

PLANNING BOARD MEETING

Meeting Minutes

March 6, 2025

MEMBERS PRESENT:

Robert Musnug
Naoji Moriuchi
Christopher Keating
William Wesolowski
Joe Maguire
Lisa Petriello
Alfred Driscoll
Kevin Aberant
D'Arcy DiSpirito

STAFF PRESENT:

Matt Wieliczko, Board Attorney
Damian Gil, Director of Community Development

Absent: Rudy Thomas and Melissa Arcaro Burns

Robert Musnug called the meeting to order at 7:00 PM in the Council Chambers of Town Hall, 111 West Second Street by reading the Open Public Meeting Act statement. The Pledge of Allegiance followed a moment of silence. Roll call was listed as above.

PB#2024-39, Ralph Zonies, 329 & 331 Tom Brown Road, Block 5200 Lots 3-5, Minor Lot Line Adjustment

Three changes from the original resolution: 1. Matthew has two t's, not one; 2. An additional condition that Mr. Noll had made in his review letter is listed as additional condition 3- the Applicant agrees that the septic system, any storm water systems, any water connections, any tree removal or plantings should be shown on the grading plan; 3. Page two references site plan, that will be changed to minor subdivision.

Wesolowski made a motion to approve Resolution PB#2024-39 with changes; seconded by Aberant. Roll call of eligible members was unanimous in favor.

PB#2024-36, Trinity Episcopal Church, 207 West Main Street, Block 2406 Lots 11, 1, 2, 13 & 14. Minor Lot Line Adjustment with Variances.

Minor site plan is changed to minor subdivision on page 2.

Maguire made a motion to approve Resolution PB#2024-36 with change; seconded by Aberant. Roll call of eligible members was unanimous in favor.

PB#2024-37, Thomas Heitzman, 301 Tom Brown & 718 New Albany, Block 5100 Lots 1.01 & 1.02. Proposed Minor Lot Line Adjustment Subdivision.

Changes made: Deborah Whitesell was added as one of the owners of the property; minor site plan is changed to minor subdivision on page 2; the words "except as noted herein" was added regarding easements; the word "access" was added with regard to easements on page 4; Mr. Aberant noted there was no "detriment" to the public good, sentence was clarified (number 14 under Findings of Fact)

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Aberant made a motion to approve Resolution PB#2024-37 with changes; seconded by Moriuchi. Roll call of eligible members was unanimous in favor.

Carried Business

PB#2024-29 Amended Open Space & Recreational Element Plan of the Master Plan Public Hearing and adoption of First Amendment to the Open Space and Recreation Element. -Brian M. Slauch, PP, AICP of Clarke Caton Hintz.

Regarding clarifying ownership of Memorial Field as well as reclassifying Remembrance Park as a mini park not to be under Perkins Center any longer, Villanueva (not in his capacity with the School Board) brought documentation for review. This is a policy document, not the determination of a judge in Burlington County determining ownership, this is a policy document, and we have a recommendation from our Township Planner that this be adopted. There is now the benefit of a March 4, 2025 memorandum from the Director of Community Development, along with a wealth of documents, supporting that Moorestown Township does in fact own this property and that it is appropriate to amend this element of the Master Plan and the Open Space Recreational Plan Element to include these administrative changes.

Slauch had no further comments as to the testimony and stated the summary was succinct.

Gil was sworn in to add further comment to the memorandum. The more recent document reviewed at the January 2025 meeting was the updated Recreation Open Space Inventory (ROSI). At that time, the tax records showed that the School Board was the owner of Memorial Field due to the deed conveyance.

The prior Director of Community Development did not have all the information that we have today. Gil also added that in discussion with other colleagues, the only missing piece is a deed from the School Board conveying the Property to the Township after the Township adopted the resolution appointing itself the new conservator of Memorial Field. The Township has acted in good faith and taken appropriate actions.

Maguire questioned prior ROSI reports and if they showed who owned Memorial Field. Gil responded that in all his research all documents show the Township as the owner of record.

Keating questioned if any documentation was ever submitted to the County or State, for a grant etc., where the Property listed as owned by the Township. Gil stated that the Township was listed as owner. Keating asked if there have ever been any lawsuits filed regarding a personal injury at Memorial Field and if so, who were the named defendants? Gil does not have that information. Keating asked if there has ever been any litigation, insurance policy, grant paperwork, anything with legality that the Board of Ed claimed to be the owner of the Property? Gil responded that he is not aware of any, his research has not yielded anything.

Slauch stated that Ms. Jamanow has the ROSI updated in 2022 and Slauch was asked to make a change in the tables indicating that Memorial Field is owned by the Board of Education, that is how the change occurred in the Master Plan. Keating asked if at that time the School Board started to maintain the Property at all? Have they insured the property? Have they done anything to absorb

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the cost of managing, protecting, defending, or maintaining the Property, Slauch replied not to his knowledge. All they have done is claim to own the Property.

Public Comment: None- no members of the public are present.

Board Comment: Keating commented that after looking at the memo and all the documentation, the Board should consider the Parties (The Board of Ed and the Township) it is very clear in the record that the Board of Ed stepped down as the trustee by unanimous vote. The Township stepped up by unanimous vote. If there are any ambiguities in the record, it needs to be resolved now because the intent is abundantly clear- the Township was to become the trustee and the owner. Also, the families years ago made the sacrifice, and they donated money for the memorial- the families' intent needs to be honored. The Township is the sole liability holder and therefore it should be listed as the Township's property. The Township has been maintaining the Property. The only evidence that was able to be admitted into the record, was that the deed was not properly recorded. The only outcome should be to amend the record to accurately reflect that the Township owns Memorial Field.

Aberant made a motion to approve Resolution PB#2024-29; seconded by Maguire. Roll call of eligible members was unanimous in favor.

Mr. Musgnug made an announcement that **PB#2024-16, 900 Lenola Road LLC, 880 N. Lenola, Block 100 Lot 10, Preliminary and Final Site Plan with Variances for a 47, 000 sf of flex warehouse** would be carried again.

New Business:

Ordinance No.4 - 2025 Amending Chapter 180 of the Code of the Township of Moorestown Entitled "Zoning" to Amend the Regulation of Breweries, Distilleries, & Winery Salesroom

If the Board finds this Ordinance consistent with the Master Plan, adoption of Resolution No. 2025-11 A RESOLUTION REPORTING TO TOWNSHIP COUNCIL THAT THE PROPOSED ORDINANCE NO. 4-2025 IS CONSISTENT WITH THE MASTER PLAN \$2,170,000 therefore and authorizing the issuance of \$2,061,500 bonds or notes of the Township to finance part of the costs thereof

Aberant provided some background to the change and advised this regards a winery sales room. Maurizio's used to be a winery sales room. This is a license issued by Trenton.

Aberant made a motion to approve Ordinance 4-2025; seconded by Petriello. Roll call of eligible members was unanimous in favor.

Adjournment:

A motion to adjourn was made by Wesolowski and seconded by Aberant. The meeting was adjourned at 7:40 PM.

Next Meeting: April 3, 2025 at 7:00 pm