

**Mount Laurel Township Zoning Board of Adjustment**  
**Regular Meeting Minutes**  
**February 3, 2021**

**Opening**

The Second Regular Meeting of the Mount Laurel Zoning Board of Adjustment February 3, 2021 was called to order by Chairman Francescone at 7:05 p.m.

Pledge of Allegiance and Moment of Silence were observed at the 2<sup>nd</sup> Reorganization meeting

The Open Public notice was read by Suzanna O'Hagan, Board Secretary at the 2<sup>nd</sup> Reorganization Meeting

Roll call was taken at the 2<sup>nd</sup> Reorganization meeting.

**Announcements and Review of Board Procedures**

The Board Secretary announced that Legal Landscaping, ZB20-D-14 is carried to the March 3, 2021 Zoning Board meeting. No further notice will be given.

**Adopting the Minutes**

Chairman Francescone asked for a motion to adopt the Special meeting minutes of 12/30/2020, Mr. Green moved the motion, Mrs. Liciaga seconded, all present voted affirmatively except Mr. Gray and Mrs. Andersen who abstained and the motion was carried.

Chairman Francescone asked for a motion to adopt the Reorganization minutes of 1/06/2021. Mrs. Andersen moved the motion, Mr. Killen seconded, all present voted affirmatively and the motion was carried.

Chairman Francescone asked for a motion to adopt the Regular meeting minutes of 1/06/2021. Mr. Gray moved the motion, Mr. Killen seconded. All present voted affirmatively and the motion was carried.

**Memorialized Resolutions**

1. **R-2021-ZB04** – Mr. Killen made a motion to approve R-2021-04, Mr. Green seconded, all present voted affirmatively except Mr. Gray and Mrs. Andersen who abstained and the motion was carried.

**The Professionals were sworn in.**

**Petitions before the board**

1. **Dheeraj Mahajan, ZB#20-C-21**, 13 Crossings Ct., Block 800 Lot 8.08, R-3 zone. These bulk variances are being sought from ordinance 154-16 to allow a deck with a rear yard setback of 38.5 feet where 50 feet is required and a 5 foot wetland boundary setback where 50 feet is required, and from section 154-64 to allow the deck to be 339 square feet outside the building envelope where 250 feet are allowed.

Mr. Mahajan was sworn in.

**Mr. Mahajan** testified that his property is on a cul-de-sac and backs to woods with no neighbors behind him.

**Jay Petrongolo**, Board Planner noted that the plan submitted shows a setback of 37.7 feet not 38.5. After some discussion Mr. Mahajan agreed to amend his application to request a setback of 37.5.

Chairman Francescone opened the meeting to the public for question or comment. Seeing none, Chairman Francescone closed the public portion.

Chairman Francescone asked for a motion to approve application ZB#20-C-21 with the noted amendment. Mr. Killen moved the motion, Mr. Gray seconded. Roll Call vote. All present voted affirmatively and the motion was carried.

**2. Solar America, ZB#20-D-19**, 1115 Rt. 73, Block 1104 Lot 2, SRI zone. This applicant seeks an expansion of use variance and variance from section 154-21.F(2) to allow solar panels to be located in the front yard of the property and to be unscreened from off-site view.

Don Ryan Esq. of Ryan and Thorndike represented the applicant.

**Witnesses Sworn:**

John Scorsone, President of Solar America and Tiffany Morrissey, PP, AICP, applicants' planner.

**Exhibits entered:**

Exhibit A1, Power Pont package of project renderings pages 1-27.

**Mr. Ryan** summarized the application stating that the use variance for convenience store and fueling station was granted in 2004, this solar variance would be an expansion of the previous variance.

**Mr. Scorsone's Testimony**

The proposed solar panels will provide approximately 15% of Wawas' electric usage for the year. The panels are black on black monocrystalline solar panels with black racking and will not reflect sunlight, they will absorb light. There is no noise or fumes associated with the solar panels

He testified that the security features of the include the ability to monitor every inverter on every panel including a backup monitoring system in case one fails, the inverters will automatically shut down in case of power failure with build in redundancies.

**Mr. Angelastro** asked if the panels are motorized to track the sun and what maintenance is required.

**Mr. Scorsone** replied they are not motorized, they are stationary, attached about 6 inches off of the roof and there is virtually no maintenance is required.

**Tiffany Morrissey's Testimony**

Solar panels are considered an inherently beneficial use under the Municipal Land Use Law. The inherently beneficial use satisfies the positive criteria of this application. Additionally, the project promotes light air and open space by locating the panels on an existing structure, promotes a desired visual environment through creative development techniques and good civic design, promotes the utilization of renewable energy sources. In terms of the negative criteria Mrs. Morrissey believes the variances are minor in nature, the ordinance does allow for renewable energy. The project is not a substantial detriment to the zone plan or the public good and the benefits outweigh the detriments.

**Jay Petrongolo**, Board Planner, reviewed his report dated 11-13-2020. Mr. Petrongolo requested a visual impact assessment and architectural renderings as these are conditions of the ordinance. He does not believe there is a substantial impact from the expansion of the use variance to allow the solar panels.

**Mr. Scorsone** replied that renderings were submitted as exhibits before the meeting. The only visible equipment will be the black on black panels. All other material will be hidden by the panels. A physical disconnect will be located on the side of the building.

**Mike Angelastro**, Board Engineer and Traffic Engineer. Mr. Angelastro reviewed the letter from the previous engineer, Bill Long, Alaimo Group dated 11-10-2020.

**Mr. Ryan** agrees to comply with comments including a revised Site Plan being submitted to Remington and Vernick for review.

**Brian McVey**, Fire Marshal did not prepare a report and has no comments.

**Tiffany Morrissey** shared exhibits A1, Power point package pages 1-27

**Mr. Scorsone** presented the Power Point renderings showing the view of the project from different heights and angles. He testified that the panels are not visible from the ground.

**Joe Green**, Board Member asked if the fueling bays will be shut down during construction.

**Mr. Scorsone** responded that only one bay will be closed for approximately 10 days.

**Chairman Francescone** opened the meeting to the public for questions or comments.

**Dennis Culnan**, 5 Richland Drive asked if the applicant is using union labor.

**Mr. Scorsone** responded that they are not.

**Chairman Francescone** closed the public portion.

**Chairman Francescone** asked for a motion to approve application ZB#20-D-19. Mr. Gray moved the motion, Mr. Green seconded. Roll Call Vote. All present voted affirmatively and the motion was carried.

**3. 1315 Rt. 73 LLC., ZB#20-D-18**, 1315 Rt. 73, Block 1100.01 Lot 2, I zone. This applicant seeks Preliminary and Final Site Plan approval, Use variance from section 154-56 to allow a car wash in an Industrial zone and Bulk variances from section 154-92.4 to allow various prohibited signs. Dino Spadaccini, Esq. represented the applicant.

**Witnesses sworn:**

John W. Kornick, PE, PP, President – K2 Consulting Engineers, Inc.; Tiffany Morrissey-Cuviello, PP, AICP; Heather Balgowan, PE, PTOE, McMahon Associates, Traffic Engineer; Christopher Vernon, Valet Autowash

**Exhibits:**

A-1, Valet Auto Wash 3 pages; A-2 Interior view of vacuums; A3, Photo of Manahawkin location exterior; A-4 Front elevation repurposed Giant Fitness; A-5, Site rendering plan; A-6 Site Layout Plan; A-7, Signage plan page 12 of 14 and A-8 Signage plan sheet 13 of 14

**Mr. Spadaccini** summarized the application.

**Chris Vernon's Testimony**

Mr. Vernon shared Exhibits A-1, A-2 and A-3

The tagline is "Reinventing an Industry" Mr. Vernon testified that their carwashes are changing the image of the industry for the better. He explained the automated kiosks replace cashiers and described the interior and exterior vacuum system, towels, washing and rinsing process and water reclamation process creating a one stop shop to clean your car. Approximately 85% of the water is reused. The 12 current locations have about 25000 club members. Members have an RFID card allowing them access to the carwash 24 hours a day unlimited times per month for a set fee.

**John Kornick's Testimony**

Mr. Kornick shared Exhibit A-4. The only changes to the existing building will be the overhead doors and repainting. The existing signs will be refaced per the A-4 Exhibit. Using Exhibit A-5 Mr. Kornick described the traffic flow pattern from Route 73. Access is only possible from Rt. 73. The plan shows 30 cars able to stack and up to 34 cars are able to stack. Lane one is club member access the next two lanes are for all customers. There is a fourth lane shown for bypass which also provides full circulation fire access and access for the trash truck to reach the dumpster in the rear of the property. There is a 25' x 25' addition to accommodate the product being brought in to the facility. The overall impervious coverage is being reduced from over 80% lot coverage to 78.7% with landscaping. The property is connected to the MUA facility.

Between 2 and 4 employees will be onsite for daily operations from 8:00 a.m. to 7:00 p.m. in the summer and 8:00 a.m. to 6:00 p.m. in the winter. A letter on no interest was received from the NJDOT. With Exhibit A-6 Mr. Kornick further explained the potential stacking of vehicles on the property. This layout was not submitted with the application but the applicant will submit this with the compliance plans.

**Mrs. Anderson** questioned the plan showing that the bypass lane is blocked when vehicles stack in two lanes around the turn.

**Mr. Vernon** testified that there is an attendant at the entrance to the tunnel to identify any issues at the gates. On a normal day 20 vehicles is a lot because the cars are processed quicker than a conventional car wash due to the total automation. If for any reason a customer is unable to go through the carwash an attendant is at the gate to allow the customer to exit without going through the carwash.

**Mr. Angelastro** questioned how many cars per hour the facility would expect

**Mr. Vernon** responded 20-50 cars per hour on average or approximately 300-375 cars per day annually.

**Mr. List** asked if the bypass at the curved section is required at this location.

**Mr. Kornick** responded that it is not required but it is good planning. Currently there is no bypass as there is no circulation around the building.

**Mr. Petrongolo** clarified that a bypass lane is required with any drive through facility to accommodate emergencies.

**Mr. Vernon** testified that it takes about 3 minutes from the door through the carwash. About 50% of customers leave immediately after the wash and about 50% will dry and detail their car after the wash. 90% of the time the que is 2 cars deep. Less than 5 days a year you may have stacking more than 20 cars in the que.

#### **Tiffany Morrissey-Cuviello's Testimony**

Mrs. Cuveillo described the surrounding uses and allowed uses for the zone. Mrs. Cuveillo believes this project meets the positive criteria because it is particularly suited to the area and promotes the general welfare. Additionally, the project provides sufficient space for a variety of uses, promote4s a desired visual environment and encourages transportation routes that will promote the free flow of traffic. She stated that this is an adaptive reuse of the building and is not an unusual use along the Route 73 corridor. The project will result in a 4,600 square foot reduction of impervious coverage with enhanced landscaping. In terms of negative criteria, the project poses no substantial impairment to the Zone Plan or Zoning Ordinance or Master Plan. She noted that the plan meets conditions A, B, C, D and F under 154-78.

The project will be substantially improving the impervious coverage and landscaping and updating the façade of the building. The requested banners and signage are internal on the site and not visible from Route 73. The signs are a service to the customers of the car wash to help navigate the site as well as part of the marketing and branding efforts of the Valet Car Wash. She does not believe the signage poses a detriment to the public good and creates an overall benefit to the community. The benefits outweigh the negatives.

**Mr. Francescone** questioned if it is possible to have the outside lane on the South East side of the project, where there are currently two lanes shown on the plan, striped off for emergency access. Ingress would then be single file until reaching the point where vehicles could split into three lanes.

**Mr. Angelastro** replied that the if the lane could accommodate a minimum width of 10 feet that would work well.

**Jay Petrongolo**, Board Planner reviewed his letter dated 11-11-2020. He agreed with the idea of the single lane ingress. Mr. Petrongolo does not believe there will be negative impacts to the surrounding area or roads. He asked the applicants attorney if they are providing a short term delivery space.

**Mr. Kornick** replied that because of the efficiency of the operation they do not typically need a tractor trailer. Most deliveries are on a UPS style truck. That truck will park in a standard parking space on the north side of the building. There are no delivery spaces at other locations. They are requesting that variance.

**Mr. Petrongolo** continued that the applicant is asking for a waiver from 138-17 for the sidewalk and requested justification for that.

**Mr. Francescone** asked if any of the adjacent properties have sidewalks.

**Mr. Kornick** replied the nearest sidewalk is the Wawa at 1115 Route 73.

**Mr. Francescone** followed up asking if the applicant would agree to install a sidewalk if the adjacent properties install sidewalks

**Mr. Vernon** agreed to do so.

**Mr. Petrongolo** clarified that the applicant would install the sidewalk if directed by the township

**Mr. Vernon** agreed to the condition.

**Mr. Petrongolo** continued questioning how far the trash enclosure will be from the property line.

Mr. Kornick replied approximately 8 feet and it will comply with the ordinance.

**Mr. Petrongolo** continued stating that signage is a major issue for this project. Noting that section 154-84 specifically prohibits banners and the applicant is asking for 20 banner signs that are 12.5 square feet and 5 feet high and 154-92(4)C prohibits commercial directional signs. There does not seem to be any justification for the variance for banner signs. The signs will be visible from off site.

**Mr. Kornick** replied that banner signs will hang from the light poles with hanging flower baskets. Mr. Kornick shared Exhibit A-7 Signage plan sheet 12 of 14 and A-8, Signage plan sheet 13 of 14 and Exhibit A-2. The five 3'x6' menu board will be behind the building with no visual impact. The traffic warning signs are 2'x4'. The signs are of a lifestyle message nature of "join the membership" are consistent with other locations. The signs are tastefully done and of the same color scheme. The signs are on the side and rear of the building and not visible from Route 73.

**Mr. Spadaccini** explained that the banner signs are part of the branding and consistent throughout the existing facilities.

**Mr. Vernon** testified that he would be agreeable to removing any banners from the site.

**Mr. Petrongolo** asked if there will be a construction trailer on site.

**Mr. Kornick** replied there will not be a construction trailer.

**Mike Angelastro**, Board Engineer reviewed the letter from Bill Long, Alaimo Group dated 11-17-2020. The applicant agreed to comply with all comments. The drive isle width on the northern side of the building is 17.8 feet wide where 20 feet is required. This will require a variance to which Mr. Angelastro has no objection, a fire vehicle can move through that area.

**Mr. Angelastro** reviewed his letter dated 11-12-2020. The applicant agreed to comply with all comments. A letter of No Interest was received from the NJDOT.

**Mr. Kornick** shared Exhibit A-5 stating that they will provide a 10 foot wide bypass lane, where the current plan shows two lanes, consistent with the bypass lane on the Northern side of the building, that will allow a fire truck to pass and allow a minimum of 34 vehicles stacked in a single lane format approaching the 3 lanes. The drive isle width will be 18.3 feet wide. The applicant will provide the turning radius plan. He agreed that this will be a condition of approval.

**Mr. Angelastro** noted that a 20 foot wide drive isle is required, therefore a variance for this will be necessary.

Brian McVey, Fire Marshal reviewed his report dated 11-13-2020. The fire department recommends a minimum 20 foot access road/ drive isle. The truck turning plan submitted shows a truck smaller than what the Mount Laurel Fire department uses. There are circulation concerns on this site as the trucks may clip some of the proposed signs. A truck turning radius plan showing the proper sized truck must be submitted. Fire zones must be marked on the revised plan. Mr. McVey asked if the second floor will be removed, if the fire suppression system will remain and if the Fire Department Connection will be relocated.

**Mr. Vernon** replied that the second floor will be removed. The fire suppression system will remain and that they will comply with the Fire Department requirements for the Fire Department Connection.

**Mr. McVey** continued that a fire hydrant will be required within 50 feet of the Fire Department Connection.

**Mr. Kornick** stated that currently the site does not have circulation and does not allow for a 20 foot drive isle due to existing conditions. He agreed to work with the fire department to address concerns.

**Mr. McVey** stated that currently the site allows the truck to turn around in the rear of the property, in the proposed plan that is not an option. Mr. McVey believes the site is large enough for the design to allow circulation.

**Chairman Francescone** asked for a motion to extent the hearing past the one and a half hour mark to 10:20 p.m. Mr. Killen moved the motion Mrs. Liciaga seconded. All present voted in favor.

**Mr. Kramer** asked about the impact on the MUA.

Mr. Kornick replied that they do have an S1, the first phase of MUA sewer approval and a W1, the first phase of the MUA water approval. There is a significant water treatment system that returns 80 – 85% of the water used back into the system.

**Mr. Gray** asked if the filtration system filters out both solid and liquid waste.

Mr. Vernon replied that twice a year a state licensed disposal company will come in and clean the out the reclamation tanks. That is disposed of as road sweepings as per DEP standards.

**Chairman Francescone** opened the meeting to the public for questions or comments. Seeing none closed the public portion.

**Mr. Campbell**, Board Solicitor listed the conditions of approval as the following:

1. The applicant withdraws the request for the proposed banners
2. the applicant agrees to single stacking to meet the code requirements allowing for 360 degree access
3. Sidewalks will be installed upon request of the township
4. A maximum of 4 employees will be onsite
5. Any approval will be subject to the board professional's approvals in particular the Fire Department

**Chairman Francescone** asked for a motion to approve ZB#20-D-18 with the conditions stated. Vice Chairman List moved the motion, Mr. Green seconded. All present voted affirmatively and the motion was carried.

### **Adjournment:**

Chairman Francescone asked for a motion to adjourn at 10:10. Mr. Gray moved he motion, all present voted affirmatively and the motion was carried.

Adopted on: February 3, 2021

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Suzanna O'Hagan, Secretary  
Zoning Board of Adjustment