

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
February 21, 2023**

**MEMBERS PRESENT:**

William Creeley  
Lynne Schill  
Vincent D'Antonio  
Nicholas Repici, Alt. 1  
Tim Monahan  
Caryn Shaw, Alt. 2

**STAFF PRESENT**

Patty Muscella, Board Secretary  
Danielle Gsell, Recording Secretary  
Melanie Levan ESQ, Board Attorney  
Michelle Taylor, P.P, A.I.C.P Board Planner

Absent: Walter Fazler, Joe Hanuscin, Valerie Sirani

Ms. Schill called the meeting to order in the Council Chambers at 7:03pm 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.

Swearing in of Professionals

Ms. Levan swore in Ms. Taylor as the Board Planner to provide testimony on the application being presented tonight.

**RESOLUTIONS:**

NONE

**MINUTES:**

- A motion to approve the January 17, 2023 was made by Mr. D'Antonio seconded by Mr. Creeley. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

**PUBLIC HEARING:**

- ZBA#2020-28EXT, ACTS Management Services, Inc., 309 Bridgeboro Road, Block 5400 Lot 11, Request for Extension of Use Variance Approval & Preliminary & Final Site Plan.

Mr. William Hyland, Attorney for ACTS Management Services, Inc. came before the Board asking for a 1year extension on the Approval given at the April 20, 2021 meeting. He introduced Mr. Jason Guss, a representative for ACTS to provide an update on what work has been being done since the last time they came before the Board. The reason they have asked for an extension for the additional renovations is because of the lack of materials available during COVID, staffing

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
February 21, 2023**

changes and the large price increases. Mr. Guss detailed the current and future renovations to the property.

- A motion to approve this 1 Year Extension was made by Mr. D'Antonio seconded by Mr. Creeley. The roll call vote of eligible Board Members unanimous in favor. Motion Carried.
  
- ZBA#2020-11A, Amar Ghai & Kriti Sharma, 3 Farm House Court, Block 7500, Lot 1.15, Zone R-1, Bulk Variance to construct a pool and spa with hardscaped patio and a wood framed shed.

Mr. Rich Roy, Attorney for the applicant reviewed the application with the Board siting they had worked to make some changes to the application based on the comments from the Board during the last Zoning Meeting they were heard at. Exhibit A-1, a 43 page set of photos showing the grading plan as well as the proposed fencing and landscaping that will be added as part of the project. Mr. Simon Darlington from Darlington Designs spoke to the fence being installed which would be a 4ft. black aluminum fence around the property as well as 900 sq. ft of pavers around the project area. Mr. Ghai, applicant testified he moved the fence about 40 to 50ft. from Hartford Rd. after considering the comments made by the Board at the last hearing. He also testified he was not able to move the pool since he has many grading issues on the property and it was not something he would be able to do. They have buffed up the proposed landscaping to create more privacy for themselves as well as shield the project from those on Hartford Rd.

Mr. Roy asked Mr. Darlington if the new proposed plan was pleasing to the eye and he agreed. Since they had made so many changes to the application based on comments from the Board they felt this was a better application being presented since the applicant has road blocks to his lot with the setback requirements and the way his house is situated on the lot. Mr. Darlington reviewed the size of the patio and plunge pool so the Board could get refreshed on what was being asked for as well as how it would look with the new changes made to the application.

Ms. Taylor spoke to her letter and what she was looking for in the application. Since the applicant had already agreed and added additional landscaping to the project Mts. Taylor was satisfied. Mr. Roy than summed up the application and asked for the Board's consideration in approving due to the changes and the challenges the applicant faces with his property.

Ms. Levan reiterated to the Board what they needed to approve for this application.

BOARD COMMENTS:

During Board deliberation there was much discussion about the sympathy they felt for the applicant since he is faced with many challenges because of his lot postion. They also spoke about the gratitude they felt because the applicant had taken the time ot

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
February 21, 2023**

do back to the drawing board and make changes to the original application. He also added additional landscaping and moved the fence. Some Board members spoke to the dislike about this application not sticking to the Master Plan and the precedent it will be setting for applications in the future. All Board members agreed there should be a discussion with other Boards about language in the Master Plan so the lines are clearer for the lots that have issues such as this one.

- A motion to approve this Application was made by Mr. Repici seconded by Mr. Monahan. The roll call vote of eligible Board Members 5 to 1 in favor. Motion Carried.
- ZBA#2022-24, Kamaljit Singh, 1 Farm House Court, Block 7500, Lot 1.16, Zone R-1, Bulk Variance - Construction of a new deck.

Mr. Kamaljit Singh, applicant and Mr. Angadereet Aujia, son of applicant came before the Board with a revised application. From the Board comments made at the last hearing the applicant has made the proposed deck smaller which would now be about 1000 sq. ft. they also testified they pulled the deck back about 19 ft. from the property line meaning it will now be about 139 ft. from the property line where 150ft. is required. Exhibit A-4, new deck plans, were presented so the Board could see the changes made to the application and the decking size. The applicant reiterated they would like this deck since their grandmother had suffered a heart attack and could not do steps but would still like to enjoy the outside.

Ms. Taylor reviewed her letter and asked the applicant if they would be willing to mitigate the project with additional trees and shrubs. The applicant testified they had already planted about 150 evergreen trees around the property that were about 7 to 8ft in height already. The Board suggested putting some lower landscaping around the bottom of the decking that would help hide some of the bottoming decking and make it more pleasing to the eye.

Ms. Levan reiterated what the Board needed to keep in mind when talking about the application.

**BOARD COMMENTS:**

The Board spoke about their appreciation to the applicant for going back and making changes to the original application based on their comments from the last hearing. They agreed adding the additional landscaping would be a nice touch to the project and would make it more pleasing to the eye.

- A motion to approve this Application with the following conditions:
  - Updated/corrected survey to scale
  - Work with Taylor Design Group on the additional landscaping being planted

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING  
February 21, 2023**

was made by Mr. D'Antonio seconded by Mr. Creeley. The roll call vote of eligible Board Members unanimous in favor. Motion Carried.

**DISCUSSION:**

Ms. Janice Caccuro, 521 Bartram Rd., commented on the decision made at the August 2021 Zoning Board meeting regarding the CSLR- Sober Living home on Cox and Bartram Rd. She wanted to make sure the Board was keeping on top of the Township Attorney and what was happening with the Courts and their decision of this application. She testified she is not opposed to having a CSLR in Moorestown but HEF Ventures is violation with not only township code but also with their license. She feels those living there are not getting proper treatment. She also wanted the Board to know that HEF Ventures was a for profit company out of Florida.

Mr. Earl Marks, 558 Bartram Rd., asked if the Zoning Board would considered enforcing a buffer around the neighborhood so the CSLR cannot be there. Ms. Levan explained that is not something that could be done since the Zoning Board does not have the kind of jurisdiction in the town.

Ms. Karen Gavis, 512 Bartram Rd., wanted to know why the company was not being fined for being in violation of the township code. Ms. Levan told her she would need to contact Mr. Aberant the Township Manager, since the Board does not the authority to make those decision.

**ADDITIONAL BUSINESS:**

**PUBLIC COMMENTS:**

**ADJOURNMENT:**

With no further business to discuss, Mr. D'Antonio made a motion, seconded by Mr. Repici to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 8:35pm.