



**ZONING BOARD OF ADJUSTMENT**  
**Thursday, July 18, 2013**  
**Draft MINUTES**

*You couldn't pick a better place.*

**OPENING:** The meeting was called to order by Vice-Chairperson Biviji at 7:34 pm.

**PLEDGE OF ALLEGIANCE:** Led by Vice-Chairperson Biviji.

**OPMA STATEMENT:** Read by Vice-Chairperson Biviji in compliance with the Sunshine Law.

**ROLL CALL**

- **Members in Attendance:** William Carter; Michael Maitland; Ivy Rovner; Harry Schmoll; Samuel Kates; Daniel DiRenzo Jr.; and Farhat Biviji, Vice-Chairperson.
- **Professionals in Attendance:** Paul Stridick, AIA, Director of Community Development; Anthony J. Zappasodi, Esq., Planning Administrator; Jacob Richman, Planning Technician; Robert Hunter, PE, Zoning Board Engineer; and Allen S. Zeller, Esq., Solicitor. Solicitor Zeller administered oaths to Mssrs. Stridick, Zappasodi, Hunter, and Richman.

**COMMENTS FROM THE PUBLIC:** None received.

**ADMINISTRATIVE ITEMS**

**Reappointment of William Carter, a Regular Member to the Zoning Board of Adjustment.** Solicitor Zeller administered the oath to Mr. Carter.

**Appointment of Daniel DiRenzo, Jr., from an Alternate 2 Member to a Regular Member of the Zoning Board of Adjustment.** Solicitor Zeller administered the oath to Mr. DiRenzo.

**Regular Meeting Minutes from June 20, 2013:** Mr. DiRenzo made a Motion to Approve the Minutes from 6/20/13, which was seconded by Mr. Carter, with affirmative votes by Carter, Schmoll, DiRenzo, and Biviji. Abstentions by Maitland, Rovner, and Kates. Motion carried.

**AGENDA ITEMS**

**13-Z-0019**

Block(s) 463.09 Lot(s) 2

Zone: Residential (R20) Zone

*Relief Requested: A use (d5) variance and site plan waiver to convert existing commercial units/space on the first floors of both towers into additional residential apartment units (nine (9) units in Tower #1 and eleven (11) units in Tower #2).*

**Allstate Management Corp. (The Grand)**

1900 & 1920 Frontage Road

Cherry Hill, NJ

The Applicant was represented by Attorney Rhonda Feld, Esq. from the Sherman Silverstein law firm, and offered the following professionals as experts in support of the application: Stan Borucki, CFO for Allstate Management Corporation; Dennis Keenan, PE and William DeBoer, PP both employed by French and Parrello Associates; and David Singer, AIA. Solicitor Zeller administered the oaths to the professionals. Ms. Feld provided some initial background information and history with regard to the site being built in 1969 with 544 dwelling units. She stated that the twenty (20) new residential units as proposed would result in 13 one-bedroom units, 5 two-bedroom units, and 2 three-bedroom units on the ground floor of each existing tower.

Mr. Borucki testified regarding the Applicant being appointed as site manager via the 2010 "Receivership" Court Order and its efforts at improving the property since that date. A packet of 14 color photographs showing certain improvements was marked as Exhibit "A-1". Mr. Borucki testified with regard to: the overall occupancy rates at The Grand, the existing square footage of commercial space, the commercial vacancies on the first floor of both towers, and the Applicant's efforts, in vain, to attempt to market the commercial space for immediate occupancy. He also confirmed that the Applicant would comply with all COAH regulations and requirements from the Township's Special Master for the three (3) inclusionary affordable units that are part of the application. Said

affordable units shall include 2 two-bedroom units and 1 three-bedroom unit. All of the 20 new units will be ADA adaptable and compliant.

Mr. Keenan testified regarding the plans and reports prepared by his office and submitted in support of this application. He highlighted: the 863 existing parking stalls onsite; the square footage of the commercial units; the decreased traffic circulation onsite and from Frontage Rd and Route 70; the existing nonconformities regarding the towers being 18 stories where 16 stories are permitted within the R20 zone and the existing density of 36 dwelling units per usable acre within the R20 zone; the existing infrastructure with respect to water and sewer as no new connections are necessary; the sidewalk and walkway improvements; stormwater runoff; and soil erosion. A revised report by French and Parrello Associates dated 7-18-13 was marked as Exhibit "A-2". A letter from the CCMUA dated 6-7-13 regarding sewer capacity was marked as Exhibit "A-3". A letter regarding water capacity from NJ American Water dated 6-28-13 was marked as Exhibit "A-4". An Existing Parking Plan was marked as Exhibit "A-5". Mr. Keenan testified that there are 40 handicapped parking stalls onsite already where 18 stalls are required, but that the Applicant would agree as a condition of approval to work with the Township's professionals regarding re-orientation of the handicapped parking stalls to provide better access for residents of The Grand.

Mr. Singer testified regarding the schematic floor plan and the proposed site improvements regarding outdoor patios and walkway/sidewalk connectivity. The Floor Plan dated 6-22-13 was marked as Exhibit "A-6". He stated that he intends to maintain the existing architectural design and that he would agree as a condition of approval to work with the Department of Community Development regarding the overall aesthetics, outdoor patios, and internal layout once he has it close to finalized. He stated that landscaping will be upgraded where sidewalk is proposed to be removed. He also highlighted that all exterior lighting will be done in accordance with the UCC, a possible need for gates for safety at the outdoor patios, and that there are security cameras manned 24 hours a day at The Grand. Discussion ensued regarding security and safety concerns. Ms. Feld requested a brief recess to confer with her client. The Zoning Board went into "Recess" from 8:43 pm to 8:50 pm.

Mr. Borucki testified that the Applicant is willing to add extra lights and cameras to the exterior near the converted units and is willing to work with the Department of Community Development and Zoning Board Engineer regarding addressing any security concerns as a condition of approval.

Mr. DeBoer testified with regard to the zoning criteria for the Use (d5) Variance. He opined that the site can comfortably accommodate any and all problems associated with an increased density onsite. He highlighted that: the site is secluded and surrounded by forested buffer; the site is particularly suited for the use especially since the existing infrastructure can handle any potential increase in water or sewer; no increase in traffic; that it is not conducive for commercial uses; that the new units will be ADA adaptable and compliant; that 3 affordable units will be provided onsite; no increased noise or stormwater runoff; and no negative effect on the bulk standards.

Mr. Zappasodi testified with regard to the Department of Community Development's review letter dated 7-9-13. He highlighted the recommended conditions of approval for: the 3 affordable units, ADA compliance, and security. The Applicant agreed to all of the conditions in the review letter except the comment about removing some parking; agreeing instead to work with the Township for a reorientation of the handicapped parking stalls.

Mr. Hunter testified with regard to a Night-Light Test being done prior to the issuance of a CO for each tower. He opined that the impact on the existing infrastructure was minimal.

The meeting was opened to the public for comment by Vice-Chairperson Biviji. Ms. Martha Wright from 200 Munn Lane opined that the project does not serve the public good and only makes the existing nonconformity worse. She believes that the commercial space needed to be credibly marketed and questioned the efforts by the Applicant to seek full occupancy of those first floor commercial units. She opined that there was no hardship. She enumerated multiple types of permissible businesses. She questioned the veracity of the Applicant's engineers' work regarding the traffic, water, and sewer data. She objected as a taxpayer and believed the application was a big detriment to the Master Plan. The public comment portion of the hearing was closed by Vice-Chairperson Biviji as there were no other residents seeking to comment on the record.

**Motion to Approve the Use (d5) Variance and Site Plan Waiver with enumerated conditions as specified:** motion made by Mrs. Rovner and seconded by Mr. DiRenzo, with affirmative votes by Carter, Maitland, Rovner, Schmoll, Kates, DiRenzo, and Biviji. None were opposed. Motion carried.

**RESOLUTIONS:** None.

**Meeting Adjourned:** 9:44 pm.