

JLUB RESOLUTION #26-R-11

**RESOLUTION OF THE JOINT LAND USE BOARD OF THE TOWNSHIP OF MAPLE SHADE GRANTING
MINOR SITE PLAN AND BULK VARIANCE RELIEF TO DEERFIELD ASSOCIATES (A/K/A FOX MEADOW
APARTMENTS) CONCERNING BLOCK 172, LOTS 1, 1.01, 1.02 & 1.04, A/K/A 2910 ROUTE 73 NORTH
UNDER APPLICATION NO. JLUB-26-03**

WHEREAS, an application was made to the Maple Shade Township Joint Land Use Board, hereinafter the "JLUB", by the property owner, Deerfield Associates (hereinafter "Applicant" or "Fox Meadow"), for the property located at 2910 Route 73 North in Maple Shade, NJ, for minor site plan and bulk variance relief to permit replacement and renovation of the existing solid waste and recycling containers and enclosures servicing the Fox Meadows Apartment Complex on property located in the PD Planned Development Zoning District known as Lots 1, 1.01, 1.02, and 1.04 in Block 172 on the Official Tax Map of Maple Shade Township, hereinafter the "property" with all documentation and materials filed with the application or submitted as exhibits, all of which are incorporated by reference herein; and

WHEREAS, the application was heretofore deemed to be complete by the JLUB; and

WHEREAS, the Applicant, Fox Meadow, was represented by counsel, Charles Petrone, Esq. at the hearing and the property manager, Edward Chang, was sworn in by the Board Solicitor, as was Applicant's Engineer, Gregory Fusco, P.E. from Key Engineering; and

WHEREAS, the public hearing was held by the Board on February 18, 2026, at which time the Board heard sworn testimony from the Applicant and Applicant's professionals concerning the Fox Meadows apartment complex located at 2910 Route 73 North, a/k/a Block 172, Lots 1, 1.01, 1.02 & 1.04, which property is located in the PD Planned Development Zoning District; and

WHEREAS, the Board reviewed the report of the Board Planner, Ashton Jones, P.P., dated February 16, 2026, which report is incorporated by reference herein; and

WHEREAS, Applicant's Counsel advised the JLUB that Applicant is undertaking a major renovation project to replace the existing solid waste and recycling containers and structures at the Fox Meadow Apartment Complex with 18 solid waste and recyclable enclosures housing 3, 4, and 5 container units that were reviewed and designed in coordination with the Burlington County Solid Waste Staff and Maple Shade Township Officials; and

WHEREAS, Counsel further described the project and represented that 13 existing dumpster enclosures scattered on grassy areas will be removed and that there will be eight (8) three- container enclosures; seven (7) four-container enclosures; and three (3) five-container enclosures; and

WHEREAS, Counsel represented that Applicant is also proposing significant landscaping improvements including a minimum of 200 trees and foundational plantings over a five-year period (40 trees per year minimum) throughout the site; and

WHEREAS, Gregory Fusco, P.E., Applicant's Engineer, affirmed Counsel's project overview and provided extensive testimony detailing the scope of the project which includes a total of 39 trash dumpsters and 28 recycling dumpsters, which is an increase in recycling capacity that was required by the County; and

WHEREAS, Mr. Fusco stated that each enclosure would be three-sided and approximately 13' deep with 6' high commercial grade solid vinyl fencing in an earth-tone color with no front gate, which was to avoid damage and maintenance issues typically seen in complexes with gated masonry trash enclosures; and

WHEREAS, testimony was also provided that the trash enclosures will be protected with concrete filled steel bollards and that the enclosures will be on concrete pads with concrete aprons and striped to guide trash truck movements and that the 13 enclosures that are scheduled to be removed will be regraded and restored with topsoil and seeded and/or landscaped resulting in an overall decrease of approximately 1,000 s.f. in impervious coverage; and

WHEREAS, Mr. Fusco also testified to the following matters: the enclosures will be serviced by motion activated LED lighting; Burlington County has required Applicant to replace 9 recycling dumpsters and that the total recycling dumpsters will be 28 (39 trash dumpsters); and

WHEREAS, variance testimony was also provided by Mr. Fusco concerning off-street parking wherein the ordinance requires 2984 parking spaces with Applicant proposing 2346 spaces because the project, if approved, would result in a loss of 37 spaces, however, Mr. Fusco provided testimony supporting the variance relief and further indicated that he conducted traffic counts at the facility to demonstrate more than sufficient parking exists to accommodate the apartment complex; and

WHEREAS, the Applicant has given legal notice as required by law and in accordance with N.J.S.A. 40:55D-12 and the applicable Maple Shade Township Code, by serving proper Notice to property owners within 200' ft. of the property, serving Notice on all required governmental agencies and public utilities and by publishing a proper Notice in the newspaper, all at least ten (10) days prior to the hearing; and

WHEREAS, the JLUB made the following findings of fact and conclusions based thereon:

FINDINGS OF FACT:

1. In support of the Application, Applicant submitted the following: Planning Board & Zoning Board Application; Tax Payment Cert.; Affidavit of Service of Notices; Minor Site Plans (4 sheets) prepared by Key Engineers last revised 8/28/25;
2. Testimony and representations by Applicant, Counsel, and the engineer, Gregory Fusco, P.E., at the time of the hearing before the JLUB on February 18, 2026;
3. Letter from the JLUB Planner, Ashton Jones, P.P. dated February 16, 2026, which is incorporated herein and made a part of this Resolution by way of reference;
4. Comments made by the JLUB Planner JLUB members at the time of the hearing;
5. The property is located at 2910 Route 73 North known as Block 172, Lots 1, 1.01, 1.02, and 1.04 on the Township of Maple Shade Tax Maps;
6. The property and the surrounding properties are located in the PD Planned Development Zoning District; and
7. No members of the public appeared during the public portion.

CONCLUSIONS:

1. The JLUB Board has jurisdiction to hear the application.
2. Based on the testimony from Counsel; Applicant and Applicant's Engineer addressing both the positive and negative criteria, the off-street parking variance requested by Applicant to permit 2346 parking spaces is approved and the JLUB further granted the following waivers: submission of an environmental impact statement (Section 178-22.1B); and waiver for masonry enclosure (Section 152-14(c)).
3. The JLUB weighed the positive and negative criteria for the off-street parking variance , including the ways in which the proposed project advanced the designated purposes of zoning and determined the benefits outweighed any potential detriment to the public good or zone plan.

WHEREAS, upon Motion duly made and seconded to grant the "Minor Site Plan Application" and for the off-street variance approval, the JLUB voted unanimously in favor of granting Minor Site Plan and off-street variance approval recited herein.

NOW, THEREFORE, BE IT RESOLVED, by the Maple Shade Township JLUB that the Applicant's Minor Site Plan and off-street variance application for the property known as 2910 Route 73 North identified as Lots 1, 1.01, 1.02 and 1.04 in Block 172 on the Official Tax Map of Maple Shade Township is hereby granted, to trash and recyclable container and landscaping project proposed by Applicant based on the findings of fact and conclusions set forth above, which is hereby granted for the reasons set forth herein, subject, however, to the testimony, representations and stipulations of the Applicant at the time of the hearing and in their submissions, and further specifically, subject to the following terms and conditions:

1. Subject to Applicant complying with and obtaining any and all necessary approvals from any local, county, state and/or federal government or administrative body having jurisdiction over all or part of this land use development approval including, but not limited to, site plan approval from the Maple Shade JLUB;
2. A minimum of 200 trees and foundational plantings shall be installed over the next five years, with a minimum planting schedule of at least 40 trees annually in consultation with the Township Professionals;
3. Applicant shall work with the Township Professionals with respect to appropriate sight distances, including Applicant's concession to provide the Board Professionals with a parking and site triangle analysis;
4. Trash and recycling enclosures visible from NJSH 73 shall be sufficiently screened with year-round landscaping vegetation;
5. Applicant shall secure written approval from the Fire Official to ensure proper access throughout the site; and
6. The Applicant shall comply with each and every condition, revision, modification, or other request in the Planner's letter of February 16, 2026.

ADOPTED by the Maple Shade Township Joint Land Use Board at a meeting held on March 18, 2026 as a memorialization of the motion unanimously adopted by the JLUB at the February 18th hearing granting Minor

Site Plan and off-street parking variance relief for the proposed trash and recycling enclosure project at the subject property.

There were no abstentions or votes in the negative.

ATTEST: Karen A. McShane

**JOINT LAND USE BOARD OF THE
TOWNSHIP OF MAPLE SHADE**

Lu Valentino
Lu Valentino, Chairwoman

CERTIFICATION

I hereby certify that the foregoing resolution is a true copy of a resolution adopted at a meeting of the Maple Shade Township Joint Land Use Board, County of Burlington, State of New Jersey held on the 18th day of March, 2026, as a memorialization of the action taken by the JLUB at the Board's meeting and public hearing held on February 18, 2026 on the above cited Application.

Karen A. McShane
Karen McShane, Secretary