

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, Jaye Silver, Darlene Hannah, Dianne Piccari and Lou Morales. Acting Solicitor Richard Wells, Esq., Zoning Board Engineer, Raymond Jordan, Planning & Zoning Coordinator John Adams, and 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.

Paul Hoyle assumed the seat of absent member Duke Martz.

HEARINGS:

BAYADA HOME HEALTH CARE - Seeking preliminary and final site plan approval for parking lot expansion and any other variances required by Pennsauken Zoning Board. Premises located at 4300 & 4350 Haddonfield Road, Block 4301, Lot 1 & 6 Zoning District R-1, R-4, R-5, C-1.

Mr. Kevin Sheehan, Esq. came forward to represent the applicant. Mr. Sheehan stated that back in March the applicant was granted a use variance for the expansion of the parking lot and they are back this evening for site plan approval. Mr. Sheehan further stated that Tom Cassidy from Bayada met with the neighbors and the original site plan has been revised to address some of the neighbors' concerns.

Mr. Tom Cassidy, Area Directory, Bayada Home Health Care came forward and was duly sworn by the Solicitor.

Mr. Cassidy testified that their original development plan has approximate 534 parking spaces and their application with the New Jersey Economic Development Authority was predicated on Bayada growing and developing an employee base within the state. Bayada plans to have 550 employed at the site by January of 2018 and a building design to accommodate up to 660 employees. Their parking is inadequate and part of their original plan and why they chose this particular location was their ability to expand in order to accommodate their employee parking needs.

Upon query, Mrs. Butler was informed by Mr. Cassidy that they did look at other properties.

Mr. Anthony Caponigro, Professional Engineer came forward to testify and was sworn by the Solicitor.

Mr. Caponigro described his credentials and was accepted by the board as an expert witness.

Mrs. Hannah arrived at 7:08 PM.

Mr. Caponigro presented the site plan and described the property, the proposed changes and the improvements for the parking area.

Exhibits were presented and marked into evidence. The site plan submitted with the application was marked into evidence as A-1, the aerial view of the site was marked into evidence as A-2, the alternative plan (to address neighbors' concerns) was marked into evidence as A-3 and the demolition plan was marked into evidence as A-4.

Upon query, Mrs. Butler was informed by Mr. Caponigro that 6 foot, green giant arborvitaes will be planted along the neighboring property and at maturity they will grow to be 35 feet high. Mr. Capon further informed Mrs. Butler that the trees usually reach maturity in 10 years. However, the trees may mature sooner since they are in a wetland area.

Upon query, Mr. Bierbach was informed by the applicant that they will be clearing some trees that exist on their property to create additional parking.

Upon query, Mrs. Butler was informed by the applicant that they did not have a traffic study done. Haddonfield Road and Maple Avenue are county roads and if the county requires a traffic study, they will submit one.

Mr. Al Federico, Traffic Engineer came forward to testify and was duly sworn by the Solicitor.

Mr. Federico described his credentials and was accepted by the board as an expert witness.

Mr. Federico described in detail as to how a compilation of methods are used to determine the amount of traffic that will be generated from the proposed site. Mr. Federico testified there will not be a significant amount of additional traffic in the surrounding area.

Mr. Bierbach stated that the buildings were never filled to capacity and he has concerns that traffic could get backed up significantly in the area.

Mr. Paul Ricci, Professional Planner came forward to testify and was duly sworn by the Solicitor.

Mr. Ricci described his credentials and he board accepted him as an expert witness.

Mr. Ricci testified as to the positive and negative criteria for the bulk variance relief they are requesting.

Upon query, Mr. Silver was informed by Mr. Ricci that a 9' x 19' parking space as opposed to a 10' x 20' space is deminimis.

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

Mr. Jordan read his review letter dated August 7, 2017 onto record.

The applicant agreed to comply with all of Mr. Jordan's conditions and recommendations.

The meeting was open to the public.

Mr. Scott Murphy, 8247 Bryn Mawr Avenue came forward to testify was duly sworn by the Solicitor.

Mr. Murphy testified that he is concerned about the removal of the existing trees that border the Bayada property and the adjoining residential neighborhood. He further stated that he believes existing islands can be removed from the Bayada property to create additional parking at the site.

Mr. John Connors, 8228 Bryn Mawr Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Connors testified that he is concerned about removing the trees on the Bayada property bordering the residential neighborhood, in particular, the Murphy's property at 8247 Bryn Mawr Avenue and replacing them with 6 foot arborvitaes that hopefully will grow to 30 feet in 10 years.

Mrs. Terry Murphy, 8247 Bryn Mawr Avenue came forward to testify and was duly sworn by the Solicitor.

Mrs. Murphy testified that she is concerned about Bayada removing the trees that border her property. She believes it will infringe on their privacy and on the value of their property. Mrs. Murphy further stated that she believes Bayada has other options to create parking on their lot without clearing the trees that border her back yard.

Ms. Lynn Germain, 8235 Bryn Mawr Avenue came forward and was duly sworn by the Solicitor.

Ms. Germain testified that she has lived on Bryn Mawr Avenue for several years and she has never seen the building filled at capacity. Ms. Germain further stated that she believes an additional 600 cars at the Bayada facility to an already congested area will be detrimental. Ms. Germain also expressed her concerns about Bayada using their facility as a training/conference center and the traffic generated as well as how the proposed changes will affect the storm sewer at the back of her property.

Mr. Caponigro informed Ms. Germain and the board that the storm sewer will not be affected by the proposed changes.

Mr. Tom Cassidy informed Ms. Germain that they expect to have approximately 40 guests per day for training and parking for them has already been figured in the number of spaces they have proposed. Mr. Cassidy further stated that the training facility has been up and running and 40 guests per day have been attending.

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

Upon query, Mr. Cassidy informed Mr. Adams that parking for 40 guests per day for training has already been considered in the number of proposed parking spaces.

Upon query, Mr. Caponigro informed Mr. Adams that the arborvitaes they propose to plant on the perimeter of the property grow an average of 2 to 3 feet per year and they will grow to 30 to 40 feet high.

Upon query, Mr. Cassidy informed Mr. Adams that their standard hours of operation are 8:30 am to 5:00 pm. They also offer their employees flex hours. Some employees come in from 7:30 am to 4:00 pm and some employees may work from 9:30 am to 6:00 pm. On rare occasions employees may stay later than 6:00 pm.

Upon query, Mr. Bierbach was informed by Mr. Adams that a 6 foot buffer is the requirement in the township ordinance and any property owner in the township has the right to remove trees from their property.

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

The Solicitor informed the board of the legal standards regarding the application.

The board recessed 9:03 pm.

The board resumed 9:10 pm. Roll call: Carl Bierbach, Paul Hoyle, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari and Lou Morales.

Mr. Kevin Sheehan, Esq. came forward read Bayada's beliefs and core values from a pocket sized card. Mr. Sheehan requested that the hearing be continued so that Bayada's professionals can determine if the current plan can be modified to address some of the neighbor's concerns.

The announcement was made to the public that the application will be continued to the September 20, 2017 meeting. The applicant is not required to republish or re notice the hearing.

MINUTES:

None

CORROSPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2017-15 granting **HESPERUS, LLC** a variance for lot coverage to store commercial equipment in the C-1 zone and any other variance required by Pennsauken Zoning Board, Premises located at 3477 Haddonfield Road, Block 3814, Lot 8 in Zoning District C-1.

Resolution #Z-2017-16 granting **HEMERA, LLC** a use variance to allow bus parking and outdoor storage area within the C-1 zone and any other variances required by Pennsauken Zoning Board. Premises located at 3450 St. Martins Road, Block 3814, Lot 11 in Zoning District C-1.

Resolution #Z-2017-17 granting **AMABLE PERALTA** 4 feet of relief from the total side yard aggregate setback requirement of 25 feet and also 7 feet of relief from the front yard setback requirement of 30 feet for a 5' x 18' front porch extension. Premises located at 2607 Burning Tree Road, Block 2802, Lot 12 in Zoning District R-2.

BILLS:

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

8/16/2017-T&M Associates-Engineering Services for Mega Palace-\$232.50.

8/16/2017-T&M Associates-Engineering Services for Pennsauken Hospitality-\$177.00.

8/16/2017-T&M Associates-Engineering Services for Hemera, LLC-\$1,813.50

8/16/2017-T&M Associates-Engineering Services for Hesperus, LLC-\$1,813.50

8/16/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Zoning Board Solicitor Monthly Retainer-\$1,134.67.

8/16/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Hesperus, LLC-\$248.00.

8/16/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Hemera, LLC-\$248.00.

COORDINATOR'S REPORT:

Not at this time.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 9:20 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary