

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
February 19, 2019**

MEMBERS PRESENT:

Richard Koory
Doug Dillon
Mark Williams
Vincent D 'Antonio
Walter Fazler
Lynne Gallo
Joseph Maguire

STAFF PRESENT

Peter Clifford, Alternate Board Secretary
Peter Thorndike ESQ, Board Attorney
Danielle Gsell, Recording Secretary
Michelle Taylor, P.P, A.I.C.P Board Planner
William Long, P.E., C.M.E, Board Engineer

Absent: Walter Fazler, Lynne Schill Alternate II, Georgette Castner, Alternate I, Anthony Zappasoddi

Mr. Maguire called the meeting to order in the Council Chambers at 7:37pm by reading the Open Public Meetings Act statement. A moment of silence was followed by the Pledge of Allegiance.

RESOLUTIONS:

- **ZBA#2014-22A Land Resource Solutions LLC Block: 1100 Lots: 12-16 & 121-125 & 201-213 Camden Ave Block: 1102 Lots: 40-44 Zone: LTC Decision Due: January 16, 2019**

Use Variance, density variance, bulk variances and Preliminary and Final Site Plan approval for mixed used building featuring 26 residential apartment units, 1321 sq. ft. retail space with parking.

Continued from December 18, 2018 Meeting

- This Resolution was not ready to be approved by the Board yet.

MINUTES:

- A motion to approve the December 18, 2018 Meeting Minutes was made by Mr. Koory seconded by Mr. Dillon. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

PUBLIC HEARING:

- **ZBA#2018-32 Lutheran Home at Moorestown Block: 6102 Lots: 15, 16, 18, 19, & 20
255 East Main Street Zone: R-3 Decision Due: January 29, 2019**

Prelim & Final Site Plan, Conditional use, Bulk Variance, Use Variance & Submission Waiver for additions to existing site

Continued from January 29, 2019 Meeting

Mr. Michael Vitiello, Attorney for the applicant Lutheran Homes, testified the Board Secretary had contacted him regarding the concerns that have been brought to the attention of the Board since

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the last meeting. Since there were so many concerns about the sizes of the proposed buildings the applicant came up with a "Plan B" option for the proposed site.

Mr. Danton provided exhibit A-6 (Zelley Ave bird's eye view in black and white) which changed the footprint of the buildings to comply more with the suggestions from the Board Professionals. By changing the footprint the buildings are more repetitive and less massive than the original plan presented at the 1/26/19 ZBA Meeting. There will still be the same number of units in the new planned buildings and the applicant feels the changes make the buildings more like the homes on the street and fit right in with the neighborhood. Exhibit A-7 (Zelley St. scape colored rendering) this exhibit shows a house like structure that has a common entrance for each building that will lead directly to the elevators. The common porch originally proposed on the first plan will no longer be there and individual porches will be on each newly proposed structure. Exhibit A-8 (Main St. scape colored rendering) shows that each unit will be joined together rather than having one large massive structure. The general size is about the same however the configuration of the buildings are different. The applicant also testified they would be willing to work with the Township and the Board to change any colors they felt necessary. All the siding and window treatments will remain the same as proposed in the first plan.

Mr. Jefferis presented Exhibit A-9 (rendered site plan with super imposed new building plan) was presented to the Board to show how the new layout and foot print of "Plan B" was going to look compared to the original proposed layout. The park-lots and curb line will remain all the same from first plan to this plan. Some of the variances originally being requested are increasing and the applicant is seeking approval for these increases but believes they are necessary to meet the demands and concerns of the Professionals as well as the community. With the new plan the walkways will be moving back another 20 ft. from the original plan which will also move the lighting back farther to reduce the amount of light out near the neighbors. The existing Basin will be improved from the bottom up in order to more adequately improve the storm water runoff and help ensure there is no flooding.

Mr. James Kyle, Planner, testified in his opinion "Plan B" is a positive change and better fits the community and the use of the land. The appearance of the site and water issue is the main goal of what the applicant is trying to achieve. He also stated he reviewed the Township ordinance about what the use of this particular zone is and the applicant is meeting the ordinance.

PUBLIC COMMENTS/QUESTIONS:

Curtis Miller- 211 Zelley Ave

Mr. Miller voiced his concern about not having enough parking for the residents, visitors, and staff with the proposed plan since he personally went out to the site and counted the parking spaces and found there were currently 152 spots being used and there would only be a slight increase in the parking spots with the new proposed plan. He also voiced his concern for the sewer lines that will need to be added in order to handle the increase in water and sewer usage for the new buildings. Mr. Jefferis testified the applicant would need to work with Public Works to work out the details of the sewer and water lines.

Stephanie Herz- 10 W. Cooper

Ms. Herz asked if the applicant was aware of the Historic Listing for some of the property they were interested in rebuilding? Mr. Vitiello testified the applicant was aware of the historic meaning of the properties and have said that anyone from the area could come and get whatever they felt was of value

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and historic meaning from the homes if the application was approved. Ms. Herz said she was against the Lutheran Home tearing down the buildings and building new ones, she felt they should just restore what they currently have.

Susan Jarnagin- 250 Nicholson Dr.

Ms. Jarnagin's property backs up to the Lutheran Home and she is concerned about the lighting coming into her backyard and disrupting her house. She also expressed her concern about the dead trees and landscaping in the back of the building since there was a tree that had fallen onto her home during Super Storm Sandy from the Lutheran Home. She would like to see the applicant place a better buffer between the parking and the neighbors since there will be light coming from the cars going in and out of the facility. Mr. Danton stated the porch lights are for the safety of the residents and the lights in the parking lot will be on dimmers so that at a certain time they will dim and not bother the neighbors.

Steve Holtzman- 238 Nicholson Dr.

Mr. Holtzman provided exhibits O-1 thru O-7 which were pictures he took himself of his backyard and what it looks like at night with the current lighting from the Lutheran Home, there was also photos taken by him of the dead trees and bushes along the back of the property. He stated he needs to have blackout curtains for each room due to the brightness of the lights and he feels sorry that his neighbors will now have to deal with the same issues should this application be approved.

David Hayes- 301 E 2nd St.

Mr. Hayes asked the applicant how the horse shoe driveway will work for the delivery trucks. The applicant testified the delivery trucks will enter from the South driveway and exit from the North driveway. Mr. Hayes also recommended the applicant make the North Driveway exit a right turn only to avoid traffic issues, the applicant agreed to that suggestion.

Warner Jarnagin- 250 Nicholson Dr.

Mr. Jarnagin expressed his concern about the Basin becoming an industrial use Basin and did not want to see that happen. The applicant stated they did not intend to make the Basin an industrial Basin but just to clean it up and make it more effective. He also asked if with the changes to the plan if the buildings would be shifting closer to his house, he was told there would no shift in the buildings at all they were just being laid out differently.

Jessica Holtzman- 238 Nicholson Dr.

Ms. Holtzman asked if the Board had seen the "Plan B" prior to tonight's meeting, the Board had not seen the "Plan B" prior to the meeting tonight but the applicant had had a discussion with the Professionals at a workshop about changing the plan to be more pleasing to the public and the Board. Ms. Holtzman also wanted to know how the increase in traffic will affect the children that walk to South Valley in the morning and walk home after school. Mr. Mosley stated he did not believe there would be an issue walking to school with increase traffic since the peak time is prior to school starting, he opined there may be a slight issue after school but didn't believe it would be a huge impact.

Danya Miller- 211 Zelley Ave

Ms. Miller also expressed her concern about the parking lot and not having enough parking with the new proposed buildings. She is concerned about overflow parking on Zelley and there not being enough room to drive down the street. She asked the Board to place a condition on the application if

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approved that the applicant get all applicable licensing and certificates they would be required to have in order to operate a Independent Living Facility.

Meg Armstrong- 309 E 2nd St.

Ms. Armstrong spoke to the density and the size of the buildings, Mr. Kyle feels the new plan better suits the neighborhood and will be more appealing. Has the applicant considered building only 2 of the 3 proposed buildings, the applicant doesn't feel they can go less then what they are proposing now since they are looking to increase the income and become more beneficial to a growing health field. The landscaping will stay the same in "Plan B" as proposed in the original rendering of the site plan but with such short notice the architect was not able to put then on the new plan.

Lisa Attix- 316 E 3rd St.

Ms. Attix wanted to know if there would be children or young adults that would allowed to occupy these units in the proposed buildings. Ms. Frankenfield said no that each person that will be living in the unit will need to financially qualify for the units. Ms. Attix then gave her impact statement giving the reason she felt this application was a bad idea and why the Board should not approve it.

Thomas Armstrong- 309 E 2nd St.

Mr. Armstrong expressed his concern about the water runoff and storm water management. The applicant testified they had created an extensive storm water management plan that will be implemented if the application is approved. He also again expressed his concern about the traffic and the lighting. He asked what the plan was for the applicant should they start the project and then financially become unable to complete the project. The applicant stated they needed to post a financial bond to ensure the Township that they could complete the project, they also said they only start one building until they know they can get the units sold and have the cash on hand prior to starting another faze of the project.

Harry Mayer- 349 E 2nd St.

Mr. Mayer gave the Board the reasons he felt the project was a bad idea and why he felt they should deny the application.

Chris Locatell- 252 Nicholson Dr.

Mr. Locatell listed many of the same concerns as the other residents about lighting, traffic, landscaping and buffering of the new buildings. He would like Ms. Taylor to walk the property with the applicant and give suggestions on where she feels is the best place for landscaping to go in order to create the best buffers for the neighbors if the application is approved.

Pamela Richards- 304 Colonial Ave

Ms. Richards listed many of the same concerns as the other residents about lighting, traffic, landscaping and buffering of the new buildings. She also thanked the Board and the residents for taking their time to come and express their thoughts and feelings about the project.

Mr. Maguire closed the Public Comments portion of the meeting since it was past 11:00pm and stated we would continue with Public Comment at the March 19, 2019 meeting at 7:30pm. The applicant was not required to notice again since the announcement was made at this meeting. The Applicant also agreed to

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continue the decision to March 20, 2019 and will be providing a letter to Mr. Peter Clifford stated the applicant was in agreement to continue the decision.

BOARD COMMENTS/QUESTIONS:
NONE

- With no further business to discuss, Mr. Koory made a motion, seconded by Mr. Maguire to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 11:10pm