

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
October 29, 2019**

**MEMBERS PRESENT:**

Richard Koory  
Doug Dillon  
Mark Williams @ 8:07pm  
Vincent D `Antonio  
Walter Fazler @ 7:34pm  
Lynne Gallo  
Lynne Schill Alternate II  
Joseph Maguire

**STAFF PRESENT**

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

Absent: Georgette Castner, Alternate I

Mr. Maguire called the meeting to order in the Council Chambers at 7:31pm by reading the Open Public Meetings Act statement. A moment of silence was followed by the Pledge of Allegiance.

**RESOLUTIONS:**

**NONE**

• **MINUTES:**

- A motion to approve the October 15, 2019 Meeting Minutes by Mr. Dillon seconded by Ms. Schill. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

**PUBLIC HEARING:**

- **ZBA#2019-28 One X One Living Trust, Block: 7802 Lot: 11 Zone: R-1**  
**Jackson, D TR**  
**739 Brandywine Drive Decision Due: January 11, 2020**  
Bulk Variance - Proposing to install fence with gates at driveways around the front of the property.

Mr. Drew Krisandra, builder and Mr. Desean Jackson, homeowner were sworn in by Mr. Thorndike to testify for the application. Once Mr. Thorndike reviewed the application with the homeowner Mr. Krisandra explained what the fence would look like and provided the layout of the current fence and how the new proposed fencing would tie into them. Mr. Jackson testified he was requesting the fence since he has two small children that need to be kept safe in the yard as well as keeping people out of his front yard when he is traveling. There will be an automatic gate in the front with a Knox Box for the fire department to be able to access. Mr. Jackson also agreed to place more landscaping in front of the fencing to bring better curb appeal.

**PUBLIC COMMENT:**

Frank Radey- 240 St. Anthony's Dr.

Mr. Radey asked Mr. Jackson if he will be cleaning up the brush and over grown grass that is behind his property since some of it has fallen into his mother's yard directly behind his. Mr. Jackson testified he has spoken to his landscaping company to make them aware of the issue so they would be cleaning it up when they come to take care of his lawn. It was placed on record the brush and overgrown

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
October 29, 2019**

grass on Ms. Radey's side of the fence was from the previous homeowner and not placed there from Mr. Jackson. Mr. Fazler asked Mr. Thorndike if it was a matter of Board enforcement of removing the brush and overgrown grass. Mr. Thorndike stated it was not a matter that the Board could enforce but since Mr. Jackson had already had a landscaper out to discuss cleaning it up he felt it would be handled appropriately.

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

- **ZBA#2019-25 William Eric Deibler  
42 Sheffield Drive**

**Block: 5803 Lot: 8 Zone: R-2  
Decision Due: January 1, 2020**

Bulk Variance to construct an in-ground pool. Need to exceed permitted impervious coverage by an additional 7.5%

Mr. William Deibler, the homeowner was sworn in by Mr. Thorndike who then reviewed the application with him. Mr. Deibler testified there are two other homes on his street that have pools similar to what he is proposing to the Board. He then testified that his wife and himself were concerned about water retention and therefore contacted a water specialist who will be designing the water retention system to bring any lost water back into the pool. Mr. Clifford was sworn in by Mr. Thorndike to give his explanation for considering the pool impervious therefore requiring the homeowner to come before the Board for approval. The pool equipment will be placed closest to the house in order to mitigate the least amount of noise for the neighbors as well as making it better visually. Mr. Maguire testified he was finding it hard to want to approve the application since the homeowner was already over in coverage, due to the large patio that was completed without being brought before the board and prior to the purchase of the home by Mr. Deibler, Mr. Maguire felt he should be finding ways to make it smaller not larger.

Mr. Thorndike swore in Mr. Long to give his opinion about the application from the testimony that he had heard during the hearing. He felt there would not be an issue with installing the pool and the trench and drainage system proposed. The homeowner explained to the Board his son has a nerve disorder and they have found that swimming has really helped ease his pain and discomfort so they were hoping by installing the pool it would motivate his son to work out in the pool more while also easing his pain and discomfort.

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

Mr. Maguire called a brief recess from 8:19pm to 8:26pm

- **ZBA#2019-26 900 Lenola Road, LLC  
876 & 900 N Lenola Road**

**Block: 100 Lot: 9,11,12,13 & 14 Zone: SRI  
Decision Due: January 4, 2020**

Bulk/Use Variance & Site Plan Waiver.

Mr Seth Broder- Attorney for applicant  
Ms. Nancy Jamanow- Planner and Engineer  
Ms. Kathy Creech- Property Manager  
Mr. Bill Klein- Maintenance Manager

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
October 29, 2019**

Were all sworn in by Mr. Thorndike to testify to the application, Mr. Broder proceeded to introduce exhibits A (survey of the property on application), B (aerial view of the property), and C (street view of the property) to the Board. Mr. Broder then introduced Ms. Jamanow to the Board so she could provide testimony to the Board for what the applicant was coming to them for and why they were coming to them now. She testified there are currently 37 tenants occupying spaces in the building, then Ms. Jamanow introduced Exhibit D (list of tenants) and E (copy of the plan) to the Board so she would be able to explain all the current uses for the spaces occupied. The colored spreadsheet she provided listed all the tenants and broke them into categories explaining the uses covered in the ordinance compared to the uses currently happening in the property.

Ms. Creech gave a brief description of what her role is on the property and how she handles all the lease agreements for the tenants. Ms. Creech spoke to the 10/22/19 letter from Taylor Design Group questioning Shay's dry cleaning. She testified that he currently subs out all his work to someone and just uses this location as a drop off and pick up. She also testified there are no diesel tanks on the site and all maintenance on the buses and trucks stored on this site are taken to a mechanic off site. Ms. Creech was asked by a number of Board members to provide a full rent roll, which is currently on file with the application.

Mr. Bill Klein gave a brief description of his job role on the property and spoke to the numerous upgrades that have been done since the new owners purchased the property. Some of the upgrades include: repaving the parking lots, re-striping the lines, redoing the septic system, replacing the roof on 3 buildings, replacing all the bay doors, and placing new visible numbers on the buildings. Mr. Klein explained there is a road behind the building that currently uses rocks as a "road" and since the new owners have taken over they have cut back the over grown trees and redone the rock "road" making it more accessible for the emergency vehicles to come through should they need to.

After hearing from all the tenants that were present at the meeting and what they did ( which can be found on the rent roll currently on file with the application) Ms. Jamanow reviewed all the bulk variance the applicant was seeking as well as reviewed the positive and negative criteria for the application. Mr. Long stated he would like to see the revised site plan showing all the lighting, parking and storm water management systems since there was not anything presented showing those areas of the property. Ms. Taylor would like to see someone from the Township enforce the plan more since the property is "hidden" off the road. She would also like to see a cleaner path for the emergency vehicles which she will be discussing with the property owners.

**PUBLIC COMMENT:**

Ms. Pamela Richards- 304 Colonial Ave

Agrees with the points made by Ms. Taylor that the corporate clients need to be held more accountable for complying with all ordinances and variances just as homeowners are supposed to. She would also like the Board to take more time in approving the application until they have the proper documentation from the applicant that the Board has requested.

**BOARD COMMENT:**

Mr. Koory would like not like to see wording in the resolution about non-permitting uses since the applicant has been operating this way for such a long time without the variances needed.

Mr. Maguire would like to see a rent roll in order to make a better decision about the application and was disappointed the applicant did not come to the meeting prepared with one.

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
October 29, 2019**

- A motion to approve this application with all conditions brought up by the Board are meant was made by Mr. Fazler seconded by Mr. Williams. 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. Fazler to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 10:35pm