

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING**

January 17, 2023 (Re-Organization Meeting)

MEMBERS PRESENT:

Walter Fazler
Lynne Schill
Vincent D'Antonio
Nicholas Repici, Alt. 1
Joe Hanuscin
William Creeley
Valerie Sirani
Tim Monahan
Caryn Shaw, Alt. 2

STAFF PRESENT

Patty Muscella, Board Secretary
Danielle Gsell, Recording Secretary
Melanie Levan ESQ, Board Attorney
Frederick Turek, P.E., C.M.E, Board Engineer

Absent: none

Ms. Muscella called the meeting to order in the Council Chambers at 7:00pm 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.

Administration of Oaths:

Full Members: Vincent D'Antonio, Valerie Sirani, and William Creeley

Alternate Members: Nicholas Repici, Caryn Shaw

Selection & Election of Officers – 2023

- Chairman
 - A motion to appoint Mr. Walter Fazler as Chairman was made by Mr. D'Antonio seconded by Ms. Schill. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- Vice Chairman
 - A motion to appoint Ms. Lynne Schill as Vice Chairman was made by Mr. Creeley seconded by Ms. Sirani. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

RESOLUTIONS:

MBA#2023-01 – Adoption of “Annual Meeting Notice” Resolution

- A motion to approve this resolution was made by Mr. Creeley seconded by Mr. Hanuscin. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING**

January 17, 2023 (Re-Organization Meeting)

MBA#2023-02 Appointment and Awarding of Contract of Zoning Board Attorney

- A motion to approve this appointment of Ms. Melanie Levan was made by Mr. D'Antonio seconded by Ms. Schill. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MBA#2023-03 Appointment and Awarding of Contract of Zoning Board Engineering

- A motion to approve this appointment of Mr. Fred Turek was made by Mr. Hanuscin seconded by Mr. D'Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MBA#2023-04 Appointment and Awarding of Contract of Zoning Board Planner

- A motion to approve this appointment of Ms. Michelle Taylor was made by Mr. Creeley seconded by Ms. Schill. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MBA#2023-05 Appointment and Awarding of Contract of Landscape Architect

- A motion to approve this appointment of Mr. Scott Taylor was made by Ms. Schill seconded by Mr. D'Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MBA#2023-06 Appointment of Zoning Board Secretary

- A motion to approve this appointment of Patty Muscella was made by Mr. Creeley seconded by Ms. Schill. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MBA#2023-07 Appointment of Zoning Board Recording Secretary

- A motion to approve this appointment of Danielle Gsell and Mackenzi Kelly (Alternate) was made by Ms. Schill seconded by Mr. D'Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MBA#2023-08 Resolution Electronic Guidelines

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

ZBA#2021-30, Cellco Partnership d/b/a Verizon Wireless, 41 East Main Street, Block 4405, Lot 53 & 54, Zone CRO, Use Variance - Proposed wireless telecommunications facility.

- A motion to deny this application was made by Mr. D'Antonio seconded by Mr. Fazler. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING**

January 17, 2023 (Re-Organization Meeting)

MINUTES:

- A motion to approve the December 20, 2022 with revision of taking off Mr. Creeley who was listed twice in attendance was made by Mr. Creeley seconded by Mr. Hanuscin. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

PUBLIC HEARING:

- ZBA#2022-24, Kamaljit Singh, 1 Farm House Court, Block 7500, Lot 1.16, Zone R-1, Bulk Variance - Construction of a new deck.
 - This application has been carried until March 31, 2023. New notice will be required from the applicant.
- 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. Richard Roy, Attorney for the applicant introduced himself to the Board and asked that his client Mr. Amar Ghai and Mr. Simon Darlington from Darlington Designs who is the project manager be sworn in so they would be able to testify to the application. Mr. Roy then reviewed the application with the Board since this was an application submitted previously and how they would be changing the design of what was previously granted. Upon completion of his background of the application he then asked Mr. Ghai to testify on how he would be improving his back yard and why he had chosen the location for the proposed pool, patio and shed. He previously had a deck and pool built under the other deck he had but found it was not as effective as he would have liked. He stated there had been flooding to the basement but could not say it was due to the pool. The new pool will be 285 sq. ft. and with the spa included the total square footage would be 375 sq. ft. Mr. Ghai testified he was asking for the pool and deck location to be as proposed since moving it would make it more visible to his neighbors and the street. There is a proposed shed built on property in order to store pool equipment and life jackets, etc. The reason he would like to have a 54 inch fence built around the property is to allow his children to be outside without fear of running out into the road as well as allowing his large dog to be allowed outside. The fence will also provide additional privacy to them when they are out in the spa and pool.

Mr. Simon Darlington was introduced to the Board and gave his background. When asked about the pool size he testified this pool is significantly smaller than a "normal" pool. He spoke about the slope of the yard and how the applicant couldn't really move the pool to a different location since it would be visible to the neighbors and those driving down the road. He testified about the vegetation that is proposed to be planted and how it would be about 7 to 8ft. tall when planted in order to provide the privacy the homeowner is looking for. When asked about the septic tank and the leaching area on the other side of the property Mr. Darlington again stated it would be difficult to move

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING**

January 17, 2023 (Re-Organization Meeting)

the proposed project to the other side due to the grading and the equipment already there for the septic tank. Mr. Ghai and Mr. Darlington would be willing to meet with the Board Planner and Board Landscape Architect to discuss the grading and the proposed vegetation should the Board ask that of the applicant. Mr. Darlington testified he didn't think it would be detrimental to the property with the proposed pool and structures being built in the location they had chosen. When asked to describe the shed the homeowner testified it would be a 10X20 pre-fab shed brought onto the property and would not include large doors or any bays.

When asked about the site plan and how it was being measured Mr. Darlington stated it was done in inches and spoke to the grading of the property. Mr. Simon explained the reason he would not in his opinion be comfortable moving the location of the proposed project since it would be more visible to Hartford Road and the applicant would not be able to build any additions in the future. Mr. Turek asked about providing a survey of the property since there had been a lot of discussion of grading but the Board and the Professionals could not visually see what was being discussed. Ms. Taylor spoke to her letter and the set-back of the property and how it did make it difficult to build on this property. She expressed her concern about location and the buffers being created, since she had not looked at the landscape plan she could not fully speak to that.

Mr. Roy summed up his application and asking the Board to speak to the application they had in front of them. Ms. Nancy Jamanow asked about the placement of the fence and where it would be located, she felt what was being proposed was excessive. Ms. Schill would like to see a grading plan and an alternate plan for the placement of the fence. Many Board members agreed it would be helpful to see the grading plan and photos of the property as it stands now so they would have a better idea for the reasons behind wanting to have the pool and structures built in the location being proposed. With this information provided from the Board Mr. Roy asked for a continuance to the February 21, 2023 Zoning Board Hearing which he was granted with no new notice required.

Mr. Fazler stated the January 31, 2023 meeting was canceled since there were no applications needing to be heard,

DISCUSSION:

Ms. Schill wanted to thank Ms. Barbara Rich for all her hard work and dedication to the Township and how she makes a huge difference within the town.

ADDITIONAL BUSINESS:

PUBLIC COMMENTS:

ADJOURNMENT:

With no further business to discuss, Mr. Monahan made a motion, seconded by Ms. Schill to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 8:32pm.