

**MINUTES**  
**MT. EPHRAIM LAND USE BOARD MEETING**  
Borough Hall Court Office  
121 S Black Horse Pike, Mt. Ephraim, NJ 08031  
Monday, November 13, 2023, 7:30pm

1. **CALL TO ORDER.** Robert Carter called the meeting to order and stated the meeting was advertised and notices posted in accordance with the “Open Public Records Act.”
2. **PLEDGE OF ALLEGIANCE.** All persons present, stood for the pledge of allegiance.
3. **ROLL CALL:** Comm. Gies, Michael Schiavo, Steve Eggert, Thomas Maxwell, Robert Carter, Anthony Stagliano, Michael Marrone, Douglas Morgan, present. Mayor Tovinsky, Kim Beebe, Rocco Vespe, absent. John Saban arrived late - 7:34pm.
4. **CALENDAR OF OLD BUSINESS**

- **Resolution on Calhoun – Minor Sub-Division – 618 Bell Road**

**Anthony Stagliano made a motion to approve the resolution, the resolution was seconded by Michael Schiavo.**

**Roll Call:** Michael Schiavo, Steve Eggert, Robert Carter, Anthony Stagliano, Douglas Morgan, all voting yes.

5. **CALENDAR OF NEW BUSINESS**

- **Application for use variance – Bancroft – 10 E Buckingham Avenue**

William Hyland (Applicant Attorney) – hands out papers as exhibits for the members to review, explains that it is just a screen shot from Google Earth of the property.

William Hyland – this application is to permit a community residence located at 10 E. Buckingham Avenue; the property was purchased last year by Bancroft. Bancroft is an organization that was formed about 140 years ago and has been around. This organization was created for individuals who we now know to have autism and other developmental disabilities. This is an existing residence which has been renovated. The history is that Bancroft has purchased the property and then began getting permits to renovate the property to accommodate the clients which will stay there, which will be 5 residents each with a separate bedroom. The house must be renovated in accordance with the standards set forth by the Department of Community Affairs and by the Division of Developmental

Disabilities in the Department of Human Services. The house will have 5 occupants, they will each occupy their own bedroom, there will be professional staff members on site 24-7, the folks that will be living there will be having their meals there, sleeping there and will go out on different days to various training programs that they will be able to attend. These kind of homes, community residences are generally permitted in residential zoned properties, as we came to understand the zoning is actually in the Central Business District and therefore we have to come before the board this evening and request a use variance in order to permit the house to be occupied and operated as we will explain throughout our testimony, I have three witnesses here on behalf of this application this evening.

Lou Garty – explains that one of our members arrived late at the meeting.

Lou Garty swears in the witnesses:

Victoria Sweeney – Representative from Bancroft – I am the Senior Director of Residential and Day Services at Bancroft, I have been at Bancroft for 30 years this January, in my position I help support and oversee this residential group home where as Bill said we have 5 residents planning on moving in, and as Bill also said we have many of these homes in Central and Southern Jersey as well as Pennsylvania and Delaware, this will actually be our first home in Mt. Ephraim, so I am very excited for that. Most of the group homes that I support are in the Cherry Hill area and the Voorhees area.

William Hyland – so will you describe, first who are the individuals, I stated that they may be autistic or have developmental disabilities, is that correct.

Victoria Sweeney – correct.

William Hyland – explain to everyone what a day is like.

Victoria Sweeney – sure, as Bill explained there will be 5 occupants, these individuals its their home, they will each have their own bedroom, they will share meals together if they choose, they will sleep there, all 5 actually go to day services that we provide, do that is Monday-Friday during the day, on Saturday and Sunday they will probably be doing the same things that me and you all do on the weekends. There are, as Bill mentioned, staff there whenever the residents are there, so when the residents are doing the day services there will be no staff, which is usually 9am-3pm, but aside from that we have staff there. We also have staff for overnight support as well.

William Hyland – how is the transportation done?

Victoria Sweeney – so each of our group homes typically has one van, it's a program vehicle which is I believe a 12-vehicle passenger, this will be how they

get to and from their day services or go out in the community to dinners and anything else.

William Hyland – they are all the same tenant, and they are all let me guess females.

Victoria Sweeney – that is correct.

William Hyland – what is the relationship that Bancroft has as far as the Division of Developmental and Disabilities, what do they do and how to they interact as far as your clients are concerned.

Victoria Sweeney – so the day-to-day, they license our group home, and we must abide by very strict guidelines when operating a group home.

William Hyland – these are persons who have some sort of developmental disabilities, they could be on the autistic spectrum, correct.

Victoria Sweeney – correct.

William Hyland – these are not individuals who have addiction problems.

Victoria Sweeney – so as though I am not allowed to share much detail because of the HIPPA rules, I will say that you are characterizing that correctly, we are serving individuals with developmental disabilities, autism spectrum disorder, maybe one of those.

William Hyland – but substance abuse is not considered developmentally disabled in the general category.

Victoria Sweeney – that is correct, we also do have a division where we serve people with brain injuries but that is not under my scope.

William Hyland - do we have any questions from the board.

Bob Carter – do we have any questions from the board members currently?

Douglas Morgan – yes, I have a few, you said that they are supervised 24 hours but no staff between 9am-3pm, did I misunderstand that.

Victoria Sweeney – so when there are no residents at the home there will be no staff, however if an individual is ill or can not go to the programs there will be staff with them.

Douglas Morgan – understood, so any time there are people staying in the home, staff will be present with them.

Victoria Sweeney – exactly.

Douglas Morgan – so there is a facility like you in town called South Jersey Behavioral Health, are you familiar with that? Can you tell me about the differences between their occupants and your occupants.

Victoria Sweeney – I am not familiar with that, but I think I understand the question, so we are not that.

Douglas Morgan – ok. I live near there and we have had some problems with them, so I just have a lot of questions. Do any of them have any type of violent background or are there any type of background checks on the residents.

Victoria Sweeney – no, our individuals may have some behavioral support needs and we have clinical support teams to support that but as far as violence or anything like that no.

Douglas Morgan – ok.

Steve Eggert – I know the yard is fenced in, but will they be able to go outside and leave the yard and leave on their own.

Victoria Sweeney – so the support staff will be there providing support and supervision, yes there is a fence out back and it will be great for them, everyone has their own level of support supervision that they need.

Lou Garty – so is it fair to say that the residents or the home operates as like their campus and these folks have been evaluated and screened for this residential living facility and it deems appropriate.

Victoria Sweeney – absolutely.

Lou Garty – so they don't go off campus without staff support typically.

Victoria Sweeney – typically that is correct but if they are capable, they could do that, our goal with these homes is to make them successful members of the community.

Lou Garty – they can have their family members visit them as well.

Victoria Sweeney – absolutely and we expect that and that is a good thing.

Thomas Maxwell – so they have the freedom to just move about outside of the house as well.

Victoria Sweeney – like they could probably go out to their backyard in the fenced in area.

Douglas Morgan – like they could go across the street and grab a slice of pizza.

Victoria Sweeney – if they were capable of doing so, yes, they could go and do that.

Douglas Morgan – so everyone has a different level of self sufficiency is pretty much what you are saying.

Victoria Sweeney – yes, and our goal has always been to really support people and gain as much independence as possible, I can tell you that no one there will be doing any of that any time soon.

Steve Eggert – so it's actual called a group home, I mean if someone asked like what that in your town is you would say a group home, like where people can come and go, if one resident was leaving another one could replace them, there would always be 5 residents never more.

Victoria Sweeney – never more than 5 residents, but yes of course at any time someone could leave for whatever reason and then we would screen and assess who would be a good fit there.

Lou Garty – so you would agree to no more than 5 residents, well that is your license correct.

William Hyland – yes that is correct.

John Saban – so I have two questions, this is a 5-bedroom home, are there any staff sleeping there as well, and where would they stay.

Victoria Sweeney – we will have 1 or 2 awake overnight staff.

John Saban – so no extra bedroom needed.

Victoria Sweeney – that is correct.

John Saban – what is the turnover like with these homes, like what is the average stay for these homes.

Victoria Sweeney – years.

Douglas Morgan – so here is my concern, I live 2 doors down the from the Behavioral Health place on Bell Road, and we have had issues with residents walking and or roaming around, knocking on doors, making children that were

home feel uneasy, people for a lack of better way to say this having melt downs where they are screaming and being in the middle of the street. I totally understand that people need to be supported, just if you are sitting here trying to convince me of why that won't be an issue here, fire away.

Victoria Sweeney – I can never predict how someone is going to behave or act, but I have to say they are going to be good neighbors, hopefully they establish nice relationships with their neighbors, you know if someone may have a temper tantrum and again we have a clinical support team that helps individuals with disabilities to learn skills to adapt to better ways of communicating. I mean I can't speak to that place but again if our folks at that level they would maybe be going to that place.

Steve Eggert – what is the age group at the property.

Victoria Sweeney – I am not sure I can give that information because of the HIPPA law.

Douglas Morgan – can you give like just a range.

Victoria Sweeney – they are middle aged, like the younger side of middle aged.

William Hyland – I think the thing to emphasize again is, let me go back to the numbers I gave before Bancroft operates 275 of these kinds of homes, I used to have one about two doors away from me, never knew it was there, first the type of client is a different client.

Douglas Morgan – how is Bancroft funded, are they privately funded, is it a trust, is it paid for by taxpayers. The reason why I am asking that....

Lou Garty - ok so we do want to be careful about a couple of things, one is that they provided testimony as to the operations of their place, there is no one here about the other place, but also tax status and finance or funding is not something we necessarily want to go down the road with on the use variance application.

Douglas Morgan – I understand, but can I just explain the reason why I was asking that question, we had a fence go down with the group home by me, it took six months to get the fence up and that is when we had the residents wander in the neighbors yard and the non-profit that operates that place insisted that they did not have the funding to replace the fence which caused the issues with the neighbors, so I wasn't necessarily asking about their finance, It was more towards what would your response be as far as up keep, like will you cry poor if the fence goes down that needs to be put back up.

Victoria Sweeney – we do have a very robust infrastructure to maintain the property, so our staff knows if something needs to be repaired, they would send

something over to get it repaired with a ticket system and everything is prioritized and then taken care of.

Bob Carter – would you like to call your next witness.

Lou Garty – can you do me a favor and state your name for the record. Danielle Juricic, she then gets sworn in. Also, can you let us know what construction company you are with.

Danielle Juricic – Decades Construction Company.

William Hyland – you have been with Decades Construction Company for how long.

Danielle Juricic – 2 years.

William Hyland – before that what did you do.

Danielle Juricic – I worked for Bancroft for 5 years.

William Hyland – what did you do there.

Danielle Juricic – I was a program navigator, I also assisted parents with funding and then I worked in facilities for 3 years doing property management.

William Hyland – so you have knowledge of the work that was done at this facility.

Danielle Juricic – so we have been working at this facility for at least the last year, we received approvals for all our permits in 2022 and then we just closed everything out last month.

William Hyland – so when you say closed out, can you give us description as to what was done.

Danielle Juricic – a brief description is that we applied for zoning to have some driveway expansion and a fence put in and then interior renovations to convert the garage into two bedrooms, and a one bedroom renovation and then we added an office inside, we also had to add a sprinkler system and a fire alarm system because they are the DDD regulations and obtain zoning approval and then went in for building, fire, electrical and plumbing and received those approvals as well.

William Hyland – we you say fire alarm system, you mean sprinklers.

Danielle Juricic – correct.

William Hyland – that is a requirement.

Danielle Juricic – correct.

William Hyland – then what happens after everything was approved.

Danielle Juricic – so after that approval we must go through a DDD approval for licensing and then they come in and ask for a slue of documents and then tour the house and then assess everything to make sure the house is habitable and safe.

William Hyland – all that must be done through the DCA which is Department of Community Affairs.

Danielle Juricic – correct.

William Hyland – DDD stands for the Division of Development Disabilities.

Danielle Juricic – yes.

William Hyland – all those checklists that they give you must be approved and cleared before operating.

Danielle Juricic – yes, correct.

William Hyland – now a gentleman asked how quickly something will get repaired if it breaks, can you attest to that if not that is ok.

Danielle Juricic – ok so if there is a broken fence to where our occupants are getting into neighboring properties, we do have technicians assigned to each house so they would come and make a temporary repair just to secure the backyard until we can get a vendor out and full replace it.

William Hyland – do we have any other questions for Danielle.

Anthony Stagliano – what kind of sprinkler systems do you have in there.

Danielle Juricic – we have residential wet and NF13D system.

Anthony Stagliano – is it the Fire Department connection or does it come off the domestic water supply.

Danielle Juricic – it comes off the domestic water supply.

Anthony Stagliano – for the staff that are going to be there during the day, or when the facility is occupied, they are formally trained in the fire alarm system.



Danielle Juricic – yes, so for the fire alarm system we have instructions at the panel and how to disarm the fire alarm system if it were to go off and they can put it in test.

Anthony Stagliano – they shouldn't disarm the system if it goes off until the fire department gets there.

Danielle Juricic – well that is on the instructions as well, unless they are running a fire drill then they will have to call and put it in test and then run the drill.

William Hyland – do you run drills actively.

Danielle Juricic – yes, we do.

Anthony Stagliano – I am familiar with that structure and there are 5 bedrooms there are any of the bedrooms equipped with hinged escape windows or does everyone have to go out the central corridor.

Danielle Juricic – so they have the front and rear doors and then two egress and then the windows are where they slide up.

Thomas Maxwell – so I just need to ask why you would you put the cart before the horse and renovate everything in case this were to get shot down.

William Hyland – so funny you should mention that this property as a rather confusing history, Bancroft as it normally does will go in and start making application for permits and all the necessary things, permits were issued, so it came with a rather large surprise to find out at the end of the process when there was some considerations when trying to add to the driveway area and to a piece of the fencing when Bancroft was told this is not in a residential zone.

Steve Eggert – so what does our zoning say about this property.

Lou Garty – well this property is in a zone that the use is not permitted but there is a question of whether this is pre-existing non-conforming use because it was previously used as a residence, and they did file a dual application for a zoning interpretation.

Steve Eggert – well I believe it had an accountant sign out there before and isn't that in our redevelopment zone.

Greg Fusco – it is in the redevelopment zone.

Lou Garty – the applicant decided not to go that route with the interpretation that is why they are giving testimony for the use variance application.

William Hyland – I did some research and went back as far as 2020 and this property was classified as residential, but I cannot find anything further back. The difficult part again

of not knowing the history, the issue is it is zoned. I talked to so many municipalities and they always say, that has always been a residence but of course that is nothing official but at least, but once we discovered that it is now not in a residential zone there is two ways of handling as a use variance or a pre-existing non-conforming use. The Municipal Land Use Law has decreed that a house of this nature is permitted as a right in any residential zone.

Bob Carter – do you want to call your next witness.

William Hyland – calls his next witness Jim Miller – Professional Planner.

Lou Garty – swears in the next applicant.

William Hyland – can you please explain to the board who you are.

Jim Miller – I am a Professional Planner licensed in the State of New Jersey. I am going to go through the plan and all the positive aspects of this property, this property is zoned in the CBD which is your Central Business District which is the classifications that are attached to the redevelopment plan which was adopted in the early 2000's, in terms of the adjoining residents, or the adjoining uses along Buckingham Avenue those uses are all residential along the other side of the Black Horse Pike there is an abandoned church and a pizza place and then on the corner there is a gas station and then a section of more residential homes, basically those are the surrounding properties, you already have heard about the details of the use basically it is a use variance because we have a residential use in a non-residential zone if the use was in the R-1 district which is on two sides of the property. The relief we are seeking is technical in terms of the need we have for it as I mentioned earlier. In general the benefit of this facility is that it provides safety the population that suffer from autism spectrum disorder to the extent that they have 24-hour care, the facility is going to benefit 5 autistic women and that is a quantifiable benefit to the facility, you already heard about the staff that will be present, they are a trained staff, they are technically trained to take care of this type of patient. The applicant has extensive experience in the field, I know from talking to them, so those are the benefits. Another thing that I wanted to get into is I also believe that this site is typically suited for this use, there is sufficient floor area in fact it is a large home, there are separate bedrooms for each resident. The potential impacts of the use are almost identical to a typical conventional single-family dwelling as the state requirements, they will need to put their trash out like other residents, they have sewer and water bills, basically it's a comparable to a single-family home. So there really are no significant community impacts to the neighborhood. These properties overall impact character is not going to change, historically it has been a residence, but we don't know the exact details of that, but it has a residential character there is no evidence that there has been a significance non-residential use there and basically that is not going to change, other than the internal improvements and the widening of the driveway. This property is however in the CBD district but it is on the perimeter of that district, it really is in the borderline between the CBD district and residential zone, so it really doesn't contribute anything to the central

business district, it really isn't even in the area with a lot of other businesses, so as you see it doesn't contribute to the business district and it probably never will.

Bob Carter – any questions from the board members.

Steve Eggert – when you use the words facility and staff to me that sounds more commercial than residential to me, and our planner told us that this property should be in the commercial end of it when we have the redevelopment done.

Jim Miller – yes, I know the planner and first I would have to disagree with including this in the Central Business District, because of its preexisting character again it was a residential property and I don't believe it had any potential to be a commercial property, secondly you don't always get it right when you create boundaries for a zoning district in your redevelopment plan and I believe that is what happened here.

Steve Eggert – again though you are using words like staff and facility and took out garage and out parking lot and to me that makes it sound and look commercial.

Jim Miller – that is a good point, so basically it is a facility in the way that a commercial property is and the answer to that is it basically has some type of institutional characteristics and it's a facility only because its providing services to the residence that live there, a facility can be all kinds of things.

Steve Eggert – the words though mean something, like if you say they live in a facility or hey my friend lives in that home, they mean something.

William Hyland – so yes we have been using the word facility, so let's change it to house or residence, people are going to live there just like everyone else on the street, they may need assistance and there could be someone else down the street who is wheelchaired bound and needs assistance and that would be the same kind of activity as it is taken place here, so maybe shame on us or using the word facility, it's a house.

Steve Eggert – I understand all of that, but could it possibly make all those other houses around there less attractive to be sold later.

William Hyland – I can tell you from my personal experience and my sons, no it did not impact the sale of the home. The other thing I would say is what if you put a pizza place there, what do you think that would do to the other properties.

Steve Eggert – I am just saying I don't know if I would want a facility like that near me, or if residents would want that either.

Jim Miller – the difference is this place is staffed with the residents, anyone could have a neighbor that has disabilities with no support and create issues, I have a neighbor who is a drunk who wanders all the time and ends up in people parties on the block. These issues cannot happen here because there is staff 24 hours a day.

Douglas Morgan – do you have data with how many incidents occur with these group homes.

Danielle Juricic – not necessarily but what I can say is that in these less restrictive home settings we place individuals who don't have such severe behavior, for those that do they are in a campus setting verse a residential setting. We also must meet and greet the neighbors so then the residents can have a point of contact if there are any issues.

Mike Marrone – what everyone needs to do is take the behavioral aspect out of this property, this is not a behavioral house, this is a house for autistic people who are just trying to go on about their everything living, I have multiply family members who are in these houses and then out of these houses, nowhere have I ever heard of where someone has gotten out of the house and banged on doors, this is not a behavioral issue, they are just try to live their life they just need someone there to give them a helping hand in doing so.

Douglas Morgan – I completely understand and I think we all just got some light shed on that, I believe that is what we were just trying to understand with all these questions and understanding the difference.

Bob Carter – currently we are going to turn it over to our engineer for his comments and questions from the review letter.

Greg Fusco – can anyone address how the solid waste will be handled and how much will be generated and will they expect the town to pick it up just like a normal resident.

Danielle Juricic – yes so normally it is the municipalities that pick everything up, we make sure we have enough trash cans, we create a trash area for the house as well, so it's off to the side and not a mess.

Greg Fusco – is the lighting around the property in the evening anything beyond residential lighting.

Danielle Juricic – no we just added some additional new spotlights on the exterior, but it's strictly residential.

Greg Fusco – the lights need to be downward as well.

Danielle Juricic – yes that is correct.

Bob Carter - at this time I will open it up to the members of the public, hearing none I will close this portion to the public.

**Anthony Stagliano made a motion to approve the application for the use variance, the application was seconded by Michael Marrone.**

**Roll Call:** Michael Schaivo, Steve Eggert, Thomas Maxwell, Robert Carter, Anthony Stagliano, Michael Marrone, Douglas Morgan, John Saban, all voting yes. Commissioner Gies abstained, not able to vote on a use variance.

6. **Professionals Comments – N/A**

7. **Board Comments – N/A**

8. **Public Comment – N/A**

9. **MOTION TO ADJOURN THE MEETING, ALL VOTING IN FAVOR.**