



ZONING BOARD OF ADJUSTMENT
Thursday, September 7, 2017

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairman Jonathan Rardin at 8:01 PM.

PLEDGE OF ALLEGIANCE: Led by Chairman Jonathan Rardin.

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

ROLL CALL

- **Members in attendance:** Jonathan Rardin, Daniel DiRenzo, Jr., Wyatt Sklar, Jeff Potter, Nacovin Norman, Jennifer Apell, Marshall Spevak, and Jill Roth-Gutman.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Zoning Board Secretary; Jacob Richman, PP, AICP, Planner; Stacey Arcari, PE, CME, PP, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor.

ADMINISTRATIVE ITEMS

Solicitor Zeller administered the oath of office to Zoning Board of Adjustment member Nacovin Norman (Regular Member).

Adoption Meeting Minutes from August 17, 2017. Mr. Spevak made a motion, which was seconded by Mr. Sklar, to adopt the Meeting Minutes from August 17, 2017. Affirmative votes by Rardin, DiRenzo, Sklar, Apell, Potter, Spevak, and Roth-Gutman. Minutes are approved.

AGENDA ITEMS:

17-Z-0017

Block(s) 341.27 Lot(s) 2

Zone: Highway Business (B2) Zone & Residential (R2) Zone

Relief Requested: A minor site plan with a use D(2) variance and bulk (C) variances to convert a law office into a medical office (Mid-Atlantic Retina), as well as a vestibule addition along with various façade, signage, and site improvements.

PPV Ranter, LLC (Mid-Atlantic Retina)

8 Ranoldo Terrace

Cherry Hill, NJ

Applicant's Representatives: Richard Hluchan, Esq. – Applicant's Attorney; Robert Stout, PE, PLS – Applicant's Engineer; James Miller, PP, AICP – Applicant's Professional Planner; and Rhonda Ceretelle – Chief Administrative Officer for Mid-Atlantic Retina.

Exhibits Submitted: A-1: Aerial Photograph; A-2: Color Rendering of the Site Plan; A-3: Elevation Rendering; and A-4: Sign Details.

Mr. Hluchan introduced the application for a minor site plan and lot consolidation with use d(2) and bulk (C) variances in order to convert a former law office into a medical office for Mid-Atlantic Retina. Mr. Hluchan explained that a use d(2) variance is necessary for the expansion of a non-conforming use as the application involves the expansion/intensification of the required parking located in the R2 zone portion of the site.

Mr. Stout submitted exhibit A-1 and gave an overview of the site location and noted that the site is split zoned (B2/R2) with the parking lot primarily located within the R2 zone while the existing building is located in the B2 zone. Mr. Stout submitted A-2 and noted that the existing building is 15,000 SF with a 4,000 SF basement. Based upon the Zoning Ordinance's parking requirements for medical offices and doctors, the total required amount of parking is 114 spaces where 81 spaces exist/are being provided. Mr. Stout explained that there will be a mill and overlay of the parking lot along with restriping and adding ADA parking facilities. The hours of operation are from 8am to 4pm (with staff there from 7am to 5pm) Monday through Friday. There will be a maximum of two (2) doctors at the facility at one-time with a total of 25-30 staff. Mid-Atlantic Retina expects to see 15 to 16 patients per hour. Based upon their parking analysis, Mr. Stout stated that the real need for their operation is 64 parking spaces.

Mr. Stout stated that the applicant is making modifications to the site circulation including limiting access behind the facility to employees' only and creating one-way circulation around the main portion of the parking lot. Mr. Stout noted that Mid-Atlantic Retina's current location on Cooper Landing Road is moving their operations to the subject site. One of the reasons for the move is that the current location has parking issues which the subject site will be able to address. Mr. Stout explained that medical waste will be kept inside the building and removed by a private company approximately once per month. All other trash will be picked up daily by a cleaning service and taken out of the building and off-site. No trash enclosure is proposed since trash will be collected daily and removed from the site. Mr. Stout explained that there will be no deliveries via tractor trailers and that the site will only receive deliveries from parcel trucks approximately 3 to 4 times per week. Mr. Stout stated that they will be adding an ADA walkway from the main/rear entrance of the building to Ranoldo Terrace and that they will be modifying the southern access driveway so it conforms to the Zoning Ordinance's size requirements. Mr. Stout stated that the applicant will work with the Department of Community Development and the Planning Board Engineer to add additional landscaping around the site and that they will install a board-on-board fence in the residential buffer (north and west property lines). The applicant will also work with the Department of Community Development and the Planning Board Engineer on providing appropriate site lighting.

Mr. Stout stated that the applicant proposed a new vestibule addition to the main/rear entrance of the building. Mr. Stout noted the proposed signage upgrades which includes the re-facing of an existing freestanding sign and the proposal of two (2) new facades signs (one each on the south and north frontages) with each requiring a location variance. Mr. Stout submitted exhibit A-3 in order to highlight the proposed façade improvements and agreed as a condition of approval that the materials and colors shown on the elevation rendering will be what is utilized in the re-construction of the building. Mr. Stout submitted exhibit A-4 in order to illustrate the look of the proposed signs, all of which will be internally illuminated.

A discussion ensued with regard to the need for a setback variance as it relates to the proposed relocation of a back-up generator. The applicant proposed the back-up generator at the rear/west elevation of the building which requires a rear yard setback variance of 14' where a minimum of 20' is required. Mr. Stout stated that the location was chosen as it is the closest location to the mechanical hook-up and because the previous chosen location next to the patient entrance is not aesthetically pleasing. Mr. Stout affirmed that the back-up generator will be tested once per month and since it is approximately 700' from the nearest residence, it will not cause noise-related issues. A discussion ensued regarding the optimal location for the generator. Mr. Stout affirmed that this Mid-Atlantic Retina office is an outpatient facility. A discussion ensued about the possibility of reconfiguring the parking lot to add more open space but Mr. Stout provided reasons that it was not feasible to expect for adding open space near the southern access driveway. Lastly, the applicant agreed to restrict employees and patients from parking on Ranoldo Terrace.

Mr. Miller noted the surrounding uses and development history of the site. Mr. Miller went through the positive and negative criteria as it relates to the required use variance, bulk variances, and signage related variances. Mr. Miller stated that he believes the proposed use is compatible with the site and noted that the proposed aesthetic improvements help justify the use d(2) variance requires. Mr. Miller stated that the benefits of this application outweigh any detriments and that the adaptive re-use of the structure is a positive attribute. Mr. Miller sees no impairment to the Zone Plan or Master Plan if this application is approved.

Mr. Stout went to the Department of Community Development's and the Planning Board Engineer's (ERI) review letters. Mr. Stout stated that they agree to all comments in ERI's review letter but asks for a waiver from placing curbing along the southern property line as it would negatively impact drainage. The applicant will provide a security lighting analysis as a condition of approval. Additionally, Mr. Stout stated that he agrees to all of the Department of Community Development's comments including agreeing to the basement not being utilized as office/exam room space. The applicant agreed to comply with the Camden County Noise Ordinance with regard to the proposed generator.

Public Comment: Naomi Lubkin of 404 Longstone Drive asked a series of questions related to 1) If the site consists of an existing building and parking lot; 2) If surgery is performed on the premises; 3) What the purpose is for having 25-30 employees; 4) If "red bag" medical waste is collected on-site; and 5) What kinds of clinical studies, if any, are performed on-site. Mr. Hluchan and Mr. Stout stated that the site consists of an existing building and parking lot and that surgery is not performed at this location. Ms. Ceretelle explained that the purpose for 25-30 employees is that each doctor has a team of staff to assist them plus there are administrative personnel. Ms. Ceretelle stated that there is no "red bag" waste at this site, only "sharps." Lastly, Ms. Ceretelle stated that clinical studies will not be conducted at this location.

Motion: Following a review of the application and conditions of approval by Solicitor Zeller, a motion was made by Mr. DiRenzo and seconded by Mr. Spevak, with affirmative votes for approval by Rardin, DiRenzo, Sklar, Apell, Potter, Norman, and Spevak for the approval of the Use d(2) and Bulk (C) Variances with conditions. Motion carries 7-0.

Prior to the start of the second application, Chairman Rardin called for a recess at 9:19pm. The meeting resumed at 9:30pm.

16-Z-0042

Block(s) 133.01, 148.01 and 135.01 Lot(s) 1, 12, 9 & 10
1115 Sherwood Avenue, 1014 Haddonfield Road, and
1200 & 1208 Wynwood Avenue
Zone: Highway Business (B2) Zone and Limited Office (O1) Zone.

Relief Requested: A use d(1) variance for off-street parking for inventory storage of vehicles, a partial public right-of-way (ROW) vacation and dedication of Sherwood Avenue; preliminary and final major site plan with bulk (C) variances and lot consolidation (Block 133.01, Lot 1, Block 148.01 and the public ROW vacation for Sherwood Avenue are proposed for lot consolidation, and Block 135.01, Lots 9 and 10 is proposed for lot consolidation) for the construction of a 30,042 SF new Range Rover/Land Rover dealership with associated site improvements.

M.B.J. Associates, LLC (Land Rover)

Cherry Hill, NJ

Applicant's Representatives: Robert Newman, Esq. – Applicant's Attorney

Exhibits Submitted: None.

Mr. Newman requested an adjournment of M.B.J. Associates, LLC's application, stating that they want to provide the Board a more refined plan. Chairman Rardin thanked the public for coming out to the meeting and stated that they cannot force the applicant to proceed with the applicant and therefore, he is in favor of granting an adjournment. Solicitor Zeller stated that it would be unusual not to grant an adjournment when the presentation has not begun. After a brief discussion, Mr. Newman agreed to allow public comment on the matter.

Public Comment: Ms. Margaret Rugletic of 910 Murray Avenue expressed displeasure at the applicant's request for an adjournment and noted that she is not in favor of the applicant's proposed application.

Ms. Rena Margulis of 28 School Lane wanted to know when the matter would be rescheduled. Mr. Rardin stated that if no specific rescheduling date is requested by the applicant then the applicant will be required to provide new public notice. A discussion then ensued regarding the scheduling of the application with the result being that since the applicant will be submitting revised materials, new public notice will be required.

Mr. James Greenberg, Esq. of Duane Morris, LLP stated that he represents an adjacent property owner. Mr. Greenberg requested Mr. Newman to provide him copies of any new submission materials to which Mr. Newman agreed to do so.

Motion: A motion was made by Mr. Spevak and seconded by Mr. Sklar, with affirmative votes by Rardin, DiRenzo, Sklar, Apell, Potter, Norman, and Spevak to grant the adjournment of the application. Motion carries 7-0. Solicitor Zeller stated that the applicant will be required to provide new public notice.

RESOLUTIONS

17-Z-0013

Block(s) 404.45 Lot(s) 1
Zone: Residential Agricultural (RA) Zone

Relief Requested: An application for bulk (C) variances and tree removal to construct a new single family dwelling with an equestrian/horse keeping use along with various site improvements including a detached garage, driveway, stables, pasture area, and landscaping.

Brian & Laurie Wolfson

110 Munn Lane
Cherry Hill, NJ

Motion to Ratify: Following the review of the resolution, Mr. Spevak made a motion which was seconded by Mr. Sklar, to memorialize the resolution for Brian & Laurie Wolfson. Affirmative votes by Rardin, DiRenzo, Sklar, Apell, Potter, and Spevak. The resolution is memorialized.

Meeting Adjourned: at 9:42 PM.

ADOPTED: SEPTEMBER 28, 2017

ATTEST:



**LORISSA LUCIANI, PP, AICP
ZONING BOARD SECRETARY**


JONATHAN RARDIN, CHAIRMAN