

WASHINGTON TOWNSHIP
ZONING BOARD OF ADJUSTMENT

July 11, 2016 Minutes

The Washington Township Zoning Board of Adjustment was called to order by Mike Sauter, Zoning Board Chairman at 6:07 PM.

1) Flag Salute

2) Sunshine Law

This is a regular meeting of the Washington Township Zoning Board of Adjustment. Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. In addition, notice of this meeting was given to the Township Clerk.

3) Oath

4) Roll Call

a. Members Present: Mr. Bennis, Mr. Dougherty, Mr. Flaiano, Mr. McNaughton, Mr. Sauter

i. Members Absent: Mr. Guidotti, Mr. Wisniewski

ii. Alternates Present: Mr. Dollarton, Mr. Halpin

iii. Absent: None

b. Council Liaison: Mr. Fazzio was not in attendance.

5) Swearing in Professionals

6) Applications

Steve Altamuro announced JGK Irrevocable Trust and Manolopoulos applications are postponed until the August 8, 2016 meeting.

a. Gallagher, 8 Heritage Valley Drive, Block 54.07 Lot 24, Escrow # 1046, Bulk Variance. Mrs. Gallagher testified they added an inground pool. The yard slopes down so they installed a retaining wall and then had to install a fence. The retaining wall is 5'3" and lowest is 2 ½'. Mr. Petrongolo advised the retaining wall, as per the ordinance, is not included with the height of fence because it's considered a support structure. Mr. Sauter made a motion to open to the public/2nd Mr. Flaiano. No public participation. Mr. Flaiano

made a motion to close to the public/2nd Mr. Bennis. Discussion occurred deciding the applicant meets the zoning requirements and does not need to seek a bulk variance. No vote required.

- b. Senior Housing Development, LLC.** 349 Greentree Road, Block 54.10 Lot 7.02, Escrow# 1045. Use Variance. Emily Givens Esq. represented the applicant. Raymond DioGuardi testified the company has been operating assisted living facilities for over 40 years. They have five communities in New Jersey open and operating with a maximum of 30 employees at one time. Stephen Humphries, architect for the applicant, described the building as a two story with 58 units. It will have assisted living and memory care section. Mr. Petrongolo described the variances the applicant is seeking. Doug Szabo, engineer for the applicant, testified the property is located in NC Zone. The facility will be 58,000 sq. ft. and 31'9" in height. Township ordinance allows for 25' height, therefore they are seeking a variance for the height. Mr. McNaughton asked if there will be any traffic at the rear of property. Mr. Szabo said the proposed access easement will allow access to lot 2. Mr. Petrongolo advised an access easement does not grant the applicant approval to use this as a driveway. Any access to lot 2 would require further site plan approval. Tiffany CuvIELLO, professional planner for the applicant, testified the applicant is seeking a height variance and a variance for the square footage. The property was previously listed as HC and it changed to INS in 2004. Then in 2010 they reverted zoning to a lower intensity commercial and changed it to NC. This facility is a low intensity use. Ms. CuvIELLO described all positive and negative criteria. She described the limited amount of assisted living facilities in the township. Mr. McNaughton asked about buffers for the residential properties. Ms. CuvIELLO advised there will be a 50' landscape buffer. Mr. Petrongolo advised adding berms and then adding landscape buffers on top of berms. Mr. Dougherty asked about all the air conditioners and the noise. Mr. Petrongolo advised the applicant to supply sound levels of units. Mr. Petrongolo summarized the applicant's request. He doesn't believe it goes against the master plan. If approved; they would require site plan approval and subdivision and they should require the facility to be licenses. Parking in front of facility will require a waiver. A list of recreational facilities on site must be

supplied. Mr. Bennis made a motion to open to the public/2nd Mr. Halpin.

Kevin Basile, 6 Freedom Place. Mr. Basile just purchased the property behind what is now going to be a construction site. He doesn't believe a 50' buffer is a very large buffer from a residential zone.

Kishan Ravani, 3 Heritage Valley Dr. opposes the height variance.

Brooker Parker, 7 Freedom Place. Main concern is the noise. Son has a heart condition and she is concerned about the noise from ambulances.

Barth Bhavsar, 4 Heritage Valley Dr. asked what type of buildings are allowed on this property. Mr. Petrongolo listed the type of buildings allowed on property.

Mr. Briggs, 605 Hurffville Crosskeys Road. He purchased his home in April and asked if anything was being built and he was told no. Mr. Sauter advised him the board received this application on June 14, 2016.

Joe Talvecchio, 1 Heritage Valley Drive. Feels buffer has to be larger and would also like to make sure nobody parks on Heritage Valley Drive. He is also concerned where the dumpster will be located.

Mr. Bennis made a motion to close to the public/2nd Mr. Dougherty. Emily summarized variances required. Mr. McNaughton made a motion to approve/2nd Mr. Bennis. **Roll Call:** 7 Affirmative, 0 Objections, 0 Abstain. Motion Approved.

- c. **Cedar Properties**, 465 Egg Harbor Road, Block 193 Lots 7.02, 7.03, 7.04 Escrow# 1043. Use Variance. Damien Del Duca Esquire represented the applicant. Mr. Del Duca described the property and advised applicant is seeking to add a Burger King Restaurant and office building. Property is located in O-1 zone. They are seeking a variance for the Restaurant. They will consolidate 3 lots to 1 lot and add 2 uses. Jay Sims, engineer for applicant, described the site and how access to the buildings will be obtained. Greg Winans, US Restaurants, Vice President for 35 years, testified he has 33 restaurants and this will be a typical Burger King. Applicant and Board discussed why Burger King on Black Horse Pike closed. Michael Brown, Traffic Engineer for applicant, discussed his report and advised no significant increase in traffic would occur. Tiffany CuvIELLO, Planner for applicant testified the

area is evolving and changing. She presented and the positive and negative criteria. Doesn't believe there is any detriment to the surrounding areas. Mr. Petrongolo advised based on testimony maybe the applicant should be before council requesting a change of zone. Mr. Sauter made a motion to open to the public/2nd Mr. Bennis.

Meghan Watson, 1 Red Oak Ct. testified the traffic report did not include the school traffic. She is concerned with students walking to Burger King.

Jim & Phyllis White, 420 Ganttown Rd. Mrs. White testified traffic has been an issue for 35 years. Traffic backs up as soon as school lets out from Republic Bank to TD Bank. She is also concerned with rodents and trash from restaurant. She is fine with the office building.

Gary DeVita, 408 Ganttown Rd, testified they closed location on Black Horse Pike and now moving here. Trucks will be an issue all hours of the night.

Ginny Murphy, 53 Goodwyn Pkwy, testified she is a member of the School Board and she is concerned over the safety of the children and the major traffic issue. They will have to increase security at the school.

David Vincente, 916 Skyler Place, testified this site is not suited for Burger King. It is zoned O-1 and should remain O-1.

Maryanne Raroha, 803 Saratoga Terrace testified she agrees with everything said and we already have 8 other fast food restaurants within a half mile.

Christine Kosal, Richmond Drive, testified traffic is worse in this area and she is also concerned with rodents at the property and the possibility of them traveling to the school.

Colette Staab, 1011 Putnam Place, testified she is concerned with traffic and closeness of Burger King to the school. Burger King will take away the revenue from the concession stands by being so close the schools.

Sean Longfellow, 5 Nadine Court, testified he believes safety is a concern and this will make a big change on the fingerprint of our town.

Mr. Sauter made a motion close to public/2nd Mr. Bennis. Mr. McNaughton made a motion to approve/2nd Mr. Sauter. **Roll Call:** 0 Affirmative, 7 Objections, 0 Abstain. Motion Approved.

7) Old/New Business

8) Open Meeting to the Public: Mr. Sauter made a motion to open to the public/2nd Mr. Flaiano. No public participation. Mr. Sauter made a motion to close to the public/2nd Mr. Halpin.

9) Minutes

June 2016 Minutes - Mr. McNaughton made the motion to approve/2nd Mr. Bennis. Roll Call: All in Favor

10) Resolutions

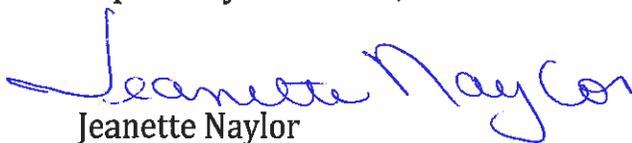
a. **R24-2016 Anderson, 116 Goodwin Parkway**, Block 198.03 Lot 18, Escrow# 1044, Bulk Variance. Mr. Bennis made a motion to approve/ 2nd Mr. Flaiano. **Roll Call:** 7 Affirmative, 0 Objections, 0 Abstain. Motion Approved

11) Adjourn

Mr. Sauter made a motion to adjourn the meeting/2nd Mr. Flaiano. Roll call: All in favor. Meeting adjourned.

These minutes are a brief summary of the proceedings that took place on 7/11/2016 and should not be taken as verbatim testimony.

Respectfully submitted,


Jeanette Naylor

Zoning Board of Adjustment Secretary

Cc: Mayor
Business Administrator
Council
Township Clerk
Tax Assessor

Director of Community Affairs
File