

MINUTES OF THE BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN

A public meeting of the Zoning Board of Adjustment of the Township of Pennsauken, in the County of Camden, in the State of New Jersey was held on the above date via Zoom Video Communications. Chairwoman Butler called the meeting to order at 7:00 P.M. and led the flag salute. Roll call disclosed the following members present: Paul Hoyle, Lysa Longo, Shirley Butler, Darlene Hannah, Diane Piccari, Patrick Olivo, Colette Jones and Duke Martz. Acting Solicitor Steve Boraske, Esq., Zoning Board Engineer, Douglas White, Planning and Zoning Coordinator, Gene Padalino and Secretary Nancy Ellis were also on the video call.

The Chairwoman announced that the meeting was being held in accordance with the Open Public Meetings Act, notice has been sent to two local newspapers, and also posted on the Bulletin Board in the Municipal Building.

Mr. Olivo assumed the seat of absent member Lou Morales.

HEARINGS:

JOSEPH CUMMINGS - Seeking 5 feet of relief from the side yard setback requirement of 5 feet for a (6' x 18'x 8') shed and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 2540 Oakley Drive, Block 3504, Lot 17 in Zoning District: R-1.

Mr. Joseph Cummings, 2540 Oakley Drive came forward to testify and was duly sworn by the Solicitor.

Mr. Cummings testified that he would like to replace an old shed with a new shed at the same location on his property. His shed is currently 8" from the property line and he would like to replace it and use the same footprint.

Upon query, Mrs. Butler was informed by the applicant that the shed will be purchased and installed by American Shed Company and they are located on Route 130 in Pennsauken.

Upon query, Miss Piccari was informed by Mr. Cummings that the shed will be the same size as the existing shed.

Upon query, Mrs. Longo was informed by the applicant that the shed will be made of pressure treated wood and it will match the house.

Upon query, Mr. Hoyle was informed by the applicant that he has had the existing shed for approximately 12 years.

Upon query, the Solicitor was informed by the applicant that he has had no complaints from his neighbors nor have there been any issues with rain water run-off from the shed onto his neighbor's property. The applicant further informed the Solicitor that the shed will look nice and improve the appearance of the property.

Upon query, Mr. Martz was informed by Mr. Cummings that he can't put the shed in any other location on his property because he also has a pool in his yard.

The meeting was open to the public. There being no one who wished to speak, the meeting was closed to the public.

The Solicitor made the following factual findings: This is an application for bulk variance relief. The applicant is Joseph Cummings. The subject property is located at 2540 Oakley Drive, Block 2504, Lot 17 in the R-1 Zoning District. The R-1 Zoning District requires the setback to be 5 feet from the side property lines. The applicant is proposing to replace an existing shed with a new shed on the same footprint as the prior shed. The applicant requires 5 feet of relief from the side yard setback requirement of 5 feet to permit the proposed 6'x8'x8' shed. The applicant testified that the shed can only be located on the same footprint because of existing improvements on the property, such as a pool. The applicant testified that the shed will improve the overall appearance of the property and it will be made of pressure treated wood. There were no complaints from the applicant's neighbors.

Mrs. Longo motioned to accept the fact finding. Miss Piccari seconded.

Mr. Hoyle motioned to grant the bulk variance. He stated it will be on the same footprint as the existing shed and he sees no detriment. Miss Hannah seconded. Roll call: Paul Hoyle, Lysa Longo, Shirley Butler, Darlene Hannah, Diane Piccari, Patrick Olivo and Duke Martz-Aye. None Opposed.

Colette Jones left the meeting at 7:15 PM.

PHILLIP 5115 LLC - Seeking a use variance to permit the continued use of a wholesale establishment in the

R-2 zone and to permit a portion of the proposed new retail use in the R-2 zone. The Applicant intends to convert the interior of the existing building into three (3) retail rental units, which would front along Route 38, and keep the rear and eastern side of the building reserved for warehouse and associated office space for the existing wholesale use. The Applicant does not propose any changes to the footprint of the building. The majority of the proposed retail use would be located in the in the C-2 zone. Premises located at 5115 Route 38 West, Block 6001 Lot 55 in the R-2 and C-2 Zoning Districts.

Ms. Laura D'Allessandro, Esq., came forward to represent the applicant. Ms. D'Allessandro described the application and presented exhibits to the board. However, she stated that the applicant is only seeking a use variance at this hearing and they will come back at a later date for site plan approval.

Mr. Brian Cleary, Professional Engineer, Mr. Terry Combs, Professional Planner and Mr. Phil Do, property owner all came forward to testify and were duly sworn by the Solicitor.

Mr. Brian Cleary, Professional Engineer came forward and described his credentials. The board accepted Mr. Cleary as an expert witness.

Mr. Cleary presented an Ariel view of the property and it was marked into evidence as A-1. Mr. Cleary described the improvements they propose at the property. The applicant will be repairing the sidewalk in the front of the property, they will clean up the parking area, add green space and lighting and landscaping which they will show in more detail when they come back to the board with a site plan. Mr. Cleary further testified as to their proposal for the parking at the site.

Mr. Phil Do, owner of the property came forward to testify and was duly sworn by the Solicitor.

Mr. Do testified that he and his wife started and ran a health and beauty supply business in Philadelphia and their business expanded, and they purchased the building in Pennsauken, formerly known as Roberts Brothers School Supply. Mr. Do further stated that they run their business, Medicare Health and Beauty Wholesale in the rear of the 12,000 SF building and there are 4 retail spaces in the front of the building that are vacant. They would like to continue using the rear of the building for their business and rent the 4 retail spaces in the front of the building. Mr. Do further testified that he has 8 employees who work at his company.

Mr. Martz commented that he is concerned with the limited parking spaces at the site and renting to "unknown" types of businesses in the future.

Mr. Do proceeded to testify that the hours of operation for Medicare is from 9:00 AM until 5:00 PM Monday through Friday. Pickup and deliveries are usually made by UPS and Federal Express trucks. The trucks enter from Route 38 and drive back to a loading dock at the rear of the building and exit onto the side street (Sinkerson Avenue) and circulate back onto Route 38. Mr. Do further testified they will be adding signage, landscaping and a patio at the front of the building as well. There will be no changes to the exterior of the building other than façade improvements.

Mr. Olivo commented that Sinkerson Avenue is a narrow street and he is concerned about additional cars going to and from the site with proposed retail/service type businesses occupying the spaces at the site.

Mr. Douglas White, Zoning Board Engineer came forward and was duly sworn by the Solicitor.

Mr. White stated that parking requirements for retail shopping is 5 ½ parking spaces per 1,000 SF.

The applicant requested to continue the hearing to a later date so that they can make revisions to their plans.

The Solicitor announced that this application will be continued to the September 2nd hearing. The applicant is not required to re notice or re publish the hearing.

MINUTES:

It was moved, seconded and unanimously agreed to approve the meeting minutes from July 15, 2020.

RESOLUTIONS:

None

BILLS:

It was moved, seconded and unanimously agreed to pay the following bills:

Florio, Perrucci, Steinhardt & Cappelli-Monthly Retainer-*\$1,134.67*

T&M Associates-Engineering Services for Zippy's Car Wash-*\$175.00*

T&M Associates-Engineering Services for Stonegate II@ St. Stephen's-\$95.00

COORDINATOR'S REPORT:

Mr. Padalino updated the board on the applications to be heard at the next hearing on August 19th.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 8:20 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary