

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
March 18, 2025**

MEMBERS' PRESENT:

Vincent D'Antonio
Margaret Brossy, Alt. 1
Lynne Schill
Timothy Monahan
Walter Fazler

STAFF PRESENT:

Patty Muscella, Board Secretary
Eileen Fahey, Board Attorney
Danielle Gsell, Recording Secretary
Michelle Taylor, Board Planner

Absent: Greg Heleniak, Joe Hanuscin, James Davis, William Creeley

Mr. Fazler called the meeting to order in the Council Chambers at 7:01pm 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#2022-27EXT Kyle & Bethany Abrahams, 236 N. Riding Drive, Block 3500 Lot 12.
 - A motion to approve this Resolution was made by Mr. D'Antonio seconded by Ms. Brossy. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA#2025-11 James & Lisa O'Donnell, 320 & 322 E. Maple Avenue, Block 5602 Lot 28.02 & 33.
 - A motion to approve this Resolution was made by Mr. D'Antonio seconded by Mr. Monahan. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA#2024-30 Lauren Weissman & Salwa Sulieman, 224 East Oak Avenue, Block 5900 Lots 6&7.
 - A motion to approve this Resolution was made by Mr. D'Antonio seconded by Ms. Brossy. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA#2025-16 Adoption of Zoning Board of Adjustment Rules and Regulations
 - A motion to approve this Resolution was made by Mr. D'Antonio seconded by Ms. Brossy. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MINUTES:

- A motion to approve February 18, 2025, was made by Mr. D'Antonio seconded by Mr. Monahan. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

SWEARING IN OF PROFESSIONALS:

- Ms. Fahey swore in Ms. Michelle Taylor to provide testimony for applications on this agenda.

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NEW BUSINESS:

- ZBA#2024-28 Magda Franco Lara, 517 N Lincoln Avenue, Block 606 Lots 12 & 13. Request for Bulk Variance relief 180-25E to permit a 10.7' rear yard setback where 25 feet is required for a garage.

Mr. Richard Roy, Attorney for the applicant introduced himself and let the Board know the applicant did not speak English and her son would be translating for her. Ms. Fahey swore in the applicant and her son and asked Mr. Roy to proceed with his testimony. Mr. Roy asked the applicant about the project and what the intention was for such a large addition/renovation to the garage was for. The applicant stated they would be using it for storage since their house was small and they had small children they needed some place to store bikes, toys, etc. There will only be electric running to the garage so the applicant can plug in tools or lights if needed. There will be living space in the garage and they choose not to bump out to the side where they would not have had to come before the Board since they felt it would be an eye sore and what they did was a better plan in their opinion. The project was almost fully completed since it began in July 2024 and the applicant testified they were not aware they needed to come before the Board or obtain permits and inspections from the Construction office.

Mr. Roy presented exhibits A-1 (photos of garage in current state) to show the Board what the project looked like and how they felt it fit in with the neighbors in the area. When asked about landscaping the applicant did agree to plant landscaping behind the garage to not only "hide" the addition but to aid in capturing any additional stormwater causing pooling in the yard. There was discussion about the storm water and how it pools in the yard since its flat and there is no place for the water to run off. There was also discussion about the additional lot being next to it and whether it was 1 tax line item or 2.

PUBLIC COMMENT:

Mr. Joseph Hand- 518 N Lincoln Ave

Mr. Hand expressed his concerns about the use of the garage and if the footprint from what they already have built will be changing. The applicant testified there would be no change to the footprint of what was already existing. He also expressed concerns about the stormwater and if this structure would make it worse than it already was. The applicant agreed to have storm drains installed to redirect the water to the street instead of into the yards. He also wanted to make sure there would be a condition put on the application that this structure can not be used to have someone live in.

Mrs. Lisa Hand- 518 N. Lincoln Ave

Mrs. Hand wanted to ensure the structure was going to be inspected for safety since it was completely in a weekend and she felt it to be unsafe. She was also concerned about the stormwater and where it would be draining. She asked about inspections and what the consequences would be if they did not pass the inspections. She was told if needed the applicant would be required to remove the addition and dig up the foundation.

Mrs. Christine Masterson- 522 N. Garfield Ave

Mrs. Masterson was opposed to the application and felt the structure was unsafe and expressed her concern about the kids in the house. She expressed her concern for the stormwater and feel the applicant had other options for the addition. She would like to ensure there will be no one living in the space and asked the

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Board to make sure that would be enforced.

Mr. Christopher Masterson- 522 N Garfield Ave

Mr. Masterson also expressed concerns about the stormwater and how this addition would be affecting the already existing water issues they had in their yards. He was concerned about the safety of the structure and how it was built. He was pleased the Board would be enforcing no one being allowed to live in the facility.

BOARD COMMENT:

The Board spoke about the concerns they have for additional stormwater run off but also noted the fact that it has been a problem in the area prior to the garage being added on to. The Board also discussed the additional landscaping the applicant was agreeable planting behind the garage. The Board did not feel this was a unique situation within this neighborhood. They expressed their concerns about the project being completed without coming before the Board as well as not applying for the appropriate permits.

Mr. Roy summed up the application and asked the Board to consider approving the application with the conditions of no one living in the structure and the installation of rain gutters guiding water to N. Lincoln Ave

Mr. D'Antonio and Ms. Brossy testified they could not support the application and Mr. Monahan was not happy about the application and felt it was hard to approve.

- A motion to deny this application with the following conditions: no living space can be created and rain gutters need to be installed allowing the water to run off onto N. Lincoln Ave was made by Mr. D'Antonio seconded by Ms. Brossy. The roll call vote of eligible Board members was 2 to 3.
- There was another motion to approve the application with the following conditions: no living space can be created and rain gutters need to be installed allowing the water to run off onto N. Lincoln Ave was made by Mr. Fazler seconded by Ms. Schill. The roll call vote of eligible Board members was 3 to 2 in favor of the application. Motion Carried.
- ZBA#2024-29 Rupert & Johnson, 226 S. Washington Ave., Block 4501 Lot 17. Request for Bulk Variance relief for rear and side yard setbacks, 30% building coverage where only 25% is permitted, and 46.7% impervious coverage where 35% is permitted. (ZBA#2024-29 will be carried to the April 15, 2024 Zoning Board Meeting.)
 - The applicant will need to re-notice for the April 2025 Zoning Board Meeting.

- ZBA#2025-12 Amanda DeRose, 58 Cove Road, Block 8500 Lot 29, Request Relief for a 6' high fence in the front yard where 3' is permitted.

Ms. DeRose, the applicant was sworn in by Ms. Fahey to provide testimony for the proposed fence she would like to have installed. The applicant testified they are having a pool installed and would like to have the taller fence installed for additional privacy. She also has small children and animals that she felt would be safer since her road has a lot of traffic most of the time. She has a unique lot which technically has 3 front yards and that is why the application is needed. There will be additional trees coming down to install the fence but the Board would like the applicant to work with Ms. Taylor on planting some additional shrubs in

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areas that seem bare. Ms. Taylor spoke to her letter and requested the fence being installed not be stained and remain the gray color to blend in with the wooded area it would be going through. If the fence should need to be replaced the applicant agreed to replace it with a wooden fence and not a vinyl or something else. If replaced with vinyl the color would need to be neutral to match the landscaping.

- A motion to approve this application with the following conditions: unstained wooden fence, work with landscape planner for additional plantings, if fence needs to be replaced it will be done with Board on Board fencing in a neutral color was made by Ms. Schill seconded by Mr. Monahan. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA# 2025-10, PBJ, LLC, Route 38 & Nixon Drive, Block 3000 Lot 6. Use Variance to permit Indoor Pickle Ball Courts in Eastgate Center.

Mr. Stephen Slaven, Attorney for the applicant introduced himself to the Board and asked to have his witnesses sworn in. Mr. Ira Krassan, applicant and Ms. Tiffany Morrissey, Planner were introduced and sworn in to provide testimony to the application. Mr. Slaven introduced Exhibits A-1 (photo), A-2 (floor plan) and A-3 (interior renovations) to give the Board an idea about what was being proposed. Mr. Krassan gave testimony to the plans of the project and how he felt this would be a great addition to the township. He explained there would be 11 courts within the facility that would allow open play as well as those who choose to have monthly memberships. When someone comes in to play they have unlimited playing time during the hours of operation. The hours of operation will be:

Monday- Friday 6am to 10pm

Saturday 6am to 9pm

Sunday 6am to 6pm

At any given time, there will be 16 to 20 employees working only 2 to 3 hours shifts with a total of 3 people on a shift. There are allowed to be 4 people per court and about 4 people on standby for a total of about 88 people total during peak hours. The average stay is no more than 2 hours.

There will be water and Gatorade sold onsite but there will be no deliveries since the facility has a warehouse membership to which they will use to get the Gatorade and water, no food will be sold. The facility will be able to host parties and corporate events where the renter can bring food into the facility but it will not be stored there.

There will be no renovations done to the outside of the property with just a sign on the building and one on the road that will comply with all sign requirements within the town. The applicant is putting additional padding within the facility to ensure there will no disruption to the surrounding stores.

Ms. Morrissey, planner was accepted as a expert and provided the positive and negative criteria to the application. She spoke about the parking and how she felt the parking was adequate even during the peak times of the year where the stores in that shopping center would be the busiest. She noted the Master Plan and how she felt this use was in line with the plan and she felt it would be a good fit for the area.

Ms. Taylor spoke about her letter and how she agreed she felt the parking was adequate for the use of the property. She felt the use would be a benefit to the area since it is taking a large vacant property and turning into something.

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PUBLIC COMMENT:

NONE

BOARD COMMENTS:

The Board felt this was a good application and they were in support of the use and are excited to see something like this come to town.

Mr. Slaven summed up the application and thanked the Board for their time.

- A motion to approve this application for the use variance only was made by Mr. D'Antonio seconded by Mr. Monahan. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

DISCUSSION ITEMS:

2024 Annual Report

The Board agreed with the 2024 Annual Report and would like to move forward with the Resolution for the April 2025 Zoning Board Meeting.

ADJOURNMENT

With no further business to discuss, Ms. Schill made a motion, seconded by Mr. D'Antonio to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 9:08 pm.