

Mount Laurel Township Zoning Board of Adjustment
Regular Meeting Minutes
October 2, 2019

Opening

The Ninth Regular Meeting of the Mount Laurel Zoning Board of Adjustment October 2, 2019 was called to order by Vice Chairman Bailey 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

Vice Chairman Bailey, Mr. Francescone (arrived 7:18 p.m.), Mr. Green, Mr. Kiernan, Mrs. Liciaga, Mr. Killen and Mrs. Jones.

Absent

Mr. Kramer and Chairman List

Board Professionals in Attendance

Joseph Petrongolo, Board Planner; William Long, Boards Engineer; Michael Angelastro, Board Traffic Engineer and Evan Crook, Board Solicitor

Announcements and Review of Board Procedures

Adopting the Minutes

Vice Chairman Bailey asked for a motion to adopt the Eighth regular meeting minutes of 9/04/2019, Mr. Francescone moved the motion Mr. Green second, all present voted affirmatively.

Memorialized Resolutions

1. **R-2019-ZB28** – CRM Enterprises, ZB#18-C-05, 3019 Fostertown Rd, Block 303 Lot 7. Vice Chairman Bailey asked for a motion to approve the resolution, Mr. Green moved the motion, Ms. Jones second, all present voted affirmatively and the motion was carried.
2. **R-2019-ZB29** – Daniel Quattrone, ZB#18-C-06, 3816 Church Rd., Block 1303 Lot 21. Vice Chairman Bailey asked for a motion to approve the resolution, Mr. Green moved the motion, Ms. Jones second, all present voted affirmatively and the motion was carried.
3. **R-2019-ZB30** – The Bloom Organization, ZB#19-C-26, 1300 Rt. 73, Block 1300.09 Lot 1. Vice Chairman Bailey asked for a motion to approve the resolution, Ms. Liciaga moved the motion, Mr. Kiernan second, all present voted affirmatively and the motion was carried.
4. **R-2019-ZB31** – Diane Quigley (Holiday Village East), ZB#19-C-27, 101 Amaryllis Blvd. B- 1600.02 L- 2. Vice Chairman Bailey asked for a motion to approve the resolution, Mr. Francescone moved the motion, Mr. Kiernan second, all present voted affirmatively and the motion was carried.
5. **R-2019-ZB32** – Paul DiFiore, ZB#19-C-06, 3223 Route 38, B- 301.03 L- 2. Vice Chairman Bailey asked for a motion to approve the resolution, Mr. Kiernan moved the motion, Mr. Green second, all present voted affirmatively and the motion was carried.

Petitions before the board

1. **Bryan Weiss, ZB#19-C-29**, 47 Stanwyck Road, Block 700 Lot 21, R-3 zone. These bulk variances are being sought from Mount Laurel Township Ordinances 154-19, to allow a 192 square foot shed where a 120 square foot shed is allowed, and 154-16 to allow a carport addition 6 feet from the side property line where 15 feet is required.

Mr. Weiss was sworn in.

Mr. Weiss withdrew his request for the carport addition.

Mr. Weiss's Testimony:

The shed was purchased before he knew he needed a zoning permit. A gentleman from the construction department told Mr. Weiss he did not need a permit. Mr. Weiss understood that to mean he did not need a construction or zoning permit.

Mr. Francescone read the statute explaining the requirements to prove a C1 or C2 variance and asked the applicant to prove the C1 or C2 variance.

Mr. Crook explained to the applicant that if he is unprepared to give evidence he may request an adjournment and come back.

Mr. Weiss chose to continue.

Mr. Francescone asked the applicant to explain why this is not a detriment to his neighbors and why it advances the purposes of zoning.

Mr. Weiss testified that the shed is blocked from the street, has windows and shutters and will be landscaped. The shed will be used to store tools and equipment.

Vice Chairman Bailey opened the meeting to the public for questions or comments.

Jeffrey Fox, 19 Stanwyck Rd. was sworn in. Mr. Fox believes the proposed shed is aesthetically pleasing and has no objection.

Mr. Francescone opined that he believes any effect on the neighbors will be de minimis.

Vice Chairman Bailey closed the public portion.

Mr. Cook summarized the motion to approve a variance from section 154-19 of the Mount Laurel Township Ordinance to allow a 192 square foot shed where 120 square feet are allowed

Vice Chairman Bailey asked for a motion to approve ZB#19-C-29. Mr. Killen moved the motion seconded by Mrs. Jones. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

2. **Trustees of the University of Pennsylvania, ZB#19-D-28**, 5000 Dearborn Circle, Block 512 Lot 1.01, I-zone. This applicant is seeking a use variance from Mount Laurel Township Ordinance section 154-56.C to allow a medical use in an Industrial zone and bulk variances from sections:

- 154-92.7.B(5) to allow an 80 sq. ft. monument sign where a 48 sq. ft. sign is allowed
- 154-92.7.B(5) to allow 3 façade signs where no façade signs are allowed
- 154-69.B to allow 295 parking spaces where 308 spaces are required.

The applicant is also seeking Amended Final Major Site Plan approval with Submission Waivers.

Robert J. Russell, Associate Executive Director for Operations at Presbyterian Medical Center of the University of Pennsylvania Health System and Clifton Quay, PE, PP, Stantec, applicants engineer and planner were sworn in.

Niall Obrien Esq., Archer & Greiner, PC represented the applicant, summarized and amended the application to request 2 façade signs instead of 3.

Exhibits A1: Aerial Photo of the Site, A2: Front Elevation with Proposed Canopy Rendering, A3: Rendering of the Proposed Monument Sign, A4: Site Plan

Robert Russell's Testimony:

Mr. Russell's job is to developing outpatient regional sites. He is looking to relocate a cardiology practice to 5000 Dearborn Circle due to its location, need for care in the community for both primary and cardiac care and it will serve as regional care. The recently developed Cherry Hill Primary care practice was filled within six months.

This site will be a more convenient location for primary care, outpatient cardiology, phlebotomy, EKG, and ultrasound patients. Future plans include podiatry and Neuro health. No laboratory testing will be done onsite.

Seven physician's will be onsite with 25 staff members and the hours will be 7am to 7pm 5 days a week. Saturday hours will be 8am to 12pm with 5 physicians and 12 staff members.

Medical waste will be handled by a vendor specializing in medical waste disposal.

Clifton Quay's Testimony:

Mr. Quay presented exhibit A1 and described the traffic maneuvers currently required to access the site with multiple tenants and entrance points. The proposed plan will reconfigure the entrance to the site from Route 38. The proposed entrance to the practice is located on the eastern corner of the building and will change the current doors to more traditional entrance as shown on A2 with a canopy over the entrance 32' for weather protection. A bank of ADA compliant parking will also be added in the immediate vicinity of the entrance.

Two facade signs and one monument sign are proposed, the third proposed façade sign facing Dearborn Circle is being withdrawn from the application. The building has multiple entrances the façade signs will illustrate the entrance for Penn Medicine as well as providing a visual recognition of the site for people traveling eastbound on Route 38. The monument sign would replace an existing monument sign on Route 38 providing a visual recognition of where to turn into the site. The monument sign was proposed at 8 feet high and 10 feet wide, the applicant is amending that proposal to be 7 feet high and 10 feet wide. Three feet of the 7 feet in height is sign base, effectively making the sign 4 feet high by 10 feet wide resulting in a 40 square foot sign area where 48 square feet are allowed. The building mounted façade sign proposed is 192 square feet the applicant will reduce this size to 150 square feet. The size is necessary to make the sign readable from the highway. The canopy façade sign is necessary to queue patient of the actual entrance to Penn Medicine.

Mr. Quay feels the use of the building as a medical facility could be interpreted as an inherently beneficial use. The property is particularly well suited for the use as it is located in an area where the hospital has identified a need and because it is a fully developed office building. The property also furthers the purposes of zoning by promoting health safety and general welfare of the community, providing a space and location to meet the needs of local citizens, by promoting an establishment to contribute to the well-being of the residents and by adapting and reusing an office building that already exists.

The parking criteria requires 110 spaces for the proposed use. Mr. Quay has experience with these facilities including the Cherry Hill location and in his professional opinion the proposed parking would be sufficient and will not create any issue based on the complimentary uses of the site with different peak times.

The signage is appropriate for the proposed use for previously stated reasons and would promote the safe flow of traffic.

Mr. Quay believes that the variances will not have any negative impact on the surrounding area or the zone plan.

Discussion on the definition of inherently beneficial use results in determination that this use is not an inherently beneficial use as defined by the Municipal Land Use Law.

Jay Petrongolo reviewed his report dated 9/18/2019. The applicant supplied a response letter dated 9/26/2019 agreeing to comply with the Planners comments. Mr. Petrongolo clarified that the current requested signs are one façade sign totaling 17.25 square feet and on façade sign totaling 150 square feet. The proposed monument sign, has no text on the 3-foot base with a total signage area of 40 square feet at 10 feet long and seven feet height, therefore meets the ordinance and does not require a variance.

William Long reviewed his report dated 9/23/2019. The applicant has agreed to comply with the Engineers comments via response letter dated 9/26/2019. Mr. Long questioned if the remaining unoccupied space is an open or closed floor plan, if the floor plan is open 66 additional parking spaces would be required, this creates a more significant parking deficit. The applicant could not know the floor plan of the vacant space but did offer that they would be closing off parts of the existing open floor

plan in their space. Mr. Long confirmed with the applicant that there is less than ¼ acre of new impervious surface and less than an acre of disturbance.

Mr. Russell testified that employees will park and enter in the rear of the building and patients will enter in the front of the building.

Mike Angelastro reviewed his report dated 9/20/2019. The DOT, in a letter dated 9/17/2019, stated that no access permit modifications are required, this use will not generate more trips than was previously permitted. Mr. Angelastro believes there is adequate parking for this use and site.

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

Mr. Crook summarized the motion to approve a variance from section 154-56(C) to allow a Medical Use in an Industrial zone, from section 154-92.7(B)(5) to allow 2 façade signs where no façade signs are allowed and from section 154-69(B) to allow 295 parking spaces where 308 are required. This motion will also approve the Amended Final Site Plan and Submission Waivers.

Vice Chairman Bailey asked for a motion to approve ZB19-D-28. Mr. Killen moved the motion, seconded by Mr. Green. Roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

Adjournment:

Vice Chairman Bailey asked for a motion to adjourn at 8:22, Mr. Killen moved the motion, all present voted affirmatively and the motion was carried.

Adopted on: November 6, 2019

Suzanna O'Hagan, Secretary
Zoning Board of Adjustment