

PLANNING BOARD MEETING

Meeting Minutes

September 4, 2025

MEMBERS PRESENT:

Robert Musnug
Naoji Moriuchi
William Wesolowski
Joe Maguire
Alfred Driscoll
D'Arcy DiSpirito
Rudy Thomas
Chris Keating

STAFF PRESENT:

Matt Wieliczko, Board Attorney
Patty Muscella, Land Use Administrator

Absent: Lisa Petriello, Kevin Aberant 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.

New Business:

PB#2025-25 Elite Hope LLC, 403 S Lenola Road, Block 1801 Lots 21,22, & 23, Lot Consolidation and Minor Subdivision with Bulk Variances.

The Applicant proposed transferring 2,925 square feet from Lot 22 to Lot 21 and consolidating the remainder of Lot 22 with Lot 23. Resulting Lot 21 would be 14,175 square feet with an existing single-family home, and Lot 22 would be 13,950 square feet. No new construction is proposed. The Applicant came before the Board with his attorney, John Carleton, Esquire as well as his architect, Charles Hsu.

The Applicant requested a bulk variance for lot width (63 ft. and 62 ft. proposed vs. 75 ft. required) and several submission waivers. The Applicant and professionals testified that the proposal would create more balance, conforming lots consistent with neighborhood character.

The Applicant also requested submission waivers as follows:

- A waiver for the requirement to provide an LOI from DEP since the Property is outside a mapped wetland and no construction is proposed.
- A waiver for the requirement to provide topographic contours since no construction is proposed.
- A waiver for the requirement to provide proof of compliance with §158-15.1 since no construction is proposed.
- A waiver for the requirement to provide proof of compliance with Ch 160 as there is no change to existing trees or vegetation.

The Board reviewed reports from its Engineer and Planner-letter dated July 25, 2025 by Planning Board Engineer Christopher J. Noll, PE, CME, PP of Environmental Resolutions, Inc. and letter dated August 21, 2025 by Planning Board Planner Michael Davis, PP, AICP, of Heyer, Gruel & Associates; both of whom supported the application with conditions.

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Public Comment:

Chris Daya owns 307 Pleasant Calley Avenue expressed concerns regarding the relief requested and about potential rezoning.

Sharon Budka resides at 527 Regenhart Avenue which sits behind the subject property. She noted that there is a fence at the rear of her property that she feels is encroaching onto her property.

Jonathan Mercantini resides at 529 Regenhart Avenue and shared his concerns about what is being requested as well.

The Applicant agreed to address any encroachments.

Board members discussed the proposal, noting existing neighborhood lot widths and the benefit of improving the current lot configuration.

The Board found the application met the criteria under the Municipal Land Use Law, with benefits outweighing any detriments.

The Board voted to approve the application, including the requested variance and waivers, subject to conditions, including removal of the existing shed and resolution of any fence encroachments.

Maguire motioned to approve PB2025-25, seconded by Moriuchi. A roll call vote of eligible voters was unanimously approved.

PB#2025-23 Public Hearing for the Preliminary Investigation of 121-125 West Camden Avenue, Block 1102 Lots 40, 41, 42, 43, 44 and 201 West Camden Avenue, Block 1100 Lots 12, 13, 14, 15, & 16 to determine if the property constitutes a ‘Condemnation Area in Need of Redevelopment’.

The Planning Board conducted a preliminary investigation, as authorized by Township Council Resolution 152-2025, to determine whether properties identified as Block 1102, Lots 40–44 and Block 1100, Lots 12–16 qualify as an Area in Need of Redevelopment under the Local Redevelopment and Housing Law. The property is located at the intersection of Camden Avenue and Cottage Avenue. The Township supports making this a more walkable commercial area. The carwash/gas station is in great disrepair, and the other property is primarily vacant. The property has contamination issues which impact the development of the properties.

The Board reviewed a study prepared by Planner Michael Davis, AICP, PP, dated July 21, 2025, and an updated version dated July 28, 2025. A public hearing was held on September 4, 2025.

Maguire discussed a past application about 8 years ago that unfortunately did not come to fruition and questions what the contaminated lot could be used for. Keating is supportive of trying to do something with the property because it is such an eyesore.

Public Comment:

Pamela Richards resides at 304 Colonial Avenue questioned how we got from a zoning approval 8 years ago to condemn the property. Maguire explained that the applicant at the time either decided not to move forward or did not get financing. Davis explained that this report does not condemn the property, it establishes a redevelopment area but this allows the township to condemn the property if they desire. Wieliczko clarified the Board is only voting on the area being an Area in Need of

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Redevelopment, not whether the property should be condemned. Richards questioned what happens with the current property owners if approved. Wieliczko advised the current owners will receive notice of the decision.

The Planning Board determined that the Study Area meets redevelopment criteria under N.J.S.A. 40A:12A-5 (b), (c), and (h), and formally recommended that the Township Council designate the properties as a Condemnation Redevelopment Area.

Keating motioned to approve PB2025-23 with edits, seconded by Musgnug. A roll call vote of eligible voters was unanimously approved.

PB#2025-24 Public Hearing for the Preliminary Investigation of 200 West Camden Avenue, Block 1200 Lots 5 & 6 to determine if the property constitutes a ‘Non-Condemnation Area in Need of Redevelopment’.

The Planning Board conducted a preliminary investigation, as authorized by Township Council Resolution 152-2025, to determine whether Block 1200, Lots 5 and 6 (200 West Camden Avenue) qualifies as an area in need of redevelopment under the Local Redevelopment and Housing Law. This property is often referred to as the ILM Shopping Center and its associated parking lots.

The Board reviewed reports prepared by Consulting Planner Michael Davis, AICP, P.P., dated July 21, 2025, and an updated report dated July 28, 2025. Mr. Davis explained that the rear of the property has some concerns due to environmental constraints. Most of this investigation ties into the vacancy of the building. The tax records indicate that there were reassessments that support the vacancies. This property meets the criteria of an area in need of redevelopment with - B. Discontinuance of use of a building or buildings previously used for retail, shopping malls or plazas, office parks, manufacturing or industrial purposes, the abandonment of such buildings or significant vacancies of such buildings for at least two consecutive years. This supports smart growth as stated in the plan.

Maguire commented on how this is a gateway into Moorestown. Maguire also questioned the amount of square footage occupied in the shopping center. Davis responded that over 50% of the shopping center is vacant.

Moriuchi questioned that only one of the criteria needs to be met so even if the shopping center was fully occupied, could it still fall under smart growth? Davis responded that it could but has not been challenged in the courts. However, with the Township Master Plan and Lenola Streetscape Project, it can be well documented that the township has been trying to improve the area for the last two decades.

Public Comment:

Kristopher Berr, Esq with Del Duca Lewis & Berr appeared on behalf of the owner of the property. He stated they were not in attendance to contest the finding but rather to get statements on the record regarding vacancy. ILM has made substantial efforts over the years to bring the shopping center back to life and the owner is continuing to pursue a food hall tenant consistent with the prior approval and is still in the process of trying to bring tenants in. They request that if the township

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moves forward with a redevelopment plan, that they have a seat at the proverbial table to have a hand in the process.

Richard Stabile, owner of the property, wanted to explain what has happened with the potential tenants they had lined up. They had two tenants, it was tied up for years and the deals fell apart. Now they have a new potential tenant they have been looking into. He went on to explain that they need larger tenants at the anchors so the smaller businesses can get the foot traffic needed to stay in business. Keating interjected to make sure that Stabile was aware that Ordinance 14-2025 establishing specialty retail with alcohol sales and full-service restaurants is being considered this evening as well and reiterated that we are all on the same team and it is the intention to help the businesses.

Pamela Richards, 304 Colonial Avenue – stated how horrible that shopping center had been with vagrants and drug use and it has since been cleaned up a lot, but they need help to get new businesses in there. Appearance matters to perspective tenants.

Wieliczko summarized stating that the property can be deemed an area in need of redevelopment due to criteria B. and H. and wanted to clarify minor edits to the previously circulated resolution approving: 1. The third whereas there will be reference made to attaching the report as exhibit A; 2. the fifth whereas it refers to a “condemnation area...” it should be “non-condemnation area”; 3. On page two paragraph five it refers to the study area satisfying criteria B.C.E. and H., it should just be B. and H. 4. The therefore clause, paragraph six also needs to be corrected to say “non-condemnation”. It was requested that there be a motion to approve those edits.

Wesolowski motioned to approve PB2025-24 with edits, seconded by Keating. A roll call vote of eligible voters was unanimously approved.

Ordinance No. 15-2025 Amending Chapter 180 of the Code of the Township of Moorestown Entitled “Zoning” to Amend the Regulation of Agricultural Uses in the BP-1 Zone.

Planning Board Planner Michael Davis, PP, AICP, of Heyer, Gruel & Associates referred to his Master Plan Consistency letter dated September 4, 2025 and establishes a definition of agricultural use to provide clarity within the ordinance. The re-exam does provide that local farms should be encouraged to produce wine or cider on site as a secondary land use. The re-exam also sets forth the recommendation to revise the definitions. Davis finds this is not inconsistent with the Master Plan.

Maguire motioned to approve with minor edits, seconded by Thomas. A roll call vote of eligible voters was unanimously approved.

Ordinance No. 14-2025 Amending Chapter 180 of the Code of the Township of Moorestown to Establish Specialty Retail with Alcohol Sales and Full- Service Restaurants as Conditional Uses.

Keating clarified that when this ordinance was introduced to Council, it was decided to only move forward with part one, the specialty retail with alcohol. Part two, which contemplated full service restaurants, will be revisited at a later date.

Planning Board Planner Michael Davis, PP, AICP, of Heyer, Gruel & Associates referred to his Master Plan Consistency letter dated September 4, 2025. Davis explained this provides specific

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standards within the SRC, SRC-1, CRO and LTC Zoning Districts and is limited to one per district. This was an economic development driven change to the ordinance.

DiSpirito asked about how many distribution licenses in total could be issued. There are four districts, but Keating clarified there are only two available licenses. This amendment is very purposeful that it needs to be a retail establishment primarily engaged in the sale of specialty, gourmet, or niche food products and the retail sales of alcoholic beverages shall be integrated into the overall retail experience but cannot exceed forty percent (40%) of the gross floor area of the establishment.

Public Comment:

None

Maguire motioned to approve with minor edits, seconded by Thomas. A roll call vote of eligible voters was unanimously approved.

Adjournment:

A motion to adjourn was made by Musgnug and seconded by Keating. The meeting was adjourned at 8:33 PM.

Next Meeting: October 2, 2025 at 7:00 pm