MEMBERS PRESENT:
Joseph Maguire
Lynne Schill
Walter Fazler
Vincent D ‘Antonio
Georgette Castner
Engineer
Lynne Gallo
Arthur Greene, Alternate I
William Barker, Alternate II

Absent: Mark Williams

Mr. Maguire called the meeting to order in the Council Chambers at 7:02pm 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 April 21, 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#2016-16 Drew Krisanda & Raymond O’Connor
  Block: 4205 Lot: 17 & 18 Zone R-3
  323-325 North Washington Ave
  Decision Due: June 30, 2020
  Deed filing restriction extension

  Mr. Chuck Petrone, attorney for the applicant was sworn in by Mr. Thorndike. He then reviewed the application and explained why the applicant was coming before the Board. This application needed to be brought before the Board since so much time had lapsed since the original approval due to miscommunication between the applicant and the contractors and legal counsel. Mr. Petrone spoke as legal counsel for Mr. Krisandra since he was on the video conference but did not any audio and could not speak. Mr. Thorndike asked Mr. Petrone if the delay was caused by the governmental approval
they needed and was told that was indeed the reasoning. Since all the plans were exactly the same there were no additional comments needing to be made.

BOARD COMMENT:
NONE

PUBLIC COMMENT:
NONE

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

- **ZBA#2019-34 Thomas Marecki**
  
  307 Fairview Avenue
  
  Block: 2106 Lot: 5 Zone: R-3
  
  Decision Due: August 30, 2020

  Bulk Variance – Partial 2nd floor addition onto existing home.

  Mr. Thomas Marecki and his contractor Mr. Joseph Clymer were present for this application and sworn in by Mr. Thorndike. Mr. Thorndike reviewed the application with Mr. Marecki noting lot size, placement of 2nd floor addition as well as what other homes in the neighborhood looked like. Mr. Marecki explained he wanted to build a partial 2nd floor addition to his current home since he needed some more space then what he currently had. The proposed addition will be built straight up making it so there is no additional variances needed. Mr. Maguire asked about the square footage increasing because of the addition and Mr. Clymer explained the proposed addition would make the house look like it has a bigger footprint but in reality some of the proposed addition would be taller ceilings therefore not increasing the footprint.

  BOARD COMMENT:

  Ms. Schill commented she thought the house would fit in perfectly with the addition since she had been through the neighborhood and many of the other houses had 2nd floors.

  PUBLIC COMMENT:

  NONE

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

- **ZBA#2019-12 Robert Allen & Dorothy Allen**
  
  116A Borton Landing Rd.
  
  Block: 5800 Lot: 49 Zone: R-2
  
  Decision Due: August 30, 2020
Seeking approval for the buildings on site and existing uses including but not limited to Woodedge Stables and Allen's Kennels.

Mr. Thorndike swore in the applicants and their attorney’s as well as the professional Planner to begin testifying to the application.

Mr. Bill Hyland- Attorney for Ms. Dorothy (Dottie) Allen  
Ms. Dottie Allen- Applicant  
Mr. Barry Wendt- Attorney for Bob Allen  
Mr. Robert (Bob) Allen- Applicant  
Mr. James Miller- Professional Planner  

Mr. Hyland gave some background to the nature of the application and asked Mr. Wendt and Mr. Allen to testify first. Mr. Allen gave history to the Farm starting back in 1944 when the farm was purchased. Mr. Allen also provided testimony about the barn on the property that was purchased from the Township in 1974. Mr. Allen then went on to explain what roles he plays at the Farm where he has the horse stable (Woodedge Stables) he currently owns about 20 horses and there are 15 horses that stay at the stable for training. During the summer months the stable offers classes to have people come and train with the horses to prepare them for various shows. Currently the stable does not offer boarding for the horses unless they are a part of the training program.

Mr. Allen was asked if he had an apartment in his home for the workers he employees at the stable, which he testified he did not. Mr. Wendt stated the Allen Family has been trying to sell the farm since about 2015 but have been unsuccessful due to the water moratorium, there is not a contractor that is interested in purchasing the land or some of the land since they cannot develop it.

Ms. Allen was introduced to the Board to speak to the kennel which she operates on the farm. The kennel was started in 1957 with 8 kennels with the success of the kennel they needed to add additional kennels in 1960. On the property they also offer dog training and boarding. Currently the facility can board up to about 75 dogs at one time, Ms. Allen explained their “busy” seasons and their “non-busy” seasons. She also explained the kennel hours and the number of employees she has at one time. The training session’s times can vary depending on what the dog is being trained for. They also provide grooming services while the dogs are boarded there as well as by appointment for those outside of boarding. When asked if there were delivers made to the property Ms. Allen testified there is one truck that comes about 2x a month to deliver food and other supplies. There are outside lights around the kennels that are motion censored but they are not bright and do not stay on consistently. The lights in the kennel are not on during times of closure and the lights on the house are standard. Ms. Allen has renewed her kennel license faithfully every June since the early 1970’s.
Mr. James Miller, Professional Planner was asked to review the positive and negative criteria of approving this application. Mr. Miller reviewed with the Board the uses the applicants were seeking as well as each zone classification. Mr. Miller showed the zoning maps over the years and how the zones have changed since the original purchase of the farm in 1944. Mr. Miller was asked to speak to the letter (dated 6/25/19) written by our Construction Official, Mr. Joe LaRocca who was present on the conference to provide any additional testimony to the letter. Mr. Miller spoke to each item on the list providing an update on them.

Item # 1- Building Drains must discharge into an approved septic or sewer.
  o On 11/21/2019 a dye test was completed and the results sent to the ZBA for review

Item # 2- Drainage system designed and maintained to guard against deposit of solids and clogging
  o Repairs were made to the system in November 2019 and paperwork was sent to ZBA

Item # 3- Requires Septic Tank to be abandoned when the connection to the public sewer.
  o Ms. Allen has contracted a professional contractor to disconnect the septic and fill the tank with sand or stone. Mr. Thorndike requested a copy contract between Ms. Allen and Mr. Booth the contractor.

Item # 4- All distribution boxes/tanks must have a secure lid.
  o The distribution boxes/tanks were brought up to code in 2019 according to Mr. Miller

Item # 5- Prohibiting combining of storm water and sanitary system
  o Provided a diagram and some testimony on how this problem will be fixed by adding a roof drainage system.

Item # 6- Requires solid interceptors to be installed to prevent harmful materials from entering drainage system
  o Hair traps have been installed to correct this issue

Item # 7- Requires lavatories for employee and public toilet facilities to be located in the same toilet facility
  o Sinks have been installed in all the bathrooms that did not have them

BOARD COMMENT:

Mr. Fred Turek- ZBA Engineer, wanted to know what the time frame was going to be to bring Mr. Nicolson in to complete the work for the new drain system. At this time there was no given time frame due to the pandemic but the applicants ensured they were working on getting this project started.
Ms. Taylor-Taylor Design Group, spoke to the application and spoke her concerns about the sanitary sewer system which again the applicant stated should be corrected soon.

PUBLIC COMMENT:

Robert Giannone-11 Windermere Dr.
Mr. Giannone expressed his concern about the kennel being a disruption since he lives close by and can hear the dogs barking at all hours of the night. He asked the Board to consider asking the applicant to do something about the noise so that it is less of a disruption to the neighbors.

Mark Donohue-26 Windermere Dr.
Mr. Donohue lives next to the property and expressed the same concerns as his neighbor about the noise and allowing the dogs to run free in the kennels at night, asking the Board to take that into consideration when making a decision.

Joan Ponessa-Chairperson of MEAC
Ms. Ponessa referenced her concerns in the letter written by MEAC regarding the property and the health violations. She asked the Board to be mindful of them when making their decision and she understood they were not coming before the Board for those but they needed to know it was a concern MEAC had.

Ryan Francis-457 N. Church
Mr. Francis testified he has spoken to many people about the fact they are upset with the noise coming from the farm during the night time hours and there is something that needs to be done about it.

Allison McGuigan-25 Beth Dr.
Ms. McGuigan testified she did not feel the same way that her neighbors did because she feels that farm does many good things for the community and it is nice seeing the open fields.

Mr. Hyland and Mr. Wendt each summed up their clients reasons for coming before the Board as well as Ms. Allen explaining to the Board that a number of years ago she had a contractor come to the kennel to build a special wall behind the kennel that was supposed to be sound resistant but in her opinion it does work as it was promised.

Mr. Thorndike instructed the Board on the items of the application they should be focusing on and recapped all the variances the applicants were requesting. Mr. D’Antonio felt a lot of information was given about the Farm and was leaning in favor of approval requiring the applicants to meet all the violations in Mr. LaRocca’s letter within 60 days and then another 90 days would be the timeline for the water system design.
from Mr. Nicolson once the permits are issued. If DEP approval is required there will be an adjustment to the time frame.

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

**DISCUSSION/ADOPTION:** **AMENDING RESOLUTION NO. ZBA-2020-01**

A RESOLUTION SETTING THE ANNUAL MEETING SCHEDULE OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF MOORESTOWN FOR 2020 (New Dates & Time)

Mr. Maguire read the resolution outlining the new dates and times for the Zoning Board Meetings for the rest of the 2020 Calendar year.

- A motion to approve this Resolution with requirement to meet all conditions was made by Mr. Fazler seconded by Ms. Schill. The roll call vote of eligible Board Members was unanimous in favor. 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 11:02pm