

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
July 16, 2024**

MEMBERS PRESENT:

Vincent D'Antonio
Greg Heleniak, Alt. 2
Joe Hanuscin
Lynne Schill
William Creeley
Walter Fazler
Nicholas Repici

STAFF PRESENT

Patty Muscella, Board Secretary
Melanie Levan, Board Attorney
Danielle Gsell, Recording Secretary

Absent: Caryn Shaw, Alt., Timothy Monahan

Mr. Fazler 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.

RESOLUTIONS:

- ZBA #2024-12 Samir and Roma Zarapkar, Block 9201 Lot 7, 133 Oakmont Drive, Bulk Variance for Side Yard Setback. (19' where 25' is required)
 - A motion to approve this Resolution was made by Mr. Hanuscin seconded by Ms. Schill. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA #2024-14 Daniel and Jessica Beiting, Block 1610 Lot 3, 112 N. Colonial Ridge, Bulk Variance for Lot Coverage. (32.4% where 30% is permitted)
 - A motion to approve this Resolution was made by Mr. Hanuscin seconded by Mr. Repici. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- Resolution No.2024-18 Appointing Patricia Muscella as Zoning Board Secretary and Damian J. Gil as Alternate Zoning Board Secretary
 - A motion to approve this Resolution was made by Ms. Schill seconded by Mr. Hanuscin. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MINUTES:

- A motion to approve the May 21, 2024 was made by Mr. Hanuscin seconded by Mr. D'Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

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SWEARING IN OF PROFESSIONALS:

- None

NEW BUSINESS:

- ZBA #2024-15 Marianne Riggins, block 4107 Lot 7, 121 West Maple Avenue, Bulk Variance for Front Yard Setback (16' where 20' is required)

Ms. Riggins, Homeowner and Mr. Justin Weisser, architect was sworn in and reviewed the application with Ms. Levan. Since Ms. Riggins was heard at the June meeting there was only a brief recap of the application heard at that meeting. This application does not need a impervious coverage anymore since there were incorrect calculations done when the application was submitted. There were some additions to the plans such a rain garden and some landscaping but that didn't have any effect on the coverage being asked for. The proposed porch will be portico roof and siding to shield Ms. Riggins from the elements when she comes from her driveway to house. As a condition of approval, the architect is to submit revised plans showing the small slab on the side of the house that stores the garbage and recycle can.

- A motion to approve this application with the mentioned condition was made by Mr. D'Antonio seconded by Mr. Hanuscin. Mr. Heleniak abstained from voting on this application. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

- ZBA #2024-22 EXT 121-125 W. Camden Avenue, LLP, Block 1100 Lots 12-16 and Block 1102 Lots 40-44, 121-125 West Camden Avenue and 201-213 West Camden Avenue, Extension of an Approval.
 - This application was carried to the August 20, 2024 meeting with no new notice being required. The Board asked that the applicant be told this will be the last time they are granted an extension since this is wasting resources and taking up a spot for another potential application to be heard.
- ZBA#2024-16 Betz/Ivanov, block 4503 L 10, 233 S. Washington Ave., Bulk Variance to permit a 6' high fence in the Front Yard Setback where 3' is permitted.

Ms. Nicole Ivanov, Homeowner and Mr. Edward Vidal, attorney was introduced to the Board and gave a brief overview of the application for the Board. Ms. Levan swore them in to provide testimony to the application and what they were coming to the Board for. Ms. Ivanov testified she would like to have a 6ft. solid wood fence around her property for the privacy, and safety of her dog and future children. She would like to have the fence placed on the property line since she has a smaller lot then most on her street and doesn't want to lose what yard she does have. She testified there would be small flowers and shrubs planted along the fence line but would not be planting anything that would be dangerous or obstruct the view of cars or people walking. Mr. Vidal spoke to the photos submitted with the

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application of other fences in the neighborhood that would be similar to what Ms. Ivanov was requesting. The Board had questions about the survey provided and asked for clarification on the placement of the fence and the distance between the fence and the curb. Since there is no sidewalk the Board was concerned about there being enough room for people to walk down the side of the fence without being in danger of being in the street. They asked the applicant if she would be willing to move the fence in more and she asked how much more. Since the Board was not sure of the space size between the fence and the curb they could not/ would not give an answer. Since there was missing information the Board needed in order to decide the applicant agreed to adjourn this application until the August 20,2024 meeting with no new notice required. The Board agreed this would be the best option for the applicant.

PUBLIC COMMENT:

Greg Lavardera, architect for next applicant offered to go so the homeowner could go home and measure to come back and continue with the application. The Board could not allow the applicant to do that but thanked Mr. Lavardera for his kindness.

Pamela Richards, Moorestown Resident, spoke parking and the streets being congested with cars on either side of the street. She spoke about many properties having fences installed without permits and it being important for the Board to have all the details and numbers of coverage before making their decisions.

Valerie Holmes, Moorestown Resident, spoke about her understanding that there is an automatic 58ft right away for those that don't have sidewalks such as this property. She talked about the safety of those walking and having to be out in the street if the fence was too close to the road not leaving enough room for people to walk. She wished the applicant good luck with her application.

Benjamin Harris, 300 S. Washington was one of the homes referenced in the application talking about his fence. He felt this would be beneficial to the applicant since they need the privacy and with their future children it would provide the safety they are looking for. He supported the application and hopes the Board would approve it.

- ZBA#2024-17 Hageman, block 4303 Lot 13, 31 East Central Ave., Bulk Variance for Side Yard Setback (9.12' where 12' is required)

Mr. Greg Lavardera, Architect and Mr. and Mrs. Hageman, homeowner were sworn in to provide testimony to the application. Mrs. Hageman testified they were asking for the addition so her 82-year-old mother would be able to move in with them and have her own space. Mr. Lavardera reviewed the floor plan and pointed out what changes would be made to the home with the proposed addition. He testified the thickness of the walls have been increased to be compliant with the updated NJ code adopted in 2023. The applicant chose the location for the addition based on

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where the utility lines currently run so they didn't have to extend or change any lines. There will be a small porch added on to the addition but it will not be used as a porch it will be used to have house plants and pottery as decorations. The idea was from the mother who thought it would make the house look better and more even. When asked about the tree in the front yard the homeowner testified it would be staying there unless it was absolutely necessary to move it since the addition will be well behind it. There was concern about over crowding with the addition and the applicant testified she didn't think it would look over crowded because of the location of the addition and the distance between her and the neighbors. There will be no kitchenette in the addition, her mother will use the kitchen and bathroom in the main house. The Board thanked her for such a thoughtful application and applauded the details and time taken to make sure the addition not only fit in with the neighborhood but was also tastefully done.

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

DISCUSSION ITEMS:

The July 30, 2024 meeting will be cancelled since there are no applications ready to be heard at that scheduled hearing.

A motion to cancel this meeting was made by Mr. Hanuscin seconded by Mr. Heleniak. A roll call of eligible Board members was unanimous in favor. Motion Carried.

ADJOURNMENT

With no further business to discuss, Mr. Creeley made a motion, seconded by Ms. Schill to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 8:15pm