

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
September 17, 2019**

coverage, parking setbacks, front yard and side yard setbacks

- 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.

- **MINUTES:**

- A motion to approve the August 20, 2019 Meeting Minutes by Mr. Koory seconded by Mr. Dillon. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

PUBLIC HEARING:

- **ZBA#2019-21 Jacob Brickley** **Block: 4501 Lot: 21 Zone: R-3**
216 S. Washington Ave. **Decision Due: November 14, 2019**
Bulk variance for side yard relief - set back of 7.25 ft. instead of the required 12 ft.

Mr. Thorndike swore in the homeowner and reviewed the application with him. Mr. Brickley testified about the proposed additions and what they would be used for. Since he has a growing family he needs the extra space to make the house more functional. On the second floor addition there will be master suite with its own bathroom there will also be an additional bedroom built. On the first floor there will be an addition of a half bath and a family room.

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

- **ZBA#2019-12 Robert Allen & Dorothy Allen** **Block: 5800 Lot: 49 Zone: R-2**
116A Borton Landing Rd. **Decision Due: September 30, 2019**
Seeking approval for the buildings on site and existing uses including but not limited to Woodedge Stables and Allen's Kennels.

- This application was carried until the October 29, 2019 ZBA Meeting

- There was a 13 minute recess from 7:46pm until 7:59pm while we awaited the arrival of Mr. Jeff Barron, attorney for applicant of ZBA # 2014-22.

- **ZBA#2014-22B Land Resource Solutions LLC** **Block: 1100 Lots: 12-16 &**
121-125 & 201-213 Camden Ave. **Block: 1102 Lots: 40-44 Zone: LTC**
Decision Due: September 17, 2019

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

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Ms. Schill and Mr. Dillon presented their signed affidavits to Peter Clifford testifying they had listened to the recordings for the previous ZBA Meeting the applicant testified in and they were confident they could make a decision on this application.

Mr. Barron asked Mr. Thorndike to swear in the following professionals testifying to this application

Mr. Jim Miller- Planner
Mr. Dave Horner- Traffic Engineer
Mr. Mark Malinowski- Project Engineer
Mr. Bob Cogan- Project Architect

Upon swearing in the professionals and the Board accepting them as experts Mr. Malinowski testified using Exhibit A-1 (aerial view of the site) and A-2 (Colored rendering of Site Plan). Mr. Malinowski testified there would be 26 residential units in this building which there would be:

1-3 bedroom
21-2 bedroom
4-one bedroom

4 of these 26 units will be affordable housing units that will be complying with the affordable housing requirement. He also testified there would be 29 parking spaces along the side of the building with 3 ADA parking spots included in the count. The total number of spaces on the property will be 60 and they will only be allowed to be used by the residents of the building. There will be a park area on the corner of Cottage and Camden Ave to create a beautiful relaxing place for the residents to go to. The lighting for the building will be for the parking lot and be tastefully done to ensure it matches the Lenola Plan and does not disturb the surrounding residents. The applicant did agree to decrease the lighting to 3000 to 3500 per the letter from Michelle Taylor. The storm water will be treated with an underground system facility that will collect the storm water and disburse it through pipes running under Cottage Ave. The applicant will be doing some reconstruction on the roads and curbs of Cottage Ave to ensure it can handle the storm water better. The trash will be collected on the North East corner of the building with 2 dumpsters that will be in an enclosed area.

Mr. Horner testified to the traffic study completed on 02/2017 and found there was no increased traffic and the area was still operating at a "Level B" which would mean when the project is complete he felt there would be no improvement needed on the traffic or the traffic patterns. There will be signage posted in the parking lot "NO RIGHT TURN" onto Cottage Ave as a request from the residents at the last hearing.

Exhibit A-3 (Prospective at Building) and A-4 (Prospective at Park) were introduced by Mr. Cogan as he used the exhibits to describe the looks of both the building and the park from the street as people pass by. The proposed building will be 3 stories high but with the look the applicant was going for it will only look as a 2 ½ story building since they have built dormers for the 3rd floor and that gives the look of a slightly smaller building. A-5 (front and rear elevations in 2D) and A-6 (side elevations in 2D) were shown to the Board to give them a better idea of what the proposed building would look like from the ground, there would be 2 ½ to 4 ft higher elevation on the first floor from the sidewalk to give the residents a feeling of security while living on the first floor. Exhibit A-7-9 (first, second and third floor plan) was shown with 9 units on the first floor, 11 units on the second floor and 6 units on the third floor. The 3 bedroom unit will be on the first floor in the rear of the building.

Mr. Miller spoke to the positive and negative criteria of this site plan and how he felt it would be beneficial to the community and the applicant if the site plan was approved. He also agreed the applicant would be willing to work with the Board Professionals regarding the landscaping. When asked if there would be security camera in the parking lot the applicant agreed to have them installed for the safety of the residents. Mr. Barron spoke to article # 9 of the Fire inspector's letter and testified since this is not a requirement in the Fire Code he would need to speak to the Fire Official and discuss what he means when

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he is asking the applicant to install a horizontal collapse zone in the building. Mr. Jeff Dye-LSRP was sworn in by Mr. Thorndike and testified Getty has remitted all the soil on the site to prepare the property for the apartment building to be built and is still working on the park side of the property.

BOARD COMMENT:

Michelle Taylor, Taylor Design Group asked about the recycling and where it would be stored and how it would be collected. The applicant said they would store it in a bin similar to the trash dumpster and in the same enclosure.

Mr. D'Antonio asked about the lighting and how and where it would be situated on the lot. He was told there would be pole lights in the parking lot and mounted lights on the building giving off just enough light to keep the people safe that would be walking. All units would be on a split system with one compressor per unit on the roof that would be unseen and unheard. The deliveries for the café would be through the front or side of the building and would be limited to when the café was open only.

Mr. Barron testified the applicant would be willing to comply with all the suggestions made by Michelle Taylor in her letter dated 9/5/19 and they would also be willing to comply with the Lenola Street Scape Plan should someone be able to tell them what the plan is.

PUBLIC COMMENT:

Elizabeth Castel- Moorestown Court Apartments

Ms. Castel wanted some clarification of the fencing between the buildings since she was concerned about the lights blinding her tenants and causing issues. The applicant agreed to work with Moorestown Court Apartments and the Board Professionals regarding the fencing. There was again discussion about the shared driveway between the two apartment buildings and reasoning as to why it would not work.

Gregory Lane- 232 Winding Way

Mr. Lane asked about the setbacks and if they complied with all the ordinances since he felt the building sits very close to the road. He also asked about the traffic study and when it was completed since he did not feel it was an accurate study with the traffic that is currently at that intersection. Mr. Lane was also questioning the parking and how the applicant can use the spaces on the street as part of their count without making them resident parking only. He was told since it was a county road there was no possibility to make them resident only spaces.

Pamela Richards- 304 Colonial Ave

Ms. Richards asked about how snow removal will work with the residents parking on the street and was told they would be required to move should the snow be that dangerous and plowing should be required. She also voiced her opinion about affordable housing and asked if there should be more units that qualify, she was told no the applicant has meant the 15% requirement on a rental property. She also voiced concern about black mold on the vinyl fencing.

- A motion to approve this application with the following conditions:
 1. Proposed wooden fence will now be vinyl

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2. Use of security system in the parking lot for resident safety
3. Work with the Lenola Town Center Committee for consistence in lighting, etc.
4. Comply with Taylor Design Group letter dated 9/5/19
5. Change the fencing material on Trash Enclosure
6. Compliance with Fire Official Letter
7. Restrict dumpster pick up times

was made by Mr. D'Antonio seconded by Mr. Dillon. The voice vote for the application was unanimous in favor. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- With no further business to discuss, Ms. Schill made a motion, seconded by Mr. Williams to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 10:01pm