

MINUTES OF THE BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN

A public meeting of the Zoning Board of Adjustment of the Township of Pennsauken, in the County of Camden, in the State of New Jersey was held on the above date at the Pennsauken Municipal Building, 5605 N. Crescent Boulevard, Pennsauken, New Jersey.

Chairwoman Butler called the meeting to order at 7:00 P.M. and led the flag salute. Roll call disclosed the following members present: Carl Bierbach, Paul Hoyle, Lysa Longo, Shirley Butler, Dianne Piccari, and Duke Martz. Acting Solicitor Richard Wells, Esq., Planning & Zoning Coordinator John Adams, and Zoning Board Secretary Nancy Ellis were also present.

The Chairwoman announced that the meeting was being held in accordance with the Open Public Meetings Act, notice has been sent to two local newspapers, and also posted on the Bulletin Board in the Municipal Building.

Mr. Hoyle assumed the seat of absent member Darlene Hannah.

HEARINGS:

IN HIS PRESENCE MINISTRIES INC. - Seeking a use variance to permit the use of a religious organization (Place of Worship) in the professional zone where it is not a permitted use. Premises located at 5603-47 Westfield Ave, Block 4704, Lot 6 in Zoning District: P-1 and Redevelopment Zone.

Mr. Stephen Jozwiak, Esq. came forward to represent the applicant.

Delphine Baily, Elder at In His Presence Ministries, Inc. came forward to testify and was duly sworn by the Solicitor.

Ms. Bailey came forward to testify on behalf of Pastor Lucy Bailey. Ms. Bailey further testified that she does whatever is needed at the church from the administrative work to cleaning the church. Ms. Bailey testified that the church has been in existence for 16 years and at its current location for 10 years. Prior to moving to the current location they had church services in member's homes or at hotel meeting rooms. They moved to the current location approximately 10 years ago and they didn't know they needed to come to the zoning board until recently. Ms. Bailey testified that the church holds services on Wednesday evenings from 7:30 PM until 9:00 PM and on Sundays from 10:30 AM until 1:00 PM. Ms. Bailey further testified that they also hold piano rehearsals on Thursday evenings from 7:30 PM until 9:00 PM to practice for Sunday service. There usually isn't anyone at the facility any other days of the week. Ms. Bailey testified that their members park their vehicles on Westfield Avenue, use 4 parking spaces on the side of the building and there are approximately 10 parking spaces at the rear of the building including handicap parking. Ms. Bailey testified there have been no parking issues or complaints from anyone in the surrounding area. Ms. Bailey further testified that there are currently 25 members including children that attend services.

Upon query, Mrs. Butler was informed by Ms. Bailey that they don't have any plans for construction at the site.

Upon query, Mr. Martz was informed by Ms. Bailey that they moved to the facility approximately 10 years ago and they occupy 2 units of the building. Ms. Bailey further informed Mr. Martz that their membership has decreased from when they moved to their current location. However, they are hoping to grow their membership. Ms. Bailey stated that if they grow to exceed the capacity of the two units, they will move to a larger facility.

Upon query, Miss Piccari was informed by the applicant that there are approximately 20 members that attend church services and the 2 units they occupy can accommodate up to 49 members.

Upon query, Mrs. Longo was informed by Ms. Bailey that they rent the two units of the building.

Upon query, Mr. Hoyle was informed by Ms. Bailey that they occupy approximately 1,600 SF of the building and their new landlord informed them that they needed to come to the zoning board to seek a variance.

Upon query, Mr. Bierbach was informed by Ms. Bailey that they have been in the building for 10 years. At that time they believed that it was a good place to start and it was affordable for them as well. Mr. Bierbach was further informed by Ms. Bailey of all the charitable services they provide. Mr. Bierbach commented that he hopes that they will reach out more to the Pennsauken community in the future.

Upon query, the Solicitor was informed by the applicant that there is no kitchen at the facility or food services. They provide canned goods and baskets of prepared foods to those in need.

Mr. John Adams, Pennsauken Zoning Officer, 3825 Gladwyn Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Adams stated that the building is located in a redevelopment zone and the redevelopment authority approved the application. Mr. Adams further gave a brief history of the building and the former occupants. Mr. Adams also stated that there have never been any complaints about the church being at this location.

The meeting was open to the public.

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

The Solicitor made the following factual findings: This is an application for Use Variance relief based on the applicant's operation of a place of worship in a P-1, Professional Office Zone and Redevelopment Zone. Section 141-85 of the township ordinance dictates the permitted uses for the zone which does not include places of worship. The applicant was represented by Mr. Stephen Jozwiak and Delphine Bailey was sworn to present testimony on behalf of the applicant. Mr. Adams noted that the township redevelopment authority did approve the application to move forward to the zoning board. The applicant testified that this church has been in existence for 16 years and has operated in Pennsauken for roughly 10 years, originally operating primarily out of member's homes and hotel meeting rooms, but has currently been operating out of the location that is the subject of this application for 10 years as a tenant at units 12 & 12A of the building. The applicant noted that the building was previously occupied by a church in the same units which ran similar services as those they have been providing. The church is comprised of roughly 25 parishioners including children. The applicant noted that they did have a larger congregation when they originally moved and they do expect to grow to similar numbers in the future. The facility can accommodate the capacity 49 members. The applicant occupies 2 units of the building. Therefore, the 49 member capacity is applicable to two units. The applicant's services take place on Wednesday evenings from 7:30 PM to 9:00 PM and on Sunday mornings from 10:30 AM until 1:00 PM. The applicant also testified that they conduct piano rehearsals on Thursday evenings from 7:30 PM until 9:00 PM. No members of the church or congregation are present in the building during non operational hours. The professional operations of the building do not interfere with the services. The applicant noted that parking is accommodated by parking on Westfield Avenue as well as utilizing 4 spaces on the side of the building. The applicant confirmed that there are roughly 14 spaces at the site including handicap parking and excluding any on street parking on Westfield Avenue. The applicant confirmed that they have not received any complaints from other tenants regarding the availability of parking or the operation of their services. There is no plan for construction on the building resulting from the operation. The applicant confirmed that while they are growing and if they cannot accommodate a larger number of members, they will seek other variances to remain at the site or they will move to a larger facility. The applicant noted that the current location simply fits their needs. Testimony was not given as to why they chose this particular location 10 years ago. However, the applicant did testify the facility is fitting for their current needs. The applicant described the various charity and philanthropic efforts that they conduct and confirmed that there is no kitchen, food preparation services that take place at the facility. Mr. Adams confirmed with the board that the facility is located in the redevelopment

zone and he reviewed the prior history and occupants at the facility as well. No members of the public appeared to testify for or against the application.

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

Mr. Martz motioned to grant the application. He stated that the church has been at the location for 10 years, there is no one here complaining, they are serving the public good and hopefully they will serve more of the Pennsauken community. Mr. Martz further stated that he believes the current site is suitable for the current use. Mrs. Longo seconded. Roll call: Madams Longo, Butler, and Piccari, and Messrs. Bierbach, Hoyle, and Martz-Aye. None opposed.

MINUTES:

None

CORROSPONDENCE:

None

RESOLUTIONS:

RESOLUTION #Z-2016-15 granting **JUSTIN GANA** 12 feet of relief from front yard fence setback requirement of 20 feet for a 6 foot vinyl fence. Premises located at 2656 Foehl Avenue, Block 2909, Lot 11 in Zoning District: R-2

BILLS:

None

COORDINATOR'S REPORT:

Not at this time.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 8:20 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary