

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 7:10 P.M. and led the flag salute. Roll call disclosed the following members present: Carl Bierbach, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari, and Lou Morales. Acting Solicitor Steve Boraske, Esq., Zoning Board Engineer, Raymond Jordan and Secretary Nancy Ellis were also present.

Chairwoman Butler 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.

Lou Morales assumed the seat of absent member Duke Martz.

HEARINGS:

ZIPPY'S CAR WASH - Seeking a use variance and preliminary & final site plan approval to develop a portion of the property for an express car wash. Premises located at 5201-5287 Route 70, Block 6208, Lot 1 in Zoning District C-1.

Mr. Damien Del Duca, Esq. came forward to represent the applicant and gave an overview of the application. Mr. Del Duca presented an aerial view of the site.

The Solicitor marked the aerial view of the site into evidence as Exhibit A-1.

Mr. Del Duca stated that proposed car wash will be located at what is known as "The Point" at Routes 70 and 38. There currently is a Benihanna Restaurant and a Super Wawa at the site. The applicant intends to lease an area on the same lot and construct an express car wash. The applicant currently owns over 30 state of the art car washes in the United States and the first one was built in Alabama. Mr. Del Duca further stated that the applicant needs a use variance because the C-1 zone does not permit a car wash. The applicant is also asking for preliminary and final site plan approval. They do not require bulk variances other than for signage.

Mr. Austin Evans, Principal of Zippy's Car Wash, Mr. John Pettit, Professional Engineer & Planner, Mr. Nathan Mosley, Traffic Engineer, Ms. Tiffany Morrissey, Professional Planner and Raymond Jordan, Zoning Board Engineer came forward and all were duly sworn by the Solicitor.

Mr. Austin Evans testified as to the operation of the car wash and stated that the car washes have been family owned and operated since 2006. Between 2006 and 2016 they have opened over 30 car washes nationwide. They are now opening car washes on the east coast in New Jersey and Delaware. Zippy Car Wash is an express car wash. They do not detail cars at any of their sites.

The applicant presented the site plan and a colored rendering of the proposed building.

The Solicitor marked the site plan into evidence as A-2 and the colored rendering of the proposed structure into evidence as A-3.

Mr. Austin Evans testified and described how the car wash operates. The applicant further testified that there will be attendants on duty at all times the car wash is open. The applicant stated that the car wash is almost completely computerized and automated. The customers stay in their cars while the car is pulled through a tunnel where it is washed and dried with industrial driers on the way out. The whole process takes approximately 1 ½ to 3 minutes. If the customer wishes to vacuum their car, it is free of charge and there will be 24 parking spaces with a vacuum at each space. The employees do not help the customers vacuum their cars. Mr. Evans further testified that there are a minimum of 2 attendants on

site per day and a maximum of 5 attendants on busier days. The applicant further stated that supplies are delivered to the site and they are OSHA approved products. Mr. Evans stated that 75% of the water to wash the cars is recycled.

Mr. John Pettit, Professional Engineer and Planner came forward and described his credentials.

The board accepted Mr. Pettit as an expert witness.

Mr. Pettit described the site and stated that cars can be stacked internally within the site. Mr. Pettit testified that there will be 24 parking spaces with a vacuum at each space. Mr. Pettit further stated there will be evergreen plantings and lighting installed at the site. There will also be drainage at the site to handle the water cleaning and recycling for the car wash. Mr. Pettit also testified there will be a trash enclosure at the site as well.

Mr. Pettit presented a sign package to the board.

The Solicitor marked the sign package into evidence as Exhibit A-4.

Mr. Pettit testifies that they propose 4 signs at the site and they will need a bulk variance due to the square footage and number of signs. They may add direction signs at a later date and understand they will have to come back to the board in the future for a variance. The proposed hours of operation will be from 8am until 8pm, 7 days a week. Mr. Pettit further stated that they will add lighting to the pedestrian areas.

Mr. Nathan Mosley, Traffic Engineer came forward to testify and described his credentials.

The board accepted Mr. Mosley as an expert witness.

Mr. Mosley testified he did a traffic analysis at the site. There are 2 access points to the site from Route 70 and Route 38. Mr. Mosley testified that a letter of no interest was sent to the NJ DOT due to the minimal increase in traffic trip generations. Mr. Mosley further stated that the trip generations to the site is less than what is normally allowed in a C-1 zone and it will not significantly impact the area or negatively impact the intent and purpose of the zoning plan. There is also more than enough space for stacking cars off the state highways.

Ms. Tiffany Morrissey, Professional Planner came forward to testify and described her credentials.

The board accepted Ms. Morrissey as an expert witness.

Ms. Morrissey testified that the proposed site is 1 acre and it is located in the C-1 commercial zone and the zone does not permit a car wash. There is a Wawa and a Benihanna restaurant currently at the site. The site of the proposed car wash is the former site of the Di Saimone Car Dealership and the property has been vacant for well over 10 years. Ms. Morrissey testified as to the positive and negative criteria of the application. She stated that the site is particularly suited because it blends well and fits together with the other businesses at the site which are a gas service station and convenience store for customers. The property is vacant and the proposed development will be an enhancement to the property. Ms. Morrissey stated that there are no new curb cuts required and there is no substantial detriment to the surrounding community. The proposed car wash will advance the master plan, serve the community and there is no substantial detriment to the public good. The benefits outweigh the negative.

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

Raymond Jordan read his review letter dated November 30, 2017 onto record.

The applicant agreed to all of Mr. Jordan's recommendations and conditions listed in his review letter.

Upon query, Mr. Silver was informed by the applicant that the traffic flow from Route 70 is an existing condition.

Upon query, Mr. Bierbach was informed by Mr. Evans that their facilities are not franchises. They are company stores. There will be a manager at each location and once there are several car washes open in this area, they will be overseen by a district manager. The applicant further informed Mr. Bierbach that there are surveillance cameras at each site. The whole site of each location is monitored and streamed live to their monitoring room at their corporate office in Alabama. Mr. Evans further informed Mr. Bierbach that the car wash will not be open 24 hours due to staffing issues.

Upon query, Mr. Silver was informed by Mr. Evans that the gate onsite is accessed from the particular location and not remotely from their corporate office in Alabama.

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

Upon query, Mr. Adams was informed by the applicant that there will be no back up of traffic onto the highway. Mr. Evans further informed Mr. Adams that they may have some vending machines to supply customers with products such as air fresheners. Mr. Evans further informed Mr. Adams that in the event a car should stall, the attendants will assist and back cars out of the car wash lane.

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 a use variance and preliminary and final site plan approval with bulk variance relief and waivers. The applicant is Zippy's Car Wash Pennsauken, LLC. The subject property is located at 5201-5287 Route 70, Block 6208, Lot 1 on the township tax map located in the C-1 commercial zoning district. The applicant is proposing the construction of a 4,600 square foot drive thru car wash with a parking. The hours of operation will tentatively 8am until 8pm, 7 days a week. There will be a minimum of two employees on the site at all times, during hours of operation and as many as five employees on site during busier hours. The process of the car wash is almost entirely automated. The car is washed in a tunnel within the facility and customers may park and vacuum their vehicles after going through the car wash. The applicant submitted 4 exhibits as part of their presentation. Exhibit A-1 was an aerial site plan, Exhibit A-2 was a site plan, Exhibit A-3 was a color rendering of the structure and Exhibit A-4 was the applicant's sign package. Per township ordinance, section 141-81 a car wash is not a permitted use in the C-1 commercial zone. Thus, an N.J.S.A. 40 55 70 D1 use variance is required. Further, as township ordinance Section 141-86 C-2 A only two signs are permitted in a C-1 commercial district, where the applicant has requested 4 signs, necessitating bulk variance relief. The applicant has agreed to apply with all conditions set forth in the board engineer's review letter. Specifically, the applicant will increase the minimum lighting for pedestrian areas on the site.

Mr. Silver motioned to accept the fact finding. Mrs. Logo seconded.

Mr. Silver motioned to grant the use variance. He stated he sees no detriment. There are other car washes in the area. Mr. Silver further stated that he believes a car wash is a good integration at this particular site next to a WaWa and a gas station. Mr. Bierbach seconded. Roll call: Carl Bierbach, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari, and Lou Morales-Aye. None opposed.

Mr. Silver motioned to grant preliminary and final site plan approval with bulk variances and waivers and the condition that the facility is open for a max of 23 hours per day. Mr. Silver further stated that the applicant has agreed to all of the conditions in the zoning board engineer's review letter and he sees no detriment. Mr. Bierbach second. Roll call: Carl Bierbach, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari, and Lou Morales-Aye. None opposed.

MINUTES:

It was moved, seconded and unanimously agreed to approve the meeting minutes from November 1, 2017 and November 13, 2017.

CORROSPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2017-25 granting **JOHN DIPIETROPOLO** a use variance to operate a shrimp farm which is licensed under the Department of Agriculture as aquatic farming. Premises located at 9214 Collins Avenue, Block 3605, Lot 20 in Zoning District LI.

Resolution #Z-2017-26 granting **BAYADA HOME HEALTHCARE** a revision to the site plan resolution approval to include the phases of completion. Premises located at 4300 & 4350 Haddonfield Road, Block 4301, Lot 1 & 6 Zoning District R-1, R-4, R-5, C-1.

BILLS:

12/6/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Zoning Board Solicitor Monthly Retainer-
\$1,134.67.

12/6/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Luis DeJesus-
\$201.50.

12/6/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Lida Estilow-
\$201.50.

12/6/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Fithian Properties-**\$46.50.**

COORDINATOR'S REPORT:

Not at this time.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 7:45 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary