



ZONING BOARD OF ADJUSTMENT
Thursday, July 16, 2015
APPROVED MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Jonathan 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:** Wyatt Sklar; Dan DiRenzo, Jr.; Steven Sweeney; William Carter; and Jonathan Rardin, Vice-Chairperson.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Deputy Director of Community Development; Jacob Richman, PP, AICP, Planning Technician; Christopher Noll, PE, CME, PP, Zoning Board Engineer; and Cosmas Diamantis, Esq., Zoning Board Solicitor.

COMMENTS FROM THE PUBLIC: None.

ADMINISTRATIVE ITEMS

Approval of Meeting Minutes from July 16, 2015. Mr. Sklar made a Motion to Approve the Minutes from 07-16-2015, which was seconded by Mr. DiRenzo, with affirmative votes by Sklar, Sweeney, and DiRenzo. Motion carried.

Mr. DiRenzo announced he was recusing himself from the first agenda item and left the room.

AGENDA ITEMS

15-Z-0015

Block(s) 339.16 Lot(s) 17
Zone: Residential (R2) Zone

Relief Requested: Bulk (C) variance to erect a six foot (6') high vinyl fence enclosure in the secondary front yard, where only three feet (3') in height is permitted.

Victor Farnath
229 Cambridge Road
Cherry Hill, NJ

Applicant's Representatives: Victor Farnath – Homeowner.

Exhibits Submitted: A-1: Color Site Photographs; A-2: Letter from neighbor.

Mr. Farnath opened the application by explaining the need for a six (6') tall fence in the secondary front yard of his home. Mr. Farnath stated that he received a zoning permit to install a pool but his prior fence (3' feet tall) was not adequate from a security standpoint and the zoning ordinance required a fence height of at least 4' to 6' tall with self-locking gates. The new fence would meet these requirements but due to the layout of his corner property house, a conforming fence could not be installed in a conforming location (due to the location of his patio, backyard entrance, and existing trees and shed). The fence would not only provide security for his young daughter but also provide his family privacy. Mr. Farnath stated that he already installed the fence as his homeowner's insurance company would drop him from his coverage if the security fence wasn't installed immediately.

Mr. Rardin stated that the Board prefers to see applications with the proposal not already installed and doesn't consider in this case with the fence being already up that it benefits the applicant. Mr. Farnath stated that he is aware that permits should always be obtained first before proceeding with construction.

Ms. Luciani wanted the applicant to clarify if any sight triangles were being obstructed by the installation of this fence being that the house sits on a corner property. Mr. Farnath noted that per the submitted photographic evidence and per a review by the Cherry Hill Police Department, that there is no obstruction of sight triangles. Ms. Luciani also noted a

drainage easement in the rear of the property and that should the Board approve the application, the applicant would be required to submit a signed and notarized hold harmless agreement with the zoning permit application. It was explained that this agreement is required for building structures in easements and that it states that the property owner holds the liability should the Township have to remove portion of the fence to get into the easement.

Mr. Richman asked the applicant to talk about the existing trees and shed on the property. Mr. Farnath explained that the shed was existing on the property when he bought the home and that the shed and tree are right along the secondary front yard dividing line. Mr. Farnath explained that the reason where 6' fence is installed where it is was because he was trying to avoid having to remove the tree and the shed, thus the fence was installed in front of those objects. The fence is also located in a way that it is as close to the patio as possible so as to prevent any further encroachment into the secondary front yard. Mr. Richman gave a brief overview of the in-ground pool approval.

Mr. Rardin confirmed with Mr. Farnath that if this was a typically shaped property or on an interior lot, he would be able to comply with the fence ordinance requirements.

Public Discussion: Sara Joslin of 1234 Forge Road expressed some concern about a lack of a barrier between the back door and the pool. Mr. Farnath responded that the doors are locked and there is also a pool alarm.

Motion to approve: Motion made by Mr. Carter and seconded by Mr. Sklar, with affirmative votes for approval by Carter, Sklar, Sweeney and Rardin. Motion carried.

Following the approval, Mr. DiRenzo entered himself back into the meeting for the next agenda item.

14-Z-0019

Block(s) 463.09 Lot(s) 6
Zone: Highway Business (B2) Zone

Relief Requested: Preliminary and final major site plan with bulk (C) variances to develop a 12,072 SF extended stay hotel, known as Value Place, which includes various site improvements and signage.

DC Hospitality Group, LLC

1830 Frontage Road
Cherry Hill, NJ

Applicant's Representatives: Damien Del Duca, Esq. – Attorney for the applicant; John Pettit, PE, PP – Engineer/Planner for the applicant; Evan Carzis – Principal of DC Hospitality; and Chris Harlow – Architect for the applicant.

Exhibits Submitted: A-1: Aerial Photograph; A-2: Colored Site Plan; A-3: Rendering of Hotel; and A-4: Concept rebranding logo.

Mr. Del Duca, began the application by noting the prior use variance approval for DC Hospitality. Mr. Del Duca also noted that the name of the hotel is switching from Value Place Inn to Woodspring Suites. It was noted that the hotel is still in the process of rebranding so no signs plans are being proposed as part of this application. Therefore, Mr. Del Duca noted, the applicant will only be requesting a variance from §508.F.4 and 8, to permit less than the permitted planting density with no fence, where a minimum density of plantings in the residential buffer, as well as a fence, is required. Mr. Del Duca went through Community Development's and ERI's review letters, briefly. It was stated that the applicant will provide testimony as to why trees will have to be removed and why the applicant should not be required to put in new paving out in front of the property along Frontage Road. Mr. Del Duca believes the site plan should be approved as the site has been vacant for many years and that this plan is an improvement on the existing conditions.

Mr. Pettit went over the site plan for the Woodspring Suites extended stay hotel. He noted that deliveries will be handled via box trucks. The applicant is also proposing an extensive landscaping plan. Mr. Pettit noted the planting buffer density variances without a fence and said that the landscaping proposal is an improvement of the current conditions. Mr. Pettit also went over the design waivers and the lighting plan in addition to agreeing to do a night light function test. The applicant will comply with trash enclosure design regulations and that the applicant is decreasing the amount of impervious surface on the site. A discussion then ensued regarding tree removal within the permitted 15' disturbance area (where no replacement is required). Mr. Pettit believes that there will be no substantial detriment to the public good if the variance is granted. A discussion then ensued about parking islands to which the applicant agreed to one interior parking island where a light is currently proposed. The light will be placed on the parking island and the applicant will drop one (1) parking space to go from 136 spaces to 135 proposed. It was also noted that there are no roof or ground mounted mechanical equipment.

Mr. Harlow gave an overview of the architectural design of the building and noted that the overall height of the building will be 43'-8". Mr. Harlow discussed the rebranding of the company describing that there was a need to include a hospitality component and to make certain that people know it is a hotel. Exhibit A-4 was submitted to show what the proposed rebranding may look like. Mr. Harlow explained that there is no exterior mechanical equipment as each room has a wall unit. Mr. Harlow stated that he would identify the location of the transformer on a conformance site plan and agreed to properly screen the transformer. Mr. Harlow gave an overview of the exterior materials and color of the building.

While the palate may change depending on rebranding decisions, the materials will not change and the colors will remain neutral in color.

Mr. Noll went through ERI's review letter and noted that he is still reviewing the environmental assessment. Mr. Noll stated that he is likely not to recommend any additional ground testing and that he is leaving the recommendation of whether to require the re-paving of Frontage Road to the Planning Board (the Board did not require this condition).

Public Discussion: Sara Joslin of 1234 Forge Road wanted to know if there were proper handicap and tractor trailer accommodations in the parking layout plan. Ms. Joslin also wanted clarification on whether there were any wetlands on the site. Mr. Del Duca noted that the application was adding inlets and reducing the impervious coverage. Mr. Pettit noted that five (5) handicapped spaces are being provided and that the site would meet ADA requirements. Mr. Carzis mentioned that while extended stay hotels don't usually attract truck drivers, the site is able to accommodate those vehicles (confirmed by Mr. Pettit).

The Board members expressed their approval of the application.

Motion to carry sign variances to the 9/17/15 Zoning Board meeting: Motion made by Mr. Carter and seconded by Mr. Sklar, with affirmative votes for carrying the sign variances portion of the application by Carter, Sweeney, Sklar, DiRenzo and Rardin. Motion carried.

Mr. Diamantis announced that no new notice would be required.

Motion to approve: Motion made by Mr. Sweeney and seconded by Mr. Wyatt, with affirmative votes for approval by Carter, Sweeney, Sklar, DiRenzo and Rardin. Motion carried.

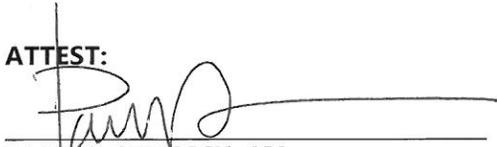
RESOLUTIONS:

None.

Meeting Adjourned: at 9:00 pm.

ADOPTED:

ATTEST:



PAUL G. STRIDICK, AIA
ZONING BOARD SECRETARY



JONATHAN RARDIN, CHAIRMAN

