

Mount Laurel Township Zoning Board of Adjustment
Regular Meeting Minutes
October 6, 2021

Opening

The Ninth Regular Meeting of the Mount Laurel Zoning Board of Adjustment October 6, 2021 was called to order by Chairman Francescone at 7:00 p.m.

Pledge of Allegiance and Moment of Silence were observed

The Open Public notice was read by Suzanna O'Hagan, Board Secretary

Roll call was taken

Board Members in Attendance

Chairman Francescone, Vice Chairman List, Mrs. Andersen, Mr. Gray, Mr. Killen, Mrs. Liciaga, Mr. Sharp, Mr. Kramer, Mr. Holmes.

Absent: None

Board Professionals in Attendance

Joseph Petrongolo, Planner; Michael Angelastro, Engineer; Ed Campbell, Board Solicitor, Brian McVey, Fire Marshall

Announcements and Review of Board Procedures none

Adopting the Minutes

Chairman Francescone asked for a motion to adopt the regular meeting minutes of 9/01/2021. Mr. Grey moved the motion, Mrs. Andersen seconded, all eligible members voted affirmatively and the motion was carried.

Memorialized Resolutions

1. **R-2021-ZB20** – Mr. Grey made a motion to approve R-2021-ZB20, Mrs. Liciaga seconded, all eligible members voted affirmatively and the motion was carried.

The Township Professionals were sworn in.

Petitions before the board

1. **Steve Finlan**, ZB21-C-22, 97 Peppergrass Drive South, Block 1603.04 Lot 13 R-4 zone. This applicant is seeking a bulk variance from section 154-16 to allow a sunroom to be constructed 16 feet from the property line where 20 feet is required. HOA approval has been received. During testimony the requested setback relief was amended from 16 feet to 18 feet.

Witnesses Sworn:

Mr. Finlan, homeowner and Craig Secreda representative with Catalina Doors and Windows.

Exhibits Entered: None

Mr. Finlan's testimony

Mr. Finlan testified that his residence is the smallest model and he needs the sunroom for living space. He noted that the setback is actually 18 feet 9 inches as opposed to the 16 feet originally requested. After some discussion it was agreed that the variance request would be for 18 feet.

Chairman Francescone opened the public portion of the meeting, seeing no one wishing to speak closed the public portion.

Chairman Francescone asked for a motion to approved ZB21-C-22 for a variance to allow a setback of 18 feet where 20 feet is required. Mr. Gray moved the motion, Mr. Killen seconded. All eligible members voted affirmatively and the motion was carried. Application approved.

2. **Carol MacFadyan**, ZB21-C-23, 968 Larkspur Place North, Block 1601.02 Lot 5 R-4 zone. This applicant is seeking a bulk variance from section 154-16 to allow a sunroom to be constructed 6 feet from the property line where 20 feet is required. HOA approval has been received.

Mr. John Halligan, applicant's son holds Power of Attorney and represented Mrs. MacFadyan.

Witnesses Sworn:

Mrs. Carol MacFadyan and Mr. John Halligan

Exhibits Entered: None

Mr. Halligan's Testimony

Mr. Halligan testified that the applicants home backs up to the woods. She currently has a patio in the proposed location and would like to enjoy her property all year round. The proposed sunroom would go in the same location as existing slab patio resulting in no additional impervious surface. The homes on either side have similar sunrooms.

Chairman Francescone opened the public portion of the meeting, seeing no one wishing to speak closed the public portion.

Chairman Francescone asked for a motion to approved ZB21-C-23 for a variance to allow a setback of 6 feet where 20 feet is required. Mr. Gray moved the motion, Mr. Killen seconded. All eligible members voted affirmatively and the motion was carried. Application approved.

3. **Ross and Shereen Gray**, ZB21-C-27, 1416 Hainesport Mt. Laurel Rd., Block 702 Lot 3.02 R-3 zone. This applicant is seeking a bulk variance from section 154-19 to allow a 192 square foot shed where a 120 square foot shed is allowed.

Chairman Francescone noted there is no relation between the applicant and Board Member Christopher Gray.

Witnesses Sworn:

Shereen Gray

Mrs. Gray's Testimony

Mrs. Gray testified that they have one neighbor on the immediate left of the home and 9-11 acres of open space on the right and rear of the property. She stated that there is nothing that would impede visibility and detriment to the public and the shed would adhere to the 6' requires setbacks.

Mr. Kramer questioned if the shed would encroach on the easement

Mrs. Gray responded that it would not.

Chairman Francescone opened the public portion of the meeting, seeing no one wishing to speak closed the public portion.

Mrs. Andersen asked why the applicant wants a larger shed than allowed.

Mrs. Gray responded that they have a lot of outdoor furniture as well as two large wolf hound dogs which require a lot of things that need to be stored for them and their garage space is not enough.

Mrs. Andersen stated that the shed would be visible across the open space on the side of the house.

Mrs. Gray responded that there is only woods behind her and there would be no obstruction of view.

Mrs. Andersen stated that other people would have to look at the shed.

Mrs. Gray responded that the shed would be attractive. It would match the siding and roof of the main house, the specs and colors were included in the application packet.

Mr. Sharp asked if lighting will be installed on the shed

Mrs. Gray replied there would not be lights on the shed.

Chairman Francescone asked for a motion to approved ZB21-C-27 for a variance to allow a 192 square foot shed where 120 square feet is allowed. Vice Chairman List moved the motion, Mr. Killen seconded. All eligible members voted affirmatively except Mrs. Andersen who voted to deny stating that the applicant did not show an appropriate hardship. The motion was carried. Application approved.

1. **Security Vault Works**, ZB21-D-04, 4011-4351 Dearborn Circle, Block 512 Lot 1.06, I zone. This applicant is seeking Minor Site Plan approval and use variance from section 154-56.A to allow a standalone drive-through ATM along with various associated bulk variances including sign variances. This application is being continued from the August 4, 2021 Zoning Board Hearing.

Witnesses Sworn:

Ahmad Tamouse, PE.; Jim Gabrieli, Jones Lang LaSalle, Jim Maxon, Chase Bank and Shawn Campbell, Security Vault Works. The applicant's attorney is reminded that all persons sworn on August 4, 2021 remain under oath.

Exhibits Entered:

A-11 Site plan dated 9-2-2021

Augusta O'Neill Esq. with Klehr, Harrison, Harvey, Branzburg, LLP. represented the applicant.

Mr. Tamous's Testimony:

Mr. Tamous testified to the changes made since the previous board hearing and shared his screen presenting exhibit A-11 which was submitted to the board on 9-15-2021. He explained that the previous plan showed the proposed island as a striped island and this one shows a curbed island. Additionally, the original application showed no landscaping where this one shows 2 shade trees, 19 evergreen shrubs and 80 perennials. The logo on the top of the ATM has also been eliminated. With regard to the lighting the previous plan had a maximum footcandle at the ATM of 40.7 and the revised plan shows 15.1. The previous plan had a single double headed light in the island at a height of 30 feet, that has been revised to 2 single headed lights at a height of 20 feet. He stated that they have addressed all of the comments and concerns posed at the previous meeting.

Mr. Petrongolo stated that he has had many communications with the applicant's professionals since the previous meeting. He agreed that the lighting has been reduced to comply with the state regulations for ATM's, the roof mounted signage has been eliminated leaving only the sign on the ATM and the column to which he has no objections. The landscaping now satisfies his comments and concerns.

Ms. Morrissey's Testimony

Ms. Morrissey was previously sworn. She stated that the plan has been revised to address the concerns with site suitability and to further advance the general welfare of the community. She added that the proposed ATM offers an opportunity to the struggling shopping center help those businesses by bringing customers onsite that otherwise may not have.

Mr. Petrongolo asked Ms. Morrissey what is unique about this site.

Ms. Morrissey responded that this kiosk will be placed in a location where it does not interfere with the rest of the shopping center. This shopping center does not have the traffic levels of others because it is competing with surrounding areas. Additionally, the applicant is able to sufficiently screen and circulate around the stores on this property. If this was a full bank it would be permitted. Specifically, this property is further setback, has additional landscaping and there are buildings, the rear of which are facing Rt. 38 resulting in less visibility than other shopping centers.

Mr. Petrongolo stated that the applicant has addressed the landscape and site plan issues but he still has concerns about the use itself and its suitability, and impact on the area and master plan.

Mr. Angelastro testified that the applicant has addressed all the concerns in his 7-22-2021 review letter. No variance is necessary for the number of parking spaces.

Mr. McVey testified that the fire department has no concerns with the application.

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

Mr. Patel, 4325 Dearborn Circle was sworn in. He testified that he is with Pancharo's Mexican Grill in the Cambridge Crossing Shopping Center. He stated that they have been tenants there since the center opened. He believes this would bring more traffic into the plaza which has been lacking in the last few years. He is in favor of the application being granted by the board.

Seeing no one else wishing to speak, Chairman Francescone closed the public portion at 7:45.

Ms. O'Neill stated that they have addressed all the site plan related concerns and the only issue left before the board is related to the use variance. She stated that the concept of the stand-alone ATM is new and not contemplated by the ordinance. Making adjustments to accommodate technology changes is within the spirit of a use variance. She submitted to the board that because banking is an approved use and the only variance requested is for the use, that shows that the use is suited for the site. She stated that a full bank being added to the site would be much more impactful than the minimal impact of this proposed ATM. Additionally she stated that the proposal would help revitalize businesses that are struggling. She referred to the testimony of Ryan Carnall, property manager, on August 4, 2021 stating what he believes are the benefits of the ATM. She pointed to the testimony of Ms. Morrissey's testimony regarding the positive criteria of the project.

Jim Maxon's Testimony

Mr. Maxon described the security measures to protect users' ATM cards, reminding the board that the specifics are proprietary, however it is safe. The lighting meets standards and the ATM card receptacle has no

bearing on whether or not it can be scanned. In Mr. Maxon's time with Chase he has never seen an instance of an ATM itself being compromised. There have been no instances of vandalism in this region or any ATM's being removed from their foundations.

Ms. Liciaga asked how many security cameras will be onsite.

Mr. Maxon responded that there will be a pole camera front and back as well as a transaction camera.

Mr. Kramer expressed concern for user's physical safety with the landscaping on Rt. 38 and the additional landscaping as well as people walking up to the ATM

Mr. Maxon replied that they have not experienced that in the region. Individuals will have to be vigilant at any ATM, he does not believe the situation requires a guard.

Mr. Gray asked Mr. Petrongolo to explain the difference between this application and what would be approved banking

Mr. Petrongolo stated that an ATM would have to be associated with a bank on the location. Our ordinance prohibits ATM's by themselves. The applicant has the option of petitioning the governing body to amend the ordinance. He stated that in his opinion our ordinance already provides appropriate zones and locations uses.

Mr. Francescone asked Mr. Petrongolo what the basis was for prohibiting ATM's and what is the harm. Do other towns allow them? Additionally, would a Bank branch be a better alternative.

Mr. Petrongolo replied that typically an ATM associated with a bank has the support system of the bank behind it. This includes associated securities. There have previously been stand-alone tellers that are now defunct because they were not popular. Some other towns do allow them. In regard to the bank branch being a better alternative, there is no parking variance required for this proposal. Having a bank branch would increase traffic on the site, decrease parking and may create other issues on site.

Mr. Sharp asked if the ordinance says how far the bank has to be from the ATM, if Chase rented a storefront onsite would this ATM then be allowed. Would the other retail stores be allowed to have an ATM if this proposal was approved?

Mr. Petrongolo replied, if Chase had a storefront onsite this ATM would be allowed. Other stores would be allowed to have an ATM inside the store.

Mr. Killen commented that the ATM on Ark Rd. is not inside the bank and at night it is just as remote as the proposed.

Ms. O'Neill stated in regard to the question of visibility due to landscaping posed by Mr. Kramer, that the landscaping was updated on the plan to work with Mr. Petrongolo.

Mr. Petrongolo replied that visibility was taken into consideration with the landscaping requirements.

Ms. Morrissey stated that our master plan re-exam states that there is a there is a presumption that future development in town would be in the form of infill development, redevelopment and rehabilitation. She believes that this proposal is infill development making use of existing property for uses that serve the community.

Mr. Petrongolo clarified that there are variances requested to not providing a trash enclosure and to allow a 2nd façade sign.

Chairman Francescone asked for a motion to approve ZB21-D-04. Vice Chairman List made the motion, Mr. Killen seconded. The following members voted to approve; Chairman List, Mr. Killen, Mrs. Liciaga and Chairman Francescone. The following members voted to deny; Mr. Sharp stated that the ordinance is specific and he does not believe the applicant has met the requirements, Mr. Gray stated that the area is not unique and he does not believe it furthers the zoning plan and he does not believe they have shown the positive criteria, Mrs. Andersen stated that she does not believe the applicant has shown the positive criteria or benefit to the general welfare of the community. The application is denied.

- 2. Mount Laurel Veterinary Real Estate Holdings, LLC, ZB21-D-24, 220-230 Mt. Laurel Rd. Block 508 Lot 2, 2.01 & 3 I zone.** This applicant is requesting Use variance and Site Plan approval as well as associated bulk variances for an expansion of the existing animal hospital on lot 2 and renovation and addition of a new Wellness Center on lot 2.01.

Witnesses Sworn:

Christopher Torre, VMD, Director of Veterinary Medicine at Mount Laurel Animal Hospital; Richard Clemson, PE, PP, Professional Engineer and Planner, JSA Inc.; Leah Furey Bruder, PP, AICP, Professional Planner, LFB Land Planning LLC; David Shropshire, PE, PP, Traffic Engineer, Planner, Shropshire Associates
John Scorson, President, SolareAmerica and Jeffrey L. Grogan, RA, Jeffrey L. Grogan Architects. Elise Nodella and Tom Williams Co-Owners of TJW Farms, LLC. 215 and 219 Mount Laurel Road.

Exhibits Entered:

A-1, Color Site Plan Rendering; A-2, Aerial; A-3Architectural Rendering 5pgs and A-4 Solar Rendering 7pgs.

Robert Baranowski, Esq., Hyland Levin Shapiro LLP, represented the applicant. Mr. Baranowski explained that the application has 3 main aspects. The first being the expansion of the Animal Hospital that underwent a previous expansion through the Planning Board, however since then the site received a Use variance to allow an MRI Trailer and therefore this project will require a D2 use variance. The second aspect is the proposed Wellness Center in the front lot which was previously the veterinary clinic of Dr. Sleeper by way of a Use variance, this will require a D1 use variance. The third aspect of the proposal is a solar array in the rear of the property to consist party of ground mounted solar and partly carport solar, this may need a D3 use variance. The application is also requesting various bulk variances and waivers.

Mr. Petrongolo clarified that the solar project will comply with the ordinance and no D3 is necessary. Additionally, he believes the site can be viewed as a whole therefore the D2 would be subsumed in the D1. The testimony should be concentrated on the D1 variance request.

Mr. Campbell concurred with Mr. Petrongolo's assessment.

Dr. Torre's Testimony

Dr. Torre testified that the purpose of the expansion is to specialize some of the areas and not to add additional departments or staff. The goal is to better allocate the space. The Wellness Center would provide a better client experience providing one on one contact and better efficiency.

Mr. Clemson's Testimony

Mr. Clemson shared Exhibit A-1 and A-2 and said he would refer to the current hospital as the main hospital. He described the location and description of the property and the pointed out the separation of the 3 lots. Mr. Clemson stated that the applicant intends to consolidate lots 2 and 3 if Zoning Board approval of this application is granted. With Exhibit A-2, aerial map, he showed the current conditions of the property. Lot 2.01 consisting of 2 buildings. One being the old hospital building and the other an old home. The original animal hospital was operated from 1979 to 1998 when the hospital was moved to lot 2, its current location. He

testified that lot 2, the main hospital, contains the hospital building and barn as well as several run in sheds for the livestock. He stated that lot 2 is accessed via an asphalt driveway and the rear lot is associated with livestock pasture. Mr. Clemson described the proposed improvements of the main hospital as shown on Exhibit A-1. The improvements include new parking for the main hospital in the rear of the property containing 63 new parking spaces bringing the total number of parking spaces serving the main hospital to 137. Also proposed are ground mounted solar facilities located within the existing stormwater basin as well as solar carports. Additionally, an elevated boardwalk is proposed that would connect the main hospital with the second floor of the wellness center.

The Wellness Center proposal consists of demolishing the existing home and expanding the footprint of the old animal hospital by 275 sf as well as changing that 1 story building into a 3 story building. The doctors and employees staffing the Wellness Center would not be new staff but would be relocated there from the main hospital. Twenty-two parking spaces are proposed to service the Wellness Center. There are currently 2 driveways at this area of the property. The easterly driveway would be eliminated and the westerly driveway would be relocated to match the driveway on the other side of Mt. Laurel Rd. He explained that the applicant has agreed to rework the drive isles so they will be 25' wide instead of 21' wide and will be 2 way instead of 1 way.

Mr. Baranowski reiterated that the addition of the wellness center is to give the existing staff more room to provide the existing services and not to add additional staff or services. The wellness center is intended to separate the well pets from those that need more care. The proposed bump outs of the main hospital are intended to provide better circulation within the building

Ms. Bruder's Testimony

Ms. Bruder used exhibit A-1 to demonstrate her assessment that the proposed plan is complimentary and well coordinated with no detrimental impact. She testified that the plan will create a more efficient operation, add parking, add the solar canopies and improve the functionality of the site. The proposed wellness center is consistent and compatible with the variety of existing surrounding uses as well as the onsite use. She reviewed the permitted uses in the Industrial zone and noted that veterinary clinics are not permitted as such the D1 variance is required and a D2 variance is required due to the previous approval of a D1 variance to allow the MRI trailer. Ms. Bruder testified that approval of the plan would allow lot 2.01 to be put to productive use and developed in a manner compatible with the existing surrounding uses. She believes that the property is well suited to accommodate the proposal and is consistent with the overall intent of the zoning ordinance and master plan. In regard to the positive criteria Ms. Bruder stated the suitability of the site has to do with the location, physical characteristics and how they relate to the surrounding area. She believes that the property is well suited to accommodate the uses as shown by the applicant's long history of the property and their desire to invest to ensure the long term viability. The proposed use advances purpose 40:55D- 2a. and 2g. of the Municipal Land Use Law by enabling efficient use of under-utilized land and vacant building in an appropriate use in a suitable location and will serve the community. In support of purpose g Ms. Bruder stated that the proposal will provide a sufficient space for a variety of uses. Additionally, Ms. Bruder believes the proposal advances purpose 2i by promoting a desire visual environment by allowing the site to modernize the facility while maintaining its rural characteristic.

Ms. Bruder further testified that based on her review of township's Master Plan and Master Plan Re-Exam she believes the proposal advances the Township's overall goals. She stated there will be no substantial detriment to the public good or surrounding properties as a result of the proposal noting the substantial wooded buffer between the site and the adjacent residential development. In her professional opinion the variances requested are justified.

Dr. Torre's Testimony Continued

Dr. Torre further described the expansion. He stated that the rear addition to the main hospital will be to add surgery rooms alleviating the need to have to flip rooms for different purposes. Above those rooms will be a storage area. The smaller addition will be a small addition to the ICU but primarily will be a hallway bridging the two sides of the building. In front of the MRI trailer location will be an additional 3 exam rooms and an office. These rooms would serve as dedicated oncology exam rooms that are currently sharing space with rooms of other uses.

Dr. Torre described the wellness center as a 3 story building, the first floor would be exam and treatment rooms, the second floor would be surgical rooms and the third would be storage. Additionally, there would be a raised pedestrian walkway/boardwalk connecting the second floor of both buildings for staff to go back and forth. The walkway would be elevated above the farm animals. He stated that approximately 30% of the business is general/wellness practice and that will be the portion of the business moving to the new building allowing the remaining services more dedicated and more efficient space. The entire property would operate as a veterinary campus.

Mr. Clemson's Testimony Continued

Mr. Clemson reiterated the purpose of the additional spaces on the main hospital. He shared Exhibit A-2 and noted the expanse of wooded buffer between the wellness center and the nearest residence and toward the main hospital the expanse increases. He noted that the ordinance requirement is 50' buffer from the adjacent residential zone. A variance has been previously approved for that buffer at the main hospital. The buffer from the Wellness Center to the nearest house is approximately 340' and the main hospital is approximately 600' to the nearest home and the wooded buffer varies from 240' to over 900' between the property and the nearest homes. He asked that the variance for the 50' buffer to the residential zone be granted based on the significant buffer between uses.

A variance is being requested to allow a 21' drive isle at the main hospital. He stated there is significant buffering associated with the property. Mr. Clemson, using Exhibit A-2 described the proposed changes to the parking area, drive isle and new parking area as shown on that exhibit. The changes result in an additional 63 spaces. He iterated the requested bulk variances and stated that wetland restrictions make some requirements impossible to comply with. To mitigate the concern of connectivity between buildings the applicant is proposing the raised pedestrian walkway between buildings. The walkway alleviates the need for people to get into a car and go out onto the county road to get from one building to the other. Mr. Clemson further described the landscaping plan and stated that the applicant has no issue with the comments in planner's letter and is willing to work with the planner to come up with a plan with which he is satisfied. Regarding lighting he stated that the lighting throughout the site will be LED. The lighting at the solar carports labeled fixture A are under canopy lights. He testified to the stormwater management proposal is in compliance with the green infrastructure rules. He stated that the applicant is willing to resolve the issues in the engineer's letter. He did supply a point by point response to the professional's letter which stated that they are willing to comply with the board professional's letters

Mr. Shropshire's Testimony

Mr. Shropshire testified that a standard engineer and parking study was conducted. Using the Institute of Transportation Engineer's Trip Generation, he determined that 65-67 that may be generated for the proposed expansion during peak hours. He noted that the State of New Jersey does not recognize number of trips under 100 as being a significant impact. There is a slight but acceptable level of delay exiting the site. He stated that the engineering will work. In regard to parking, he found that the peak parking demand was 150 vehicles on site and that was during staff shift change. This peak lasted approximately 15 minutes. He testified that the 169 spaces proposed should more than accommodate the site. Both parking areas exceed the township parking requirement. He testified that he believes the project will not have a notable impact and will work from a parking and traffic perspective.

Mr. Scorsone's Testimony

Mr. Scorsone testified that there is a twofold solar system. The first is called a Cow Port which is designed to go into the current water basin allowing large animals and people to walk underneath. The second is the parking canopies. The system will produce 20-50% of the property's power.

Mr. Grogan's testimony

Mr. Grogan presented Exhibit A-3, rendering of the additions. He explained each of the additions to the main building and what they will be used for. Mr. Grogan testified that the addition will match and blend with the existing hospital. He further explained the amendments and use for the new wellness center as shown on page A-4 of Exhibit A-3. The façade of the Wellness Center will have the same brick and siding as the main hospital as well as similar roof and other architectural detailing. He stated that the boardwalk, not shown on A-3, will go from the second floor of the wellness center to the second floor of the main hospital. Mr. Grogan shared Exhibit A-4, color solar rendering and described the proposed solar panels.

Mr. Scorsone noted that the height of the solar panels will be 14' at the lowest height.

After some discussion it was decided that the hearing would continue past the 1.5 hour point as the testimony is almost complete.

Mr. Petrongolo stated that the applicant submitted a letter today stating that they will comply with all his comments.

Mr. Angelastro stated that the applicant submitted a letter today stating that they will comply with all his comments and revise the plans as necessary. There is a question of fire truck circulation which may require discussion.

Mr. McVey stated that the applicant submitted a letter today stating that they will comply with all his comments but some discussion will be necessary regarding fire truck circulation.

Mr. Petrongolo stated he has no objection to the testimony provided by Ms. Bruder and agrees with her position that there will be no negative impact from the use. Mr. Petrongolo listed the variances necessary as 1.) drive isle width 2.) no short term truck parking 3.) 50' landscape buffer 4.) 60' frontage

Mr. Petrongolo asked the applicant to confirm their agreement to work with his office to regarding the landscaping along the residential side of the property.

Mr. Baranowski confirmed his agreement.

Mr. Petrongolo has no objections to any variances or waivers requested, the applicant has agreed to work with his office regarding any outstanding issues.

Mr. Angelastro stated he has not objections to testimony provided by Mr. Clemson or Mr. Shropshire provided. He stated that he spoke with the Fire Marshal, Mr. McVey and they do have some concerns about the turning radius in some areas including the 21' wide drive isle. He believes the issues can be corrected. The applicant has agreed to work with his office to address any concerns.

Mr. McVey reviewed his letter dated 9-23-2021. He stated that the applicant did respond with a letter dated today, 10-6-2021 and they have agreed to work with him to work out the circulation issues. The plan as proposed at this time would not work however, he believes there is plenty of room on the site to correct the issues.

Mr. Clemson agreed, when asked by the chairman, that as a condition of approval the applicant will work with the Fire Marshal to resolve the turning radius issues.

Chairman Francescone opened the meeting to the public. No one responded that they would like to comment, Chairman Francescone closed the public portion.

Mrs. Anderson asked about the cars parking along the drive isle leading to the main hospital.

Mr. Baranowski stated that people sometimes park there to see the animals. He stated that there is no parking proposed in that area and if there are not currently signs there they can add signs. He said the proposed parking should help to alleviate that problem.

Mr. Angelastro noted that under a previous approval parking is prohibited in that spot. Additionally, it goes directly to circulation for a fire truck, if there are vehicles parked in the drive isle it will make it that much more difficult for the fire truck. The number of proposed parking spaces should accommodate the number of patients and staff. He said that perhaps it should be a condition of this approval that parking be prohibited along that drive isle.

Mr. McVey stated that he has already worked with the applicant's engineer to deem both sides of that drive isle a fire zone. The applicant will have to sign and stripe the area.

Chairman Francescone recognized a person from the public who wanted to comment but was previously having connection issues and reopened the public portion.

Ms. Nodella stated that she does not believe that the testimony that the Animal Hospital expansion will not bring in new clients and more traffic. She stated that currently their emergency services reach capacity and they send their clients to Red Bank Animal Hospital for care. She believes that the wellness aspect of the hospital is 40 – 50% of the business and the cars along the drive isle are employees not people looking at the animals. She stated that she is concerned about traffic on an already busy road and this will increase traffic 140% - 150%. She stated that several times a day people go into her driveway to turn around because they missed their turn. The road is treacherous and her own daughter was hit by a car on the road. She does not believe the accuracy of the testimony regarding trip generation and believes the expansion will increase the number of clients.

Mr. Baranowski responded that the testimony under oath of two licensed professionals and the testimony of Dr. Torre is satisfactory and credible with regard to what they plan to do with the facility as opposed to being speculative and of a layman opinion.

Dr. Torre responded that the hours of the Wellness Center will mirror the exact hours of the current Animal Hospital with the same staff. The hours are 8am to 8pm Monday through Friday and 8am to 4pm on Saturday and Sunday.

Ms. Nodella reiterated that she believes the professionals assessments of the parking are based on no additional clients or staff and she does not believe that will be the case.

Mr. Williams stated that the Doctors are fine gentlemen. He is concerned about the water runoff from the property.

Mr. Baranowski responded that the applicant is subject to the new stormwater management regulations and they will meet them.

Mr. Clemson agreed with Mr. Baranowski adding that they are required to not only match but reduce the water runoff and they have done so. There are systems in the Wellness Center area and a new system in the rear. He does not anticipate any drainage issues.

Chairman Francescone closed the public portion.

Mr. Gray asked Mr. Clemson to share Exhibit A-1. He asked Mr. Angelastro and Mr. Petrongolo if a sidewalk is necessary through the parking lot in the rear of the hospital.

Mr. Petrongolo responded that pedestrians will be walking parallel to the cars and he does not believe a sidewalk is necessary

Mr. Angelastro responded that the parking is a standard design with a 25' drive isle.

Mr. Gray asked if the area on the east of the property near the Wellness Center is designated wetlands

Mr. Clemson responded that the area is designated wetlands and the driveway proposed is no closer than the existing driveway.

Mr. Gray asked what the current staffing level of the hospital is.

Dr. Torre responded there are in total about 24 doctors and 70 employees at any given shift. In just the Wellness Center there are 4 doctors and 12 employees at a given time.

Chairman Francescone asked if the applicant is willing to stipulate, as a condition of approval, that there would not be more than a certain number of employees at any given time and agree not to increase that number.

Mr. Angelastro stated that the peak number of vehicles onsite was 150 which occurred during a shift change. There are 169 spaces proposed.

Mr. Baranowski stated that it may make sense to include a condition that any approval would be reliant on the representations, maximum capacity and maximum shift calculations as testified to and if operational changes occur that would increase those calculations, the applicant would have to come back to the board.

After discussion among the professionals, the board members and applicant, it was proposed to the applicant that the Mount Laurel Animal Hospital would not exceed 120 employees at any given time.

Mr. Baranowski agreed to the condition of a maximum of 120 employees at a given time.

Mr. Sharp asked if there will be light pollution spilling to the residential area from the Wellness Center.

Mr. Petrongolo responded that the applicant will be using LED lights and his office has requested additional landscaping and a photo intensity plan. They will make sure there is no additional light impacting the residential lots.

Mr. Campbell reviewed the conditions of approval as the following:

- 1.) Applicant will work with the Board Planner to revise the landscape plan
- 2.) Applicant will work with the Traffic Engineer and Fire Marshal to improve the fire truck circulation on site
- 3.) Parking will be prohibited on the drive isle
- 4.) Total number of employees onsite at any time will not exceed 120

Chairman Francescone asked for a motion to approve the application for Preliminary and Final Site Plan approval as well as Use variance, Bulk variances and waivers subject to the conditions stated. Mr. Grey moved the motion, Mr. Killen seconded. All present voted affirmatively and the motion is carried.

Adjournment:

Chairman Francescone asked for a motion to adjourn. Mrs. Liciaga moved the motion. All present voted affirmatively. Meeting adjourned 10:45 P.M.

Adopted on: November 3, 2021

Suzanna O'Hagan, Secretary
Zoning Board of Adjustment