

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
May 21, 2019**

MEMBERS PRESENT:

Richard Koory
Doug Dillon
Lynne Gallo
Vincent D 'Antonio @ 7:45pm
Joseph Maguire
Georgette Castner, Alternate I
Lynne Schill Alternate II
Walter Fazler @ 7:34pm
Mark Williams

STAFF PRESENT

Peter Clifford, Board Secretary
Peter Thorndike ESQ, Board Attorney
Danielle Gsell, Recording Secretary

Absent: None

Mr. Maguire called the meeting to order in the Council Chambers at 7:32pm by reading the Open Public Meetings Act statement. A moment of silence was followed by the Pledge of Allegiance.

RESOLUTIONS:

- **ZBA#2018-40 Tony Santos
523 Creek Road.**

**Block: 8000 Lots: 26 Zone: R1
Decision Due: April 17, 2019**

Bulk Variance for construction of 4 car garage where only 3 are permitted. 6ft. Fence and Gate in front yard where 3ft. is permitted.

Continued from March 19, 2019 Meeting

- A motion to approve this Resolution was made by Mr. Dillon seconded by Ms. Schill. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **ZBA#2014-24A Dinesh Desai
326 Tom Brown Rd.**

**Block: 5400 Lots: 7 Zone: R1
Decision Due: June 1, 2019**

Seeking re-approval for bulk variance accessory building located forward of house & for 8' 6" fence in front yard- This variance expired and is a re-appearance to what was approved in 2014.

- A motion to approve this Resolution was made by Mr. Koory seconded by Mr. Dillon. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **ZBA#2019-10 Matthew Long & Rachel Chumney
401 Paul Drive**

**Block: 4605 Lots: 49 Zone: R1
Decision Due: June 11, 2019**

Bulk Variance for long front yard setback corner lot of 11.4ft where 25ft is required and for an existing non-conforming house for second floor addition

- A motion to approve this Resolution was made by Mr. Dillon seconded by Mr. Koory. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **ZBA#2017-28 PCCH Properties, LLC
Poplar Ave.**

**Block: 6204 Lots: 18, 20, 21
Zone: R-3 Decision Due:**

Bulk variance for 3 lots with non-conforming lot width

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- A motion to approve this Resolution was made by Mr. Dillon seconded by Mr. Koory. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **ZBA#2017-28A PCCH Properties, LLC** **Block: 6204 Lots: 18, 20, 21**
Poplar Ave. **Zone: R-3 Decision Due:**

- A motion to approve this Resolution was made by Mr. Dillon seconded by Mr. Koory. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **MINUTES:**

- A motion to approve the April 16, 2019 Meeting Minutes with minor changes 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#2018-42 Leland D. Hummel** **Block: 4303 Lot: 1 Zone: R-3**
2 E. Oak Ave. **Decision Due: May 31, 2019**
Bulk variance for 4ft & 6ft fence in front yard area where only 3ft is permitted.

Mr. Thorndike reviewed the application with the homeowner, detailing the specific size of his lot and the plans submitted for the fence he was proposing to have installed in his yard. Mr. Hummel explained to the Board the reasoning for wanting such a high fence, since he will be possibly installing a pool in the future and would like to already have the fence in place for the project. He also expressed wanting some additional security in his yard since he has a small child and a dog. Mr. Hummel stated he will be running landscaping along the outside of the fence to make the view more pleasing to the neighbors. The Board was asked some questions about the landscaping he would be placing along the fence but at this time Mr. Hummel did not have any definite landscaping ideas in mind.

- A motion to approve this application was made by Mr. Koory seconded by Mr. Dillon with the condition of the landscaping being done between the fence and the road on the Mill St. side of the fence. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **ZBA#2019-11 Ryan Tola** **Block: 8100 Lot: 2.01 Zone:**
R-1
610 McElwee Rd. **Decision Due: July 16, 2019**
Bulk variance for 5 car garage where 3 is permitted, and for 5 ft. fence where 3 ft. is permitted in front yard area.

Mr. Thorndike reviewed the application with the applicant. The homeowner stated the house was still under construction and he was currently not living there but did in fact own the property. Since the applicant travels a lot for business his main reasoning for wanting a taller fence was for the safety of his home and family during the times he is away. The 5 car garage will be used for the 4 cars they currently own with one bay being used for ATV's, Farm Equipment, etc. with the highest point at approximately 28 ft. The Board asked Mr. Tola what the second floor would be used for, Mr. Tola testified it would be used for attic space only with no running water or living space available. Mr. Thorndike reviewed all the specifics of

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the pillars and driveway space Mr. Tola would have once the project was completed. Mr. Tola did testify he thought the higher fence would look better since the house sits on a hill and the smaller fence would not look as pleasing to the eye. When asked about landscaping along the outside of the fence Mr. Tola testified it had been thought about but no plans have been made as of yet but would be willing to do landscaping if made a condition of approval.

PUBLIC COMMENT:

Dr. Mohiuddin Khan- 606 McElwee Rd

Dr. Khan wanted to know what happen to 608 McElwee, it was explained the Township has nothing to do with numbering the houses it comes directly from the Post Master. Dr. Khan also expressed his concern for the fence stating he felt it was not going to go with the flow of the other homes on the road. He would like to continue to see the greenery along the front of the house and not see the fence. Since the Township will allow a 3ft. fence Dr. Khan would prefer to see that in the front yard instead of the proposed fence.

Pamela Richards- 304 Colonial Ave

Ms. Richards testified she drove up and down the road and feels this area is an area of transition. She also testified she didn't believe a smaller fence would look right with the way the house is on the property, she feels the applicant is being honest about needing the larger fence. She supports the application as submitted.

- A motion to approve this application was made by Mr. Koory seconded by Mr. Fazler with the condition of the landscaping being done between the fence and the road as well as the 2nd floor of the garage have no running water or living space. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

Mr. Maguire did bring the letter from Taylor Design Group to the attention of the Board letting them know that since Amy has been out on recovering from surgery that she will not be our Landscape Architect but Taylor Design Group will still be working with the Zoning Board on anything needed. Mr. Maguire also would like to have Amy recognized for her hard work and dedication to the Zoning Board for 20+ years.

- A motion to approve the recognition of Amy from Taylor Design Group as a dedicated and hardworking Landscape Architect was made by Mr. Fazler seconded by Mr. Maguire. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.
- With no further business to discuss, Mr. Fazler made a motion, seconded by Mr. Maguire to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 8:39pm