

July 20, 2022

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN

The meeting of the Zoning Board of Adjustment of the Township of Pennsauken, County of Camden, State of New Jersey was held on the above date at the Municipal Building 5605 N. Crescent Boulevard, Pennsauken, New Jersey.

Chairwoman Shirley Butler called the meeting to order at 7:00 P.M. Chairwoman Butler announced the meeting was being held in compliance with the New Jersey Open Public Meetings Act and had been duly advertised. The Chairwoman led the flag salute.

Roll call showed the following members to be present: Dianne Piccari, Paul Hoyle, Lysa Longo, Eddie DeVilla, Giovanni Cirilli, Duke Martz, and Chairwoman Shirley Butler, constituting a quorum. Also present were: Stephen Boraske, Solicitor; Doug White, Engineer; Gene Padalino, Planning and Zoning Coordinator; Daniela Tavaréz, Planning and Zoning Assistant; and Mary Leonard, Secretary.

Hearings

Alfonso Davis is seeking 53.77 feet of relief from the front yard fence setback requirement of 20 feet for a vinyl picket fence in the front yard and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 1761 37th Street, Pennsauken, New Jersey 08110, Plate 9, Block 921, Lot 9 on the tax map of the Township of Pennsauken. Zoning District: R-3.

Alfonso Davis, 1761 37th Street, Pennsauken, New Jersey 08110 was sworn in by Solicitor Boraske.

Mr. Davis stated he had hedges and had them taken out and proposes to install a white vinyl fence in the front and down the side of his property. The fence has not been installed yet. He further stated there are no visual issues regarding the addition of the fence.

Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is requesting a variance for 53.77 feet of relief from the front yard fence setback requirement of 20 feet for a 4' vinyl picket fence in the front yard. He wants to replace the hedges, which he had removed, and replace the hedges with the fence. It will improve the appearance of his house. The approval will be subject to the conditions that apply. Lysa Longo moved to accept fact finding, seconded by Dianne Piccari, which carried unanimously by the Zoning Board members,

Paul Hoyle moved to approve the application stating the request is reasonable and it will improve the property. It will have no adverse effect on the neighbors. Lysa Longo seconded the motion, which carried unanimously on roll call vote.

The vote was as follows. Lysa Longo yes as stated. Dianne Piccari yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Chairwoman Butler yes and stated she hopes the applicant will enjoy the addition of the fence.

Dinorah Nouel Peguero is seeking 35 feet of relief from the front yard fence setback requirement of 20 feet for a 4 foot vinyl fence in the front yard on the Lexington Avenue side of the property and a 6 foot vinyl fence on the interior side of the property and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located

at 5429 Terrace Avenue, Pennsauken, New Jersey 08110, Plate 56, Block 5613, Lot 4 on the tax map of the Township of Pennsauken. Zoning District: R-3.

Dinorah Nouel 5409 Terrace Avenue, Pennsauken, New Jersey, Fryrich Feliz, and Alfredo Reges, same address, were sworn in by Solicitor Boraske.

The applicant stated her husband would be doing the work. They are proposing the fence for safety, security and protection of their property. The fence will be in front of the property and the side.

Dianne Piccari stated she visited the property and stated it is wide open and she could see why the applicant would need a fence. There will be a gate.

Paul Hoyle suggested the applicant do the fence in steps so it will look better. It will be 6' in the back, 4' on the side and 3' in the front. The applicant agreed. This will insure that it will not have any visual blockage. They will install the fence themselves. It will be a white vinyl fence.

Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is seeking 35 feet from the front yard fence setback requirement of 20 feet for a white vinyl fence that will be 6' in the back, then will go to 4' on the side and 3' in the front. The purpose is for safety, to protect the property from vandalism and for security and privacy. There will be no adverse impact of the adjacent neighbors and it will look nice. The lower fence will be 3' so there will be no visual impairment. This application does comply with the Master Plan. The applicant is to comply with all standard conditions. Lysa Longo moved to accept fact finding, seconded by Giovanni Cirilli, which all members agreed unanimously.

Giovanni Cirilli moved to grant the variance as it meets all requirements and the applicant is to comply with the conditions. The motion was seconded by Lysa Longo, which carried unanimously on roll call vote.

The vote was as follows. Lysa Longo yes as stated. Dianne Piccari yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Chairwoman Butler yes and stated the fence will add to the beauty of the property.

William Peterson is seeking 11.5 feet of relief from the front yard setback replacement of 30 feet in an R-2 zone for an 8' x 30' porch with a roof, not enclosed, attached in the front of the house and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 7319 Holman Avenue, Pennsauken, New Jersey 08110. Plate 13, Block 1317, Lot 19 on the tax map of the Township of Pennsauken. Zoning District: R-2.

William Peterson, 7319 Holman Avenue, Pennsauken, New Jersey was sworn in by Solicitor Boraske.

Mr. Peterson is seeking 11.5 feet of relief from the front yard setback replacement of 30 feet in an R-2 zone for an 8' x 30' porch with a roof, not enclosed, in the front of the house. It will have a concrete pad and a black wrought iron railing.

Dianne Piccari stated it will look nice and it will improve the property.

Duke Martz questioned if it would be the same width of the house. Mr. Peterson replied it would. He wants to build it so his father can enjoy being outside.

Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is requesting 11.5 feet of relief from the front yard setback replacement of 30 feet for an 8' x 30' porch. There will be a roof but it will not be enclosed. It will have electrical outlets. The Construction Official will check the electrical hookup. It will have a roof for protection from the elements. There will be no detriment to the neighbors or the Master Plan. The applicant is to comply with the standard conditions.

Lysa Longo moved to accept fact finding, seconded by Giovanni Cirilli, which all members of the Zoning Board agreed unanimously.

Duke Martz moved to approve the variance with the condition that the porch will match the house. The porch will be pleasing and it will offer further enjoyment outside. Giovanni Cirilli seconded the motion, which carried unanimously on roll call vote.

The vote was as follows. Lysa Longo yes as stated. Dianne Piccari yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Chairwoman Butler yes and stated she hopes his father will enjoy the porch.

Eliezer Casillas is seeking relief to construct a 22' x 23' garage which will exceed the maximum accessory structure size of 400 sq. ft. as per Township Ordinance 141-81(B) and 10 feet of relief from the side yard setback requirement of 10 feet for an accessory structure in a C1 Zone and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 8211 River Road, Pennsauken, New Jersey 08110, Plate 16, Block 1606, Lot 10 on the tax map of the Township of Pennsauken. Zoning District: C-1.

Eliezer Casillas and Xavier Casillas, 8211 Holman Avenue, Pennsauken, New Jersey 08110 were sworn in by Solicitor Boraske.

Eliezer Casillas stated he has lived at the 8211 Holman Avenue address since 1994. He owns investment cars. He proposes to construct a 22' x 23' garage and a new cement driveway to protect his cars. He presented pictures which were marked as Exhibit A-1. He also presented plans for the garage which was marked as Exhibit A-2.

Dianne Piccari stated the applicant has a beautiful property and he does have a necessity for a garage to protect his investment.

Giovanni Cirilli questioned if the applicant will be using the garage for storage. Mr. Casillas replied yes. There will no work down on the cars. There will be no electric.

It will be a steel garage and a concrete driveway. There will be a garage door and a side door. A picture of the garage was presented and marked as Exhibit A-3. The garage will be pewter grey. A fence is proposed which will be a 6' vinyl fence, which will be on the side of the house. He will comply with Code.

Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is seeking relief to construct a 22' x 23' garage for storage and security for classic cars and 10 feet of relief from the side yard setback requirement. It is an efficient use. It is good for the general welfare. It complies with the Land Use Act. There is no detriment to the neighbors. It complies with the Master Plan and the Zoning Code. The applicant is to comply with the Construction Office and the standard conditions. He is to address drainage.

Lysa Longo moved to accept fact finding, seconded by Giovanni Cirilli, which all members of the Zoning Board agreed unanimously.

Duke Martz moved to grant the variances subject to the applicant addressing the drainage. The fence is to comply with the code. There is a security problem and a garage is needed due to problems in the neighborhood. Giovanni Cirilli seconded the motion, which carried unanimously on roll call vote.

The vote was as follows. Lysa Longo yes as stated. Dianne Piccari yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Chairwoman Butler yes and stated she hopes the garage will make it safer for his cars.

Pointy Development LLC is seeking a use variance to permit a public self-storage facility on the property: dimensional variance to permit a 66.5% building coverage; 84% maximum lot coverage; and a variance for parking. The applicant also is seeking all necessary waivers for the project. Premises located at 4615 N. Crescent Boulevard, Pennsauken, New Jersey 08110. Plate 46, Block 4601, Lots 23 and 24. Zoning District: C-2 (Continued from June 1, 2022 meeting)

Paul Hoyle removed himself from this portion of the meeting due to a conflict of interest with the following application.

David Shafkowitz, Esq. 350 S. Main Street, Suite 308, Doylestown, Pennsylvania 18901 represented the applicant.

Michael Galante, Engineer, 76 Argyle Avenue, Blackwood, New Jersey 08012, Bill Fearon 601 Chapel Avenue East, Cherry Hill New Jersey 08034, Justin Taylor, 1904 Main Street, Lake Como, New Jersey 07719 and Doug White, Zoning Board Engineer, were sworn in by Solicitor Boraske.

The applicant is requesting two variances and a waiver of the Environment Impact Statement.

The applicant proposes to construct a self-storage facility on a currently vacant lot. The property is 1.66 acres in the C-2 Commercial Zone. Self-Storage facilities are not listed under approved uses in the Ordinance for the C-2 Commercial District Zone. The site is within the Route 130 Redevelopment Area of the Township but that overlay is no longer valid. The southern portion of the site formerly contained the Blue Claw Seafood establishment but that structure was removed several years ago. A commercial structure appeared on the northern property some time around 2011 but that also was removed.

The property has full frontage on three separate public roadways. Route 130, 46th Street and 47th Street. On the west side of the site is the R-3 zone with existing residential properties. Southwardly across 46th Street is a residential property and northwardly across 47th Street is the Atrium Dance Studio, both of these properties also fall within the C-2 Zone.

Michael Galante presented renderings and elevations. The building will be climate controlled and will have a sprinkler system. Pictures were presented. Mr. Galante reviewed Doug White's letter dated July 14, 2022.

The applicant is proposing to construct a three-story self-storage facility building. The first and second floors are 37,291 sq. ft. each and the third level is 39,141 sq. ft. The gross floor area is 113,723 sq. ft. The lower floors are smaller due to a parking bay that is partially covered by the upper floor.

The applicant has redesigned the footage of the building, after review of T & M letter, to 113,000 sq. ft. for more distance from Route 130.

The lifting gate will need a key to open it. The truck turning radius was shown. It needs to be coordinated with the Fire Department.

There will be no doors in the front. It does have office doors and side doors. They will provide 11 parking spaces. A sign will be placed stating "No Right Turn onto 46th Street".

Trash was reviewed. People can not leave trash. They must take it with them. The applicant will only have office trash and that will be in a container. The applicant is to replace curb, sidewalks and gutters on 46th Street and 47th Street. They will replace curbs and sidewalks on Route 130.

Along Route 130, the new curb will abut the existing asphalt roadway, under NJDOT jurisdiction. There are no proposed driveways along the Route 130 frontage. NJDOT approval of this work will be required and that approval is to be a condition of any site plan approvals by the Pennsauken Zoning Board.

Details of signs are to be provided on the site plans to confirm compliance with the Ordinance for configuration, lighting mounting and other details.

The transition from 15" pipes to 18" pipes are to be adjusted to match crowns of the pipes. The pipe slopes and sizes will need to be substantiated by capacity calculations. The applicant will comply.

Lighting and storm water design was reviewed.

Duke Martz stated a small trash dumpster is needed. It is to be shown on the plan along with the landscaping plan and the landscaping will need to be maintained.

Bill Fearon, Architect, presented his qualifications and was accepted as an expert by the Zoning Board members. Mr. Fearon presented elevations and renderings. He reviewed the base and upper levels, the three exterior doors. He also discussed security cameras and security.

Doug White stated a fence is needed in the back. The applicant agreed. Signs are to comply with the ordinance.

Justin Taylor reviewed traffic on Route 130, 46th Street and 47th Street. They will be reducing curb cuts on Route 130. Circulation was reviewed. This review included Fire Truck accessibility. The parking was reviewed. Mr. Taylor stated it was adequate. There will be one handicap parking space and stripped parking spaces on the northern side. A sign "Do Not Turn" will be placed on 46th Street.

Employee hours will be from 10:00 A.M. to 8:00 P.M.

Doug White, Zoning Board Engineer, reviewed his letter dated July 14, 2022. Issues for traffic and drainage were reviewed. The applicant does meet setbacks.

Solicitor Boraske agreed with the waiver of the Environmental Statement. There is a request for a variance for 11 parking spaces. No variance is needed for the fence. The fence will be 6' high with gates. A variance was requested for building coverage. Proposed coverage will be 66.5% and 84% lot coverage.

Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. A variance was requested for parking, a dimensional variance was requested to permit a 66.5% building coverage, 84% maximum lot coverage. A waiver was requested for Environmental Impact Statement. Professional testimony was presented relating to traffic and use variance relief. There is no significant adverse effect of the neighborhood. The Traffic Engineer, and Doug White reviewed the traffic and stated there will be no negative impact on the neighborhood or the Master Plan or the Land Use. It is a large lot and the property will be suited for this use. Variances were requested for parking size and number of spaces. The applicant will work with Doug White for the proposed 11 parking spaces. A condition of approval will be a sign be placed stated "No Right

Turn on 46th Street". A landscaping plan is to be submitted. A waiver of the Environmental Impact Statement is proper.

Lysa Longo moved to accept fact finding, seconded by Giovanni Cirilli, which all members of the Zoning Board agreed.

Duke Martz moved to grant the waiver of the Environmental Impact Statement. The variances are to be granted. The lot is suitable for this application and will be an improvement for the area. The 11 parking spaces will accommodate the low impact use. The applicant is to comply with fact finding and with Doug White's letter dated July 14, 2022. Giovanni Cirilli seconded the motion, which carried unanimously on roll call vote.

The vote was as follows. Lysa Longo yes as stated. Dianne Piccari yes as stated. Eddie DeVilla yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Chairwoman Butler yes as stated.

Paul Hoyer rejoined the meeting at this point.

Minutes

Lysa Longo moved to approve the minutes of July 6, 2022, seconded by Giovanni Cirilli, which carried unanimously on roll call vote.

Bills

Bills were presented from law offices of Florio and Perrucci in the amount of \$3,906.67. Lysa Longo moved the bills be paid, seconded by Giovanni Cirilli, which carried unanimously.

The meeting was duly adjourned on motion at 10:10 P.M.

Respectfully submitted,



Mary L. Leonard

Secretary