

ZONING BOARD OF ADJUSTMENT
MINUTES
JANUARY 11, 2017

The regular and reorganization meeting of the Zoning Board of Adjustment was called to order by Robert Kingsbury, Esq., Acting Attorney.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Mr. Kingsbury administered oath of office to:

Michael Bimmer, Member, Term Expires 12/31/2020.
Karen Radie, Member, Term Expires 12/31/2020.
Steven Steglik, Alternate #2, Term expires 12/31/2018.

Roll Call:

Present: Michael Bimmer
John Gee, Jr.
Joe McCauley
Karen Radie
Angie Santori
Steve Schmidt
John Zaradnick
Paula Mullen, Alt #1
Steven Steglik, Alt #2

Also Present: Paul Cray, P.E., PP, CME, Engineer
Kevin Rijs, Community Development Director

Organization of the Board:

- a. Nomination of Chairman. **John Gee, Jr.** (Radie/McCauley) Roll Call: All Yes
- b. Nomination of Vice Chairman. **Michael Bimmer** (Zaradnick/Santori) Roll Call: All Yes
- c. Nomination of Attorney. **Robert Kingsbury, Esq.** (Radie/Zaradnick) Roll Call: All Yes
- d. Nomination of Engineer. **Remington & Vernick (Paul Cray)** (Gee/Santori) Roll Call: All Yes
- e. Nomination of Secretary. **Debbie Henderson** (Gee/Schmidt) Roll Call: All Yes
- f. Nomination of Environmental Engineer. **Consulting Municipal Engineer Associates** (Gee/Schmidt) Roll Call: All Yes
- g. Consent Approval of Meeting dates for the year as set by Council. (McCauley/Zaradnick)
Roll Call: All Approve
- h. Consent Approval of Official Newspaper authorized by Council. Courier Post, the Central Record and Burlington County Times. (Schmidt/Zaradnick) Roll Call: All Approve

New Business:

570 Rt.38 E (B189.05, L1) Group 1 Realty Inc., “d” Variance & Site Plan ZBA411

Zone: Business Development (BD) with Redevelopment Overlay.

Existing Use: Golden Dawn Diner (Vacant)

Proposed Use: Auxiliary vehicle inventory storage parking (86 spaces) to Elite Acura property. Diner to be demolished.

Motion to Continue Application to February 8: Radie/Santori; Roll Call: All Approve

RESCHEDULED FOR MEETING ON FEBRUARY 8, 2017

2990 Rt. 73N (B77.02, L1) Home Evolution NJ LLC, “d” Variance & Site Plan Waiver Susie Wong, ZBA412

Zone: Business Development (BD). D Variance, with Site Plan Waiver Request.

Proposed Use: Contractor showroom for kitchen & bath furnishings, warehouse, office space, cutting and polishing of granite. Outside storage of granite slabs.

Motion to Continue Application to February 8: Zaradnick/Bimmer; Roll Call: All Approve

RESCHEDULED FOR MEETING ON FEBRUARY 8, 2017

702 Stiles Ave. Oliveira Builders (B72 L1.01) “d” Variance ZBA2017-2

Zone: Business Development (BD)

Application to demolish existing substantially damaged single family home (non-conforming use) and construct new single family home. D Variance application.

Paul H. Scholtz, Esq., Leonard, Sciolla, Hutchison, Leonard & Tinari, LLP, representing Oliveira Builders, LLC. David Ferreira, Oliveira Builders, 1622 Napfle Avenue, Philadelphia, PA, sworn in by Attorney Kingsbury. Mr. Scholtz explained that the home was damaged almost two years ago; was struck by a vehicle which left the road. Substantially damaged the foundation (unsafe/unstable). Homeowners are Graciano Oliveira and Charlene Cunha. They are seeking a use variance approval. David Ferreira, Director/Manager of Oliveira Builders, contracted to evaluate, demolish, and rebuild property after obtaining appropriate approvals from the Board. Mr. Oliveira confirms that property is unsafe to live in at this point, is substantially damaged, and needs to be demolished; intends to rebuild a two-story home. Home will be consistent in look, size, feel, and appearance to homes that are currently there. In Mr. Ferreira’s opinion, and that of his architect, the size of lot would not be appropriate for a business. Per Chairman Gee, they are only requesting a use variance – not for site plan of new dwelling. Mr. Cray inquired as to what was to be done with the detached garage currently

on property. Mr. Ferreira advised that it will be demolished and area will be converted to lawn. Per Mr. Cray, Woodlawn is actually DOT jurisdiction so if the driveway was modified, DOT approval would be needed.

Board: Question as to how old the existing house is. [Based on deeds, can be traced back to 1987.]

Public: Question from Allison Hankammer, 710 Stiles Avenue (sworn in by Attorney Kingsbury) as to appearance of new home and construction.

Motion to approve: Schmidt/Bimmer. Roll Call: All Approve. (7 members/no alternates.)

Solicitor – Resolutions

2016ZB25 290 S. Lenola (B172, L4.08) Zhang Mei Xue ZBA410

Motion to approve: Bimmer/Radie Roll Call: All Approve.

Eligible to Approve: Mike Bimmer
Angie Santori
Steve Schmidt
Karen Radie
Chairman Gee

Engineer: Mr. Cray thanked Board for reappointment.

Community Development:

2016 Annual ZBA report.

Per Attorney Kingsbury, there will be a resolution for meeting February 11 – adoption. Mr. Rijs discussed changes to report.

Chairman Gee commented on flagpoles (discussed at previous meeting). After meeting with Mr. Rijs, it was determined that what the ordinance provides – which is a 15 ft. pole with a 1 sq. ft. sign – the sign is not a flag. Thanked Mr. Bimmer for guidance. No further definition is needed regarding a flag's dimension size, and it is no longer a Board matter.

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Minutes:

December 14, 2016

Motion to approve: McCauley/Schmidt. All in favor.

Mr. Gee did a once-around for comments. Thank you's from members appointed and new member. Happy New Year. Chairman Gee complimented Board members.

Adjournment.

Motion to Adjourn: Gee/Santori. All in favor.

ZONING BOARD OF ADJUSTMENT
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FEBRUARY 8, 2017

The regular and reorganization meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer
Joe McCauley
Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick
John Gee, Jr., Chairman
Paula Mullen, Alt #1
Steven Steglik, Alt #2 *Arrived at 7:55 PM*

Absent: Angie Santori

Also Present: Robert Kingsbury, Esq., Attorney
Paul Cray, P.E., PP, CME, Engineer
Kevin Rijs, Community Development Director

New Business:

**2990 Rt. 73N (B77.02, L1) Home Evolution NJ LLC, "d" Variance & Site Plan Waiver
Susie Wong, ZBA412**

Zone: Business Development (BD).

Proposed Use: Contractor showroom for kitchen & bath furnishings, warehouse, office space, cutting and polishing of granite. Outside storage of granite slabs.

Melanie M. Levan, Esq., McDowell Posternock Apell & Detrick, PC. Brian Peterman, P.E. and Susie Wong, Owner, sworn in by Attorney Kingsbury.

Per Chairman Gee, application was before Site Plan in December. They planned on having a retail showroom; after lengthy discussion with regard to tricky access to property, applicant was asked to return for a wholesale showroom that would involve contractors, not general public; they elected to do so, and return this evening under those circumstances.

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Ms. Levan: Ms. Wong purchased property approximately 1½ years ago. Small business; wholesalers only by appointment. Not proposing any improvements to exterior, other than parking lot improvements – installing landscaping, power washing, and general maintenance (repairing cracks/seal coat/handicapped spaces). Testimony of Ms. Wong: will be selling kitchen cabinets, bath fixtures, and granite to wholesale contractors; will have a showroom at the property. Will not be open to the public or retail. There will be three employees at any one time, and occasionally, one part-time employee – Ms. Wong will be in the office and two employees will be in warehouse working with the granite. Hours: Monday – Friday, 9 AM – 5 PM; Saturday, by appointment only. Floor plan explained. Proposing to store granite outside – behind building/behind gate (towards the back of property). One dumpster will be outside; one dumpster inside gate. In addition, proposing to have large dumpster behind gate for the granite waste. This dumpster will be emptied two – three times per year (by appointment). Deliveries: granite is delivered by small flatbed (18’ – 20’ in length); delivery approximately twice a month. Per Mr. Rijs, roll-back truck that empties large dumpster may not be able to negotiate turns. Ms. Radie inquired about signage. Any signage would be conforming/propose non-illuminated façade sign. Mr. Peterman discussed minor site plan, describing existing conditions of property, to assist with use variance application. Due to hours of operation, not much of a need for exterior lighting; existing lighting will be sufficient. Water/sewage usage will be less than that previously used by GeoTech. Ms. Levan presented revised parking variance: 16 spaces required; 15 present. Requesting variance for one space. Mr. Cray presented his report. Per Chairman Gee, issue brought up by subcommittee was that the site, because of its difficulty in access, should be site that has a use requiring infrequent trips; retail required too many trips.

Board Comments: Mr. Rijs: The tractor trailer in front is going to be removed; in back, on side of building, there is a white camping trailer. What will be done with the trailer? Per Ms. Wong, trailer will be removed.

Public: No comments.

Per Attorney Kingsbury, there three motions: use, variance, and site plan.

Motion to approve use variance: Radie/McCauley. Roll Call: All approve.

Motion to approve variance for one parking space: Bimmer/Schmidt. Roll Call: All approve.

Motion to approve of minor site plan, to include dumpster locations, truck circulation plan, truck size, architectural plans update, landscaping improvements, lighting, paving improvements, ADA acceptance by the Construction Official, tractor trailer will be removed, and camping trailer will be removed: Schmidt/Radie. Roll Call: All approve.

Immanuel Baptist Church, Main St. & 6 S. Poplar (B96, L1.05, 4, 5, 6) “d” Variance & Site Plan ZBA2017-1

Zone: Downtown Business (DB) & Residence 2 (R-2) Zone

Existing Use: House or Worship and Single Family Home.

Proposed Use: House of Worship Expansion. 10,250sf building addition and increase onsite parking from 46 to 67 spaces.

Ted Costa, Esq., representing Immanuel Baptist Church. Rev. Daniel McDonald, Immanuel Baptist Church; Ted Wilkinson, P.E., Cape Engineering, LLC, sworn in by Attorney Kingsbury.

Per Chairman Gee, application was before Zoning Board for use variance; they elected to return for Site Plan as a separate application. They have not been back to Site Plan. Chairman Gee questioned Paul Cray as to outstanding items.

Rev. McDonald testified as to his role with Immanuel Baptist and stated that there is Mass on Sunday morning and evening. They are building an all-purpose building to be used as gym and banquet hall; also enlarging foyer, installing elevators, creating better access, and enlarging parking lot. Currently, youth group meets across the street (233 East Main Street); upon completion of new building, they plan on selling that property. Building will not be for church services. Does not feel that the construction will increase the size of congregation. Will use new building on Wednesday nights for youth groups; also will be used for senior groups, Sunday school, etc.

Mr. Wilkinson addressed variances. Four residential lots were consolidated into the original Church facility. Lot held 46 parking stalls; increase to 69. Priority is to improve square footage, parking, driveway, in/out. Access from Poplar/exit on Spruce; new plan gets rid of access from Poplar. Request variance in internal drive aisles width from 25' to 24'; isles to street remain at 25'. 16 South Poplar Avenue will be used as a missionary home, residential use. Discussion of buffers. Proposed 6' fence (currently 4'). Discussion of waivers. Major problem with drainage. Will curb at intersections. Will not curb along Spruce because it is completely flat; if curbed, would cause flooding, ponding, and icing problems. Proposal is to get water off edge of road – remove asphalt, install river rock, and landscape. Mr. Cray responded, expressing concerns about sump pump discharge, and suggested that Township engineer be contacted. Mr. Wilkinson proposes putting an inlet in the parking lot and drain to create less ponding (running to Gradwell). Mr. Zhradnick questioned sump pump drainage. Street trees waiver discussed.

Mr. Rijs inquired about shed (which will be used for lawn equipment) and three-bedroom home which will be used as a missionary house (used by families who are members of the congregation approximately four months out of the year).

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Preliminary/final site plan approval.

Board: Members requested clarification on trees and hours gym would be open.

Public: Tom McGlenn, 26 Spruce Avenue, sworn in by Attorney Kingsbury. Inquired as to what activities there will be in new building.

Motions to approve:

1st vote: Use Variances. Whether or not building extension is allowed.
Schmidt/Radie. Roll Call: All Approve.

2nd vote: Variances/Wavers.
Variances for side yard (existing condition); side yard – rear; parking spaces.
Waivers for curbing along Spruce; sidewalk along Spruce; trees not in front of building.
Bimmer/Schmidt. Roll Call: All Approve.

3rd vote: Site Plan Preliminary/Final (subject to compliance with engineer's recommendations).
McCauley/Schmidt. Roll Call: All Approve.

570 Rt.38 E (B189.05, L1) Group 1 Realty Inc., "d" Variance & Site Plan ZBA411

Zone: Business Development (BD) with Redevelopment Overlay.

Existing Use: New Golden Dawn Diner (Vacant)

Proposed Use: Auxiliary vehicle inventory storage parking (86 spaces) to Elite Acura property. Diner to be demolished.

Frank Wieniewski, Esq., Flaster Greenberg. Neil E. Sander, PE, Dynamic Engineering Consultants; Tom Alfinito sworn in by Attorney Kingsbury.

Comments by Chairman Gee. They did not attend Site Plan. This is a unique use, and a public safety issue exists due to the fact that they have a non-contiguous property with a transition road coming from Route 73 to Route 38 and have it operate in conjunction with two separated properties. First concern is someone trying to make a trip across transition road and being injured. Second concern is that a parking lot on a main highway not aesthetically looking like there was a business there. In the future, if Acura expands, he doesn't want lot to become a used car parking lot.

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Mr. Wisniewski: Chain link fence has been removed; they are installing 2' pipe fence. All you will see is shrubbery. It will be strictly an off-site storage area. Board wants to know how site will be accessed and how cars will get on/off site. Also wants fencing that will preclude people walking from showroom across main road to get to storage site. Cars will be driven to storage area from dealership. There will be strict regulations against employees walking from Acura dealership to storage area. Extensive conversation between Mr. Wisniewski and Board with regard to signage and fencing designed to keep public away from area. Chairman Gee feels a better alternative would be a 4' wrought iron fence.

86 storage spaces; variance for 6 spaces which are 8½' wide (ordinance requires 9'). Variance: Drive isles are 18' and one-way access. Waiver requested for sidewalk. Discussion regarding sign in DOT right-of-way.

Comments by Mr. Cray. Discussion regarding signage and utilities.

Fencing should go around entire property – 6' chain link in area which cannot be seen; 2' piping in second section; decorative 4' high metal fence in third section.

Public: None.

Board: No comments.

Motions to Approve:

- 1st vote: Conditional use variance which consists of two variances – lot size; 15' to property line.
Radie/Schmidt. Roll Call: All approve.
- 2nd vote: Bulk variance for six 8½' parking spaces, 18' one-way drive.
Bimmer/Schmid. Roll Call: All approve.
- 3rd vote: Premiminary/final Site Plan. No sales on site; landscaping approval; sign approval; irrigation approval; fencing; no public access to property; new cars only; no car carriers; operation procedures.
Schmidt/McCauley. Roll Call: All approve.
- 4th vote: Waiver – not install sidewalks.
Zhradnick/Radie. Roll Call: All approve.

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Old Business:

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Gee/Bimmer. All approve.

Reports

Solicitor – Resolutions

2017ZB01: 702 Stiles Ave. Oliveira Builders (B72 L1.01) “d” Variance Z2017-2

McCauley/Bimmer. Roll Call: All approve.

Eligible to Approve: Michael Bimmer
Joe McCauley
Karen Radie
Angie Santori (**Absent**)
Steve Schmidt
John Zahradnick
John Gee, Jr., Chairman

Community Development:

2016 Annual ZBA report
Gee/Zhradnick. Roll Call: All approve.

Once-Around

Adjourn

Gee/Zhradnick. All approve.

ZONING BOARD OF ADJUSTMENT
MINUTES
MARCH 8, 2017

The regular and reorganization meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Joe McCauley
Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick
John Gee, Jr., Chairman

Absent: Michael Bimmer
Paula Mullen, Alt #1
Steven Steglik, Alt #2

Also Present: Robert Kingsbury, Esq., Attorney
Paul Cray, P.E., PP, CME, Engineer
Kevin Rijs, Community Development Director

New Business:

603 Laurelton Ave. - Block 72.01; Lot 6.01; Fred Bentley – Freedom Truck Properties Annex LLC, Use Variance; Z-17-1
Zone: RA & BD (Split Zone)
Existing Use: Single Family Home with Office
Proposed Use: Business Office for adjacent lot truck leasing business – Bentley Trucking (Lots 5 & 6) Application: “d” Variance.

Michael J. McKenna, Esq., McKenna Law. Fred Bentley, Applicant, sworn in by Attorney Kingsbury.

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Mr. McKenna: Use variance only; no improvements necessary/none proposed. Split zone lot – part residential/part commercial going to all commercial. Mr. Bentley has both properties – the variance property and property he operates a business on – under contract; upon acquiring the properties, he will consolidate the two lots. For some 30 years, the prior owner lived and maintained an office in the building, and operated his business next door. Historically, home has always been a Route 73 property; property is surrounded by commercial properties. Because it is split zone, they cannot be either a legitimate residence or commercial. Office employees will park and access from the gate.

Mr. Bentley: Principal of Freedom Truck Properties Annex, LLC; presently operates business on the larger property (“mother lot”). Will eliminate invisible lot lines; will be one lot with a unified use. If any site improvements are required of the site – either the home or “mother lot,” Mr. Bentley agrees to come back to Site Plan. Will submit a deed to Mr. Cray for review/approval. Will abandon the residential use completely.

Mr. Cray comments on application.

Board: Mr. Zahradnick expressed several concerns. In 2014, a use variance was granted for Mr. Bentley to use the “mother lot.” There was no site plan submitted; 25 trucks were to be parked on lot. This was not adhered to; fifty trucks were parked into the other lot. Mr. Bentley was given a variance to use that lot and all of the trucks were to be parked behind the fence. No one was to be brought onto property; trucks were to be brought out. Trucks are currently parked on Rt. 73, under billboard, with a “For Sale” sign on them. Also, buffer zone was never completed on paper street up to the fence; some work was done on the Laurelton side. Four new arborvitae were put in; two are now dead. Two variances were already granted, and never complied with. Mr. Zahradnick has seen construction in the house and on the property. Fence is gone on adjacent property and it looks as if area is being paved. Is concerned that, if a variance is granted for consolidation of two properties, Mr. Bentley will not come back to Site Plan and will make changes to property. Chairman Gee would like prior approvals to be addressed by Mr. Rijs with Mr. Bentley and complied with. Mr. Cray clarified his letter with regard to improvements: was referring to footprint of building, not interior fit-out. Handicapped parking would be the purview of Construction Code Official. “Mother lot” has a handicapped parking space. Mr. Rijs commented on buffering, which will be handled as part of the punch list. Parking of trucks will also be handled as part of the punch list. Discussion of street parking. Mr. Rijs asked if garage on residence will still be used as a garage; Mr. McKenna stated that it will possibly be used as a storage room.

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Public: None

Chairman Gee and Mr. Rijs commented on code enforcement.

Motion to Approve: Radie (they comply with conditions of Engineer's letter)/Schmidt.
Roll Call: All approve.

Old Business:

Minutes:

February 8, 2017

Motion to Approve: Zahradnick/McCauley.
Roll Call: Approved/Ms. Santori abstained.

Solicitor – Resolutions:

2017ZB04: 570 Rt.38 E (B189.05, L1) Group 1 Realty Inc., ZBA411

CONTINUE ADOPTION OF GROUP 1 RESOLUTION TO APRIL 12, 2017

Motion to Continue Adoption of Resolution: Schmidt/Gee. Roll Call: All Approve.

2017ZB02: 2990 Rt. 73N (B77.02, L1) Home Evolution NJ LLC, ZBA412
Radie/Zahradnick. Roll Call: All approve.

2017ZB03: Immanuel Baptist Church, Main St. & 6 S. Poplar (B96, L1.05, 4, 5, 6 ZBA2017-1
McCauley/Schmidt. Roll Call: All approve.

2017ZB05: 2016 Annual ZBA report
Radie/Zahradnick. Roll Call: All approve.
Chairman Gee complimented Mr. Rijs on the nice job done on annual report.

Eligible to Approve: Michael Bimmer (**Absent**)
Joe McCauley
Karen Radie
Steve Schmidt
John Zahradnick
John Gee, Jr., Chairman

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Engineer: None

Community Development: Mr. Rijs requested clarification from Attorney Kingsbury on Board recommendations.

Once Around: Comments from Ms. Santori; Mr. Zahradnick; Chairman Gee – suggested adopting: (a) no new application begins after 10:30 PM; and (b) no voting on any application occurs after 11 PM.

Adjournment:

Zahradnick/Santori. All approve.

Maple Shade Township
Zoning Board of Adjustment
Meeting Minutes
April 12, 2017
7:30 P.M.

I. Meeting called to order by Chairman Gee

II. Pledge of Allegiance: All stand.

III. Open Public Meeting Act: Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Township Council in the following manner:

1. Notifying the Township Clerk December 25, 2016.
2. Mailing Notice to the Courier Post, The Central Record & Burlington County Times on December 25, 2016.
3. Posting Notice on the Official Municipal Bulletin Board on December 25, 2016.

IV. Roll Call:

J. Gee, Jr., Chairman X M. Bimmer, Vice Chair _____ K. Radie _____ A. Santori _____

J. McCauley X J. Zahradnick _____ S. Schmidt X P. Mullen, Alt # 1 _____ S. Steglik, Alt #2
X

Board Staff: R. Kingsbury, Esq. X P. Cray, PE, PP, CME X D. Henderson, Recording _____
K. Rijs, Planning & Zoning X

IV. New Business:

V. Old Business:

VI. Minutes:

- a. March 8, 2017 – not ready for distribution, carry to next month

VII. Reports:

- a. Solicitor – Resolutions

2017ZB04: 570 Rt.38 E (B189.05, L1) Group 1 Realty Inc., ZBA411

Motion (M) to continue adoption of resolution until next meeting.

J. Gee, Jr., Chairman X M. Bimmer, Vice Chair _____ K. Radie _____ A. Santori _____

J. McCauley 2ND . Zahradnick _____ S. Schmidt Motion P. Mullen, Alt # 1 _____ S. Steglik, Alt #2 _____

2017ZB05: 603 Laurelton Ave (B72.01; L6.01); Fred Bentley Z-17-1

Motion to approve application.

J. Gee, Jr., Chairman X M. Bimmer, Vice Chair _____ K. Radie _____ A. Santori _____

J. McCauley Motion J. Zahradnick _____ S. Schmidt 2ND . Mullen, Alt # 1 _____ S. Steglik, Alt #2 _____

- b. Engineer – no report
- c. Community Development – no report

VIII. Adjournment Motion Schmidt, 2nd McCauley – all yes

ZONING BOARD OF ADJUSTMENT
MINUTES
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The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Joe McCauley
Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick

Paula Mullen, Alt #1

Absent: Steven Steglik, Alt #2

Also Present: Robert Kingsbury, Esq., Attorney
Paul Cray, P.E., PP, CME, Engineer
Daniel Hennessy, Engineer
Kevin Rijs, Community Development Director

New Business:

300 S. Lenola Rd. – Block 189; Lot 4.04; Varga Brothers Z-17-2

Zone: Business Development (BD); Existing Use: Kingsway Plaza; Sign Variance Application

Patrick McAndrew, Esq.

Frank Criniti, Architect, sworn in by Attorney Kingsbury. Background information; did architectural design for façade and concepts for signage. Owners are doing comprehensive façade renovation, paving work, and additional landscaping. Currently, there is a Kings Highway pylon sign advertising ACME, an MOT (multiple occupancy tenants) sign at South Lenola Road, and an existing monument sign on Kings Highway (will be removed). The existing sign on building is an engraved “Kingsway Plaza.” Size will remain same and raised lettering will be put over top of existing sign.

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Signs on Kings Highway and South Lenola Road: signage will be wrapped, both will be MOT signs, and height will remain same as existing signage. Materials will be the same as that in entire complex. Building signage: Kingsway Plaza – metal raised lettering and gooseneck lighting.

Greg Disbot, Owner's rep, sworn in by Attorney Kingsbury. MOT signs will advertise multiple tenants below; above is a small digital sign (3'5" X 8' 8") for on-site, tenant-related advertising only. No animation.

Mr. Cray discussed directives in his letter to applicant and articulated variances: two MOT signs; area; height. Existing MOT sign being reduced; 2nd MOT sign is of a similar size as the reduced one; one sign being eliminated.

Public: None

Motion to approve with variances: Radie; Zahradnick.

Roll Call: All approve.

300 N. Forklanding Rd. – Block 15; Lot 12; Paramanik; “d” Variance Z-17-4

Zone: Commercial (C)

Existing Use: Harry's Dry Cleaner (Vacant) with apartment in rear.

Proposed Use: Catering Kitchen. No dine in or takeout service. Majority of food will be delivered; occasionally small catering orders may be picked up by customers. Applicant to reside in residential section of the property.

Mr. Cray has a conflict with application; Dan Hennessy will be subbing for Mr. Cray.

Melanie Levan, Esq., attorney for Sankar Paramanik and Minu Paramanik.

Sankar Paramanik and Jyoti Dutta (translator and realtor involved with property) sworn in by Attorney Kingsbury. Small catering business; living in adjoining property. Mr. Paramanik has owned a catering business in New York for 18 years. Four employees (Mr. and Mrs. Paramanik, brother, and aunt); working in front/living in back. Open seven days a week (not open to public). They are going to deliver orders; however, occasionally a customer will pick up order (once or twice a week). They will deliver, using a Honda Odyssey van. Dumpster is not needed; will use 2 – 3 trash cans (municipal service). They are proposing to take down sign. Hours of Operation, 10 AM – 10 PM, Monday – Friday; weekend, 7 AM – 7 PM. Commercial kitchen; inspected by Department of Health. Any existing non-conformities are preexisting; they do not have a survey or site plan. Commercial kitchen is in the front of the building; residence is in the back. Food will not be delivered; they shop for supplied themselves.

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Board: Discussion of trash removal. Are they purchasing the building? Answer: Yes. Should there be handicapped facilities? Answer: They are not opened to the general public; the construction official would decide. Per Mr. Rijs, is there a shared parking agreement with pizza business? Per Ms. Levan, there is not and there is no survey. Discussion regarding removal of sign; they will comply with whatever the Township needs and there will be no tripping hazard. Per Mr. Gee, motion to approve would include that trash receptacles be covered.

Public: Marlene Curnew sworn in by attorney. Mother lives at location of Sam's Barbarshop (across the street). There is a fenced area in back where trash cans will have to be put inside the fence. Parking is horrendous. Lighting is deplorable.

Board discussed these three items with applicant. Subject to engineering, applicant will provide lighting for public safety.

Public portion closed.

Motion to approve subject to: Compliance with engineering on lighting; Trash would be contained; Parking would be limited to one commercial van; Trash cans will be covered; Sign will be removed in accordance with requirements of Construction Code Official; Construction Code Official will determine if there is a need for a handicapped entrance. Motion to Approve: Schmidt; Zahradnick.

Roll Call: All approve.

570 Rt.38 E. – Block 189.05; Lot 1; Group 1 Realty Inc., “d” Variance & Site Plan Z-17-6

Zone: Business Development (BD) with Redevelopment Overlay.

Existing Use: Golden Dawn Diner (Vacant)

Proposed Use: Auxiliary vehicle inventory storage parking (86 spaces) to Elite Acura property. Diner to be demolished. Conditionally Approved by the Zoning Board on 1/11/2017.

Frank Wisniewski, Esq., Flaster Greenberg

Neil E. Sander, PE, Dynamic Engineering Consultants, and Tom Alfinito sworn in by Attorney Kingsbury.

They are amending the conditional use approval.

- 1) The difference between plans is that the previous plan had fencing around the whole site; all of the fencing has been eliminated except for a 6' high black vinyl chain-link fence along a portion of the western property line. It prevents people from coming on to the site from the highway or ramp. Remainder of property will be landscaped.

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- 2) Driveway will remain the same; will not be narrowed. This will eliminate involvement with the DOT and added expense.
- 3) Introducing sign. Pole-mounted electronic sign – overall height is 50’ tall. Proposed free-standing sign will feature LED changeable copy. No flashing or animation.
- 4) No gates.

Testimony and discussion with regard to landscaping, driveway, and signage.

Mr. Cray comments on application and review letter.

Board: Comment on sign.

Public: None.

Motion to Approve: Schmidt/ Radie.

Roll Call: All approve.

Old Business:

Solicitor – Resolutions: None

Engineer: None

Community Development:

Planned Development (PD) – Motor vehicle service station (205-43.D); Highway Commercial (205-39.J-L.) and Business Development 205-33.B.(4).(a) Automobile Service Station.

Highway Commercial: Motor Vehicle Repair Shop, Motor Vehicle Sales & Leasing Dealership, and Motor Vehicle Service Station. Planned Development: Motor Vehicle Service Station. Business Development: Automobile Filling Station, Automobile Service Station, and Franchise Automobile Service & Leasing Dealership.

Business Development spells out what each really are; whereas, Highway

**ZONING BOARD OF ADJUSTMENT
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Commercial & Planned Development use different terms in Motor Vehicle Repair Shop, Motor Vehicle Sales & Leasing Dealership, and Motor Vehicle Service Station. Mr. Rijs is looking for clarification as to whether a Motor Vehicle Service Station includes selling gas.

Motion as an interpretation that the D in PD – Planned Development District listed as Motor Vehicle Service Station is interpreted to mean gas station.
Bimmer/McCauley. Roll Call: All approve.

Minutes:

April 12, 2017

Motion to Approve: Schmidt/Bimmer. All Approve.

Once Around: Happy Mother's Day.

Adjournment:

Bimmer/Gee. All approve.

ZONING BOARD OF ADJUSTMENT
MINUTES
JUNE 14, 2017

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance. Moment of Silence.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Joe McCauley
Angie Santori
Steve Schmidt
John Zahradnick

Steven Steglik, Alt #2

Absent: Karen Radie
Paula Mullen, Alt #1

Also Present: Robert Kingsbury, Esq., Attorney
Paul Cray, P.E., PP, CME, Engineer
Kevin Rijs, Community Development Director

New Business:

464 Rt.38 E. – Block 144.01; Lots 19 & 20: MSN Holdings LLC; Z-17-7
Zone: Business Development (BD) Existing Use: Used Auto Sales
Ordinance Interpretation regarding trailer office replacement and nonconforming use.

Melanie M. Levan, Esq.

Paul Murphy, owner of property, sworn in by Attorney Wells.

ZONING BOARD OF ADJUSTMENT

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JUNE 14, 2017

Page 2

Business owner not present. Application to interpret current zoning. Used car lot owned by Mr. Murphy since 1954. Read into record a letter received by Mr. Murphy from the Township (Richard Brook) dated November 2, 1983 granting him approval to erect a trailer on the property. Trailer is old and dilapidated, and needs to be replaced. Ms. Levan stated that they will be replacing the existing, non-conforming trailer with a smaller trailer and that they will not need a use variance. Current trailer is 58' X 24'; replacement trailer is 54' X 24'. Chairman Gee asked for a picture of the existing trailer on site, and inquired about a foundation. Ms. Levan did not have a picture of the trailer, and Mr. Murphy stated that trailer sits on cinder blocks. They may put in a new foundation, depending on condition of current cinder blocks. Per Mr. Kingsbury, it can be an interpretation either way – using the existing foundation or putting in a new foundation (as long as they are not expanding the foundation or putting in a different type of foundation). Chairman Gee requested that Mr. Kingsbury give Board guidance as to things Board should consider with regard to interpretation.

Trailer is hooked up to sewer/water and will be used as an office. No site plan changes. Per Mr. Rijs, there is no approved site plan for the property. Mr. Murphy will look in his files to see if he has a survey of the property.

Mr. Cray distributed, to members of the Board, aerial maps of the business.

Per Chairman Gee, as there is no site plan or survey, and not on the record, would it be better to put it on the record so that, in the future, there would be a basis to make a decision. Discussion of non-conforming buildings/structures section of ordinance regarding restoration, dealing with repairs and maintenance.

Mr. Kingsbury's summation: Applicant is asking for a determination/interpretation that a use variance is not required, and is entitled to a vote. If it is decided that a use variance is required, applicant has to come back before the Board with a use variance application. If it is decided that a use variance is not required because it's a pre-existing situation and it's not being changed in any significant degree, that determination can be made; can also decide that it still requires a site plan application, or can grant a site plan waiver.

Public: None

Board: Mr. Zahradnick questioned applicant.

Mr. Cray comments. No changes proposed for driveways, drive aisles, parking spaces; a two-dimensional survey would be adequate.

**ZONING BOARD OF ADJUSTMENT
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Motion to Approve #1: Use variance is not required. Bimmer/Zahradnick.

Roll Call: All approve.

Motion to Approve #2: Site plan waiver. Condition that a two-dimensional survey be provided along with a statement of operation supported by pictures so that baseline is established in the Township. Bimmer/Zahradnick.

Roll Call: All approve.

Old Business:

Minutes:

May 10, 2017

Motion to Approve: Gee/Bimmer. All Approve.

Solicitor – Resolutions:

2017-ZB-06: 300 S. Lenola Rd. – Block 189; Lot 4.04; Varga Brothers Signs; Z-17-2

Motion to Approve: Bimmer/Schmidt. Roll Call: All Approve.

2017-ZB-07: 300 N. Forkland Rd. – Block 15; Lot 12; Paramanik; Z-17-4

Motion to Approve: Santori/McCauley. Roll Call: All Approve.

2017-ZB-08: 570 Rt.38 E. – Block 189.05; Lot 1; Group 1 Realty Inc.; Z-17-6

Motion to Approve: McCauley/Schmidt. Roll Call: All Approve.

Eligible to Approve: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Joe McCauley
Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick

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Engineer: None.

Community Development: None.

Once Around: Happy Fourth of July; Happy Father's Day.

Adjournment: Santori/McCauley. All in favor.

ZONING BOARD OF ADJUSTMENT
MINUTES
JULY 12, 2017

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman

Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick

Absent: Joe McCauley
Paula Mullen, Alt #1
Steven Steglik, Alt #2

Also Present: Gary F. Woodend, Esq. (for Robert Kingsbury, Esq.), Attorney
Paul Cray, P.E., PP, CME, Engineer
Kevin Rijs, Community Development Director

New Business:

552 S. Forklanding Rd. – Block 145; Lots 2 & 2.01; Steve Schaeffer; Z-17-5

Zone: Residence (RA)

Existing Use: Residential Proposed Use: Residential & General contracting business

Use Variance (205-10)

Applicant requested continuance until August meeting.

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Public: Heather Talarico, 553 Cutler Avenue, requesting that application be postponed until September Zoning Board meeting. She will be away in August and is prepared to speak on behalf of the applicant. Frank Troso, 621 South Forkland Road, would like to be notified of when the next meeting regarding this applicant is scheduled.

Motion to continue until September 13: Zahradnick/Santori

Attorney Woodend inquired as to number of people that were notified. Mr. Rijs responded Public Utilities: 5; General Public: 28.

CONTINUED – MEETING SEPTEMBER 13, 2017

Old Business

Minutes:

June 14, 2017

Motion to Approve: Gee/Zharadnick. All Approve.

Reports:

Solicitor – Resolutions

2017-ZB-07: 464 Rt.38 E. – Block 144.01; Lots 19 & 20: MSN Holdings LLC; Z-17-7

Motion to Approve: Schmidt/Bimmer. Roll Call: All Approve.

Eligible to Approve: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Joe McCauley
Angie Santori
Steve Schmidt
John Zahradnick
Steven Steglik, Alt #2

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Engineer: Mr. Cray complimented Board on its professionalism. He has accepted a position in Secaucus, NJ with Remington & Vernick and is in the process of transitioning from his current accounts. Introduced John Cantwell, who will be replacing him with the Zoning Board and Planning Board accounts. Comments by Mr. Cantwell.

Community Development: None.

Once Around: Good luck to Paul Cray; National Night Out on August 1.

Adjournment: Gee; Bimmer. All in favor.

ZONING BOARD OF ADJUSTMENT
MINUTES
AUGUST 9, 2017

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Joe McCauley
Karen Radie
Steve Schmidt
Steven Steglik, Alt #2

Absent: Angie Santori
John Zahradnick
Paula Mullen, Alt #1

Also Present: Robert Kingsbury, Esq., Attorney
John Cantwell, P.E., P.P., C.M.E., Engineer
Kevin Rijs, Community Development Director

New Business:

2836 Rt.73 N. – Block 189.01; Lot 2.01, 2.06, 2.07, & 2.11; Jersey Premier Outdoor Advertising Billboards; Z-17-8
Zone: Business Development (BD)
Existing Use: Clover Motel
Proposed Use: New Doubled Sided Billboard Sign 14' x 48'; One side LED and the other side static.
Application: D Variance with Site Plan

APPLICANT REQUESTED TO BE TAKEN OFF AGENDA

**ZONING BOARD OF ADJUSTMENT
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2860 Rt.73 N. – Block 174; Lot 2.03; Jersey Premier Outdoor Advertising Billboards; Z-179

Zone: Business Development (BD)

Existing Use: Retail Building

Proposed Use: New Doubled Sided Billboard Sign 14' x 48'

Application: D Variance with Site Plan; One side LED and the other side static.

APPLICANT REQUESTED TO BE TAKEN OFF AGENDA

491 Rt. 38 W. – Block 173; Lot 2.07 CSG Property Investors, LLC “Sammy’s Express Car Wash” Z-17-11

Zone: Planned Development (PD)

Existing Use: Vacant Building (formerly lawn mower repair)

Proposed Use: Automatic Car Wash

Application: D Variance

Damien O. Del Duca, Esq.

Presented overview. Proposed car wash is in PD zone – westbound lane of Route 38 east of Rudderow Avenue intersection between Macy’s and former Ethan Allen. Use is not permitted in a PD zone; requesting a use variance. Express car wash is state-of-the art – fast car wash, automated, and environmentally friendly. Distributed information and photos, explained architectural renderings, and discussed use variance standards. They will show special reason and satisfy the positive criteria; will present evidence that site is suitable for a car wash. Will return for Site Plan. They currently know of three bulk variances that may be needed: front bumper setback (20’ required/proposing 10’), side bumper setback (15’ required/proposing 3.3’), and parking variance (8 parking spaces for each of three stacking lanes which totals 24/proposing 21). Attorney Kingsbury recommended that bulk variances be deferred to Site Plan; Chairman Gee agreed.

Robert J. Giannone, Applicant, sworn in by Attorney Kingsbury. Mr. Giannone is the owner/operator of CSG Property Investors, and is a banker. Mr. Giannone sees a need in South Jersey to transform how cars are washed, and wants to launch the brand in Maple Shade, with the hope of growing into surrounding communities. Sammy’s Express Car Wash will completely transform the car wash experience with speed of execution, high value, and a fair price. Mr. Giannone explained the customer’s experience and the difference between a full-service car wash and the express car wash. Total time of 5 minutes or less from when a customer enters until he leaves car wash. Vacuum is central system – one vacuum with multiple hoses.

**ZONING BOARD OF ADJUSTMENT
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Total labor force will be 10 – 12 employees; 3 – 4 employees working at one time. Hours of operation – 7 AM – 7 PM. Discussed water reclamation. Questions from Board regarding stacking, chemicals being environmentally safe, employees, and customer bypass. Mr. Giannone is designing Sammy's himself, it is not a franchise, and he will own any other future Sammy's car washes. No special permits are required by the State of New Jersey with regard to chemicals. For Site Plan, parking for employees on site and parking for vacuuming will be addressed.

Frank Lash, III, sworn in by Attorney Kingsbury. Mr. Lash is a professional and expert in car wash operations; is helping Mr. Giannone design Sammy's car wash. Per Mr. Lash, he agrees with Mr. Giannone's statements with regard to car wash operations; statements were very accurate and he was very well prepared for the meeting. Discussed stacking, merge, kiosks, and parking spaces. Chemicals used are regulated by Federal Government. Based on projections volume-wise, 21 parking spaces will be more than adequate.

Brian Cleary, P.E., Pettit Group, LLC, sworn in by Attorney Kingsbury. Gave overview of site plan flow. In addition to previously-mentioned bulk requirements, lot size should be included. Zone requires three acre lot; actual lot is .925 acre. Board question regarding entrance/exit. Question from Mr. Rijs regarding letter from CME.

Randall Barranger, P.E., Shropshire Associates, LLC, sworn in by Attorney Kingsbury. Expert traffic engineer. Traffic resulting from Sammy's car wash will have a minimal impact on Route 38 – less than 3% increase during peak hour volume. Comments regarding stacking. Mr. Cantwell is concerned with safety of exit/entrance drives; exit drive is in close proximity to the deceleration lane for Rudderow Avenue.

Tiffany CuvIELLO, P.P., sworn in by Attorney Kingsbury. Requesting approval for use variance component; believes that use and site are suitable to one another, therefore promoting the general welfare. Presentation.

Engineer's Report: Comments by Mr. Cantwell relating to site plan.

Board questions on Engineer's Report: None

Public: None

Board: Comment by Ms. Radie.

Per Attorney Kingsbury, motion to be contingent upon Site Plan approval. Any bulk variances are deferred to Site Plan approval. Recommendation that variance be good for one year.

Motion to Approve: Radie/Bimmer. Roll Call: All Approve.

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Old Business: None

Minutes:

July 12, 2017

Motion to Approve: Bimmer/Schmidt. All approve.

Reports:

Solicitor – Resolutions: None

Engineer: None

Community Development: None

Once Around: Interesting meeting; excellent presentation; applicant very well prepared.

Adjournment: Steglik/McCauley. All in favor.

**ZONING BOARD OF ADJUSTMENT
MINUTES
SEPTEMBER 13, 2017**

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick
Paula Mullen, Alt #1

Absent: Joe McCauley
Steven Steglik, Alt #2

Also Present: Robert Kingsbury, Esq., Attorney
John Cantwell, P.E., P.P., C.M.E., Engineer
Kevin Rijs, Community Development Director

New Business:

552 S. Forklanding Rd. – Block 145; Lots 2 & 2.01; Steve Schaeffer; Z-17-5

Zone: Residence (RA)

Existing Use: Residential

Proposed Use: Residential & General contracting business

Application: D Variance

Mr. Bimmer recused himself from application.

Chairman Gee stated that applicant has the right to have seven people sitting, and there are six present. Five votes are need for approval of a use variance.

Erin E. Simone, Esq., Maley & Associates, representing applicant. Use variance because applicant is seeking to use a portion of the existing garage as a home office type of use; will run his general contracting business out of garage.

- Steven Schaeffer, applicant, sworn in by Attorney Kingsbury.

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2,400 sq. ft. pole barn; would like to section off a portion and build two offices. Dimensions: 60' wide X 40' deep; has two 12' wide X 14' high garage doors on the left side; on the right side is a 10' deep X 20' 5" lean-to front porch area. Change: On right side, separation wall between garage and two offices, roughly 18' off the right-hand wall, to separate 18' of the garage. Garage will be 42' wide by 40' deep, office size will be 18' wide X 38' deep with a separation wall between the two offices. Formerly had office in house; now needs extra space in house. Office area will be approximately 800 sq. ft. His business is mainly a GC company, and no materials will be stored there. There are two commercial vehicles on site; one employee's car (sister) at office. No deliveries; no customers; no signs; no noise; no construction waste. Fencing: 6' vinyl privacy fence with landscaping. May include a bathroom, kitchenette, and conference room in garage. Conference room will be on the second floor and will accommodate a drafting table for drawings. Applicant installed a 4" sanitary sewer line under concrete.

Synopsis by Chairman Gee: "Home" office will be in garage; no materials (other than typical items such as rakes and shovels) will be stored in the garage; there will be two offices; drafting table will be upstairs; bathroom upstairs; refrigerator and microwave somewhere in space referred to as office; no one will be living there; no deliveries other than what is normally delivered by FedEx and UPS; vehicle parking will be off-street.

Board: Mr. Zharadnick questioned drainage, sanitary line, and trailers on site.

Engineer: Mr. Cantwell reported. Applicant has to present both positive and negative criteria. Limit should be put on type of equipment that can be stored, particularly vehicles. Inquiry about lighting and driveway.

- Robert R. Stout, PE, PLS, Stout & Caldwell Engineers, sworn in by Attorney Kingsbury.

Mr. Rijs commented on grading plan and drainage. Mr. Stout stated that they worked with previous Board Engineer, Paul Cray. They did not update survey at that time, and created an underground system for all of the concrete presently at site. Concrete presently at site was the concrete considered when stormwater management plan was done. Design incorporated 40' X 60' garage; an open grate was installed on both the right and left hand sides. Stormwater management was designed in accordance with standards and installed properly. Future improvements for the property: in-ground pool.

- Tiffany Cuviallo, PP, sworn in by Attorney Kingsbury.

Presentation of positive and negative criteria.

Public:

Frank Troso, 621 South Forklanding Road, experiencing problems with parking on South Forklanding Road.
Heather Talarico, 553 Cutler Avenue, experiencing drainage issues.

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John Leathy, 566 South Forklanding Road, complimented applicant.
Carol Weiss, 546 South Forklanding Road, complimented applicant.
Anthony Ratti, Cutler Avenue – concerns about applicant being a commercial contractor with a construction business.
Justin Bennett, 555 Cutler Avenue, commented on drainage and complimented applicant.

Per Mr. Rijs, there is a collapsed pipe on Cutler Avenue.

Mr. Schaeffer returned to answer Board questions. Offered to fix Heather Talarico's drainage problem. There is a storage container at site which Mr. Rijs requested be removed; applicant agreed to remove container.

Conditions for motion to approve: Garage will not be used as an apartment; no employees other than one employee (currently, sister); no outside store of construction materials; two business-related vehicles allowed at site (pick-up truck & landscaping dump truck, or similar type); no expansion on site without coming before Board; upstairs consists of two offices, drafting room, powder room; 800 sq. feet on first floor & 800 sq. feet on second floor; as-build will be provided.

Motion to approve with conditions: Radie/Santori.

Approved: Gee/Radie/Santori/Schmidt/Mullen **Denied:** Zahradnick.

489 Rt. 38 W. – Block 173; Lot 2.05; Lexvana Properties of N.J., LLC; Z-17-10
Zone: Planned Development (PD)
Existing Use: Vacant Building (formerly furniture store – Ethan Allen)
Proposed Use: Auto Body/Collision Repair Center.
Application: D Variance

George W. Matteo, Jr., Esq., Matteo Wisniewski LLC, representing applicant.

- Jay Sims, PE, PP; Val Fichera, Operations Manager, Lexvana Properties; Bret Flory, Architect, sworn in by Attorney Kingsbury.

Vacant Ethan Allen building. Seeking use variance.

Presentation by Mr. Sims. Site is already built; there is adequate buffer, adequate lighting, and utilities on the site. Parking is available.

Presentation by Mr. Flory. Constructing office space and shop inside. Using existing footprint. New fence and gate across the front; existing fence on sides and back will be repaired. All bodywork/detailing is done inside building. No totaled vehicles will be located at this site.

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Presentation by Mr. Fichera. Hours of operation: 7:30 AM – 5:30 PM, Monday – Friday; 9 AM – 12 PM, Saturday ; 12 – 15 employees. Employee parking and cars waiting to be picked up will be parked behind the fence. Parking in front would be for customers. They re-manufacture cars as opposed to repairing them. They are specific and segmented – if a vehicle requires special tooling which might take a couple of days, it is moved to a different facility; if a car is a total loss, it is moved to a total loss facility. Damaged parts will be put in dumpsters (2) outside; trash is picked up nightly.

Board: Question regarding fencing.

Public: None.

Motion to approve: Radie/Schmidt. All approve.

3090 Rt. 73 N. – Block 7.03; Lot 11.01; VIP Auto Outlet Inc.; Z-17-12

Zone: Business Development (BD)

Former & Existing Use: Borkon Truckarama; Lease & Sales of tractor trailer cabs (former use) & Sunbelt equipment rentals (existing use to remain).

Proposed Use: Used Pickup Truck Sales (new use) & Sunbelt equipment rentals (to remain onsite).

Application: Interpretation or D Variance

Melanie M. Levan, Esq. representing applicant.

Mark Szopa, owner, VIP Auto, Jerry Borkon, owner of property applicant will be renting, and Richard McGuire, PE, PLS, PP sworn in by Attorney Kingsbury.

Borkon Truckarama is winding down operations on site. Mr. Borkon had been operating site since 1974 renting and reselling truck cabs; in 2015, Ray's Truck Sales, Inc., as a tenant and applicant, conducting a business which was essentially the same business as conducted by Borkon Truckarama, came before the Board for an interpretation that it was a pre-existing, non-conforming use (granted). Currently before Board for a second interpretation that a use variance is not required for VIP Auto Outlet to sell used cars and trucks on property. If the Board does not grant interpretation, they are requesting a use variance.

Presentation by Mr. Szopa. Hours: 9 AM – 8 PM, Monday – Friday, 9 AM – 7 PM, Saturday. Employees: 2 (alternating). No physical changes to site proposed. Not proposing installation of any dumpsters (will use those already on site). VIP will be selling passenger trucks (32 spaces). Anticipates 2 – 3 customers per day.

Ms. Levan: In 1999, site approved for two primary uses (truck site and Sunbelt Tools & Rentals). Mr. Borkon was selling passenger trucks at this location in the 70's.

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SEPTEMBER 13, 2017
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Comments by Mr. Cantwell (letter dated August 30, 2017). Would like to see Site Plan.

Comments by Chairman Gee: Site Plan is needed. Mr. Gee's interpretation is that a use variance is needed.

Board comments by Mr. Schmidt, Ms. Radie, Mr. Zahradnick.

Presentation by Mr. McGuire: Fencing/parking spots.

Ms. Levan: Regarding parking variance, ordinance requires 12 spaces. They are providing 7, and variance is needed for 5 spaces. Sign will be performing.

Motion of interpretation that use variance is not required: Radie/Zahradnick
Approve: Bimmer/Radie/Santori/Schmidt/Zahradnick/Mullen **Denied:** Gee.

Public: None

Motion on Site Plan exhibit with conditions: Selling trucks only; DOT letter of non-interest; variance for 7 parking spaces instead of 12; inventory – 38 trucks; buffer not needed as suggested; fence in front comes down/barbed wire on sides come down/fence is painted or repaired on the side; sign is re-skinned; pole is painted; vehicles delivered to the site will not be brought in by carrier; waiver of loading area. Bimmer/Santori. All approve.

Old Business:

Minutes:

August 9, 2017

Motion to Approve: Gee/Schmidt. All in Favor.

Reports:

Solicitor – Resolutions

2017-ZB-10: 491 Rt. 38 W. – Block 173; Lot 2.07 CSG Property Investors, LLC “Sammy’s Express Car Wash” Z-17-11

Motion to Approve: Bimmer/Schmidt. All Approve.

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Eligible to Approve: Michael Bimmer
John Gee, Jr.
Joe McCauley
Karen Radie
Steve Schmidt
Steven Steglik

Once Around: No Comments.

Engineer: None

Community Development: Correspondence – Mr. Rijs

Adjournment

Motion to Adjourn: Schmidt/Gee. All in Favor.

**ZONING BOARD OF ADJUSTMENT
MINUTES
OCTOBER 11, 2017**

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: John Gee, Jr., Chairman
 Joe McCauley
 Karen Radie
 Steve Schmidt
 John Zahradnick

Absent: Michael Bimmer, Deputy Chairman
 Angie Santori
 Paula Mullen, Alt #1
 Steven Steglik, Alt #2

Also Present: Robert Kingsbury, Esq., Attorney
 John Cantwell, P.E., P.P., C.M.E., Engineer
 Kevin Rijs, Community Development Director

New Business:

10 N. Chestnut Ave & Main St. – Block 55 Lot 23; Nelson Wiest, Z-17-13

Zone: Downtown Business (DB)

Existing Use: Residential Proposed Use: No change

“C” Variance Application: Oversized Garage for personal use.

Permitted: 32’ Width x 24’ Depth Proposed: 40’ Width x 30’ Depth

Nelson Wiest and Linda Marryott Wiest sworn in by Attorney Kingsbury.

Presentation by Mr. Wiest: Requesting variance – residential garage larger than permitted. Has collector cars and muscle antiques that need to be kept inside, protected from the weather. Current home has no garage or shed. Garage will be used for vehicles, tools, lawnmower, snowblower, etc. Plans to put heat in building. During the summer, cars are at shows, races, and competitions; during the winter, Mr. Wiest does work on the cars. Also plans to install a bathroom (toilet and sink) and laundry machine; garage will also be used for storage.

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Garage will be rectangle, 30' X 40' with 12' ceiling. No one will be living in the garage and no business will be conducted out of the garage. Outside will match brick tone on home, and garage will have windows. Home has a slate roof; garage will have a shingle slate roof to tie garage into home. Has three cars; garage will have an electric lift. Mr. Wiest listed examples of other over-sized garages in Maple Shade. One tree needs to be removed; shrubbery will be planted on side of building. Two trailers on site – one is full of tools and tool boxes from business, which will go into the garage (trailer has already been sold); second trailer is for towing car, and will be parked facing backyard. Garage doors will be wood-look made to look like a barn door. Down-lights will be installed on dimmable switches.

Board: Questions: (1) type of lift; (2) Concern about bathroom; (3) trailer parking.

Engineer's report by Mr. Cantwell.

Public: None.

Conditions for Approval – Attorney Kingsbury: Building may not be occupied for business purpose or a residential purpose; it will meet all set-back requirements and height requirements; one of the trailers will be removed; allowed to have heat inside and a bathroom with toilet and wash sink. Per Chairman Gee, one tree will be removed and decorative shrubbery (i.e., crepe myrtle) will be installed; remaining trailer will be parked on the driveway between house and garage.

Motion to Approve: Radie/Schmidt. Roll Call: All Approve.

702 Stiles Ave. – Block 72, Lot 1.01; Oliviera Builders: Z-17-14

Zone: Business Development (BD)

Existing Use: Residential Proposed Use: Residential (New Dwelling)

Application: C Variances (Setback)

Incomplete Notice – Re-notice – November Agenda

Reports:

Solicitor – Resolutions

2017-ZB-11: 552 S. Forklanding Rd. – Block 145; Lots 2 & 2.01; Steve Schaeffer; Z-17-5

Motion to Approve: Schmidt/Radie Roll Call: All Approve.

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Eligible to Approve: John Gee, Jr.
Karen Radie
Angie Santori
Steve Schmidt
Paula Mullen

2017-ZB-13: 3090 Rt. 73 N. – Block 7.03; Lot 11.01; VIP Auto Outlet Inc.; Z-17-12
Motion to Approve: Radie/Zahradnick Roll Call: All Approve.

Eligible to Approve: Michael Bimmer
Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick
Paula Mullen

2017-ZB-12: 489 Rt. 38 W. – Block 173; Lot 2.05; Lexvana Properties of N.J., LLC; Z-17-10
Motion to Approve: Schmidt/Zahradnick Roll Call: All Approve.

Eligible to Approve: Michael Bimmer
John Gee, Jr.
Karen Radie
Angie Santori
Steve Schmidt
John Zahradnick
Paula Mullen

Engineer: None

Community Development: None

Old Business:

Minutes:

September 13, 2017

Motion to Approve: McCauley/Gee All Approve.

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Once Around: None.

Adjournment:

Motion to Adjourn: Schmidt/McCauley All in Favor.

**ZONING BOARD OF ADJUSTMENT
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NOVEMBER 8, 2017**

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Joe McCauley
Karen Radie
Angie Santori

Absent: Steve Schmidt
John Zahradnick
Paula Mullen, Alt #1
Vacant, Alt #2

Also Present: Robert Kingsbury, Esq., Attorney
Kevin Rijs, Community Development Director

Absent: John Cantwell, P.E., P.P., C.M.E., Engineer

New Business: None

Old Business: None

Reports:

Solicitor – Resolutions

2017-ZB-14: 10 N. Chestnut Ave & Main St. – Block 55 Lot 23; Nelson Wiest, Z-17-13

Motion to Approve: Radie/McCauley. Roll Call: All Approve.

Eligible to Approve: John Gee, Jr., Chairman
Joe McCauley
Karen Radie
Steve Schmidt
John Zahradnick

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Engineer: None

Community Development: None

Minutes:

October 11, 2017

Motion to Approve: Gee/McCauley. All in Favor.

Once Around: Happy Thanksgiving. Attorney Kingsbury asked about notification and posting date of December 25. Mr. Gee invited members to outing at Carrabba's in December.

Adjournment:

Motion to Adjourn: Bimmer/Santori. All in Favor.

**ZONING BOARD OF ADJUSTMENT
MINUTES
DECEMBER 13, 2017**

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Deputy Chairman
John Gee, Jr., Chairman
Karen Radie
Angie Santori
Steve Schmidt

Paula Mullen, Alt #1
Vacant, Alt #2

Absent: Joe McCauley
John Zahradnick

Also Present: Robert Kingsbury, Esq., Attorney
John Cantwell, P.E., P.P., C.M.E., Engineer
Kevin Rijs, Community Development Director

New Business:

702 Stiles Ave. – Block 72, Lot 1.01; Oliviera Builders: Z-17-14

Zone: Business Development (BD)

Existing Use: Residential Proposed Use: Residential (New Dwelling)

Application: C Variances (Setback)

Representative from Oliviera Builders sworn in by Attorney Kingsbury.

Mr. Rijs gave background information on residence. Residence was damaged beyond repair; condition of use variance approval (January 11, 2017 meeting) was that applicant would return to Board once he had an actual footprint layout for where new home was going to be placed on site.

Engineer's Report – Mr. Cantwell. Memo dated October 9. Requesting bulk variances: front yard setback – 20 ft. required/9 ft. proposed off of Woodlawn Avenue; rear yard setback – 20 ft. required/10½ ft. proposed along Stiles Avenue side (existing setback is 10.1 ft.).

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Grade along rear yard is being raised 5 – 10 inches. Mr. Cantwell is concerned about additional runoff, and recommends that drainage be designed to direct all rooftop runoff to streets. There is a swale along backside that is proposed to drain down to Stiles Avenue/goes by two existing large evergreen trees. Is the applicant going to take the trees down or modify the swale so the trees are protected and the roots are not damaged? **Applicant:** As of now, they are not taking down trees and will take measures to protect the roots. They will also ensure that the rooftop runoff will not drain on to lot 2.01.

There is shown a concrete walkway from the house to Woodlawn Avenue. Woodlawn Avenue is part of the DOT right-of-way, and this would require a permit from the DOT. Mr. Cantwell suggested that they reconsider, and applicant will change walkway to run it out to Stiles Avenue. Existing wood fence is in bad shape, and applicant stated that they will replace the fence.

Chairman Gee reiterated Engineer's comments, and asked for any Board questions. Attorney Kingsbury asked if existing house has been removed. Per applicant, house is still on site/has not been removed.

Public: None

Motion to Approve: Radie/Schmidt Roll Call: All Approve

Per Chairman Gee, they have six months to begin; otherwise, they will have to appear back before the Board. There is a 45-day right-of-appeal.

2836 Rt.73 N. – Block 6; Lot 5; Fast Signs; Z-17-15
Zone: Business Development (BD)
Existing Use: Sign Company (Fast Signs)
Application: "C" Variance; Proposed Freestanding LED Sign

Jeffrey Chudoff, Applicant, sworn in by Attorney Kingsbury. Per Mr. Chudoff, correct address is 3121 Route 73 South. Requesting a variance for the installation/updating of current sign. Sign ordinance says that a pylon sign may be no greater than 50 sq. ft. Initially, he took over the existing sign which is 6' tall and 8' wide. They are looking to update the current sign: keeping the upper panel (2' X 8') and updating the lower portion (4' X 8') to a digital board. Mr. Chudoff formerly testified on behalf of the Maple Shade Board of Education when they appeared before the Board regarding their digital sign, and will address the three concerns. (1) That the message not change any faster than 15 seconds; (2) no animation; (3) that the sign would not be as equally bright after dark. Mr. Chudoff explained that there is software in the circuitry that automatically dims, and stated that they will be in compliance with all three concerns.

Board: Questions from Mr. Cantwell. Chairman Gee questioned additional signage at bottom of sign. Per Mr. Chudoff, this is temporary signage and ability to go digital will stop the necessity for this. There will be no supplemental signage attached to the new sign.

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Public: None

Motion to Approve: Schmidt/Radie Roll Call: All Approve

Per Chairman Gee, they have six months to begin; otherwise, they will have to appear back before the Board. There is a 45-day right-of-appeal.

919 E. Main St. – Block 82 Lot 9.01; Eric Scheid, Z-17-16

Zone: Downtown Business (DB)

Existing Use: Residential & Landscaping Business (Prior Approval/s 2016ZB12 & 2016ZB14)

Proposed Use: Residential & Landscaping Business (Expansion)

Application: “D” Variance & Site Plan

Continuance Requested. At Site Plan meeting, decided that they will apply for a Major (rather than Minor) site plan; as a result, applicant will appear at January 10, 2018 Zoning Board meeting.

Motion to Approve: Radie/Santori Roll Call: All Approve

205 W. Mill St. & Buttonwood Ave. – Block 139 Lot 6.03; Robert Shawn-Warner, Z-17-17

Zone: Residential -1 (R-1)

Existing Use: Vacant Residential Lot Proposed Use: Single Family Home

Application: “C” Variance –Front Yard Setback Minimum 30’; Proposed 17’

Notice Defective. Applicant did not properly serve notice (no newspaper notice).

Old Business: None

Reports:

Solicitor – Resolutions: None

Engineer: None

Community Development: None

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Minutes:

November 8, 2017

Motion to Approve: Gee/Bimmer All Approve

Once Around: None. Members going to Carrabba's for Christmas celebration.

Adjournment:

Motion to Adjourn: Schmidt/Santori All In Favor