

**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.

The Secretary called the meeting to order at 7:00 P.M. and led the flag salute. Roll call disclosed the following members present: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Collette Jones and Duke Martz. Acting Solicitor Steve Boraske, Esq., Zoning Board Engineer, Douglas White, Planning & Zoning Coordinator Gene Padalino, and Secretary Nancy Ellis were also present.

The Secretary announced that the meeting is 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.

The Secretary announced that the Reorganization of the Board would take place at this time.

The following reappointed members came forward and were duly sworn by the Solicitor: Collette Jones and Duke Martz.

The Secretary called for nominations for the office of Chairperson for the year 2020.

Miss Hannah moved that Shirley Butler be nominated as Chairwoman of the Board for the year 2020. Mrs. Longo seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Colette Jones and Duke Martz-Aye. None opposed.

The Secretary turned the meeting over to Chairwoman Butler.

Chairwoman Butler called for nominations for the position of Vice-Chairperson of the Board for the year 2020.

Mrs. Longo moved that Darlene Hannah be nominated for the position of Vice-Chairman of the Board for the year 2020. Mr. Morales seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Colette Jones and Duke Martz-Aye. None opposed.

Chairwoman Butler called for nominations for the position of Secretary to the Board for the year 2020.

Mrs. Butler moved that Nancy Ellis be appointed to the position of Secretary to the board for the year 2020. Mrs. Longo seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Colette Jones and Duke Martz-Aye. None opposed.

The Chairwoman called for nominations for the appointment of a Solicitor to the Board for the year 2020.

Mrs. Longo moved that the Law Offices of Florio, Perrucci, Steinhardt & Fader, LLC, 1010 Kings Highway South, Building 3, Cherry Hill, New Jersey 08034 be appointed as Solicitor for the year 2020. Miss Hannah seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Colette Jones and Duke Martz-Aye. None opposed.

Chairwoman Butler called for nominations for the position of Zoning Board Engineer for the year 2020.

Miss Hannah moved that T&M Associates, 1256 N. Church Street, Suite #4, Moorestown, New Jersey 08057 be appointed as Engineer for the Board for the year 2020. Mrs. Longo seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Colette Jones and Duke Martz-Aye. None opposed.

Chairwoman Butler called for a motion to adopt the Zoning Board of Adjustment meeting dates and times for the 2020 calendar year.

Mr. Hoyle moved to adopt the dates and times for the year 2020 as presented. Mrs. Longo seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Colette Jones and Duke Martz-Aye. None opposed.

Chairwoman Butler called for a motion to adopt two local newspapers to advertise the Zoning Board of Adjustment notices for the year 2020.

Miss Hannah moved that the Retrospect of Collingswood, New Jersey and the Courier Post of Cherry Hill, New Jersey as the two local newspapers to advertise the Zoning Board of Adjustment notices for the year 2020. Mrs. Longo

seconded Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari, Patrick Olivo, Colette Jones and Duke Martz-Aye. None opposed.

**HEARINGS:**

**HERIBERTO VEGA/ERICK LUNA(LINE DRIVE BASEBALL CORP.)** - Seeking a use variance to permit a batting cage and training facility for baseball and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 5811 South Crescent Blvd. Unit 1, Pennsauken, NJ 08110 known as Plate 58, Block 58 Lot 21 on the Tax Map of the Township of Pennsauken in Zoning District C-2 (Redevelopment).

Mr. Chester Luszc, Esq. came forward to represent the applicant.

The applicant, Mr. Heriberto Vega, 5428 Burwood Avenue came forward to testify and was duly sworn by the solicitor.

The applicant testified that he is currently leasing the property and submitted a copy of the commercial lease to the board.

The copy of the commercial lease was marked into evidence A-1.

Mr. Vega testified that a sock company-warehouse distributor was formerly at this location and he would like to open a baseball-sports training facility for kids, to help them learn how to hit and catch.

Upon query, Mrs. Butler was informed by the applicant that he works with PYAA and has personally funded baseball scholarships to students at Pennsauken High School. Mr. Vega further informed Mrs. Butler that he will have batting cages for training at the facility and eventually he will sell baseball equipment, such as bats and gloves.

Mr. Vega testified that currently there are 16 parking spaces including a handicap parking space at the property, which is more than sufficient since his students are scheduled by appointment only. Mr. Vega testified they are scheduled for 1 to 2 hours and there is a 15 minute gap between appointments, so there won't be an overlap with parking. Mr. Vega further testified that there is an existing sign at the property and he will only need to update it with his business name.

Upon query, Ms. Jones was informed by the applicant that there is handicap parking and a ramp at the property.

Upon query, Mr. Martz was informed by the applicant that the hours of operation will be Monday thru Sunday from 2pm until 10pm. Mr. Vega stated that he will provide transportation for team practice. Mr. Martz was further informed that all new lighting will be installed at the property.

Upon query, Ms. Jones was informed by the applicant that he works with mainly Pennsauken kids. However, he will help any kids from anywhere.

Upon query, Mr. Vega informed Mr. Olivo that he will have 6 batting cages and a bull pen.

Upon query, the applicant informed Miss Hannah that the kids don't have anywhere to go to practice baseball during the winter. Mr. Vega further informed Miss Hannah that the average batting cage rental for an individual is a ½ hour to an hour and up to 2 hours if a team is renting.

Upon query, Mrs. Longo was informed by the applicant that he and his family will be running the facility and he also will also invite a few pro players that will come in to work with the kids. Mr. Vega further informed Mrs. Longo that there will be approximately 3 employees using parking spaces and there is plenty of off street parking on the side and at the rear of the building. The applicant further stated that the kids will be scheduled to use the batting cages and they will safe inside the building. The applicant also informed Mrs. Longo that appointments begin at 2 pm after the kids get out of school.

Upon query, Mr. Morales was informed by the applicant that the current overflow of parking is from the salon next door to him. Mr. Vega stated that he spoke to the owner of the salon he agreed to no longer accepting walk-in clients in order to control the overflow of parking.

Upon query, Mr. Hoyle was informed by the applicant that he will replace the sign at the property to identify his business. The applicant further informed Mr. Hoyle that girls' softball teams also rent the batting cages.

Upon query, Mrs. Butler was informed by the applicant that children who play T-Ball all the way up to adults use the batting cages. He further stated that he will be supplying the equipment, there are restrooms, and handicap parking at the property.

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

Upon query, Mr. White was informed by the applicant that he will replace the pylon sign, install new lighting and he will also make sure the handicap parking is up to standard.

The meeting was open to the public.

Mr. Melvin Sellers, 3762 Schleicher Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Sellers testified he has lived at his property for over 40 years, he has seen businesses come and go in this particular building and since the barber shop has been in business there, the whole area has changed. The barber shop operates all hours of the day and night and the parking lot is always full. There has been an overflow of parking on their street and noise, especially in the summer.

Mr. Christopher Jefferson, 3758 Schleicher Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Jefferson testified he has lived at his property for 31 years and he expressed his concern for the overflow of parking from the barber shop. People trespass on his property and eat, drink and are on drugs while waiting for a haircut. He stated it's overwhelming. Mr. Jefferson also stated that people are speeding up his street and that someone is going to get killed.

Myrtise Arline, 3756 Schleicher Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Arline testified she has lived at her property for 40 years and her concerns are the same as what her neighbors testified. She further stated that it is complete chaos in their neighborhood from the barber shop and something needs to be done about it. Ms. Arline also stated that cars block her driveway and in the past, she had to go to the barber shop to ask them to move their cars.

Mr. Rolando Gautier, 8049 Tarrington Court came forward to testify and was duly sworn by the Solicitor.

Mr. Gautier testified he grew up in Pennsauken and graduated from Pennsauken High School. He has played baseball since he was 11 or 12 years old and he was offered and accepted a scholarship to play baseball for 4 years at the University of Tennessee. Mr. Gautier stated that he is now a lead baseball coach at PHS and he will be involved with the kids training. Mr. Gautier further stated that kids can't practice outside in the colder months so this will be convenient and safer for them to have this facility in town.

Linda Mulero, 7752 Frosthoffer Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Mulero stated that the batting facility is great for the community. However, something needs to be done about the barbershop and getting the area under control to ensure the kids coming to practice are safe

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

The Solicitor stated that according to the ordinance and the square footage of the building, there is sufficient parking at the facility. The Solicitor was informed by the applicant that the property is particularly suited for the use. The building fits the equipment and the use will benefit and help a lot of kids. The surrounding area has a mix of commercial and residential uses.

Upon query, Mr. Martz was informed by the applicant that there are 2 trash dumpsters in the rear of the building that he will close and lock up at night. Mr. Vega further informed Mr. Martz that he will work with the neighbors to resolve any parking issues.

Upon query, Mrs. Longo was informed by the applicant that he will fix the building and the property up to so it will look nice.

Upon query, the Solicitor was informed by the applicant that he will have security cameras installed at the property.

The Solicitor made the following factual findings: This is an application for Line Drive Baseball Corporation to approve the development of a baseball batting cage training facility. The property is located at 5811 South Crescent Boulevard, Block 58, Lot 21 in the C-2 Zoning District. Per our township code, the specific use of the property as a batting cage training facility is not permitted in the C-2 zone. Therefore, the applicant requires a D-1 use variance. To obtain a use variance, the applicant must prove to the board that there are special reasons, otherwise known as the positive criteria as well as the negative criteria. Generally, there are specific special reasons to grant a D-1 use variance, when the use serves the public welfare, the property is particularly suitable for the proposed use and when refusal to allow the project will impose on the applicant an undue hardship or when a proposed project carries out a purpose of zoning as defined by the municipal land use law, such as the promotion of the general welfare, improving the overall visual aesthetics of the subject property, providing sufficient space and a variety of residential, commercial and recreational uses

and so forth. The applicant did testify and explained why this building is particularly suitable for batting cages and a baseball training use and also testified as to the benefits of the application for the township, specifically allowing the townships youth to come learn and practice baseball and they explained that there is a need for it in the township. For the negative criteria, an applicant must prove that the variance can be granted without substantial detriment to the public good and it will not substantially impair the intent and purpose of the township master plan. The applicant is required to adhere to all their representations tonight regarding the lighting, signage, hours of operation and all the conditions that the applicant testified to. We also discussed a condition that the applicant will work with the neighbors and work with the township to address any parking issues that may come up and the applicant made other representations and agreements regarding landscaping and improving the appearance of the property. The applicant will be required to honor all of these conditions to the approval. A copy of the applicant's commercial lease was marked into evidence as Exhibit A-1.

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

Miss Hannah motioned to grant the application with of the conditions as stated during testimony. Miss Hannah further stated she believes the facility will be good for the public and it will promote the general welfare. Mrs. Longo seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari and Duke Martz-Aye. None opposed.

**ANTOINETTE ADAMS** - Seeking a use variance to permit a phlebotomy school with classrooms and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 7675 Maple Ave. Pennsauken, NJ Block 4209 Lot 2 in Zoning District C-1.

Antoinette Adams, 4107 Vespar Circle, Palmyra, New Jersey came forward to testify and was duly sworn by the Solicitor.

Ms. Adams testified that she is a phlebotomist and she would like to hold phlebotomy training classes at the property.

Upon query, Mrs. Butler was informed by the applicant that the students require 40 hours of training and she will hold classes on Wednesday, Thursday and Friday from 9:00 am until 2:00 pm and an evening class from 4:00 pm until 8 pm. Ms. Adams further testified that each student requires 20 clinical hours and 20 class room hours. The applicant further informed Mrs. Butler that she has been a phlebotomist since 1998, most of her students are sent to her through word of mouth.

Upon query, Mrs. Longo was informed by the applicant that they use all "fake" equipment to teach the students, such as rubber arms and cool aid for blood. The applicant further stated that they use real syringes and they are properly disposed of in a box and removed by a lab.

Upon query, Mrs. Butler was informed by Ms. Adams that she currently has a mobile phlebotomy.

Upon query, Mr. Morales was informed by the applicant that classes will be held three times a week. However, when she isn't teaching classes she will be at the facility doing paperwork.

Upon query, Mr. Hoyle was informed by the applicant that once the students are trained and certified, they can seek employment. Mr. Hoyle was further informed by the applicant that they use syringes and needles to practice with and the needs are disposed of in a sharp container and picked up by a lab.

Upon query, Miss Piccari was informed by the applicant that once her students finish their 40 hours of training, they will receive a certification from the state of New Jersey.

Upon query, Mr. Olivo was informed by the applicant that her training facility will be in the same building next to a dentist's office. Ms. Adams further informed Mr. Olivo that the facility is on a bus root, which makes it convenient for her students. She further stated that her students are required to have a high school diploma.

Upon query, Mr. Martz was informed by the applicant that she will not have a lot of trash and but there is a dumpster on the side of the building. The applicant further informed Mr. Martz that she will be using the first floor of the building and currently, the second floor is not occupied.

Upon query, the Solicitor was informed by the applicant that she believes that the property is suitable for her training classes because it is located next to a dentist's office, a doctor's office and they can be contracted out to businesses such as Bayada Home Health Care , which is located up the street from this building.

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 applicant is Antoinette Adams and she is looking to obtain approval for the development and the use of the property as a phlebotomy school located at 7675 Maple Avenue, Block 4209, Lot 2 in the C-1 Commercial Zoning District. The proposed use is not specifically permitted in the C-1 District by our township code. The proposed use must be particularly suited for the phlebotomy school use. The proposed use of the property must benefit the township in some way by caring out for the purpose of zoning, to benefit the general welfare, providing adequate space for a variety of beneficial and appropriate uses and the refusal to permit the application would cause and undue hardship on the applicant. In addition to the positive criteria, the applicant has to show the negative criteria and prove there is no substantial impairment to the township or to the zoning ordinance and no substantial impairment to the public good.

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

Mr. Martz motioned to grant the application with the condition a business sign is installed at the property. Mr. Martz further stated that he believes the use of the property fits in with the other uses in the area, there won't be any detriment and he believes using part of the building is better than it being vacant. Miss Hannah seconded. Roll Call: Paul Hoyle, Lou Morales, Lysa Longo, Shirley Butler, Darlene Hannah, Dianne Piccari and Duke Martz-Aye. None opposed.

**MINUTES:**

It was moved, seconded and unanimously agreed to approve the December 18, 2019 meeting minutes.

**CORROSPONDENCE:**

None

**RESOLUTIONS:**

None

**BILLS:**

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

*1/8/2019-T&M Associates, Engineering Services for Hesperus, LLC-\$186.00*

*1/8/2019-T&M Associates, Engineering Services for Pennsauken Hospitality-\$3,735.75.*

**COORDINATOR'S REPORT:**

Not at this time.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 8:40 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary