

August 17, 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, Giovanni Cirilli, Osvaldo Alves, Darlene Hannah, and Chairwoman Shirley Butler, constituting a quorum. Also present were: Stephen Boraske, Solicitor; Doug White, Engineer; Gene Padalino, Planning and Zoning Coordinator; and Mary Leonard, Secretary.

Hearings

Pointy Development LLC the applicant 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, Lot 23 and 24, Zoning District C-2. (Application is being continued until August 31, 2022. No further noticing is required).

Juan Martinez the applicant is seeking 20 feet of relief from the front yard fence setback requirement of 20 feet for a 6-foot vinyl fence and any other variances and waivers that may be required by the Pennsauken Zoning Board. Property located at 1712 36th Street, Pennsauken, New Jersey 08110, Plate 9, Block 921, Lot 20 on the Tax Map of the Township of Pennsauken, Zoning District: R-3. (This application was continued from August 3, 2022)

Juan Martinez, 1712 N. 36th Street, Pennsauken, New Jersey was sworn in by Solicitor Boraske.

Mr. Martinez stated the fence is already finished. He had a 4' fence and replaced it with a 6' fence for security.

Paul Hoyle stated the fence is already up. It looks nice and it is not a detriment to the neighborhood.

Solicitor Boraske questioned if the fence blocks any site vision. Mr. Martinez replied it did not.

Public

Chairwoman Butler opened the meeting to the public.

Carl McFadden, 1720 36th Street, Pennsauken, New Jersey was sworn in by Solicitor Boraske.

Mr. McFadden stated he was Mr. Martinez's neighbor and that he had no problem with the application.

The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is seeking 20 feet of relief from the front yard fence requirement of 20 feet for a 6-foot vinyl fence. The purpose of the fence is for security and to beautify the home. There is no negative impact or detriment to the neighborhood or the Master Plan or the Land Use Law.

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

Dianne Piccari moved to grant the application for the fence stating it is an improvement to the property and will provide security. Giovanni Cirilli seconded the motion, which carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated. Ozzie Alves yes as stated. Paul Hoyle yes as stated. Giovanni Cirilli yes as stated. Darlene Hannah yes as stated and reminded the applicant if anything further is to be done to the property, he is to obtain a permit first. The applicant agreed. Chairwoman Butler yes stating there is no detriment to the neighborhood and it will provide security.

James Heisler is seeking a 6-foot relief for the minimum side yard setback requirement of 10-feet and 9-foot relief from the rear yard setback requirement of 40-feet in an R-1 Zone for 23' x 16.5' wood deck attached to the side of the home. The applicant also seeks 2.5-foot relief from the minimum rear yard setback requirement of 5-feet and 2.5' of relief from the minimum side yard setback requirement of 5' for a 10.5' x 10.5' pergola and any other variances and waivers that may be required by the Pennsauken Zoning Board. Located at 4445 Baker Avenue, Pennsauken, New Jersey. Plate 57, Block 5720, Lot 11 on the Tax Map of the Township of Pennsauken, Zoning District: R-1.

James Heisler, 4445 Baker Avenue, Pennsauken, New Jersey was sworn in by Solicitor Boraske.

Mr. Heisler stated he wants to sell his house but he has a deck that was installed without a permit.

Paul Hoyle questioned if the deck has electric or water. Mr. Heisler replied yes but just for the hot tub.

Darlene Hannah questioned if there have been any changes to the deck. Mr. Heisler replied no.

Dianne Piccari stated she has seen the deck and that it looks nice and it does not have any obstructions.

Solicitor Boraske questioned there are any issues with water run-off. Mr. Heisler replied no.

Public

Chairwoman Butler opened the meeting to the public.

Hipn Tipu, 4445 Baker Avenue, Pennsauken, New Jersey was sworn in by Solicitor Boraske. Mr. Tipu stated he is the new owner of the property. He stated he is in favor of the deck.

The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is seeking 6 feet of relief from the minimum side yard requirement of 10 feet and 9 feet of relief from the rear yard setback requirement of 40 feet in an R-1 zone for a 23' x 16.5' wood deck attached to the side of the home. The applicant also seeks 2.5 feet of relief from the minimum rear yard setback requirement of 5 feet and 2.5 feet of relief from the minimum side yard setback requirements of 5 feet for a 10.5' x 10.5' pergola. The new owner testified he was in favor of the deck. It will benefit the resident and is a benefit to the Township and it doesn't affect the Land Use Law. Variances were requested. The approval will be subject to compliance with the standard conditions.

The public portion of the meeting was closed.

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

Paul Hoyle moved to grant the application and the variances. He stated he had driven by and the house is nice. There is no detriment to the neighborhood. The motion was seconded by Dianne Piccari, which carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated. Ozzie Alves yes as stated. Paul Hoyle yes as stated. Darlene Hannah yes as stated. Giovanni Cirilli yes as stated. Chairwoman Butler yes and stated she hopes the new occupant will enjoy his home. She informed him to purchase permits first before doing anything to his new home.

Cogent is seeking preliminary and final site plan and bulk variance approval to allow the applicant to construct a four-story public storage facility with associated parking, landscaping, stormwater facilities, lighting and signs on a lot that is currently vacant. The applicant is requesting the following variances in connection with this application. 1. From Ordinance Section 141-82. A to permit a public storage facility in the C-2 Zone to which it is not permitted. 2. From Ordinance Sections 141-81. B and 141-82. B to permit a building height of 46.66 feet where 35 feet is the maximum permitted; 3. From Ordinance Sections 141-81. C.(2)(c) and 141-82.C to permit a rear yard setback of 18.87 feet where 35 feet is required. 4. From Ordinance Sections 141-81 C.(3)(a) and 141-82.C to permit a building coverage of 51.72% where 50% is the maximum permitted and 5. From Ordinance Section 141-87. A.(2)(n) to permit 10 parking spaces where 341 parking spaces are required. The applicant also seeks such other variances, waivers, and other approvals as may be required as a result of review and recommendations by the Board or its professional review staff. The property is in the C-2 Commercial District and is located at 7400 S. Crescent Boulevard, Pennsauken, New Jersey, Block 6610, Lot 1 on the Township of Pennsauken Tax Map.

Robert Baranowski, Jr. Esq. 6000 Sagemore Drive, Suite 6301 Marlton, New Jersey 08053, represented the applicant.

Brian Coninx, Cogent Capital Group, 444 Skokie Boulevard, #301 Wilmette, IL 60091, Patricia Ward, 1955 Route 34, Suite 1A, Wall, New Jersey 07719, Elizabeth Dolan of Dolan & Dean, 181 West High Street, Somerville, New Jersey 08876, Joseph Neitzel, Design Consultant, 406 North Country Road, St. James, New York 11780, and James Miller, Planner, 222 Nicholson Drive, Moorestown, New Jersey, Doug White, Zoning Board Engineer and Gene Padalino, Planning and Zoning Coordinator, were sworn in by Solicitor Boraske.

The applicant proposes to construct a self-storage facility on a currently vacant lot. The property is 1,372 acres in the C-2 Commercial District Zone. Self-storage facilities are not listed under approved uses in the Ordinance for the C-2 Zone. The site formerly is generally vacant although almost entirely disturbed and is used for truck storage/staging. The Pennsauken Sewer Authority has a pump station structure on an adjacent lot. A billboard also is on a separate lot north of the site.

The property has full frontage on two separate public roadways; Route 130 and Teitelman Avenue. On the east side of the site is a tidally influenced drainage water feature known as Chandlers Run.

Attorney Baranowski stated the applicant is requesting a use variance on a vacant lot for a self-storage unit, which is not a permitted use. It is less intense than other uses on site. A height variance was requested to permit a building height of 46.66 feet where 35 feet is the maximum permitted. It will be a four-story building. Mr. Baranowski stated there would be no negative impact to the area. A variance was requested for rear yard setback, building coverage and a parking variance.

Brian Coninx presented his qualifications and was accepted as an expert unanimously by the Zoning Board members.

Mr. Coninx stated there will be 3 to 4 employees. Hours of the office will be 9:00 A.M. to 6:00 P.M. The customers will have access from 6:00 A.M. to 10:00 P.M. There will be a team that will pick up and maintain the area. Landscaping will be maintained. The trash dumpster will be inside the building in locked doors. Mr. Coninx stated Pennsauken is underserved and the Township could use the storage that is being proposed.

Patricia Ward presented her qualifications and was accepted as an expert unanimously by the Zoning Board members.

Patricia Ward presented plans which were marked as Exhibit A-1, the survey was marked as Exhibit A-2, color rendering of the site plan was marked as Exhibit A-3, aerial photos of the neighborhood as marked as Exhibit A-4.

The site is vacant. There is vegetation at Chandlers Run. The Pennsauken Sewer Pump Station is located on the adjacent lot. It is a Flood Hazard Area. The applicant has submitted plans to DEP. There will be no environmental impact from this application according to Patricia Ward. The first floor will be elevated above the base. Those elevations are to be shown. It will be a 4-story self-storage. There will be a loading access and a sales office on the first floor. The parking will be adequate. The building will be serviced by public utilities. The building will have a sprinkler system.

The area will be safe for fire trucks and ambulance accessibility. The Fire Code Official requested a fire hydrant be placed on the site. The applicant agreed.

Lighting was discussed. There will be fixtures around the property for security. Landscaping will be provided and maintained. The signs will comply with Pennsauken Ordinance. Storm water run off was discussed.

There will be 10 parking spaces and 1 ADA space which will be near the ramp. There are two employee spaces, which is included in the count.

The fire truck will have to stop on Route 130 if it is needed at the location.

Elizabeth Dolan presented her qualifications and was accepted as an expert unanimously on roll call vote.

Elizabeth Dolan presented a traffic study. She stated it is a quiet use and has the lowest traffic generated and lowest level of access. There is not a lot of movement on Route 130 at this location. Drainage plans will be submitted and revised. There is curbs and sidewalks along the front. A variance was requested for parking spaces to be 9' x 18'.

A color rendering of the front and side and marked as Exhibit 5.

Joseph Neitzel presented his qualifications and was recognized as an expert unanimously by the Zoning Board members.

Mr. Neitzel stated the building will be 5' above grade due to the Flood Plain. There will be an ADA ramp to the sales office and the storage areas. The dumpster is enclosed and will be stored in the garage. The first floor will be the sales office. There will be elevators, which will be hospital size, and will be fully operated automatically. There will be 900 units and they will have key pads tailored to the person renting the space. There will be security. Each person will have their own door locks. There will be no hazard materials stored. There will be no meetings or office space permitted. It will be monitored. Mr. Neitzel stated it will be a benefit to Pennsauken Township. The units will be from 5' x 5' up to 10' x 30'.

Paul Hoyle stated it is a nice design and will be an improvement to the area.

Doug White discussed lighting. The front will look like windows but they will not be transparent. The lighting will be on a timer at night.

James Miller, presented his qualifications and was accepted as an expert unanimously by the Zoning Board members. Mr. Miller reviewed the height variance, the rear yard setback

and the building coverage. The parking variance was requested for 9' x 18' parking sizes. He reviewed the criteria. Mr. Miller stated the location is suited for a storage facility. There is no adverse impact to the area, it is sufficient for the use and parking is adequate. The property is screened by trees. The building coverage is minor and has no detriment to the area. The rear yard setback will have no detriment to the area. There is not a parking demand, therefore the parking variance request will not cause a detriment to the area. It is a vacant property. The site is in poor condition. It will be a productive use.

Doug White reviewed his letter dated June 8, 2022.

The applicant is to indicate the materials and details of the 5' Public Access walkway. The applicant also is to indicate how the low flow channel drainage feature will impact the walkway. The applicant and Doug White will work this out.

The NJDOT approval of the work shown will be required and that approval is to be a condition of any site plan approvals by the Pennsauken Zoning Board.

The entire parking area is below the flood elevation and should require signage to advise parking patrons of that condition. Sign should state area could flood.

The applicant is to review the need for lighting across the front of the building. The applicant stated they would provide as much lighting as DOT will allow.

The applicant should submit the NJDEP Groundwater Recharge spreadsheet to verify Groundwater Recharge compliance since there are some undeveloped areas of the site being developed. The applicant will work this out with Doug White.

A copy of a Site Maintenance report is to be provided to the Zoning Board office to review. This report is to include snow removal, trash cleanup, landscaping maintenance, and maintenance of any light fixtures.

The maintenance of the pipe will need DEP and DOT approval. Bond Estimates are to be submitted.

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 preliminary and final approval and bulk variance approval to allow the applicant to construct a four-story public storage facility with associated parking, landscaping, stormwater facilities, lighting and signs on the lot that is currently vacant. The applicant is requesting variances to permit a public storage facility which is not permitted, to permit a building height of 46.66' where 35' is permitted, a rear yard setback of 18.87 where 35' is permitted, to permit a building coverage of 51.72% where 50% is required, to permit 10 parking spaces where 341 are required. The applicant provided negative and positive requirements regarding this application. The applicant demonstrated special use for the property. The applicant will comply with Doug White's letter dated June 8, 2022, and with testimony. There is no negative impact on the neighborhood. An updated Maintenance Report is to be submitted. The applicant will comply with drainage and storm water drainage. The applicant will provide site lighting. They will comply with the standards, fees and bonds. The Fire Marshall approval is to be provided. The Soil Conservation approval also is to be provided.

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

Darlene Hannah moved to grant the use variance stating it will be beneficial to the area, seconded by Dianne Piccari which carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated. Ozzie Alves yes as stated. Paul Hoyle yes as stated. Darlene Hannah yes as stated. Giovanni Cirilli yes as stated. Chairwoman Butler yes as stated.

Solicitor Boraske reviewed the variances, the rear yard setback, building coverage, 10 parking spaces, 9' x 18' parking spaces, 11' x 18' ADA parking space, accepting submission waivers, and Soil Conservation approval and lighting requirements.

Paul Hoyle moved to grant preliminary and final approval and to grant rear yard setback, building coverage, and parking spaces. The applicant is to comply with Doug White's letter dated June 8, 2022 and with fact finding and testimony Ozzie Alves seconded the motion, which carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated. Ozzie Alves yes as stated. Paul Hoyle yes as stated. Darlene Hannah yes as stated. Giovanni Cirilli yes as stated. Chairwoman Butler yes and wished the applicant good luck.

Resolutions

Resolution Z-2022-39 was presented granting Stonegate at St. Stephens for approval of submission waivers, height variance, gazebo approval, parking variance preliminary site plan approval. Dianne Piccari moved to adopt the resolution, seconded by Giovanni Cirilli, which carried unanimously on roll call vote.

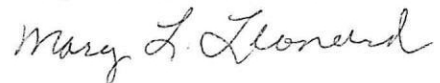
The vote was as follows. Dianne Piccari yes. Paul Hoyle yes. Giovanni Cirilli yes. Darlene Hannah yes.

Bills

Bills were presented in the amount of \$5,112.67 from the law offices of Florio and Perrucci. Giovanni Cirilli moved the bills be paid, seconded by Paul Hoyle, which carried unanimously on roll call vote.

The meeting was duly adjourned on motion at 9:45 P.M.

Respectfully submitted,



Mary L. Leonard

Secretary