MOORESTOWN TOWNSHIP ZONING BOARD OF ADJ USTEMNT
MEETING
February 18, 2020

MEMBERS PRESENT:
Joseph Maguire
Mark Williams
Richard Koory
Vincent D’Antonio
Georgette Castner
Lynne Gallo
Lynne Schill, Alternate I
Arthur Greene, Alternate II

Absent: Walter Fazler

Mr. Maguire called the meeting to order in the Council Chambers at 7:33pm 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.

RESOLUTIONS:
• 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.

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

MINUTES:
• A motion to approve the January 21, 2020 Meeting Minutes was made by Mr. Koory seconded by Mr. D’Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

PUBLIC HEARING:
• ZBA#2019-31 Patrick Lucas
  433 Bridgeboro Road
  Block: 6900 Lot: 20 Zone: R-1
  Decision Due: April 4, 2020
  Bulk Variance – For Garage

  Mr. Richard Roy Attorney for the applicant introduced the applicant Mr. Patrick Lucas to the Board and had him sworn in to provide testimony about his application. The applicant testified he originally wanted to maintain the house and the garage on the current lot but upon finding out all the ordinances he would need to seek in order to make that happen he chose to knock the existing house and garage down and build from the ground up. Mr. Thorndike reviewed the lot and specifics of his application with him to get onto the record. The home being proposed would be within the building envelope and 4900 sq. ft. with a 3 car garage.
PUBLIC COMMENTS/QUESTIONS:
Mr. Edwin Thomas- 425 Bridgeboro Rd.
Mr. Thomas asked about the process of amending the application and Mr. Thorndike explained the process and what the applicant would need to do in the case he wanted to amend the application. Mr. Thomas also expressed his concern about the septic tank ordinance.

Ms. Mary Logiudice- 437 Bridgeboro Rd.
Mr. Logiudice is concerned about the size of the home being on such a small lot. She gave her support in moving the house forward on the lot to give more of a backyard to the applicant for purposes of entertaining or later down the road placing a pool.

BOARD COMMENTS/QUESTIONS:
None

- A motion to approve this application with the following conditions removing additional driveways, tearing down existing structures, and compliance with all other ordinances for new structures was made by Mr. Koory seconded by Mr. Williams. The roll call of eligible Board members was unanimous in favor. Motion Carried.

- **ZBA#2019-13A Moorestown Equities, LLC**
  **Block: 6505 Lot: 14.02 Zone: SRC-1&R-2**
  **200 Marter Avenue**
  **Decision Due: April 18, 2020**
  Final Site Bulk Variance – Preliminary & Final Major Site Plan for medical office

Mr. Damien DelDuca, attorney for the applicant, reviewed the application with the Board and why he was coming before them again with this application. Mr. DelDuca introduced the professionals and asked they all be sworn in and accepted as experts.

- Mr. Clifton Quay- Professional Engineer
- Dr. Laurence Ahr- Lead Physician of CHOP
- Mr. John McDonough- Professional Planner

All professionals were sworn in and accepted by the Board as experts. Mr. DelDuca introduced exhibits A-1 thru A-18 showing different aerial views of the property, the proposed building layout, and landscaping. Dr. Ahr was asked what type of delivery vehicles would be coming in and out of the facility, he testified there would only be small vans and UPS type trucks coming and going from the property since they do not have large deliveries that would need to be taking place. The Mount Laurel location will be closing and moving to this location in Moorestown since the practice has grown and they are in need of the additional space.

Mr. Quay was introduced to the Board to go over the general layout of the proposed building as well as landscaping, storm water management, and parking. A slight adjustment to the plans did cause the square footage to be less then what was proposed during the original application. There will no longer be a right turn from Main St. into the medical complex which will cause less traffic issues. The applicant has proposed extensive buffering in the back of the building to ensure the neighbors behind the building will not have a view of the building but will have beautiful landscape to look at as well as buffer any lights or sound that may come from the parking lot or building. The applicant would like to preserve as many existing trees as they possibly can during the process of building the complex and doing the landscaping. There will be a 6ft. high vinyl fence placed along the property as well for additional shield of the area. Mr. Quay reviewed the storm water
management plan with the Board and agreed to work with Board professionals for any additional items needing attention for the plan. There will be 122 parking places which is more than what is required for this building. There will also be a small generator in case of power loss, this generator is the size of one that can be found in a home and will only be used to keep the vaccines and other important medications cold should the power be lost. It will be tested once a week in the middle of the day to reduce disturbing the surrounding neighbors.

Mr. Quay also spoke to the signage being proposed for outside the building as well as along Main St. The sign would be free standing and would be 15 ft. back off the road which they felt was the best place for it and would not obstruct the driving view of those on Main or Marter. The signs being proposed are larger than what is allowed by the Township but the applicant did make them consistent with the other signs on Marter Ave. There will be no shared parking between CHOP and Powerback due to restrictions placed on the parking when the application was presented.

The applicant has agreed to work with the Board Professionals on all the suggestions made in the letters from them dated 2/12/20. Landscaping irrigation will be discussed with Taylor Design Group but the applicant is willing to comply with all suggestions. The building and parking lot lighting is also being revised to be less of a detriment to the neighbors and public.

Mr. McDonough, Planner presented exhibit A-20 and A-20-1 to discuss the positive and negative criteria for this application. He also reviewed the landscaping plan which will consist of 2000 flowers, perennials, etc as well as 500 plantings such as evergreens, shrubs, etc. This landscaping plan will ensure the beauty of the area as well as providing adequate buffering for the neighbors.

PUBLIC COMMENTS/QUESTIONS:
Joan Ponessa- 215 Locust
Ms. Ponessa came as the chairperson of the Environmental Committee sharing letter expressing concerns about the storm water management system presented as well as questions about who would be responsible should the current wet pond overflow. Mr. Quay testified in his professional opinion the systems proposed will function as they should and no problems will occur.

Pamela Richards- 304 Colonial Ave
Ms. Richards asked why the application was coming before the Zoning Board to present the final site plan if the appearance committee has not been able to review the application yet. It was explained to her that there was a time deadline and the appearance committee was an advisory board and did not have the final say in the decision of the application.

Ed Carideo- 628 E. Main St.
Mr. Carideo expressed his concern about the building and the fact that it may devalue his property in the future. He was also concerned about the lights and the noise that would be coming from the building once it is up and running. He also asked about planting some trees that would grow extremely fast so that he would not have to wait until the other trees mature before getting the adequate buffering he would like to hide the area from the back of his house.
Raman Abrol- 13 Madiera Ct.

Mr. Abrol expressed concern about maintaining the property since Powerback and Republic Bank do not currently maintain their property and he is consistently getting trash and dead branches in his yard. He would also like the trash enclosure moved to the front of the building so when it is picked up it will be less disturbing to him and his family. He expressed additional concern about the lights and the sign being too bright at night.

Michael Rivlin- 21 Madiera Ct.

Mr. Rivlin expressed concern about the lighting as well. He was also concerned about trespassing since he currently has issues with it from Powerback and Republic Bank. He would like the Board to place a tonnage limit on the back of the building to ensure there are no large delivery trucks or large vehicles that will be sitting in the back of the building idling and causing issues for the neighbors. He would like to know what the recourse issues would be for the applicant should they not comply with any of the conditions given.

Robert Zieniuk- 628 E. Main St.

Mr. Zieniuk expressed concern about lighting and parking. He was also concerned about the generator making too much noise and not being tested during the times the applicant agreed to. He spoke to the number of employees at Powerback and feels they have more than they were allowed to have and asked the Board look into that. He also spoke to the storm water management plan and how he would like to see it in play since he feels it is a current problem.

Barbara Rich- 37 E. Central

Ms. Rich would like all reports regarding storm water management be sent over to MEAC for review as well as the appearance committee. She would also like to have the appearance committee review the final site plan and give their input.

BOARD COMMENTS/QUESTIONS:

Mr. Turek asked for the maintenance agreement for the storm water management system and the applicant agreed to provide this. The applicant also agreed to amend the application to state they will be testing the storm water system monthly and not yearly as stated in the maintenance report.

The Board feels this is the best plan that has been brought to the Board so far. They do agree with the concerns for the homeowners about buffering, lighting and parking but feels the applicant has done a great job making accommodations and changes to ensure they are doing their best to minimize the problems with the homeowners.

Mr. DelDuca summed up the reasons the applicant was coming to the Board for final site plan approval and the many reasons why he felt this application and plan was a great addition to Moorestown.

- A motion to approve this application with conditions meant was made by Mr. Koory seconded by Ms. Gallo. The roll call of eligible Board members was unanimous in favor. Motion Carried.
This application will be carried to March 17, 2020 should there be an issue with the Appearance Committee with no new notice required.

- With no further business to discuss, Mr. Koory made a motion, seconded by Mr. Maguire to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 11:40pm.