

June 1, 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 via zoom.

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, Duke Martz, Giovanni Cirilli, Darlene Hannah, and Chairwoman Shirley Butler, constituting a quorum. Also present were: Stephen Boraske, Solicitor; Gene Padalino, Planning and Zoning Coordinator; Daniela Tavaréz, Planning and Zoning Assistant, Doug White, Engineer; and Mary Leonard, Secretary.

Hearings

Yeidy Rios Castro is seeking 20 feet of relief from the front yard setback requirement of 20 feet in an R-4 zone for 10' x 10' pergola and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 4733 Lafayette Avenue, Plate 52, Block 5215, Lot 1 on the Tax Map of the Pennsauken Township, Zoning District: R-4. (Continued from May 4, 2022 meeting)

Duke Martz stated he will sit out this application since he was not at the May 4, 2022 meeting.

Yeidy Rios Castro and Jose Rios, 4733 Lafayette, Avenue, Pennsauken, New Jersey were sworn in by Solicitor Boraske.

Yeidy Rios Castro stated they moved the pergola back 6'.

Darlene Hannah stated the Zoning Board recommended the applicant move the pergola back and they have done that.

Paul Hoyle questioned if the Zoning Board can approve this application due to safety issues. Solicitor Boraske replied the Construction Office will look at it.

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 Solicitor stated members of the public testified at the May 4, 2022 meeting that they were in favor of this application. The applicant originally requested a 20' variance but has moved the pergola back 6'. Therefore, she is requesting relief of 14'. No one from the public opposed the application. There is no detriment to the Master Plan or to the neighbors. The approval would be subject to standard conditions.

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

Giovanni Cirilli moved to grant the variance stating the applicant moved the pergola back as requested by the Zoning Board. Darlene Hannah seconded the motion, stating neighbors supported the application and the pergola was moved back 6' as requested by the Zoning Board. The applicant was instructed to follow the code and the instruction from the Construction Official. The motion carried on roll call vote.

The vote was as follows. Dianne Piccari no stating the applicant had a concrete pad with portable umbrellas and that should have been used. Paul Hoyle yes stating the neighbors were

in favor of this application. Giovanni Cirilli yes as stated. Darlene Hannah yes as stated. Chairwoman Butler yes and stated the applicant moved the pergola as requested by the Zoning Board. The Chairwoman further stated the applicant is to comply with the Construction Office.

Duke Martz rejoined the meeting.

Manuel Duran is seeking 1 foot of relief from the minimum side yard setback requirement of 8 feet and 13 feet of relief from the rear yard setback requirement of 35 feet in an R-2 zone for a 19' x 14' wood deck attached to the rear of the home. The applicant also seeks relief to exceed the permitted building coverage in an R-2 zone and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 6202 Roosevelt Avenue, Pennsauken, New Jersey 08110, Plate 59, Block 5906, Lot 18 on the tax map of the Township of Pennsauken. Zoning District R-2 (Continued from May 18, 2022 meeting)

Manuel Duran, 6202 Roosevelt Avenue, Pennsauken, New Jersey 08110 was sworn in by Solicitor Boraske.

Mr. Duran stated he proposes a 19' x 14' deck on the back of his house. It will not go past the side of the house. A contractor will do the work. There will be no roof. It will just be a flat deck with four steps.

Dianne Piccari questioned where the exit from the house will be. Mr. Duran replied it will come out the back door.

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 1' of relief from the minimum side yard setback requirement of 8' and 13' of relief from the rear yard setback requirement of 35' in an R-2 zone for a 19' x 14' wood deck attached to the rear of the home. The applicant also is seeking relief to exceed the permitted building coverage in an R-2 zone. There is no detriment to the public. The approval is subject to standard conditions.

Dianne Piccari moved to accept fact finding, seconded by Paul Hoyle which all members of the Zoning Board unanimously agreed.

Dianne Piccari moved to grant the variances. It will exceed the ground coverage. The deck will not be enclosed and will not have a roof. The applicant is to follow proper channels. The motion was seconded by Paul Hoyle, which carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated. Paul Hoyle yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Darlene Hannah yes as stated. Chairwoman Butler yes and told Mr. Duran to enjoy his deck.

Noel Lopez is seeking 20 feet of relief from the front yard fence setback requirement of 20 feet for a 6 foot vinyl fence and 52 feet of relief from the front yard fence setback requirement of 20 feet for a 3 foot vinyl fence in the front yard and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 1915 Horner Avenue, Pennsauken, New Jersey 08110. Plate 6, Block 611, Lot 2 on the tax map of the Township of Pennsauken, Zoning District: R-3.

Noel Lopez and Carmen Mendez, 1915 Horner Avenue, Pennsauken, New Jersey were sworn In by Solicitor Boraske. Carmen Mendez interpreted for Noel Lopez.

Carmen Mendez stated Noel Lopez proposes a 6' vinyl fence and is requesting a variance from the front yard fence setback requirement of 10' for a 3' vinyl fence in the front yard. The neighbor has a dog which runs loose. They want the fence for protection and privacy. They have a 5 year old son and also want the fence for his safety.

Pictures were shown of the fence. It is 6' in the back and in the front the fence is 3'. Carmen Mendez stated the dog runs in the front yard and comes to the front door. The 6' fence will stay and they will continue the fence but not in front of the house. It will be on both sides and they will have a gate.

Dianne Piccari questioned if the fence will be attached to the house. The applicant replied yes. Dianne Piccari informed the applicant the dog cannot run free and that she should call the Township Clerk to see if it is registered.

Paul Hoyle stated the 3' fence will not solve the issue as the dog can leap over the 3' fence.

Public

Chairwoman Shirley Butler opened the meeting to the public.

Alba Jose, 1927 Horner Avenue, Pennsauken, New Jersey was sworn in by Solicitor Boraske.

Mrs. Jose stated the neighbor has a Pit Bull and German-Shepard mix. The dog runs all over the neighborhood. That is a reason her neighbor needs a fence.

Duke Martz stated the dog cannot roam the streets. It cannot be unleashed. They should call Animal Control.

The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is seeking a variance for a fence of 1915 Horner Avenue. They have a 6' fence and want to add a 3' fence on the side of the property for safety and security from the neighborhood dog that roams freely in the neighborhood. There is no detriment to the neighbors. They seek two variances – a 6' fence and a 3' fence to be extended on the side. The approval would be subject to standard conditions.

Dianne Piccari moved to accept the fact finding, seconded by Darlene Hannah which all members of the zoning Board agreed unanimously.

Duke Martz moved to deny the application. It should be a 6' fence not a 3' fence. The motion was seconded by Paul Hoyle. The motion carried on roll call vote.

The vote was as follows. Dianne Piccari no. Paul Hoyle yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Darlene Hannah no. Chairwoman Burler yes as stated. The vote was 4 yes, two no. The motion carried.

Duke Martz stated they would grant a 6' fence but not a 3' fence. The applicant agreed to a 6' fence.

Duke Martz moved to grant the amended application for a 6' fence. The motion was seconded by Paul Hoyle, which carried unanimously on roll call vote.

The vote was as follows. Diane Picarri yes as stated. Paul Hoyle yes as stated. Giovanni Cirilli yes as stated. Duke Martz yes as stated. Darlene Hannah yes as stated. Chairwoman Butler yes as stated. The applicant is to comply with conditions.

Pointy Development LLC is seeking a use variance to permit a 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 is located at 4615 N. Crescent Boulevard, Pennsauken, New Jersey 08110, Plate 46, Block 4601, Lots 23 and 24. Zoning District: C-2.

David Shakowitz, Esq. represented the applicant.

Michael Galante PE, 76 Argyle Avenue, Blackwood, New Jersey, Katherine D'Agostino, Levittown, New York, Justin Auciello, Bob Hunter, Planner, and Doug White, Zoning Board Engineer, were sworn in by Solicitor Boraske.

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 District Zone. Self-storage facilities are not listed under approved uses in the Ordinances 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, 48th 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 Altium Dance Studio, both of these properties also fall within the C-2 Zone.

Attorney Shakowitz stated the applicant is seeking a use variance. The use is suitable for the area. There would be less traffic than there would be for other uses. It is a low impact use. There is not a lot of employees and there is not a need for a lot of parking.

Michael Galante presented his credentials and was accepted by the Zoning Board members as an expert. Mr. Galante presented aerial exhibits and they were labeled Exhibit A-1. The area is surrounded by residential and commercial properties. There is broken asphalt.

The applicant will meet with Doug White, Zoning Board Engineer and will comply with his requests. They will work with Doug White and address issues prior to the next meeting. They will work out a parking layout. A template will be provided and the driveway will be widened from 27' to 29'. The drive aisle will be one way.

Duke Martz stated there is an environment issue.

The applicant stated they would repair the broken asphalt. They will add a new vinyl fence and new curbs and sidewalks. There will be an office area and handicap parking. The handicap parking will be adjacent to the office area.

There will be no increase in drainage or water run off according to Mr. Galante. There will be a landscape plan and buffers. The fence will be along the back of the property. They will plant evergreen and shade trees. A preliminary floor plan was submitted.

There will be storage units, an office area and a bathroom area. Two variances were requested, one for lot coverage and one for building coverage. Mr. Galante stated there will be no detriment to the neighborhood and will be a benefit to the area.

There is no need for a dumpster.

Duke Martz questioned the height of the vinyl fence. Mr. Galante replied 6'. There will be no fence on 46th Street or 47th Street. Duke Martz also requested the applicant to review the water flooding on Route 130.

The basin is to be reviewed. There will be one to two employees.

Katherine D'Agostino reviewed her credentials and was accepted as an expert by the Zoning Board members. Mrs. D'Agostino reviewed the storage areas and traffic. She showed a video.

Justin Auciello reviewed his credentials and was accepted as an expert by the Zoning Board members. Mr. Aucciello reviewed the use variances. He will get together with Doug White.

Duke Martz stated he wants to see a site plan and a traffic study. He recommended the applicant get together with neighbors and discuss the application with them.

Doug White stated he wants to see a Traffic Study from a New Jersey Traffic Engineer. He also wants an Environmental Statement. Mr. White is concerned over the Storm Water presentation and floor plans. He further stated he needs more details. The loading zone is to be reviewed.

Bob Hunter stated he wants to review the comments and work with the applicant.

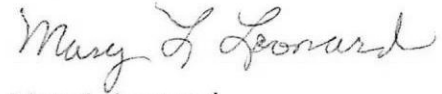
This application will be continued to July 20, 2022 at 7:00 P.M. at the Municipal Building, 5605 N. Crescent Boulevard, Pennsauken, New Jersey.

Minutes

Dianne Piccari moved to approve the minutes of May 4, 2022 and May 11, 2022, seconded by Giovanni Cirilli, which carried unanimously on roll call vote.

The meeting was duly adjourned on motion at 10:05 P.M.

Respectfully submitted,



Mary L. Leonard

Secretary