MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
June 16, 2020

MEMBERS PRESENT:
Joseph Maguire
Mark Williams
Walter Fazler
Vincent D’Antonio
Georgette Castner
Lynne Gallo
Arthur Greene, Alternate I
William Barker, Alternate II

Absent: Lynne Schill

Mr. Maguire called the meeting to order in the Council Chambers at 7:15pm 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:
• NONE

MINUTES:
• A motion to approve the February 18, 2020 Meeting Minutes was made by Mr. Fazler seconded by Ms. Gallo. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

PUBLIC HEARING:
• ZBA#2019-13A Moorestown Equities, LLC Block: 6505 Lot: 14.02 Zone: SRC-1&R-2
  200 Marter Avenue
  Final Site Use Variance – Preliminary & Final Major Site Plan for medical office building.

  Mr. Damien DelDuca, attorney for the applicant gave the Board an overview of the
  recommendations the applicant agreed to since meeting with the Appearance Committee as one of
  the conditions of approval. Mr. DelDuca testified the applicant was willing to comply with the
  recommendations and thanked the Board for their time and attention in handling this application.

  • A motion to approve this Application was made by Mr. D’Antonio seconded by Ms.
    Gallo. The roll call vote of eligible Board Members was unanimous in favor. Motion
    Carried.

  • ZBA#2019-33: Total-New Remodeling, LLC Block: 2202 Lot: 10/11 Zone: R-3
    16 Roberts Avenue
    Decision Due: June 30, 2020
    Bulk variance for front and side yard and lot consolidation.
Ms. Melanie Levan, attorney and Mr. Tim You, applicant were sworn in by Mr. Thorndike. Ms. Levan described what is currently been done to the property and why the applicant was seeking relief. In October of 2019 the owner was cited by the township for the work that had been done to the property without permits, which was why the applicant had to appear in front of the Board. Although when the addition was put on the back the required 5ft. set back was kept it did change other aspects of coverage. Ms. Levan reviewed the exhibits of before and after pictures of the property since the work had been completed. Mr. Thorndike questioned the flood plain issues that were brought to the Board's attention from Mr. Joe LaRocca, Construction Official and Flood Plain Master, Mr. Thorndike was told Mr. LaRocca would be speaking to the application later during the hearing. Ms. Levan testified to the letter from Mr. LaRocca asking the applicant to comply with the following conditions:

1. Flood Vents
2. Raising current floor of Basement a few feet
3. Relocating all utilities above the basement

Mr. Maguire asked the applicant what he did for a living and was told he was a contractor, which in Mr. Maguire's opinion meant he should have known that he needed to get the permits for the work.

Mr. LaRocca, Moorestown Township Construction Official and Township Flood Plain Manager, joined the meeting via telephone and spoke to the flood plain issues which were noted and the conditions made to the applicant to add the above listed items to the house in order to gain approval from Mr. LaRocca. Michelle Taylor raised some questions about the roof and the changes to the front of the house asking if there were any additional changes going to be made to the house, which the applicant stated there would not be at this time. Ms. Gallo asked if the property was his current residence or if he planned on renting the property out. The applicant testified the property was vacant currently but he was looking into renting it out in the near future.

Mr. Maguire asked Ms. Taylor what her suggestions would be to make the home look more similar to the other homes on the street. Ms. Taylor listed some suggestions and stated she thought these renovations had improved the house.

Ms. Levan summarized the reasoning for bringing this application to the Board and asking for the variances. She asked the Board approve this application since the renovations in her opinion made the house much nicer.

PUBLIC COMMENT:

No public was on the conference and did not have any comments to make.
BOARD COMMENT:

Mr. Thorndike gave the Board a summary of what they were voting on and what they should keep in mind during their deliberation.

Mr. D’Antonio stated he was concerned this work had been done without permits but could support the application since it did make the house look much nicer.

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

- ZBA#2019-34: 205-209 Chester Avenue, LLC

  Block: 4403 Lot: 4&5 Zone: CRO

  Decision Due: June 30, 2020

  Use Variance to meet the conditions exclusively for apartments.

  Mr. George Matteo, Attorney for the applicant, reviewed the application and the reason for coming before the Board. The applicant would like to convert the current commercial building into residential apartments. Mr. George Matteo asked Mr. Thorndike to swear in the witnesses for this application:

  Mr. Francis Longo- Owner of LLC, applicant
  Mr. Samuel Agresta- Engineer/Planner
  Mr. Tom Gillis- Architect

  Mr. Thorndike swore them in and the Board accepted them as experts in their respective field. Mr. Longo testified to the Board his family purchased the property in the summer of 2006 at which point there were some tenants occupying the space but unfortunately shortly after that they moved out and the place has been vacant since then. After contacting a number of realtors trying to get the building rented out and have been unsuccessful so the applicant has decided to renovate and turn it into smaller apartments to rent out. According to Mr. Longo there will be no changes to the exterior of the building minus replacing some of the siding should it need it as well as redoing the landscaping to make the exterior appearance much nicer than it is currently.

  Mr. Gillis was introduced to review the plans for the new apartments which will include the following:

  Unit A & B on the first floor with access from Main st
  Unit C which will be accessible from the front door
  Unit D which will be accessible from the back parking lot and will have a second floor including a bathroom and bedroom.

  On the second floor there will be
  Unit E & F which will be similar to Unit A & B on the first floor
  Unit G which will have its own entrance with a layout similar to Unit D

  Any unit can be adapted to be in compliance with the ADA if necessary. There are also 2 large mechanical units currently on the roof which will be reviewed and possibly changed to smaller units if the applicant chooses to do so.

  Mr. Agresta was introduced and asked to testify to the Site layout as proposed by the applicant. Mr. Agresta testified to the parking lot and number of spaces there would be noting they
have provided more than required. The landscaping will include more shrubs and trees as well as new mulch and grass in the areas that need it. The lighting will be minimal and should have no effect on the neighbors. The trash enclosure will be vinyl fencing and each unit will have their own trash and recycle bins. The applicant also agreed to meet any additional expectations or recommendations from the professionals about the landscaping or lighting should there be any. Mr. Agresta also spoke to the positive and negative criteria for the application and felt by granting this application it would improve the area.

Mr. Maguire asked how this application would affect the affordable housing obligation. Mr. Matteo stated the applicant would either make a contribution to affordable housing or make 2 apartments a part of the affordable housing since they are obligated to have 1.2 units currently, the applicant had not made a decision on what they wanted to do about it yet.

Mr. Turek expressed his confusion about whether or not he should be reviewing a site plan for this application since they are asking for a waiver. Mr. Thorndike explained what the applicant was asking for and that a site plan was not in need of review at this time.

Mr. Matteo did testify that once again the applicant was willing to comply with all recommendations made by the professionals in their letters.

Michelle Taylor was sworn in to give testimony to the letter written on 1/2/2020 about the density and variances the applicant was seeking. Ms. Taylor expressed she felt the Board should not approve a site plan waiver and should actually request one since there was not clear testimony about what the applicant wanted to do to the property. Ms. Taylor spoke to the 2002 Master plan as well as the 2018 Re-Examination and how she felt this applicant went along with what the 2002 Master Plan stated. Ms. Taylor also suggested the applicant appear in front of the appearance committee. Mr. Matteo cross-examined Ms. Taylor speaking to her concerns about density and how the applicant fit into the Master Plan. Mr. Turek asked questions about the current cars that are in the lot and asked if they are being leased currently to others in the neighborhood. The applicant said no they are just being good neighbors and letting them park there for free but that would change should the application be approved.

PUBLIC COMMENT:

No public was on the conference and did not have any comments to make.

BOARD COMMENTS:

Ms. Gallo asked what the proposed rent would be on the apartments. Mr Longo explained that at this time there was not a way to give a number since they are not sure how long the renovations would take and that would have an impact on giving a number. He also stated there would be a washer and dryer in each unit.

Mr. Maguire asked why the applicant was asking for a site plan waiver. Mr. Matteo stated since there was not going to be a significant change to the outside there was no need for a site plan to be presented.

Mr. Fazler asked how you would get from the back of the building to the front. Mr Longo stated there were about 3 ways to get from the back alley way to the front of the building. Mr. Agresta testified the applicant would be widening the walkway from the trash enclosure are to East 2nd St.

Mr. Maguire closed for deliberation. The Board expressed many concerns about wanting to see a site plan as well as the density issues brought up during the meeting. Ms. Gallo expressed much concern about
possibly adding another bus stop to the area and causing traffic issues. The Board also wanted the applicant to appear before the Appearance Committee.

- A motion to approve this Application was made by Mr. Fazler seconded by Ms. Gallo. The roll call vote of eligible Board Members was 4 to 3 vote resulting in a denial. Motion Carried.

- With no further business to discuss, Mr. Fazler made a motion, seconded by Mr. Maguire to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 10:52pm