

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 at the Pennsauken Municipal Building, 5605 N. Crescent Boulevard, Pennsauken, New Jersey.

Vice Chairwoman Hannah 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, Lou Morales, Darlene Hannah, Diane Piccari, Colette Jones, Patrick Olivo and Duke Martz. Acting Solicitor Steve Boraske, Esq., Zoning Board Engineer, Douglas White, Planning and Zoning Coordinator John Adams and Secretary Nancy Ellis were also present.

Collette Jones assumed the seat of absent member Shirley Butler.

Vice Chairwoman Hannah 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.

HEARINGS:

COOPER PARK ASSOCIATES, LP (ELLIOT HOLTZ) - Seeking a “D” Use Variance and site plan waiver to permit the use of the facility for vocational training where it is not permitted in the C-2 zone. Premises located at 7190 North Park Drive, Block **6402, Lot 10** in the C-2 Zoning District.

Mr. Duncan Prime, Esq. came forward to represent the applicant and described the application for a use variance as well as signage for several properties owned by the same applicant. The applicant and the board agreed it would be best to proceed with the application by dividing it up into four separate parts.

Mr. Elliot Holtz, Noro Properties, LLC, Owner of Cooper Park Associates, Mr. Jeffrey Martell, Stonefield Engineering & Design, Professional Planner for the applicant and Douglas White, T&M Associates, Zoning Board Engineer came forward to testify and all were duly sworn by the Solicitor.

The applicant presented exhibits and all were marked into evidence. Exhibit A-1 is a list of tenants currently in the building, Exhibit A-2 is an aerial view of the property located on Block 6402, Lots 9 and 10, dated May 1, 2019, Exhibit A-3 is an aerial view of the property located at Block 6303, Lot 4, dated May 1, 2019, Exhibit A-4 is a copy of the applicant’s tenant, Miller Electric Training Course Guide and Exhibit A-5 is a site plan depicting the locations of the proposed signs on Block 6402, Lots 9 and 10.

Mr. Elliot Holtz came forward to testify and stated that his company is a real estate firm and they manage properties. Mr. Holtz testified that he purchased the property from The Bloom Company Organization in 2013 and the spaces are suitable for smaller start up businesses. Mr. Holtz further testified that the individual businesses are responsible for their own security and he has replaced and provides the lighting at the site. The applicant further testified that the proposed use of the space will be for their tenant, Miller Electronics to provide training to their sales team and there plenty of parking at the site as well.

Mr. Jeffrey Martell, Professional Planner for the applicant came forward to testify and described his credentials to the board.

The board accepted Mr. Martell as an expert witness.

Mr. Martell referred to Exhibit A-2 and testified as to the existing non-conforming conditions at the site. Mr. Martell testified that the applicant is seeking to meet the current tenant’s needs in that they will need to use their facility as a training center to provide classes which are held approximately 45 days within a year. The classes will have approximately 10 to 12 trainees and 1 or 2 instructors. During the times the classes are held, this will be the peak demand for parking. However, some of the trainees may either carpool or use public transportation. Mr. Martell further testified as to the positive and negative criteria of the application.

The Zoning Board Engineer, Douglas White highlighted points from his review letter dated April 22, 2019. The applicant agreed to all of Mr. White's comments and recommendations.

Upon query, Mr. Olivo was informed by the applicant that traffic and safety concerns, especially since a new WaWa will be built next to their property were taken into consideration. Mr. Martell testified as to the improvements they are making at their site to mitigate any issues.

Upon query, Mrs. Longo was informed by the applicant that when traffic studies were done by the D.O.T., and the WaWa engineers, and they determined that the new store will actually be beneficial to help with traffic flow along that part of Route 130.

Upon query, Mr. Martz was informed by the applicant that the WaWa developers made a plan with the County and they will be marking the roadways so that the traffic flows smoothly in that area of Route 130.

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

The Solicitor made the following factual findings: This is an application for Cooper Park Associates, LP has requested a use variance to allow the use of the property as a training facility for Miller Electric sales professionals. The proposed use of the property as the training facility is not permitted by our township code in the C-2 zone. Therefore, a use variance is required. For a use variance under the municipal land use law, an applicant must prove special reasons otherwise known as the positive criteria as well as the negative criteria. Generally, there are special reasons for the board to grant "D" variance relief when the use serves the general welfare, where the property is particularly suitable for the proposed use, when the refusal to allow the project would impose a hardship on the applicant or when a proposed project carries out a purpose of zoning as defined in the municipal land use law such as the promotion of the general welfare, improve visual aesthetics, promotion of the efficient usage of land and other purposes as defined under the law. For the negative criteria, an applicant must prove a variance can be granted without substantial detriment to the public good or that it will not substantially impair the intent and purpose of our master plan and zoning ordinance.

Mrs. Longo motioned to accept the fact finding. Mr. Morales seconded.

Mr. Martz motioned to grant the application for the use variance. He stated that after listening to testimony from the professionals, he believes there will be no detriment and the proposed improvements will enhance the area. Mr. Morales seconded. Roll call: Paul Hoyle, Lysa Longo, Lou Morales, Darlene Hannah, Diane Piccari, Collette Jones and Duke Martz-Aye. None opposed.

Patrick Olivo assumed the seat of Duke Martz who left the meeting at 8:15 PM.

COOPER PARK ASSOCIATES, LP (ELLIOT HOLTZ) - Seeking **approval to exceed the total amount and square feet of allowable signage** permitted in the commercial and industrial zones (see ordinance #141-86). Premises located at 7150 North Park Drive, **Block 6402, Lot 10** in the C-2 Zoning District.

Mr. Martell stated that they are seeking variances to install 6 façade signs, 6 wall signs and 2 ground signs at the property. All of the signs at the site will be uniform and of the same architectural style, materials, height and character at the Cooper Center and at the Cooper Center West facilities. Mr. Martell further testified that they propose 1 façade sign and 1 blue wall sign per tenant and the ground signs will be located outside of the site triangle. Mr. Martell further stated that they will replace old landscaping and remove older, unnecessary signage from the site as well. Mr. Martell further testified as to the positive and negative criteria for this application.

Miss Piccari commented that she believes the proposed plan for signage and in particular the uniformity of the signage will be a wonderful enhancement to the area.

Upon query, Mr. Adams was informed by the applicant that the façade signs will be lit with LED lights from within the box of the signs. The applicant further informed Mr. Adams that there will not be any flashing lights or alike on any of his buildings.

Mr. White testified that since there are no other changes other than the signage at the site, he believes a site plan waiver is in order as well as all of the other obligations that go along with a site plan. Mr. White further stated that there will be no changes to the site or parking at the site and he is in full support of the site plan waiver and the plans they submitted depicting the signs and locations is sufficient.

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

The Solicitor made the following factual findings: This is for Block 6402, Lot 10. The applicant requested a variance for signage and also a site plan waiver. The applicant has requested a signage variance to allow 14 signs on the site. 6 of the signs are façade mounted, 6 signs will be the blue identification wall signs, and 2 signs will be ground mounted. As per section 141-86c2a of our code, only 4 signs are allowed per site in the C-2 Zone. Bulk variance relief is therefore required to permit the requested relief for signs. The applicant has requested C2 substantial benefit variances. As the board knows, a C2 variance may be granted where the purposes of the municipal land use law would be advanced by deviation from our zoning ordinance requirements and the benefits must outweigh any detriment to the public good and the variance cannot substantially impair the intent and purpose of the zoning plan. In regard to the site plan waiver, a site plan waiver must generally be reasonable under the circumstances and the board must be satisfied by the information submitted by the applicant and the site meets all the requirements of the townships site plan review ordinance and requirements notwithstanding any variances or waivers the applicant requested. The waiver is within the discretion of the board. The board should consider if the board engineer objects to the waiver of the site plan to the extent any additional information may be required to review the application or whether the board professionals are satisfied with the information that has been provided and our ordinance requirements have been met. In connection with the variance request, the applicant has proposed a condition that they will only install 1 façade sign and 1 blue wall sign per tenant to a maximum of 6 façade signs and 6 wall signs. Also, all ground signs will be located outside of the site triangle. The applicant will replace any landscape with like or better condition and the applicant also agreed to remove older, non-permitted signs from the site.

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

Mr. Olivo motioned to grant the bulk variance for signage and the site plan waiver. Mr. Olivo stated he doesn't see a detriment and believes the signage will be aesthetically pleasing. Mr. Morales seconded. Roll call: Paul Hoyle, Lou Morales, Lysa Longo, Darlene Hannah, Diane Piccari, Collette Jones and Patrick Olivo-Aye. None opposed.

COOPER PARK ASSOCIATES, LP (ELLIOT HOLTZ) - Seeking **approval to exceed the total amount and square feet of allowable signage** permitted in the commercial and industrial zones (see ordinance #141-86). Premises located at 7150 North Park Drive, **Block 6402, Lot 9** in the C-2 Zoning District.

Mr. Martell, the applicant's Professional Planner testified that the intent of this application is to create uniformity throughout the site by providing a sign box for each tenant as well as 2 ground signs at the driveway. Mr. Martell testified that the ground signs will be similar as to those proposed on Lot 10. He further stated that this building is a little larger than the building on Lot 10. They will be removing an existing sign at the site in order to install the proposed new ground signs. Mr. Martell testified they are amending the amount of signs on their application to install signs for 16 tenants. Therefore, they propose to install 16 façade signs, 16 wall signs and 2 ground signs for a total of 34 signs. They will be removing

unnecessary exiting signs from the site and adding new landscaping at the site as well. Mr. Martell testified as to the positive and negative criteria for this application.

Mr. White stated that 560 square feet of total signage area where 480 square feet is the maximum allowed by ordinance.

Upon query, the applicant informed Mrs. Longo that they will install one sign per tenant only when the unit is occupied.

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

The Solicitor made the following factual findings: This application is for 6402, Lot 9. It is for a site plan waiver and variances for the number of signs on the property as well as the total square foot of signage area. The applicant is proposing up to 34 signs. 16 will be façade signs, 16 will be blue wall signs and 2 will be ground signs. As per out township code, only 4 signs are permitted per site in the C-2 Commercial Zone and the applicant's proposed number of signs will also total 560 square feet of total signage area where as 480 square feet is the maximum allowable as per our township code and our board engineer. C2 substantial benefit variances are required to allow the number of proposed signs along with the total amount of sign area. When considering the C2 variances the board should consider the positive and negative criteria. In connection with the site plan waiver request and variance for the number of signs and signage area, the applicant has proposed the same conditions as on the other properly, which will be that all ground signs will be located outside the site triangles, the applicant will replace any disturbed landscaping with like or better condition. The applicant is going to remove older signs that do not have a permit and the applicant will also resolve any site plan issues with the board engineer.

Miss Piccari motioned to accept the fact finding. Mr. Olivo seconded.

Mr. Hoyle motioned to grant the requested variance and site plan waiver. Mr. Hoyle stated he doesn't see a detriment at all. He further stated that the proposed changes will create consistency and it will be beneficial to the area. Mr. Morales seconded. Roll call: Paul Hoyle, Lou Morales, Lysa Longo, Darlene Hannah, Diane Piccari, Collette Jones and Patrick Olivo-Aye. None opposed.

COOPER PARK ASSOCIATES, LP (ELLIOT HOLTZ) - Seeking **approval to exceed the total amount and square feet of allowable signage** permitted in the commercial and industrial zones (see ordinance #141-86). Premises located at 7905 Browning Road, **Block 6303, Lot 4** in the LI Zoning District.

Mr. Prime stated that the applicant's other building is the largest of the 3 and is up the street from the other properties. They are requesting sign variances similar to those on Block 6402 Lots 9 &10 as well as a site plan waiver.

Mr. Martell, Professional Planner for the applicant testified that the applicant is proposing to install 29 façade signs, 29 wall signs and 2 ground signs at the site. Mr. Martell further testified that there will be a total of 60 signs and they will be similar in style, height, character and material as the signage for the other properties. The existing Cooper Park signs will be removed at the intersection of North Park Drive and Browning Road. They will also be installing new landscaping and modifying the location of the signs and they will make sure there will be no site line impairment from the driveway or the intersection. Mr. Martell further testified as to the positive and negative criteria of the application.

Upon query, the applicant informed Mr. White that the bronze sailboat statue that is currently on the property will probably have to be moved from its current location. However, it will stay somewhere on the property since it is somewhat of a landmark at Cooper River. Mr. White was further informed by the applicant that the 4 tulip sculptures currently at the site will be removed and they will be replacing all of the landscaping. Mr. White was further informed by the applicant that they are requesting 920 square feet of signage and 1,930 square feet is allowed by the township ordinance. Therefore, they are way under the

allowable square footage for signage at the property. They only need a variance for the number of signs at the site.

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

The Solicitor made the following factual findings: This is for Block 6303, Lot 4. It is a request for a site plan waiver and a variance for the number of signs. The applicant has proposed to allow a maximum of 60 signs on the subject property. 29 signs will be façade mounted, 29 will be wall signs and 2 will be ground signs. Our township code only allows 2 signs per site in the LI (Limited Industrial Zone), a C-2 variance is therefore requested and required in order to allow the maximum number of proposed signs. The board knows to the positive and negative criteria and the site plan waiver may be granted at the board's discretion pending any comments or objections from the board's professionals in particular, the Zoning Board Engineer, in this case, there were none. The same conditions apply to this variance request and site plan waiver request as the other variances and site plan waiver request. All ground signs will be located outside of site triangles. The applicant is going to replace any disturbed landscaping with like or better condition. The applicant will remove older non permitted signs and will resolve any remaining site plan issues with the board engineer.

Miss Piccari motioned to accept the fact finding. Mr. Morales seconded.

Mr. Hoyle motioned to grant the application. Mrs. Longo seconded. Roll call: Paul Hoyle, Lou Morales, Lysa Longo, Darlene Hannah, Diane Piccari, Colette Jones and Patrick Olivo-Aye. None opposed.

MINUTES:

It was moved, seconded and unanimously agreed to approve the meeting minutes from April 3rd and April 17th 2019.

CORROSPONDENCE:

None

RESOLUTIONS:

None

BILLS:

It was moved, seconded and unanimously agreed to approve payment for the following bills:

**5/1/2019-Remington & Vernick-Engineering Services for PSE&G Camden Switching Station-
\$656.00.**

COORDINATOR'S REPORT:

None

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 8:50 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary