

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING**

January 21, 2020

Re-Organization Meeting

MEMBERS PRESENT:

Joseph Maguire
Mark Williams
Richard Koory
Vincent D 'Antonio
Walter Fazler
Lynne Gallo
Lynne Schill, Alternate I
Georgette Castner
Arthur Greene, Alternate II

STAFF PRESENT

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

Absent: None

Mr. Thorndike called the meeting to order in the Council Chambers at 7:53pm 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.

Selection & Election of Officers – 2020

- Chairman
- Vice Chairman

- A motion to approve Mr. Joseph Maguire as Chairman was made by Mr. Koory seconded by Mr. D'Antonio. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.
- A motion to approve Mr. Richard Koory as Vice Chairman was made by Mr. Maguire seconded by Ms. Gallo. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.
- ZBA#2020-07 Appointment of Zoning Board Secretary and Alternate
 - A motion to approve Mr. Peter Clifford as Board Secretary and Mr. Tony Zappasodi as Alternate was made by Mr. Koory seconded by Mr. Maguire. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

MINUTES:

- A motion to approve the December 17, 2019 Meeting Minutes was made by Mr. Koory seconded by Mr. Fazler. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

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PUBLIC HEARING:

- **ZBA#2019-32 Chipotle Mexican Grill of Colorado, LLC Block: 3003 Lot: 1 Zone: SRC
1600 Nixon Drive Decision Due: March 13, 2020**

Use variance for addition of an outdoor seating area for the existing Chipotle restaurant space.

Mr. Peter Flannery, attorney for the applicant introduced all witnesses to the Board and asked they be sworn in to testify to the application.

Mr. Christopher Cerbo- Architect
Mr. James Miller- Professional Planner
Mr. Jeremy Zerbe- Design Manager

All witnesses were sworn in and accepted as experts in their fields after giving a brief description of their professional background. Mr. Cerbo presented the Board with exhibits A-1 (Survey), A-2 (Site Plan), A-3A/B/C/D (photos of proposed table and chair layout) The applicant is asking for 14 seating places to be placed under an existing roof covered grassy area on the side of the Chipotle building. This will provide more seating for those that come to the establishment. Mr. Cerbo explained to the Board the tables and chairs the applicant is proposing will not be in the way of any foot traffic and will not be blocking any exits.

Mr. Zerbe was asked if there would be "waiter" service to these tables since they would be outside, he testified there would be no such service to the customers that choose to eat at the outside tables. Customers will be allowed to eat outside until the restaurant closes at 10pm. These proposed tables and chairs will be only placed outside seasonally depending on weather conditions, they will be able to bring the chairs and tables in and out of the building if they need to as well.

Mr. James Miller reviewed the positive and negative criteria of this application. He testified he felt this was a compatible request to the surrounding restaurants that currently have the outdoor seating.

PUBLIC COMMENTS/QUESTIONS:

None

BOARD COMMENTS/QUESTIONS:

None

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

- **ZBA#2018-33 Total-New Remodeling, LLC Block: 2202 Lot: 10/11 Zone: R-3
16 Roberts Avenue Decision Due: March 13, 2020**

Bulk variance for front and side yard and lot consolidation.

This application will be carried to the next scheduled meeting date March 17, 2020 with no new notice required from the applicant

PUBLIC COMMENTS/QUESTIONS:

None

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BOARD COMMENTS/QUESTIONS:

None

- Resolution ZBA#2020-02 - CLOSED SESSION –
Discussion of Professional Services for Zoning Board
 - A motion to go into Closed Session at 8:35pm was made by Mr. Koory seconded by Mr. D’Antonio. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.
 - A motion to come out of Closed Session at 9:26pm was made by Mr. D’Antonio seconded by Ms. Gallo. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.
 - Appointment of Zoning Board Attorney- Mr. Peter Thorndike
 - Appointment of Zoning Board Engineer- Turek Engineering
 - Appointment of Zoning Board Planner- Ms. Michelle Taylor
 - Appointment of Landscape Architect- Mr. Scott Taylor
 - Appointment of Zoning Board Secretary and Alternate Secretary- Mr. Peter Clifford and Mr. Anthony Zappasodi- Alternate
 - Appointment of Zoning Board Recording Secretary & Alternate- Mrs. Danielle Gsell and Ms. Mackenzi Kelly- Alternate
- ZBA#2020-03 Appointment and Awarding of Contract of Zoning Board Attorney
ZBA#2020-04 Appointment and Awarding of Contract of Zoning Board Engineering
ZBA#2020-05 Appointment and Awarding of Contract of Zoning Board Planner
ZBA#2020-06 Appointment and Awarding of Contract of Landscape Architect
ZBA#2020-08 Appointment of Zoning Board Recording Secretary
- Resolution ZBA#2020-01 – Adoption of “Annual Meeting Notice” Resolution

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

- Adoption of the Rules and Regulations – Moorestown Township Zoning Board of Adjustment
 - A motion to approve this resolution was made by Mr. Williams seconded by Mr. Maguire. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.
- Resolution ZBA# 2020-09 Resolution of Electronic Guidelines
 - A motion to approve this resolution was made by Mr. Williams seconded by Ms. Castner. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

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RESOLUTIONS:

- **ZBA#2013-12A Fig Tree Properties, LLC** **Block: 6005 Lot: 31 Zone: R-3**
126 Borton Landing Road **Decision Due: March 13, 2020**
Preliminary/Final Site Plan, waivers - medical office
 - A motion to approve this resolution was made by Mr. Fazler seconded by Mr. Koory. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **ZBA#2019-29 Joseph Gregorio** **Block: 7000 Lot: 3 Zone: R-1**
410 Bridgeboro Road **Decision Due: March 14, 2020**
Bulk Variance - Construction of a 1200 sf pole barn.
 - A motion to approve this resolution was made by Mr. Koory seconded by Ms. Castner. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- **ZBA#2019-27 David & Deborah Browning Hess** **Block: 400 Lot: 19 Zone: SRI**
834 North Lenola Road **Decision Due: January 11, 2020**
Minor Subdivision & Bulk/Use Variance: Construction of a single-family detached residential dwelling on proposed lot, 19.02 & remainder lot, 19.
 - A motion to approve this resolution was made by Mr. Fazler seconded by Mr. D'Antonio. The roll call vote of eligible Board Members was unanimous in favor. Motion Carried.

- With no further business to discuss, Mr. Koory made a motion, seconded by Mr. Fazler to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 9:34pm