

**PLANNING BOARD SPECIAL MEETING**

Meeting Minutes

July 1, 2021

**MEMBERS PRESENT:**

Robert Musgnug, Vice Chair  
Christopher Chesner  
Thomas Merchel  
Henry Balikov  
Melissa Arcaro-Burns  
Lisa Petriello

**STAFF PRESENT:**

Nancy Jamanow, PP, Planning Board Secretary  
Matt Wieliczko, Board Attorney  
Mackenzi Kelly, Recording Secretary

Mr. Musgnug called the meeting to order at 7:01 PM in the Council Chambers of Town Hall, 111 West Second Street by reading the Open Public Meeting Act statement. The Pledge of Allegiance followed a moment of silence. Roll call was listed as above.

**ABSENT:** David Zipin, Jeffrey Dey & William Barker

**Minutes:**

February 4, 2021

Chris Chesner made a motion to approve February 4, 2021 minutes, seconded Melissa Arcaro-Burns. The roll call of the vote was unanimous in favor.

February 25, 2021

Chris Chesner made a motion to approve February 25, 2021 minutes, seconded Melissa Arcaro-Burns. The roll call of those eligible to vote was unanimous in favor.

May 6, 2021

Chris Chesner made a motion to approve May 6, 2021 minutes, seconded Melissa Arcaro-Burns. The roll call of those eligible to vote was unanimous in favor.

June 17, 2021

Chris Chesner made a motion to approve June 17, 2021 minutes, seconded Mr. Musgnug. The roll call of those eligible to vote was unanimous in favor.

Resolution No. 2021-11 OPEX Corporation, 835 Lancer & 301 Commerce Avenue, Block 502 Lots 9 & 11, Approval of Preliminary and Final Site Plan with Waivers.

Chris Chesner made a motion to approve Resolution No. 2021-11, seconded Melissa Arcaro-Burns. The roll call of those eligible to vote was unanimous in favor.

Resolution No. 2021-27 LMC Properties, Inc., Borton Landing Road, Block 7401 Lots 1 & 2, Minor Subdivision Mr. Musgnug made a motion to approve Resolution No. 2021-27, seconded Mr. Chesner. The roll call of those eligible to vote was unanimous in favor.

# PLANNING BOARD SPECIAL MEETING

Meeting Minutes

July, 1, 2021

## New Business

### **Amendment to the December 3, 2020 Third Round Housing Element and Fair Share Plan and Land Use Plan-**

If acceptable, Adoption of Resolution #2021-31; A resolution Adopting an Amended Third Round Housing Plan Element and Fair Share of the Master Plan and determining that the proposed revisions are consistent with goals and objectives of the Township of Moorestown's Master Plan

Mr. Slaugh discussed the amendment to the 12.3.2020 and reviewed changes to the Housing Element and Fair Share Plan. He went over the Real Estate Development Potential being 633 affordable units in which the Township has already started. He also went over CIS which would have 60 Senior Units and 21 Special needs Units. He discussed family rental bonus credits as well as Borton Landing Site. The Walters Group will be the developer and will have 50% regular market housing and 50% low to moderate income housing. This will help eliminate the need to bring up houses to code for market affordable program and accessory apartment program. This works out better for the municipality. Mr. Wieliczko inquired if the review is consistent with goals and objectives of the town's Master Plan and if the adoption and implementation will achieve the present housing needs. Per Mr. Slaugh yes.

Mr. Chesner made a motion to adopt Resolution 2021- 31 with the proposed revisions, it being consistent with the Master Plan as well as corrections noted in testimony, seconded by Mrs. Burns. The roll call vote was unanimous in favor.

### **PB#2021- 15- Teodozja Jaskowski, 41 Revere Avenue, Block 1702 Lot 44, Minor Subdivision with Variances.**

Gary Zangerly is the attorney that is representing applicant. He stated the application is for a proposed demolition of the existing home and the construction of two new homes. He stated the applicant wants to bring the porch up closer to the street, so it will be more prominent than the garage. The applicant is proposing to build a new home for her and one for her sons and grandchildren to live in. They are very flexible in how they will configure the house and will work with the planner. Mr. Wieliczko inquired if the relief they are seeking is still the same, per Mr. Zangerly yes.

### **Witness:**

Teodozja Jaskowski was sworn in. She lives on 104 Avon Terrace

William Nicholson Professional Engineer and Planner in NJ since 1978 was sworn in, has had his own firm since 1985.

### **Exhibit A1**

Photograph of proposed house to be built

Teodozja Jaskowski stated she wants to build two houses. One for her son so he is near to help her. There is gas heat at the property. She has no idea if an underground tank is

# PLANNING BOARD SPECIAL MEETING

Meeting Minutes

July, 1, 2021

there. She bought this property about 3 years ago. She agreed to work with the planner and has no objections to the planner's or ERI review letters. They would like to come to an agreement with board professionals if they are unable to agree they will have to come back.

## **Exhibit A2 – Tax Map Sheet 17**

This shows a tax map of Revere Ave. There are 22 properties fronting on Revere Avenue. Fifteen of the lots are the same width as is being requested; however, they are smaller than the proposed houses. There are 5 lots that are larger.

Mr. Nicholson went over the variances sought and stated they were correct in the review letters. He stated they would need to add 2 more variances for the front yard variance as well. He stated they support the C2 Variance. The positive criteria outweigh any detriments. The lot is keeping within 77% of the other lots.

The subdivision will create two lots 44.01 and 44.02. There will be two 30 foot wide houses. They agree to work with the planners with public sewer and water. There will be adequate parking.

Board professionals were sworn in:

Michelle Taylor

Chris Noll

Steve Lennon

Mrs. Taylor went over her correspondence dated 5.28.2021. She stated under the Land Use Plan, this is in the medium density residential area. The density is 2 units per 3 1/2 acres. This particular one is at 2.7 units per acre. 4.5 is an excess, however it is not a density variance because it is a minor subdivision with two dwellings.

Suggestions:

1. Porch and garage the same distance from right of way.
2. Porch in front of the garage.

Mrs. Taylor stated they are proposing the existing trees remain and asked for a tree protection fence. She said an arborist should evaluate them. If they cannot be saved, they should be replaced.

Mr. Noll went over his correspondence letter dated 6.9.2021.

Submission waivers:

1. LOI- there are no potential wetlands on the site.
2. Soil testing-the owner is not aware of an underground oil tank

He does recommend an inspection of the site for one, if one is found they have to remove it.

**PLANNING BOARD SPECIAL MEETING**

Meeting Minutes

**July, 1, 2021**

Mr. Musgnug stated there is no design for this house. They are essentially rezoning the whole area.

Mr. Zangerly requested an adjournment to come up with a plan to come back before the board.

**Public Comment:**

Jamie Boren of 45 Revere Ave

She stated the house is oil heat, she has watched the company come every year. She is concerned because they are creating 2 non-conforming lots.

Mrs. Boren had photographs she submitted:

Boren 1 104 Moore Ave

Boren 2 122 Moore Ave.

Boren 3 205 Winstead Ave.

Boren 4 335 Grand Ave

Boren 5 of 333 Grand Ave

Mr. Zangerly and the board reviewed the pictures.

She stated that all houses there are Barlow bungalows. She is also concerned the sycamore trees will die. She stated if they were interested in being part of the neighborhood, they would have cared for their property.

Mrs. Laramie of 36 Revere Ave stated they live directly across the street. She would not like to see two houses on top of each other. She stated under current law they cannot see a reason to vary from the current zoning.

Mrs. Nancy Jamanow read email comments from the public.

Mrs. Farrero feels this will open the possibility of putting 2 homes on one lot. She does not want overcrowding.

Mr. Haik of 25 Revere Ave, strongly objects. They stated there was a similar request (25 years ago) to subdivide 28 Revere, which was denied. Mrs. Jamanow cannot find anything.

The attorney and applicant decided to come back to the board at a later time. A new notice will be required.

**PB#2021-16-Reconstructive Orthopedics, 300 Route 38, Block 3201 Lot 7,  
Minor Site Plan with Variances**

Pat McAndrew Attorney

Five witnesses were sworn in:

# PLANNING BOARD SPECIAL MEETING

Meeting Minutes

July, 1, 2021

Joe DeSilva, CEO  
Rick Ragan, Planner  
Rod Ritchie, Engineer  
Nathan Mosley, Traffic Engineer  
Dan Nichols, Architect

Joe DeSilva CEO stated they have been in business for 44 years treating patients from Moorestown and the surrounding communities. They have an existing office in Moorestown; however, they need additional space to meet the growing demand. They are closing their headquarters in Marlton to move to the Miles technology building. The new headquarters will operate on the second floor of this building. The hours of operation will be M-F for staff on site 7am-8:30pm. The cleaning crew will be there from about 8pm to 10:30pm. They will be open Saturday from 8am to 5pm. Sunday they will be closed. They will have 60 employees at the site for patient care. The second story will have 15 employees doing corporate functions. A number of employees will work remotely. Majority of employees with the opportunity to remote. From a parking standpoint, they have 75 employees, and 51 patients coming in per hour, which equals 126 parking spots. They are proposing 143 with a possibility of 15 additional spots. They will have 19 designated handicapped spaces in front of the building. There is a designated location to drop off patients. They will have deliveries 2 to 3 times a week. The deliveries will be medical supplies, some medication, office supplies and equipment. They will use Box trucks or vans. They will not be using tractor-trailers. The deliveries will occur in the back of the building near the employee entrance with a vestibule.

The cleaners will bag up non biohazard trash on daily basis. The Biohazard waste will go into separate receptacles and be picked up by a company. The regular trash will go into the dumpster in the back once or twice a week, which will be shielded from visitors.

Mr. Chesner inquired about surgeries. Mr. DeSilva stated they will not have surgeries; they would need a special license. He stated some doctors will do injections on site. They have 3 x-ray machines which is monitored and they are licensed to have them. There are no MRI machines proposed on the site.

Mr. Balikov inquired about how hazardous materials are being discarded. Mr. DeSilva stated technology is now digital there are no chemicals being used for x-ray machines.

Mr. Balikov inquired about any flammable gas, Mr. DeSilva stated they have small oxygen tanks on site but beyond that they have no other gases.

Mr. Reagan has been a Professional Planner for 35 years.  
They have met with the Fire Marshal about the road coming around front.

# PLANNING BOARD SPECIAL MEETING

Meeting Minutes

July, 1, 2021

Rod Ritchie has been a Professional Engineer in NJ over 20 years.

## **Exhibit A1**

Aerial photo of site and surrounding area

It shows the intersection of Pleasant Valley and Rt. 38. The site is surrounded by other office uses. It is in the SRC zone. There are residential uses across 38 and Strawbridge Lake.

## **Exhibit A2**

Rendering of the proposed site plan

Block 3201 Lot 7 is the existing lot which is 4 acres and includes a 16,534 SF square foot vacant building. There are 128 existing parking spaces on site with landscaping and lighting. They are proposing 143 spots with 22 handicapped. They are proposing 15 banked spots until they are required.

Mr. Ritchie explained the two driveways along the Pleasant Valley frontage. They plan to remove the existing drive. They are proposing a new one way drive access parallel to the Rt. 38 frontage to improve circulation around the building.

They are proposing landscaping to buffer the drive along Rt. 38 as well as buffering for the additional parking spaces on Pleasant Valley. They are proposing new lighting with all LED fixtures.

Mr. Mosley is a Licensed Professional Engineer from Shropshire Associated for over 20 years. He summarized his traffic report dated 4.6.2021. He performed traffic counts in February of 2021 between 7:30 and 8:30 am peak hours and again during the PM peak hours of 4:45 and 5:45pm. He took into account the effect COVID has had on traffic and adjusted up. There were 75-90 trips during peak hour. He stated the anticipated during peak hour will generate 1 to 2 trips. He stated the overall intersection operates at a level D. He stated there are minimal changes with in levels of service. It will be a 2% growth. There is one minor level F service which is for southbound Pleasant Valley. He stated DOT is going to do a project to improve this area bringing it up to current standards which will start in 2024.

Mr. Mosley discussed the loop road which will eliminated a dead end parking situation and will allow for fire access all around the building.

Mr. Nichols is an Architect since 1993 in New Jersey. He was accepted as an expert witness.

## **Exhibit A3**

Building elevations with materials and colors. This shows the improvements to the building

## PLANNING BOARD SPECIAL MEETING

Meeting Minutes

July, 1, 2021

They will be adding rain screen panels in line with corporate colors of Reconstructive Orthopedics over top of the brick. The stone at the corner has moisture infiltration and adding rain screens will help reduce this. He stated there were no objections from the Appearance Committee. Everything inside will be completely gutted except the stairways. The amphitheater will be removed and will be the new x-ray suite. He said the 2<sup>nd</sup> floor is being altered but not as much as 1<sup>st</sup> floor.

Mr. Ragan discussed variances and why they are appropriate.

1. 180-63D(1)(a) Front yard 71.4' from 100'. The landscape is from Rt. 38 to the building. Requesting due to widening the driveway aisle, creating a safer condition. They will be putting landscaping in front of the building.
2. 180-63D(4)(a) no berm proposed along Route 38.
3. 180-63D (1)(b) front yard setback for parking. They are proposing 20.5 feet in order to obtain the number of handicapped spaces required.
4. 180-63D (1)(b) front yard setback for parking. 25 spaces are permitted and 31 full spaces and 6 partial spaces are proposed in this area.
5. 180-63D (4) variance from the 25 and 50 feet wide buffers required along Route 38 and Pleasant Valley.
6. 180-80.8B1 sign variance to allow a second freestanding sign of 33.25 SF for Ivy Rehab.
7. 180-80.8B(3)(a) A variance is required for a second façade sign of 22 SF. Both are less than a total of 100 square feet.

They have agreed to a contribution to the sidewalk fund.

Mr. Mosley addressed in his testimony comment number 22 in the ERI letter.

Mr. Regan responded to Mrs. Taylor's design letter. He recommended to have a picnic area for the staff. Mrs. Taylor stated there would need to be some sort of hardscape to access the picnic table.

Mr. Regan stated they will be providing new irrigation for only the new planting. Mrs. Taylor in lieu of hand watering, it will go away at some point.

Mr. Noll went over his letter dated 6/24/2021. He discussed checklist waivers.

1. Soil testing did not recommend anymore testing after phase one.
2. LOI waiver. They have applied for a general permit.

Mr. Noll suggested a sign for the drop-off area. Mr. DeSilva is not opposed to that but it may be obvious to the patient. He also suggested paint on the pavement in the drop-off area.

# PLANNING BOARD SPECIAL MEETING

Meeting Minutes

July, 1, 2021

He also recommend the 15 overflow of parking spaces remain wooded and only be constructed when needed. Mr. DeSilva stated his preference would be to build the spaces now.

Mr. Ritichie stated Storm water management has been addressed with DEP and meets current design and regulations

Mr. Balikov inquired if they would consider electric vehicle charging station onsite. Mr. DeSilva stated they would consider that in the future, however it is not applicable to the patients. Mr. Balikov inquired about installation of solar panels. Mr. DeSilva stated they do not object.

Storm water management requirements are being met and they will provide a copy of maintenance plans as well as annual reports to the township.

Mrs. Jamanow stated the applicant has received the DPW & fire comments and they agree with them.

There was a discussion regarding installing a sidewalk along Rt. 38. As a condition of approval, a sidewalk will be installed in conjunction with DOT improvements. A bond will be posted for two years from CO.

## **Public Comment:**

Barbara Rich 37 E Central

She was concerned about the discolored water in the pictures MEAC took from the site.

Mr. Noll stated it was iron from the pipe going into the basin. She asked them to consider coating the pipe. They are proposing a plastic pipe, so no coating is needed.

Joan Ponessa 215 Locust St. is the Chair of the Moorestown Environmental Committee. She stated the effectiveness of the committee they have only works if they can communicate with the Professionals.

## **Deliberations:**

Mr. Matt gave a summary of the application. He stated the applicant has agreed to all conditions of approval and comments of TDG letter with the exception of number 22. The applicant will provide the necessary information to the township.

They are requesting

1. 143/158 parking spaces.
2. Waiver of street trees of 5 to 3 on Rt. 38.
3. Sidewalk installation at time of CO. The app will post a bond and will coordinate with Board Professionals and DOT. The bond is 2 years from the time of CO and will be reevaluated.

# PLANNING BOARD SPECIAL MEETING

Meeting Minutes

July, 1, 2021

4. LOI is no longer requested, the applicant has already been applied for General permit 6.
5. Deliveries will be in the back.
6. Drop-off area will be distinguished by a painted area
7. Cleanup of existing trash and debris by contractor
8. Consider Solar panels
9. Provide storm-water maintenance manual.
10. Inspection and check dams
11. Take into consideration to MEAC broken pipes.

Mr. Merchel made a motion to approve with exception of requiring the lettering of the drop-off area; seconded by Mr. Chesner. All eligible board members voted yes with the exception of Mr. Balikov. Motion passes 5-1.

Mrs. Jamanow stated the next meeting will be August 5, 2021 with a possibility of a special meeting in August.

**Public comment: None**  
**ADJOURNMENT**

A motion to adjourn was made by Mr. Merchel and seconded by Mr. Chesner. The meeting was adjourned at 10:34PM.

Next Meeting: 8/5/2021 at 7:00 pm