

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
March 16, 2021**

MEMBERS PRESENT:

Joseph Maguire
Lynne Schill
Vincent D'Antonio
Walter Fazler
Georgette Castner
Mark Williams
William Creeley
Chetan Vajapay

STAFF PRESENT

Peter Clifford, Board Secretary
Melanie Levan ESQ, Board Attorney
Danielle Gsell, Recording Secretary
Michelle Taylor, P.P, A.I.C.P Board Planner
Frederick Turek, P.E., C.M.E, Board Engineer
Steve Lennon, Landscape Architect

Absent: Lynne Gallo

Mr. Maguire called the meeting to order in the Council Chambers at 7:05pm by reading the Open Public Meetings Act statement. A moment of silence was followed by the Pledge of Allegiance.

Roll call is as listed above.

This meeting was held via video conference (MS Teams)

RESOLUTIONS:

- ZBA-2021-10 Grzegorz Szpunar, Block: 4602 Lot: 2 Zone: R-2
 - A motion to approve this resolution was made by Ms. Schill seconded by Mr. D'Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

- ZBA-2020-30 Frank Earl Block: 5602 Lot: 3 Zone: R-3
 - A motion to approve this resolution was made by Mr. Williams seconded by Mr. D'Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MINUTES:

- A motion to approve the February 16, 2021 Meeting Minutes was made by Mr. D'Antonio seconded by Mr. Williams. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

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PUBLIC HEARING:

- ZBA#2020-28, ACTS Management Services, Inc., 309 Bridgeboro Road, Block 5400, Lot 11 – 15, Zone R-1-A, Preliminary and Final Site Plan with Bulk and Use Variances, and Conditional Use.
Block: 4602 Lot: 2 Zone: R-2

Mr. Robert Baranowski, Attorney for the applicant introduced himself to the Board and gave a brief overview of the application noting the positive and negative criteria and how this application would fit into Moorestown's Master Plan. He also introduced all the testifying witnesses for this application but asked the Board swear them in as they each began to testify so there was no confusion and/or issues.

- Ms. Terri White, Regional VP, ACTS Life Communities
- Ms. Abigail Stewart, Director of Design, ACTS Life Communities
- Mr. Jim Bannon, PE Nave Newell Engineers
- Mr. Shawn Machese, RA Kramer Marks Architects
- Mr. Nathan Mosely, PE Shropshire Associates

Ms. Levan swore in Ms. White, Regional VP, and asked her to briefly give her background with the company so the Board could get a better understanding of her role in the facility. Ms. White presented a PowerPoint presentation of the statics of the ACTS/EVERGREEN facility showing the history, growth and operating financial budget. She explained the need to have the application approved in order to make the facility run smoother as well as making it more secure for the residents as well as any guests visiting.

Ms. Levan swore in Ms. Abigail Stewart, Director of Design, she then gave a brief overview of her role in the facility and how she felt the new design would be more attractive to the facility as well as being more convenient for the residents and their guests to come and go. The right side of the new proposed ingress and egress will be for the residents to use and will have a guard booth located in the middle so that guests can check in and be easily directed to where they need to be on the campus. There will also be a new entry way created with a large overhead covering that will allow those residents needing to be picked up or dropped off to safely stand under to avoid any weather. There will no deliveries coming through the new proposed entrance ways, they will continue to come in the left loading dock side as they do now. When asked about visiting hours Ms. Stewart testified there are no set visiting hours however most visitors are gone after the dining hour has ended at about 7:30pm- 8pm. She spoke briefly to the lighting and how the applicant was going to heed the recommendations made by the Board Professionals regarding lighting and bulb wattage and color. When asked about preserving the existing mature trees and shrubs Ms. Stewart testified it was the applicants plan to salvage as much as they could since they did not want to interrupt the current vegetation on campus.

Mr. Jim Bannon, Professional Planner, was introduced to the Board sworn in and accepted as an expert in his field to discuss the positive and negative criteria of the application. Mr. Bannon explained there would be additional parking spaces placed around the new proposed opening of the front entrance. Since the new proposed front entrance will be more open and facing the neighboring houses there will additional shrubs placed along the road to help block the lights. The landscaping will be salvaged when they can and replaced if they cannot with something similar to what is there. The applicant is agreeing to comply with all the recommendations made by Mr. Lennon from Taylor Design Group. Mr. Bannon felt the applicant was doing an excellent job with buffering and making the campus look as beautiful as possible. The current Storm Water Management system was tested and found to be accurate. The applicant will be placing new piping where need be for this

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renovation but a whole new system will not be required. The Board had numerous questions about the lighting throughout the parking lot and how the applicant would be handling that so it is not disruptive to the surrounding homeowners as well as those on the campus but still making the area safe and secure. There were also questions about the landscaping about the guard booths to make them more presentable to the public. The guard booths will have elevated flower beds around them and will be maintained as the rest of the campus. The storm water that may collect on the roundabout will be dispersed to the existing systems because they will be graded to flow in that direction so there should be no collection of water in the roundabout. When asked about the emergency vehicles using the new proposed ingress and egress lanes Mr. Brannon testified they would be able to access those lanes in case of emergency and would have issues maneuvering through them.

Mr. Shawn Machese, Architect, was introduced to the Board, sworn in and accepted as an expert. Mr. Machese showed and explained the materials being used for the new welcome center, guard booths, and any fencing being placed in the new areas. He also reviewed the new drop off and pick up area for the residents and any guests that would need to utilize the space. He explained the different street view elevations of the welcome house and the guard booths. There will be an expansion to the fitness center, salon, and many other amenities with this proposed plan in which he felt would be very beneficial to the residents and their guests. This would provide more space for everyone to safely be in the same area while still following CDC guidelines since we are sadly still in a pandemic. He showed the overlay on a google aerial map of the new proposed lanes and guard booth so the Board would be able to get a better insight as to what the area would look like once the project had been completed. The Board again had questions about lighting in the parking lot and how that would affect the neighbors. Mr. Machese testified they would be using the recommended lighting from our Board Professionals and he didn't there would be any negative impact to the surrounding neighbors. Board members asked about the entrance ways having some sort of gates that would be motion censored or have some kind of way to get in and out of the campus, yes there would be gate arms at each entrance that will someone will have to have a fab or sticker to get through unless they stop to speak to the guard house security officer to allow them in. This is being put in place for the safety of the residents as well as those visiting.

Mr. Nathan Mosley, Traffic Engineer, was introduced, sworn in and accepted as an expert from the Board. Mr. Mosley reviewed the traffic study that was completed in October 2020 noting that he understood we were in the middle of a pandemic during that time but was confident there would no detrimental impact to the surrounding area during the peak hours with this proposed plan. He spoke to the functionality of the arms on the guard booths that will be used to allow people in and out of the campus. Since Bridgeboro Rd. is a county operated road the Board is not allowed in make conditions about left turn prohibited or change any of the lining on the road. This plan was brought before Burlington County and approved with some waivers required as currently written and presented.

The Board professional spoke to their correspondence letters given to the applicant and how the lighting for the parking lot should be fixed as well as changing some of the proposed landscaping in which the applicant agreed to comply with all suggestions given. Ms. Taylor did suggest making sure that golf cart charging station shown on the plans was better labeled so people would know what they were looking at. Ms. Stewart did testify changing the existing lights throughout the parking lot to match the new proposed ones were part of an ongoing plan the applicant has to continue to upgrade the facility.

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PUBLIC COMMENT:

Mr. George Matteo, Attorney for Mr. Judson Vandervort, Jr. spoke to the letter given to the applicant on 3/16/2021 in the late afternoon. Mr. Matteo expressed his clients concern about the variances that the applicant had not applied for but needed in order to make start and complete the proposed project. Ms. Levan stated the application was sufficient since in the application the variances Mr. Matteo spoke about were inclusive of what they had stated. She felt the Board had enough information presented to them and they would be able to move forward with making a decision on this application at this hearing. Mr. Matteo expressed concern about the inconsistencies he felt were in the application and how this application would be affecting his client. He was concerned about the visiting hours not being set and there was no real answer about when people could come and go for visiting. He was also concerned about the traffic study being completed in October 2020 during a pandemic when traffic was much lighter and there have been no visitors coming to the campus. He felt this was not an accurate depiction of what the traffic would really be like. Included in Mr. Matteo's 3/16/2021 letter there were pictures taken by his client from the front of his house showing the front of the ACTS/EVERGREENS facility and what he would be looking at once this project was complete. Mr. Matteo's client expressed his concern about the delay in the live stream stating it was hard for him to follow along with the presentation.

Mr. Baranowski rebutted to the comments made by Mr. Matteo about not being able to join the MS teams meeting stating that he should have had the information to the applicant and the Zoning Board Secretary by the mandatory 24 hour notice he would be able to get things in order so Mr. Matteo would be able to join the meeting. Mr. Baranowski brought up the sale listing for 322 Bridgeboro Rd. asking the homeowner to verify those photos were indeed ones that he had taken showing the tall shrubs and trees along his property line that cover his view of the front of ACTS/EVERGREEN facility. The homeowner verified those photos were taken in the spring and that he didn't feel that what he had would be sufficient for what the applicant was proposing.

John Logue- 27 Harding Ave

Mr. Logue expressed his concern about the traffic study being done during the pandemic and how he felt this application did not fit in with Moorestown's Master Plan. He would encourage the Board not approve the application due to the fact it was not fitting for the town.

Francis Mollo-330 Bridgeboro Rd.

Mr. Mollo spoke to the changes that have been made at the Evergreens and how he felt they were an improvement. He was happy to have them as neighbors and thought they did a great job maintaining the property. He was concerned about the traffic report not depicting the proper information since it was done at the time when the high school and middle school were not operating at full capacity due to the pandemic. He was also concerned about the traffic study not taking into account the people who use the side of the road to run and ride their bikes as well as them being safe when on the road.

BOARD COMMENT:

Every Board member was concerned about the lighting and how it would be fixed with the new design. Mr. Maguire was happy with the application presentation and thought the applicant should have focused more on talking about the safety enhancements that were going to be made with the new gate arms and security guard booths that were being installed. Mr. Williams felt there would

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more than likely be better traffic flow since there will be more ways to get in and out of the campus and there would be better signage showing that around the campus. There was mention from numerous Board members that they could sympathize with the neighbors and their concerns about the traffic and the lighting in the parking lot but also thought that the applicant was doing a great job of addressing the concerns and putting measures into place to make sure they were the least disruptive.

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

With no further business to discuss, Mr. Fazler made a motion, seconded by Ms. Schill to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 11:25pm