



ZONING BOARD OF ADJUSTMENT
Thursday, June 6, 2013
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Rardin at 7:31 pm.

PLEDGE OF ALLEGIANCE: Led by Chairperson Rardin.

OPMA STATEMENT: Read by Chairperson Rardin in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Michael Maitland; Ivy Rovner; Harry Schmoll; Samuel Kates; and Jonathan Rardin, Chairperson.
- **Professionals in attendance:** Anthony J. Zappasodi, Esq., Alternate Secretary; Jacob Richman, Planning Technician; and Allen S. Zeller, Esq., Solicitor. Solicitor Zeller administered oath to Mr. Zappasodi.

COMMENTS FROM THE PUBLIC: None received.

ADMINISTRATIVE ITEMS

Regular Meeting Minutes from May 16, 2013: Mr. Schmoll made a Motion to Approve the Minutes from 5/16/13, which was seconded by Mrs. Rovner, with affirmative votes by Maitland, Rovner, Schmoll, and Rardin. Abstention by Kates. None opposed.

RESOLUTIONS

05-Z-0050

Block(s) 285.23 Lot(s) 5

Zone: Single Family Residential (R2) Zone

Relief Requested: An amended preliminary & final major site plan for Regency Court townhouses, which received a use (D) variance (NJSA 40:55D-70(d)(1)) for the construction of thirty-six (36) townhouses, where multifamily residential was not permitted in the R2 zone (Application #05-Z-0050).

Chairperson Rardin announced that this Resolution will be held over until the next meeting and that it will not be acted upon at this meeting due to the request of the Applicant for an adjournment.

JVS Regency Court, LLC

610 Cooper Landing Road
Cherry Hill, NJ 08003

AGENDA ITEMS

13-Z-0009

Block(s) 436.02 Lot(s) 1

Zone: Industrial Restricted (IR) Zone

Relief Requested: Bulk (C) sign variances to install a double sided multi-tenant freestanding/monument sign.

Continued from May 16, 2013.

Cherry Hill Real Estate Associates, LLC

1637-1641 Route 70 East
Cherry Hill, NJ

The applicant was represented by attorney Michael McKenna, Esq. and offered the following professionals as experts: Ron Kinoian from Girtain Signs and Steve Kantor on behalf of Cherry Hill Real Estate Associates, LLC and Kitchen and Bathworks, both of whom were sworn in by Solicitor Zeller. Mr. McKenna provided some introductory remarks on behalf of the Applicant that highlighted the procedural history and the site constraints as to lot size, lot frontage, and traffic circulation involving access to/from Route 70. Mr. McKenna confirmed that no trees would be removed as part of the project and that the Applicant would agree as a condition of approval to allow the Department of Community Development to administratively review and approve in advance any landscaping needed around the foundation of the proposed multi-tenant monument sign. He also stated that the functional/directional component of the proposed sign is critical for the Applicant's safety and identification.

Mr. Kantor testified with regard to the ownership history, size of the building, the names of occupants within the building (Kitchen & Bathworks, Abruzzi Stone & Tile, and StoneMar), the size and shape of the property, and the proposed location of the sign. A rendering of the proposed sign was marked as Exhibit "A-1". A copy of the Site Plan was marked as Exhibit "A-2". A packet of existing photographs and aerial photographs (5 pages total) was marked as Exhibit "A-3". Mr. Kantor confirmed that the sign is located on their property and that there is only one

building onsite. He highlighted the need for the sign for safety and visibility, especially for those motorists coming off the Route 295 East ramp. He opined that there was no detriment related to the sign.

Mr. Kinoian testified regarding the need to identify the property, the need to identify the tenants, and the need to make the site easier to find in a safe manner. He opined that the directional arrow was necessary and reasonable, and that the multiple colors are necessary for branding purposes. He believed the sign was the minimum size in order to be sufficient for site identification.

Mr. Zappasodi testified with regard to the Department of Community Development's review letter dated 4-12-13. Mr. Zappasodi identified the six technical variances necessary for the sign as proposed. The Board members inquired as to traffic accidents and why the tenants' panel size was bigger than the panel identifying the "design center". Discussion ensued.

The Applicant thereby stated that they would remove any mention of the "Cherry Hill Design Center" from the proposed sign and resubmit a sign rendering that would only list the three tenants, with the street address number at the top of the sign, and the directional arrow at the bottom. The Applicant stated that the directional component of the sign and the corresponding text would not be below three feet from grade, and thereby withdrew their request for a variance from 517-A.C5(a). The sign will not exceed ten feet in height.

The hearing was opened to the public for comment by Chairperson Rardin. No one from the public commented upon the application. The public comment portion of the hearing was closed by Chairperson Rardin.

Motion to approve the five bulk variances for the multi-tenant monument sign with enumerated conditions as specified: motion made by Mrs. Rovner and seconded by Mr. Schmoll, with affirmative votes by Maitland, Rovner, Schmoll, Kates, and Rardin. None were opposed. Motion carried.

13-Z-0014

Block(s) 436.02 Lot(s) 1
Zone: Residential (R1) Zone
Relief Requested: Bulk (C) variance to permit a bilco door in the rear yard setback.

Eric & Laurie Grossman

1814 Russet Drive
Cherry Hill, NJ

Laurie Grossman was sworn in by Solicitor Zeller. The Applicant proposes to install a 55" by 72" "bilco" door to the rear of the existing home within the rear yard setback. Mrs. Grossman stated that the door would encroach approximately 6.3' into the rear setback and would wind up being approximately 18.7' from the rear property line. She testified as to the need for the door for safety as an exit from her large basement. She stated that it was necessary in order to store things in her basement since she would not be able to bring furniture through the home. Mrs. Grossman stated that this was the best location for the bilco door as the only other option would be on the side, which would result in her having to remove a large tree that her four children call "Leafy". Her family does not wish to remove said tree.

A color rendering of the bilco door was marked as Exhibit "A-1". Mrs. Grossman testified that she is attempting to blend the color of the door with the existing color of her siding, but if that cannot be done, then she would utilize a white bilco door. She testified that there was no detriment to her neighbors and that the door was in a safe spot.

Mr. Zappasodi testified with regard to the Department of Community Development's review letter dated 5-17-13 and highlighted that there were two preexisting nonconformities with regard to the lot size and front yard setback. Some Board discussion ensued.

The hearing was opened to the public for comment by Chairperson Rardin. No one from the public commented upon the application. The public comment portion of the hearing was closed by Chairperson Rardin.

Motion to Approve the bulk variance for rear yard with enumerated conditions as specified: motion made by Mr. Kates and seconded by Mrs. Rovner, with affirmative votes by Maitland, Rovner, Schmoll, Kates, and Rardin. None were opposed. Motion carried.

Meeting Adjourned: 8:40 pm.