

**Mount Laurel Township Zoning Board of Adjustment
Regular Meeting Minutes
September 7, 2022**

Opening

Chairman Gray called to order the seventh Regular Meeting of the Mount Laurel Zoning Board of Adjustment at 7:06 pm.

Pledge of Allegiance and Moment of Silence were observed

Suzanna O'Hagan, Board Administrator, read the Open Public notice and took roll call

Board Members in Attendance

Chairman Gray, Vice Chairman Sharp, Mrs. Andersen, Mr. Holmes, Mr. Kramer and Mr. Bhankharia

Absent: Mrs. Liciaga, Mr. Blum and Mr. Blum

Board Professionals in Attendance

Joseph Petrongolo, Board Planner; Michael Angelastro, Board Traffic Engineer; Robert Hunter, Board Engineer; Brian McVey, Fire Marshal and Ed Campbell, Board Solicitor

Announcements and Review of Board Procedures

Chairman Gray noted for the record that due to Covid-19 quarantine protocol and short notice, the Board Secretary, Suzanna O'Hagan is present via Zoom, Board Assistant Secretary is physically present for in person secretary duties.

Adopting the Minutes

Chairman Gray asked for a motion to adopt the sixth regular meeting minutes of 8/3/2022, Vice Chair Sharp moved the motion Mr. Holmes seconded, all eligible members voted affirmatively and the motion was carried.

Memorialized Resolutions

1. **R-2022-ZB18** – Mr. Sharp made a motion to approve R-2022-ZB18, Mr. Holmes seconded, all eligible members voted affirmatively and the motion was carried.
2. **R-2022-ZB19** – Mrs. Andersen made a motion to approve R-2022ZB19, Mr. Sharp seconded, all eligible members voted affirmatively and the motion was carried.

Professionals were sworn

All those who testified were sworn prior to testimony and all professional witnesses were accepted as experts prior to their testimony

Petitions before the board

- 1.) **Wawa Inc. ZB22-C-23**, 1115 Rt. 73., Block 1104 Lot 2, SRI Zone. This applicant is seeking bulk sign variances from Mount Laurel Ordinance 154-92.6 to allow freestanding and façade signs to be larger than permitted and from section 154-92.2 to allow the freestanding sign to be 9 feet from the property line where 10 feet is required.

Witnesses Sworn

Matthew Bersch, PE. Applicant's engineer

Exhibits Entered

A-1, Site Plan dated 5/24/2022; A-2, Monument and Facade Sign Plan dated 9/7/2022; A-3 Directional Sign Plan dated 9/7/2022

Julia Hahn Esq. represented the applicant.

Mr. Bersch's Testimony

Mr. Bersch testified via direct testimony as well as questions and answers with Ms. Hahn and Board members. Mr. Bersch used Exhibit A-1 to describe the existing conditions of the site and explained the proposed changes. The changes are to bring the signage in line with current Wawa sign prototypes. He presented A-2 and described the proposed changes. The monument sign will be digital and use the existing brick base including the address. The propose monument sign will be reduced approximately 4 square feet from the existing sign. The 9 foot setback is an existing condition. The proposed façade sign will be in the center of the front of the building. The sign is a single sign with both "Wawa" and the goose combined in one sign. Currently they are separated into 2 signs. The new plan eliminates the non-conforming condition of 2 façade signs. The façade sign will be 66" where 36" is allowed with a total square footage of 66.78 square feet where a maximum of 40 square feet is allowed. Mr. Bersch amended the application to include directional signage and introduced Exhibit A-3.

Mr. Petrongolo stated that this was not part of the application and since the directional signs have the Wawa name on them they will require a variance as the ordinance does not allow commercial messaging on directional signage. He objected to the Wawa Logo or name on the sign.

Mr. Bersch stated that there are currently directional signs there that do not have the logo on them. He agreed to remove the Wawa logo and name from the directional signage and otherwise comply to the ordinance.

Mr. Petrongolo reviewed his report dated July 29, 2022. He noted that the setback variance is a preexisting condition and therefore a variance is not necessary. He stated that the overall size of the façade and monument signs is being reduced from existing. Mr. Petrongolo has no objection to the requested variances.

Chairman Grey opened the meeting for public question or comment. Seeing none, he closed the public portion.

Mr. Campbell noted the conditions as the following

- 1.) The address will remain on the base of the monument sign
- 2.) The Wawa name and logo will be removed from the proposed direction signs shown on exhibit A-3, and those signs will comply with the ordinance.
- 3.) The applicant will comply with comments contained in the board Planners letter.

Chairman Grey asked for a motion to approve the application with the conditions stated. Vice Chair Sharp moved the motion, Mrs. Andersen seconded. All present voted affirmatively and the motion was carried.

- 2.) **Trustees of the University of Pennsylvania** ZB22-C-22, 5000 Dearborn Circle, Block 512 Lot 1.01 I-zone. This applicant is seeking bulk sign variances from Mount Laurel Township Ordinance 154-92.6 as well as Amended Site Plan approval for changes to parking, signage and entrances.

Witnesses Sworn

Robert Russell, representative for the applicant and Clifton Quay applicants engineer and planner.

Exhibits Entered

A-1, Floor Plan; A-2, Aerial Plan; A-3, Pages 3 of the 11 page Site plan dated 8/8/2022; A-3.1, Page 6 of the 11 page Site plan dated 8/8/2022; A-4, Architectural rendering; A-5, Sign Detail; A-6, response to planning review letter; A-7, response to traffic review letter and A-8 response to engineering review letter

Richard Wells, Esq. represented the applicant and summarized the application.

Mr. Russell's Testimony

Mr. Russell is the Acting CEO of Penn Presbyterian Medical Center. He explained the general operations of Penn Medicine as well as the specific operations at this site. Currently 5000 Dearborn Circle is a Primary and Cardiology medical center. The proposed changes include adding a Gastroenterology and Endoscopy center as well as IBD (Irritable Bowl Disorder) and hematology services. There is no change to the outside of the building. He stated that the additional uses will increase the volume of patients to the facility however there is plenty of parking and parking has never been an issue. Mr. Russell stated that there will be an increase from 5 to 7 physicians and a total of 35 to 40 additional staff members. There is no emergency service; all patients are seen by appointment.

Mr. Quay's Testimony

Mr. Quay provided testimony via direct testimony and question and answers with the board and with Mr. Wells. He presented Exhibit A-1 and explained the proposed layout of the building. He testified that the parking plan and variance request was based on a conservative estimate of doctors and staff. Using Exhibit A-2 he explained the existing conditions of the site. Using Exhibits A-3 and A-3.1 he showed the proposed building plan including the canopy, vestibule, additional ADA parking and ambulance access. He noted the emergency generator to be added on a 6'x20' concrete pad as shown on the plan. Mr. Quay agrees to add additional landscaping around the generator per Mr. Petrongolo's request. The applicant is considering adding 12 EV ready spaces in the area. The proposed canopy is over 14' and will not extend into the drive isle.

Mr. Quay presented Exhibit A-4, A-5 and A-6, he described the proposed signs and requested sign variances. He noted that Penn logo, hereafter referred to as the "shield" on the roof is requested by the applicant to identify the building from Rt. 38. The building sits lower than the highway and approximately 150' away. He continues that the second sign on the canopy itself is important for wayfinding reasons and to be able to identify the Endo Center entrance. The applicant has agreed, per conversations with Mr. Petrongolo, to remove the previously proposed Penn Shield from the canopy sign resulting in a sign size approximately 3' x 12.8 or 38.4 square feet. The current façade sign toward the east side of the building will remain, as will the current canopy sign.

Mr. Petrongolo stated that variances would be required for 4 signs where 3 are allowed and for the sign size. He stated while the canopy sign helps with wayfinding he believes the stand-alone shield roof sign is redundant. He noted that, per discussions with the applicant, the applicant feels strongly that the large shield on top of the building would be the most visible sign for the building.

Discussion took place among the board members regarding the fact that the existing canopy sign is on the front of the canopy and says "Penn Medicine" with the shield and the proposed sign is on the side of the canopy and says "Penn Medicine Endo Center" with the shield. The board felt that the sign should be the same.

Mr. Quay stated that he spoke with the applicant and the applicant is willing to move the existing sign to the side of the canopy and add "Cardio Center".

Chairman Grey clarified that the change to the existing canopy sign is not a requirement but a suggestion.

Mr. Campbell stated that if the board were to grant approval, said approval would include language to authorize the applicant to revise the existing sign to make it consistent with the new sign if they so choose.

Mr. Quay continued that the large shield sign is intended to be visible from Route 38. While there is a Penn Medicine sign on the front of the building, it is not visible from Rt. 38 for reasons including street trees. The shield will be 6' x 7', internally illuminated and approximately 150' from the road.

Mrs. Andersen asked Mr. Petrongolo how removing the stand-alone shield sign would affect the sign variances required.

Mr. Petrongolo replied that removing the shield would bring the number of signs into compliance but the applicant would still require a variance to allow the canopy signs which, since they extend above the canopy are considered roof signs and a variance for the size of those signs.

Mr. Quay continued, he believes the benefits of granting the requested variances outweigh any detriments and that they can be granted without any detriment to the public good. He believes the signs provide public benefit in wayfinding.

Mr. Petrongolo reviewed his letter dated 8/18/2022. He stated that the applicant has agreed to the comments in his letter and he has no objection to the requested submission waivers. Mr. Petrongolo stated that this site is unique in that it does not have direct access from Rt. 38 and therefore does benefit from additional signage. As a medical use, the site will be accessed by more travelers than local drivers.

Mr. Angelastro reviewed his letter dated 8/19/2022. He stated that based on ITE data parking on the site will not be a problem.

Mr. Hunter reviewed his letter dated 8/16/2022. He noted that E.V. spaces are credited as 2 spaces each and therefore the parking variance is reduced to a variance to allow 3 less spaces than required rather than 15 less.

Mrs. Andersen stated that she believes the shield sign is superfluous.

The board and applicant discussed and decided to vote on the stand alone shield sign separately.

Mr. Campbell enumerated the variances being sought.

1. To allow a roof sign where roof signs are not permitted, 154-84
2. 4 façade signs where 3 are permitted, 154-92.7.A(2)(f)
3. 299 parking spaces where 314 are required, 154-69
4. To allow the shield sign to be 7' where 3' is allowed

Vice Chair Sharp made a motion to approve the shield sign as designed, Mr. Kramer seconded. Roll call vote, V. Chair Sharp, agree; Mr. Kramer, agree; Mr. Bhankharia, agree; Mr. Holmes, agree; Mrs. Andersen disagreed stated that she believes the shield sign is not necessary; Chairman Gray disagreed stating that he believes the sign is too large and unnecessary. Motion carried, approved

Chairman Gray made a motion to approve the parking variance, roof signs (canopy), fourth façade sign and amended site plan and also authorize the applicant to adjust the location shape and or size of the existing canopy sign so it will match the new proposed sign subject to review by the board planner, Vice Chair Sharp seconded. All present voted affirmatively. Motion carried, approved.

1. **Daylite Cannabis, LLC.**, ZB22-D-21, 1155 Rt. 73 Block 1103.02 Lot 2 B-zone. This applicant is seeking a Conditional Use variance from Mount Laurel Ordinance section 154-43.D(4) to permit a cannabis retail facility within 500 feet of a residential zone and uses.


Chairman Gray noted that the board has 6 members in attendance. This does constitute a quorum. He asked the applicant's attorney, Mr. Wells if he would like to proceed with the hearing or continue his application to October 12, 2022.

Richard Wells, Esq. represented that applicant. Mr. Wells stated that the applicant would like to carry the hearing to October 12, 2022 in hopes that the full board will be available to hear the application. Mr. Wells consented to any waiver of time necessary.

Adjournment:

Mrs. Andersen made a motion to adjourn, Mr. Holmes seconded all present voted affirmatively and the motion was carried.

Adopted on: October 12, 2022


Suzanna O'Hagan, Secretary
Zoning Board of Adjustment

