

**MOORESTOWN TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING
October 21, 2025**

MEMBERS' PRESENT:

Walter Fazler
James Davis
William Creeley
Vincent D'Antonio
Joe Hanuscin
Margaret Brossy, Alt. 1

STAFF PRESENT:

Patty Muscella, Board Secretary
Eileen Fahey, Board Attorney

Absent: Timothy Monahan, Greg Heleniak, Lynne Schill

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#2025-20, Brown & Darling, 301 S Lenola Rd, Block 1801 Lot 32, Bulk Variance request for front yard and side yard setbacks for construction of a new single-family home.
 - A motion to approve this Resolution was made by Mr. Creeley seconded by Mr. Davis. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

MINUTES:

- A motion to approve September 16, 2025 was made by Mr. Creeley seconded by Mr. Davis. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.

SWEARING IN OF PROFESSIONALS:

- none

NEW BUSINESS:

- ZBA#2025-25, Conaway, 407 Kings Highway, Block 2001 Lot 14, Bulk Variance request for 4' high aluminum fence in the front yard where 3' high fence is permitted.

Ms. Conway was asked to speak to the application and describe why she was coming before the Board. She described the fence that was there when they purchased the house and since has deteriorated and needs to be replaced. They are asking for a taller fence and to move it in slightly since due to safety of where the house is located. The fence was right against the sidewalk and when she pulls out of her driveway it would be a clearer view of the street. The fence is already in place

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since the homeowner thought that they could just replace an already existing fence on the property. She is coming before the Board with the application to correct the mistake. Patty Muscella spoke to Mr. McSween about the application and the homeowner was asked to apply for the variance in which she has come to do. The applicant provided pictures of the new and existing fence to show the Board the condition of the old fence and how she replaced it. Since the house sits on the corner the side yard is considered the front yard therefore she is only allowed a 3ft. fence where her new fence is taller. She explained why the application was late since she was out of town and had to mail it. She was reported by someone around the town for her new fence which prompted Mr. McSween to come out and inspect the fence. Patty asked the applicant to speak to the distance from the sidewalk into the fence for the record. The homeowner agreed with the Board when they said it was about 6ft. from the distance to the sidewalk.

The Board felt the applicant did a good job in redoing the porch and felt it a much better-looking fence and improved the look of the house. They understood the misunderstanding and thanked the applicant for coming to correct this so quickly.

- A motion to approve this application was made by Mr. Creeley seconded by Mr. Hanuscin. The roll call vote of eligible Board members was unanimous in favor. Motion Carried.
- ZBA#2025-26, Slater, 340 W 3rd Street, Block 2107 Lot 2, Bulk Variance request for an 8' high fence where 6' high fence is permitted in the R3 zone.

Ms. Fahey swore in the applicant and reviewed the application with them. The applicant spoke to the application and why they are asking for the height of the fence. The homeowner read a statement she prepared detailing past variances and projects they have completed since purchasing the home in 1996. In 2023 the house turned 100 years old and they were honored to receive a plaque from the Historical Preservation Committee. The goal of the homeowners is to continue to honor the home as a historic staple of Moorestown. Their home is adjacent to a property with a commercial property with a non-conforming commercial use. This property has many people moving in and out throughout the day and the homeowners don't feel they are able to enjoy there space anymore. The existing 6ft. fence does not keep the property from the sight of those moving in and out of the commercial property. There was once large landscaping that would provide the privacy to the house they once had. The commercial sits about 2 feet higher than the property and the current 6ft. fence no longer provides the privacy the applicants once had. They are also asking to legalize an 8'9"ft. privacy screening for additional privacy and peace on the property that they received a violation when they submitted their application. The screen wall is about 5ft. off the property line and they are requesting to increase their 6ft. fence to an 8ft9inch. fence. The applicant showed photos what the existing fence looks like and how they do not have a privacy they once used to have since the commercial property taken over. The applicant spoke about the violation they received for the 8ft. screen wall which has been there for about 10 years does not seem to bother the neighbors. The

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neighbors who live on the corner on Fairview avenue just recently installed a 6ft. fence for privacy from the commercial property as well. The applicant detailed the look of the extension being asked for on the fence which will be wood stained gray with a light white fence. They felt the darker color would fade into the landscape and it will be a basket weave look. They will be extending the poles higher to accommodate the extension that will make the fence higher for the privacy. In the applicant's personal opinion, the 8ft. fence is not high enough but they also don't want the property to look bad with a much larger screening. They spoke about the shrubs and how they maintained them from their side of the property. The neighbors where not maintaining their side of the shrubs and they became overgrown and eventually died. The Board concerned about the fence holding and Mr. Slater is a registered architect and assured the fence would hold. The Board also asked about trees being installed and the applicant testified by planting the trees they would need to do so outside of their fence making the yard smaller than it is now and it would take years for them to grow to provide the privacy the applicants are looking for. The applicant doesn't feel the neighbors would have a problem with the fence being proposed since their house is a buffer for those around them.

PUBLIC COMMENT:

RJ Guida, 220 Mannion Ave

Mr. Guida was sworn in and spoke to the applicant's property and how his property is adjacent to the garage. He can see the fence from his backyard and feels allowing the 8ft9inch fence wouldn't be a problem for them and they support the application.

Lois Janney, 349 W. 3rd St.

Ms. Janney was sworn in and also expressed her support for the application and how she felt it would be beneficial for the applicant to have the taller fence to improve the quality of their lives and there would be no detriment to the neighbors.

Eileen Barrett, 220 Fairview Ave

Ms. Barrett spoke in support of the application since they were against the commercial property being allowed within a residential neighborhood. She doesn't feel the fence would be an issue for the neighbors and would be beneficial for the health of the applicant to have the extension.

The Board felt they could understand the need for the fence and they were concerned about the neighbors being affected by the fence but hearing that they would not be and seeing all the support they have the Board was happy with the application.

- A motion to approve this application 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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- **DISCUSSION ITEMS:**
 None

ADJOURNMENT

With no further business to discuss, Mr. Creeley made a motion, seconded by Mr. Davis to adjourn the meeting. The voice vote was unanimous in favor. The meeting was adjourned at 8:42pm.