



ZONING BOARD OF ADJUSTMENT
Thursday, June 18, 2015
APPROVED MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Rardin at 7:30 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:** William Carter; Wyatt Sklar; Dan DiRenzo, Jr.; Ivy Rovner; Steven Sweeney; and Jonathan Rardin, Chairperson
- **Professionals in attendance:** Paul Stridick, AIA, Director of Community Development; Lorissa Luciani, PP, AICP, Deputy Director of Community Development; and Allen Zeller, Esq., Zoning Board Solicitor;

COMMENTS FROM THE PUBLIC:

Sara Joslin of Cherry Hill Township asked the Zoning Board of Adjustment members to be consistent when they consider traffic issues and traffic accidents when considering applications for review and approval. Ms. Joslin mentioned the Haddonfield Lumber application as an example.

ADMINISTRATIVE ITEMS

Approval of Meeting Minutes from June 4, 2015. Mr. Sklar made a Motion to Approve the Minutes from 06-04-2015, which was seconded by Mr. Carter, with affirmative votes by Sklar, Rardin, Rovner, Sweeney and Carter. Motion carried.

RESOLUTIONS:

Resolution Authorizing Zoning Board to Enter Executive Closed Session to Discuss Pending Litigation

Fair Share Housing Center, Inc.; Camden County Branch of the NAACP; Southern Burlington County Branch of the NAACP (Plaintiffs) v. Township of Cherry Hill; Cherry Hill Township Planning Board; and Cherry Hill Township Zoning Board of Adjustment, et al (Defendants), Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01; Evans Francis Estates Associates, LP (Plaintiffs) v. Cherry Hill Township Planning Board, et al (Defendants), Superior Court of New Jersey, Law Division, Camden County, Docket No: L-1249-11; and Cherry Hill Land Associates v. Cherry Hill Township, et al, Docket No: L-04889-01.

Mr. Zeller went through the general details as to why the Zoning Board of Adjustment has to go into a Closed Executive Session in that there is pending litigation to be discussed regarding recent developments in cases involving Fair Share Housing Center, Inc. and Evans Francis Estates Associates, LP.

Motion to move into a Closed Executive Session: Mr. Sklar made a Motion to move into a Closed Executive Session, which was seconded by Mr. Sweeney, with affirmative votes by Rardin, DiRenzo, Rovner, Carter, Sweeney, and Sklar. Motion carries and the Board moved into the Closed Executive Session at 7:41pm.

EXECUTIVE SESSION (CLOSED) TO DISCUSS THE PENDING LITIGATION AND CONSIDER A PROPOSED SETTLEMENT AGREEMENT OF SAID LITIGATION (NO FORMAL ACTION WILL BE TAKEN)

Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01, Civil Action (Fair Share Housing Center, Inc.; Camden County Branch of the NAACP; Southern Burlington County Branch of the NAACP (Plaintiffs) v. Township of Cherry Hill, Cherry Hill Township Planning Board, and Cherry Hill Township Zoning Board of Adjustment, et al (Defendants)); Cherry Hill Land Associates v. Cherry Hill Township, et al; and Superior Court of New Jersey, Law Division, Camden County, Docket No: L-1249-11 Evans Francis Estates, LP (Plaintiffs) v. Cherry Hill Township Planning Board, et al (Defendants)) to consider the Settlement Agreement.

RESOLUTIONS – OPEN PUBLIC MEETING

Resolution Considering the Endorsement of the Settlement Agreement

Fair Share Housing Center, Inc, et al. (Plaintiffs) v. Township of Cherry Hill; Cherry Hill Township Planning Board; and Cherry Hill Township Zoning Board of Adjustment, et al (Defendants), Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01; and Evans Francis Estates Associates, LP (Plaintiffs) v. Cherry Hill Township Planning Board, et al (Defendants), Superior Court of New Jersey, Law Division, Camden County, Docket No: L-1249-11, to take action regarding the Settlement Agreement per the above and authorize Allen S. Zeller, Esq., of Zeller & Wieliczko to sign and/or take appropriate action on behalf of the Cherry Hill Township Zoning Board of Adjustment.

Motion to re-enter into the Open Public Session: Mr. Sklar made a Motion to move into an Open Public Session, which was seconded by Mr. DiRenzo, with affirmative votes by Rardin, DiRenzo, Rovner, Carter, Sweeney, and Sklar. Motion carries and the Board moved into the Open Public Session at 8:52pm.

Resolution Considering the Endorsement of the Settlement Agreement

Fair Share Housing Center, Inc, et al. (Plaintiffs) v. Township of Cherry Hill; Cherry Hill Township Planning Board; and Cherry Hill Township Zoning Board of Adjustment, et al (Defendants), Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01; and Evans Francis Estates Associates, LP (Plaintiffs) v. Cherry Hill Township Planning Board, et al (Defendants), Superior Court of New Jersey, Law Division, Camden County, Docket No: L-1249-11, to take action regarding the Settlement Agreement per the above and authorize Allen S. Zeller, Esq., of Zeller & Wieliczko to sign and/or take appropriate action on behalf of the Cherry Hill Township Zoning Board of Adjustment.

Motion to Ratify: Following the review of the resolution, Mr. Sweeney made a motion which was seconded by Mr. Carter, to memorialize the resolution to approve and endorse the settlement agreements with Fair Share Housing Center, Inc., et al, and Evans Francis Estates Associates, LP. Affirmative votes by Rardin, DiRenzo, Rovner, Carter, Sweeney, and Sklar. The resolution is memorialized.

15-Z-0004

Block(s) 494.01 Lot(s) 1
Zone: Industrial Restricted (IR) Zone

Relief Requested: A site plan waiver with a use D(1) Variance to permit an after-school learning center (Cherry Hill Kumon Center) in the Industrial Restricted zone.

Yung Chung

2020 Springdale Road – Suite 200
Cherry Hill, NJ

Motion to Ratify: Following the review of the resolution, Mr. Sklar made a motion which was seconded by Ms. Rovner, to memorialize the resolution for Yung Chung. Affirmative votes by Rardin, DiRenzo, Rovner, Carter, and Sklar. The resolution is memorialized.

AGENDA ITEMS

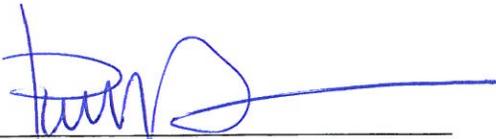
None.

Meeting Adjourned: at 8:56 pm.

ADOPTED:

Jonathan Rardin on behalf of
JONATHAN RARDIN, CHAIRMAN *Jonathan Rardin*

ATTEST:


PAUL G. STRIDICK, AIA
ZONING BOARD SECRETARY