

MEDFORD TOWNSHIP ZONING BOARD OF ADJUSTMENT

19 July 2023 - 7:00 p.m.

Public Safety Building - 91 Union Street

Attorney Jerry Dasti called the meeting to order at 7:00 p.m. and read the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Law.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Cocivera, Hamilton (*late) Meehan, Pullman, Rickards, Simmers, Wolf, Umba, Morrison
Absent: None
Professional Staff: Attorney Jerry Dasti, Engineer Christopher Noll, Planner Michelle Taylor, Secretary Ann Bell

CORRESPONDENCE: Mr. Dasti explained that the Woodford Cedar Run Wildlife Refuge had submitted an application in which a Conditional Use Variance for a proposed second floor addition to an existing structure would have been required. Upon further review of the Land Development Ordinances, it was determined that Cedar Run is exempt and a letter from Mr. Dasti to the applicant was sent. The applicant had already noticed for the meeting; so Chairman Cocivera asked if anyone from the public was present to speak on the application. No one was present for this application.

MINUTES:

June 21, 2023 Regular Meeting – Mr. Pullman made a motion to approve the June 21, 2023 Zoning Board Regular Meeting Minutes. Mr. Simmers seconded the motion. A unanimous voice vote in favor by the other members carried the motion.

REPORTS: None

RESOLUTIONS TO BE MEMORIALIZED:

Resolution #2023-20. Kevin Lynn, 10 E. Lake Circle, 3804/4, ZVE-1154
Bulk Variance approvals to construct a one-story addition that encroaches into the minimum side and rear yard setbacks and exceeds the maximum building and lot coverages allowed.

Recorded Vote

Ayes: Hamilton (M), Meehan, Pullman (2), Simmers, Wolf, Rickards (M), Cocivera
Nays: None
Abst.: None
Motion carried: 7 - 0 - 0

Resolution #2023-21. James Camp, 1 Braddock's Mill Rd., 3202.18/36, ZVE-1155
Bulk Variance approvals to install a 54" black aluminum fence in one front yard and a 54" black aluminum fence in the other front yard of a corner property, exceeding the permitted front yard fence height of 48".

Recorded Vote

Ayes: Hamilton, Pullman (M), Meehan (2), Simmers (2), Wolf, Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 7 - 0 - 0

APPLICATIONS/OFFICIAL:

Robert & Alison Brecher, 19 Elm Dr., 3002/14, ZVE-1157 – Bulk Variance application for a front and side yard setback to construct an addition to the residential dwelling.

SWORN: Robert & Alison Brecher, Owners
Jeffrey King, Architect

PUBLIC: No one from the public spoke.

Mr. Pullman made a motion to close the public portion. Mr. Hamilton seconded. The voice vote was unanimous in favor.

MOTION: Mr. Hamilton made a motion to approve the application as submitted, including the design waiver for the driveway contingent upon submission of a driveway permit. Mr. Wolf seconded.

Recorded Vote:

Ayes: Hamilton, Meehan, Pullman, Simmers, Wolf, Rickards, Cocivera
Nays: None
Abst.: None
Motion carried: 7 - 0 - 0

Jeffrey Wheeler, 23 E. Lake Circle, 3805/6.01, ZVE-1160 – Bulk Variance application to enclose an existing screened porch on second level and enclose existing sun-room on third level.

SWORN: Jeffrey Wheeler, Owner

PUBLIC: No one from the public spoke.

Vice Chairman Rickards made a motion to close the public portion. Mr. Hamilton seconded. The voice vote was unanimous in favor.

MOTION: Mr. Pullman made a motion to approve the application as submitted. Mr. Simmers seconded.

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Recorded Vote:

Ayes:	Hamilton, Pullman, Meehan, Simmers, Wolf, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7- 0 – 0

M2 Properties, LLC, 131 Medford – Mt. Holly Rd., 404.07/24, ZVE-1114SP – Minor Site Plan application for landscape business and residential dwelling.

SWORN: Gary Woodend, Esq.
Michael Meyer, Owner/Managing Partner-M2 Properties, LLC

PUBLIC: No one from the public spoke.

Mr. Hamilton made a motion to close the public portion. Vice Chairman Rickards seconded. The voice vote was unanimous in favor.

MOTION: Mr. Hamilton made a motion to approve the application as submitted, with the following conditions: 1. There will be no trucks on site in excess of 15,000 lbs. (gross vehicle weight); 2. There will be no on-site customers; 3. There will be no delivery of materials; 4. The applicant will keep the property cleaned up with equipment stored in the existing buildings; 5. The applicant will amend the site plan to provide the proposed location of a dumpster; 6. The dumpster will always be covered. The dumpster will be for landscaping debris only, and not household trash; 7. There will be no loading or unloading on-site; 8. The applicant will provide a board-on-board fence along the southern property line in the area set forth herein above. (See A-11); 9. All conditions of approval will be completed no later than November 15, 2023; 10. In accordance with A-11, there will be poles located approximately 10 feet apart as indicated in order to block any vehicular traffic to the west of those poles; 11. The applicant will provide a suitable pole with a sufficient color, size, etc. to block the well from traffic and potential damages; 12. The applicant will comply with the aforementioned review letters from Board Planner Michelle Taylor dated July 10, 2023, and July 13, 2023; and 13. The applicant will provide grass seed in areas which are referenced on A-11 after removing/relocating stone with a rake and scarifying the area. Vice Chairman Rickards seconded.

Recorded Vote:

Ayes:	Hamilton, Pullman, Meehan, Simmers, Wolf, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7- 0 – 0

Joseph Orlando, 144/148 Old Marlton Pike, 906.02/21&22, SPR-5757PF – Minor subdivision, Preliminary and Final Major Site Plan, and Bulk Variances for an 1,895 sf addition to the existing structure on Lot 22, whereas a Use Variance was granted per Resolution #2022-16.

SWORN: Christopher Norman, Esq., Platt Law Group
Joseph Mancini, Engineer & Planner, Tri-State Engineering
Joseph Orlando, Owner

Mr. Norman opened the testimony by summarizing the previous testimony that resulted in the Use Variance granted by the Board in 2022 as per Resolution 2022-16. At that time, the application was bifurcated, with the applicant to return for subdivision and site plan approvals.

The application is centered on a proposed 1895sf addition to the existing building on Lot 22, which is being utilized by Goodwill as a donation drop-off center. The addition will allow Goodwill to move the delivery of and storage of donations indoors, a function that is now conducted outdoors. The architecture on the proposed building addition will have a barn look, per feedback from the Board members and professionals.

With the proposed subdivision lot line adjustment, Lot 22 will be increased from .35 acres to .53 acres in order to accommodate a driveway to the rear of the building where donations will be accepted. Parking requirements will also conform.

Lot 21 is a residential lot also owned by Mr. Orlando. He will commit to add fencing and landscaping to separate the lots.

Mr. Mancini was the next to testify. He introduced Exhibit A-11 dated July 2021, which is the proposed site plan. He described how the curb cuts along both frontages would be mostly closed up, and the driveway located further away from the intersection, which will limit access for both ingress and egress. Entry to drop off goods will be via Hartford Road and egress onto Old Marlton Pike. Shifting the driveway to the south will also allow for more green space along both road frontages. The driveway and drop-offs being behind the building will significantly improve the aesthetics, as the collection bins will no longer be out front while Goodwill is open. Storage of bins will be located in the addition. The color of the addition will be neutral earth tones, with barn elements added to the architecture. Mr. Mancini added that the parking on the lot will be much more efficient based on the proposed site plan.

Mr. Mancini then summarized the bulk variances required, as included in Mrs. Taylor's May 11, 2023 review letter. Mrs. Taylor added that overall impervious lot coverage also requires bulk variance relief. He detailed how the proposed site plan meets the c2 criteria by reducing impervious coverage, adding green space areas, providing better site circulation and traffic improvements by moving the driveway further south of the intersection, and greatly reducing the size of the curb cuts all justify approval, especially given that the aesthetics on this important corner will be substantially improved.

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Mr. Orlando added that his vision for the property would be good for Medford, good for Goodwill, and good for himself as the owner of both properties.

Mr. Mancini then proceeded to discuss the building architecture. The building addition height will be 16'4" ; whereby 27' is permitted. Rendering #14 in the application packet shows the proposed building with its "A" frame roof. It is proposed to be a "peachy" earth tone color.

Mrs. Taylor referenced her May 11, 2023 review letter, where she stated that the GMS zone district standards are not applicable since this is an approved commercial use. To that end, she used the Restricted Highway Commercial (RHC) zone standards as they most closely align with the permitted use. She detailed the comments in her review letter, especially that the lighting lumens be lowered or off altogether after hours. She also stated the color should not be peach; that is what was proposed by the applicant, but it is not the warm, muted earth tone colors recommended for commercial properties.

Lastly, she would recommend that the Board, as a condition of approval if so granted, have the applicant remove the concrete slab and stone on Lot 23 from a detached garage that was relocated.

Mr. Mancini then readdressed the Board; and stated the applicant will agree to the reduced lighting and will consent to a night light test by Mr. Noll; but in any configuration, a design waiver is still required. Mr. Noll recommended that the lights be set to turn off one hour after closing.

Mr. Mancini continued that a waiver is also required for parking spaces partially within the buffer areas, and he requested a waiver to permit a shrub height of 24" instead of the required 36" to permit better sight lines. Lastly, he stated the applicant agrees to Mrs. Taylor's recommendation to use "horse" style fencing between the two properties; and to plant native species to supplement the fence border.

Mr. Noll referenced his May 11, 2023 review letter. He does recommend the granting of submission waivers for the soil tests and for the utility line markings to be shown on the site plan. He also recommends granting the driveway design waiver. Mr. Noll opined that the proposed site plan would result in a significant improvement on traffic and circulation because it is being relocated further away from the intersection.

Mr. Noll added that the residence on Lot 23 would also be connecting to the sanitary sewer service, so the septic system will be taken off-line.

Board members had detailed questions in regards to the architecture of the proposed building addition. Given that the one side of the building would be a solid wall, they asked if any faux treatments could be added, such as windows, a hayloft and/or a barn door. Mr. Orlando agreed to work with Mrs. Taylor to add some design elements. Mr. Hamilton asked if eaves could be added so the structure looked less like a box and more like a dwelling. After some discussion, Mr. Orlando said he could, and wanted to know the size, to which Mr. Hamilton recommended 18".

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Discussion continued amongst the Board members, the applicant, and his professionals in regards to the architecture of the addition, along with modifications to the existing flat-roofed building.

In order to move the application, Mr. Dasti summarized the items discussed by the Board in order to frame a motion if the Board was inclined to approve the application, the requested bulk variances, the submission waivers and the design waivers:

- 1) Comply with the review letters of Mr. Noll & Mrs. Taylor
- 2) Goodwill would be limited to use box trucks only at the location; tractor trailers would be prohibited
- 3) Goodwill would come up with a solution to prevent cut-thru traffic.
- 4) The concrete pad will be removed
- 5) No drop off donations would be permitted/accepted after hours (i.e. no outside collection bins)
- 6) No outside storage
- 7) Night Light function test to be conducted by Mr. Noll prior to final C.O.
- 8) One hour after closing, lights would be reduced to motion-sensored security lighting
- 9) The colors of the building addition & painting of existing building to be approved by Mrs. Taylor
- 10) Fencing between the lots would be "horse" style wooden fence with native species plantings.

Chairman Cocivera suggested that public comment take place at this time.

PUBLIC: No one from the public spoke.

Mr. Hamilton made a motion to close the public portion. Mr. Wolf seconded. The voice vote was unanimous in favor.

Board members still had questions about the architecture, especially after learning that the materials for the addition are already on the site. Mr. Norman asked for a 5-minute recess to confer with Mr. Orlando and Mr. Mancini.

The recess was called at 9:15 pm. The meeting resumed at 9:20 pm.

Upon resumption of the meeting, Mr. Norman indicated that Mr. Orlando agreed to the 18' eaves, adding architectural features on the north side of the addition, and a paint color of the Board's recommendation.

With a number of unanswered questions about the architecture, after consultation with Mr. Dasti, it was decided to not vote on granting preliminary approval of the site plan at this time, but rather continue the application to the July 2023 meeting (19th) so the applicant can submit some revised elevation renderings of the addition.

Mr. Norman agreed to a 30-day extension of time to hear the application.

MOTION: Mr. Hamilton made a motion to continue the application to the July 2023 meeting without the need to re-notice. Vice Chairman Rickards seconded.

Recorded Vote:

Ayes:	Hamilton, Meehan, Pullman, Simmers, Wolf, Rickards, Cocivera
Nays:	None
Abst.:	None
Motion carried:	7 – 0 – 0

EXECUTIVE SESSION: None

ADDITIONAL ACTION(S) BY THE BOARD: None

MOTION FOR ADJOURNMENT:

Vice Chairman Rickards made a motion to adjourn the July 19, 2023 Zoning Board of Adjustment meeting at 9:45 pm. Mr. Hamilton seconded the motion. The voice vote was unanimous in favor.



Ann Bell, Zoning Board Secretary



Beth Portocalis, Recording Secretary