.02. Chairman List asked for a motion to approve the resolution, Mr. Killen moved the motion, Mr. Bailey second, all present voted affirmatively except Chairman List who abstained and the motion was carried.
6. **R-2019-ZB23** - Paul DiFiore, ZB#19-C-06, 3223 Route 38, Block 301.03 Lot 1. Chairman List asked for a motion to approve the resolution, Mr. Killen moved the motion, Mr. Bailey second, all present voted affirmatively except Chairman List who abstained and the motion was carried.

Petitions before the board

1. **Atif Ahmad, ZB#19-C-14**, 37 Whitechapel Drive, Block 402.02 Lot 42, R-1D zone. This bulk variance is being sought from section 154-144 of the Mount Laurel Zoning Ordinance to allow the applicant to place a six foot fence 23 feet from the side property line adjacent to a street where 25 feet is required.

Mr. Ahmad was sworn in and presented his application.

Mr. Ahmad's testimony:

Mr. Ahmad replaced his old fence without getting a permit and when he was told he needed a permit he had a survey done and found that the fence was 23 feet from the property line. He believes that the previous fence was in the same place.

Chairman List opened the meeting to the public. Seeing no one from the public wishing to speak, the Chairman closed the public portion.

Mr. Crook summarized the application for variance from section 154-144. This is a resolution of approval to allow a fence to be 23 feet from the property line.

Chairman List asked for a motion to approve ZB#19-C-14. Mr. Kramer moved the motion seconded by Vice Chairman Bailey. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

2. **Kyle Turk, ZB#19-C-22**, 227 Hartford Road, Block 301.15 Lot 19.01, R-3 zone. This bulk variance is being sought from section 154-66.A of the Mount Laurel Township Zoning Ordinance to allow the applicant to erect a telescoping aluminum radio antenna with a maximum height of 87 feet on a circular base 4 feet in diameter.

Mr. Turk was sworn in and presented his application

Mr. Turks Testimony:

Mr. Turk is an RF Networking Specialist Engineer and has installed over 50 of these antennas. He currently holds a technician level FCC amateur radio license. In times of emergency, Mr. Turk volunteers with emergency services. This equipment will allow emergency services to communicate via the AREDN network, an emergency services network that currently has no nodes in Mt. Laurel. Mr. Turk flew a drone to determine that the height of 87 feet was necessary to clear the tree line allowing a signal in to reach the next AREDN network. When the tower is not fully extended it is 29 feet tall and can articulate down to 4 feet. The tower would only be extended when in use usually at night. An anemometer will be installed to alert of high winds as well as a lightening sensor. This antenna will not interfere with the WiFi signal of neighbors.

Mr. Petrongolo asked the applicant about the foundation of the antenna.

Mr. Turk responded yes, as explained in the pamphlet included with the application.

Mr. Petrongolo asked what would happen if the antenna were to fall.

Mr. Turk responded, it would fall either on his home, in vacant property to the rear of his yard or in his neighbor's yards.

Mr. Petrongolo asked if there would be interference with emergency services radio.

Mr. Turk responded no, it would not.

Mr. Petrongolo asked if the antenna itself required a license.

Mr. Turk responded he does not believe so.

Chairman List opened the meeting to the public. Seeing no one from the public wishing to speak, the Chairman closed the public portion.

Mr. Crook summarized the application for variance from section 154-66.A. This is a resolution of approval to allow a telescoping radio antenna a maximum height of 87 feet with the following conditions:

- The applicant will install a lightening sensor and anemometer
- The antenna will be lowered if no one is home
- The applicant will remove the antenna upon moving from the home

- A licensed operator must be on the property when the antenna is in use
- The applicant will comply with all FCC regulations

Chairman List asked for a motion to approve ZB#19-C-22 with the conditions stated.

Mr. Green moved the motion seconded by Vice Chairman Bailey. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

Chairman List called for a five-minute break at 7:47 and resumed at 7:50.

3. **Ramesh Nehra, ZB#19-C-24**, 10 Heath Court, Block 201.03 Lot 33, R1D zone. This bulk variance is being sought from section 154-19A(2) of the Mount Laurel Township Zoning Ordinance to allow the applicant to install a 336 square foot storage shed where a 120 square foot storage shed is allowed.

Mr. Nehra was sworn in and presented his application.

Mr. Nehra's Testimony:

The shed will be used to store yard maintenance equipment, with no electricity and will be in compliance with the height ordinance of not more than 12 feet in height and the setback ordinance of at least 6 feet from the side and rear property lines.

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

James Michael, 22 Boothby Drive, neighbor, asked if the applicant is allowed to use the shed for living purposes. Mr. Petrongolo explained that would be against the ordinance.

Chairman List, seeing no one else from the public who wished to speak, closed the public portion.

Mr. Crook summarized the application for variance from section 154-19A(2). This resolution of approval is to allow a storage shed 336 square feet where 120 square feet is allowed with the following conditions:

- No utilities will be installed
- Shed may not be used for living purposed

Chairman List asked for a motion to approve ZB#19-C-24 with the conditions stated. Mr. Killen moved the motion seconded by Vice Chairman Bailey. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

4. **16000 Commerce, LLC., ZB#19-C-23**, 16000 Commerce Parkway, Block 1100 Lot 25, O-2 zone. This bulk variance is being sought from section 154-92.7(B)(5) of the Mount Laurel Township Zoning Ordinance to allow the applicant to place two façade signs on a single tenant building where no façade signs are allowed.

Adam Kotler Esq., applicant, was sworn in and presented his application.

Exhibit A1 – Collection of four photographs showing various street views approaching the site.

Exhibit A2 – Color rendering of the proposed façade sign on the building front and the building entrance.

Mr. Kotler's Testimony:

Mr. Kotler is an attorney and one of three tenants in the building as well as the sole member of 16000 Commerce LLC., owner of the building. Mr. Kotler testified to the difficulty clients have finding the building and the ineffective signage currently on site.

The proposed signs will be internally illuminated LED and do not face any residential area.

Jay Petrongolo reviewed his report dated 7/17/2019.

Mr. Petrongolo clarified that the ordinance required is from section 154-92.A(2)(f). Because this building is part of a master planned development, one 50 square foot façade sign is allowed per tenant up to three total. The applicant is requesting 2.

Mr. Petrongolo asked the applicant if he is willing to scale down the size, the applicant replied that his designers believe the proposed size is appropriate for the building.

Mr. Kotler agreed to restrict signage for the additional tenants to ensure there would be no more than three total façade signs on the building and agreed to reduce the proposed signs to 50 square feet.

Chairman List opened the meeting to the public for questions or comments. Seeing none, closed the public portion.

Mr. Crook summarized the application for variance from section 154-92.A(2)(f). This resolution of approval is to allow the applicant to place two façade signs on the building for one tenant with the follow conditions:

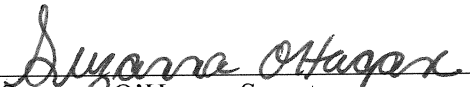
- The façade signs will be a maximum height of 54.5 inches
- The façade signs will be a maximum of 50 square feet each sign
- Applicant will restrict additional signage on the building to no more than three total façade signs.

Chairman List asked for a motion to approve ZB#19-C-23 with the conditions stated. Mr. Killen moved the motion seconded by Vice Chairman Bailey. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

Adjournment:

Chairman List asks for a motion to adjourn at 8:25 p.m., Mr. Green moved the motion, all present voted affirmatively and the motion was carried.

Adopted on: September 4, 2019


Suzanna O'Hagan, Secretary
Zoning Board of Adjustment