

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
April 15, 2025**

MEMBERS' PRESENT:

Vincent D'Antonio
William Creeley
Lynne Schill
Timothy Monahan
Walter Fazler
Joe Hanuscin
James Davis

STAFF PRESENT:

Patty Muscella, Board Secretary
Eileen Fahey, Board Attorney
Danielle Gsell, Recording Secretary

Absent: Greg Heleniak, Margaret Brossy, Alt. 1

Mr. Fazler 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.

RESOLUTIONS:

- 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
 - A motion to approve this Resolution 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#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.
 - A motion to approve this Resolution 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# 2025-10, PBJ, LLC, Route 38 & Nixon Drive, Block 3000 Lot 6. Use Variance to permit Indoor Pickle Ball Courts in Eastgate Center.
 - A motion to approve this Resolution 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#2025-19, Approving ZBA 2024 Annual Report (January 1, 2024 through December 2024)
 - A motion to approve this Resolution was made by Ms. Schill seconded by Mr. D'Antonio. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

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MINUTES:

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

SWEARING IN OF PROFESSIONALS:

- None

NEW BUSINESS:

- ZBA#2023-17EXT, Mathoan Gas #9, LLC, 401 Mount Laurel Road, Block 6305 Lot 1&2. Request for Use Variance Approval Extension

Mr. Peter Chacanas, attorney for the applicant introduced himself and provided a brief overview of why the applicant was requesting an extension on the already approved application. He introduced Mr. Adam Denz, from Cluck Consultants to provide the testimony on what has happened since the previous 2023-17 approved application. The applicant has been working with the DOT and the Burlington County about the parking and the driveways in and out of the proposed convenient store. He provided exhibit A-1 (proposed site plan) to show some of the changes that have taken place in the design since hearing back from the DOT and Burlington County. Mr. Denz also testified the applicant was almost ready to submit the final site plan to Moorestown for approval. There was a question about the water remediation noted in the previous resolution but Mr. Denz could not provide any additional information on that. The applicant agrees to comply with all previous conditions stated in the previous approval.

- A motion to approve this extension was made by Mr. Creeley seconded by Mr. Hanuscin. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA#2020-28EXT #3, ACTS Management Services, Inc., 309 Bridgeboro Road, Block 5400 Lots 11-15. Request for Conditional Use Variance, Preliminary and Final Site Plan with Variance Extension.

Mr. Peter Chacanas, attorney for the applicant introduced himself and provided a brief overview of why the applicant was requesting an extension on the already approved application. The applicant has already asked for 2 extension on 2/21/2023 and 12/17/2024, they are coming before the Board for a third extension in an abundance of caution since they have part of the project just going out for bid and don't want to run into any issues with timing. Mr. Jason Guss, Director of Construction testified he didn't feel they would need the additional extension but would like to have the approval out of caution. The project is moving in a good direction and they feel they will be completing it in a timely manner.

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

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- ZBA#2025-13 Schultz, 220 Highland Ave. Block 2606 Lot 10. 'C' Variance request for a 6' high fence in the front yard where 3' is permitted.

Mr. Creeley recused himself from this application due to a conflict. The homeowner was sworn in and asked to provide an over view of the application and why he was coming before the Board. The applicant prepared a PowerPoint to show what fence he was proposing and how it would look on the lot when completed. He is asking for a 6'ft fence for the safety of his children since there is a dog that lives in the house next to his that he finds aggressive. He will be putting a 4'ft high picket fence along the front of the property but it will be installed behind the existing trees and will not be visible from the road, the 6ft. solid fence will be placed along the back where the dog is a problem. The PowerPoint was very detailed in the placement of the fence as well as showing what the property would look like when the project was completed. The Board felt this application was well put together and really appreciated the visuals of the fencing. The applicant agreed to the following conditions, the trees and shrubs must remain and the fence must be outside of the right away.

PUBLIC COMMENT:

Ms. Pamela Richards- 304 Colonial

Ms. Richards testified she has a PHD in animal behavior and felt it was important that the neighbor's dog be able to see the applicant's dog and thought the picket fence was a perfect way to accomplish that. She felt the application was presented well and would be in support of the approval for the fence.

- A motion to approve this application with the conditions listed was made by Mr. Hanuscin seconded by Ms. Schill. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA#2025-17 Brickley, 552 Eaglebrook Ave., Block 5701 Lot 19. 'C' Variance request to Permit a Front Porch expansion with a 44' front yard setback where 50' is required.

Mr. Creeley returned to the dais and Mr. Fazler recused himself due to a conflict. Mr. D'Antonio took over as Chairman for this application. Mr. David Brickley was sworn in and asked to provide testimony to the application and what he was asking for approval on. The house is currently under major renovations and the applicant would like to have a porch built in the front to make the front of the house more welcoming and so he and his family can enjoy time outside. The proposed porch will allow access into the mudroom as well as the front of the house. Exhibits A-1 through A-4 (plans and design of porch) were given to the Board to show how the porch would fit in with the house and what the end result would look like when all completed. The porch will not be enclosed but remain open so the applicant can sit outside. The Board felt this porch was a great addition to what they have seen going on with the renovations thus far.

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

DISCUSSION ITEMS:

None

ADJOURNMENT

With no further business to discuss, Ms. Schill made a motion, seconded by Mr. Hanuscin to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 8:07 pm.