



ZONING BOARD OF ADJUSTMENT
Thursday, April 6, 2017
APPROVED MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairman Jonathan Rardin at 7:32 PM.

PLEDGE OF ALLEGIANCE: Led by Chairman Rardin.

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

ROLL CALL

- **Members in attendance:** Jonathan Rardin; Daniel DiRenzo, Jr.; Wyatt Sklar; Larry Terry, Sr.; Nacovin Norman; and Jeff Potter.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Acting Director; Jacob Richman, PP, AICP Planner; Jeremy Noll, PE, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from March 16, 2017. Mr. Sklar made a motion, which was seconded by Mr. Potter, to adopt the Meeting Minutes from March 16, 2017. Affirmative votes by Rardin, DiRenzo, Sklar, and Potter. Minutes are approved.

AGENDA ITEMS:

16-Z-0035

Block(s) 340.01 Lot(s) 26

Zone: Limited Office (O1); Residential (R2); Multi-Residential (R20) Zones.

Relief Requested: A minor subdivision and minor site plan with to permit a (d1) variance for to permit onsite, accessory parking in the Residential (R2) and Multi-Residential High Rise (R20) Zones to serve a regional orthopedic medical principal use in a Limited Office (O1) zone, where such use is not permitted in the R2 and R20 Zone; to permit an increase in density (d5) from 22.43 dwelling unit per gross usable acre is permitted to 23.97 dwelling unit per gross usable acre is permitted, where a maximum density of 20 dwelling unit per gross usable acre is permitted (this is a result of a reduction of acreage, as part of a subdivision); and to permit a and bulk (c) variances (Block 340.01, Lot 26 and Block 340.31, Lot 99) to construct a 712 SF lobby (at 499 Cooper Landing Road) for a regional orthopedic medical office use along with various site improvements.

Continued from the February 16, 2017 and March 16, 2017 Zoning Board meetings.

Applicant's Representatives: Robert Baranowski, Esq. – Attorney for the Applicant; James Miller, PP, AICP – Planner for the Applicant; and Todd Gittings, PE – Engineer for the Applicant

Exhibits Submitted: A-7: Sale of Parking Lot Letter; A-8: Revised Site Plan Rendering; and A-9: Sign Renderings.

Mr. Baranowski began by noting that the matter was before the Board on February 16, 2017 and was continued to the March 16, 2017 before being carried to tonight's meeting. Mr. Baranowski explained that some to changes to the site and subdivision plan will be detailed by the applicant's professionals. Some of the changes that are proposed are related to vehicle circulation/access and separating Playa del Sol from the medical office. Mr. Baranowski added that the applicant obtained approval from the Playa del Sol condominium owners to acquire a portion of the Playa del Sol for purposes of parking. Exhibit A-7 was submitted to affirm the previous statement. Mr. Baranowski reiterated that the applicant is required minor site plan and minor subdivision approval along with use and bulk variances in order to construct a 712 SF lobby addition and various parking and site improvements.

Mr. Gittings submitted exhibit A-8 and noted explained how the newly acquired property from Playa del Sol is being incorporated into the site plan for the medical office. Revised two-way circulation has been provided to allow for free flow access to the newly acquired parking spaces. Bollards and fencing will be provided in order to separate the two (2) sites. Of the newly acquired parking spaces, ten (10) will be designated as employee only and of those spaces, eight (8) will be compact parking spaces. In total, the subject site will have eighty-one (81) parking spaces. Mr. Gittings detailed the requested design waivers related to parking and drive aisles. Mr. Gittings noted that additional landscaping will be added

to the rear and front of the site. The applicant will also be adding a trash enclosure back onto the site and will be located at the end of the main access drive aisle. Mr. Gittings affirmed that they will comply with the non-residential and residential setback requirements for trash enclosure location. The applicant will also work with the Department of Community Development and ERI on landscaping around the trash enclosure.

Mr. Gittings stated that the applicant will provide ordinance compliant lighting. The applicant also proposes to reconstruct an inlet that is in disrepair and fix a small sinkhole in the pavement. The applicant will mill and overlay the ADA parking area at the rear of the medical office. Ms. Luciani stated that the applicant will be required to walk the areas acquired from Playa del Sol with the Township Department of Engineering in order to evaluate the condition of the pavement and make repairs where deemed necessary. Mr. Gittings stated that the applicant will work with the Department of Community Development and ERI to provide a proper tree replacement plan. The applicant acknowledged that they will comply with all other ERI review letters except as otherwise noted on the record. The applicant will also provide revised lot descriptions and a revised subdivision plan, with the subdivision plan being filed by deed. Mr. Gittings explained the phasing of construction and how they will include the newly acquired sidewalk into the overall bond. Lastly, the applicant agreed to provide board-on-board wooden fencing.

Mr. Miller submitted A-9 and then went through the positive and negative criteria for the requested use and bulk variances related to parking, the continuation of the office use, increase in density at the Playa del Sol property, parking setbacks, residential buffering setbacks, lot and open space coverages, and signage (for the proposed façade sign facing Connecticut Avenue). Mr. Miller described the signage as shown in Exhibit A-9 which will consist of channels letters and be internally lit. Ms. Luciani asked what the text "RadNet" is on the proposed monument sign and stated that it would need a variance. The applicant stated that "RadNet" is an affiliated equipment provider to the medical officer; however, Ms. Luciani stated that this text is laudatory and the text is below 36 inches from grade level, both of which would require a variance. In light of the nonconforming monument sign rendering, Mr. Baranowski stated that the applicant will remove "RadNet" from the sign so that no additional variances would be necessary. Lastly, Mr. Baranowski stated that the applicant will comply with the Department of Community Development's revised review letter except as otherwise noted on the record.

Public Comment: None.

Following a review of the application and conditions of approval by Solicitor Zeller, Solicitor Zeller stated that a motion for the application would have to be split up into three (3) parts. The first motion would have to be for the use variances, the second would have to be for the Minor Subdivision with related Bulk (C) Variances, and the last one would be for the Minor Site Plan and related Bulk (C) Variances. Furthermore, Solicitor Zeller stated that all conditions agreed upon at the prior hearings on this matter would be incorporated into the record.

Motion: A motion was made by Mr. Terry and seconded by Mr. Sklar, with affirmative votes for approval by DiRenzo, Sklar, Rardin, Terry, Norman, and Potter for the approval of the Use d(1), d(2), and d(5) variances, with conditions. Motion carries 6-0.


Motion: A motion was made by Mr. DiRenzo and seconded by Mr. Potter, with affirmative votes for approval by DiRenzo, Sklar, Rardin, Terry, Norman, and Potter for the approval of the Minor Subdivision with related Bulk (C) Variances, with conditions. Motion carries 6-0.

Motion: A motion was made by Mr. Norman and seconded by Mr. Terry, with affirmative votes for approval by DiRenzo, Sklar, Rardin, Terry, Norman, and Potter for the approval of the Minor Site Plan and related Bulk (C) Variances, with conditions. Motion carries 6-0.

RESOLUTIONS: None.

Meeting Adjourned: at 8:45 PM.

ADOPTED: 4/20/17


DANIEL DIRENZO, JR., VICE-CHAIRMAN

ATTEST:


LORISSA LUCIANI, PP, AICP
ZONING BOARD SECRETARY