

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: Lou Morales, Shirley Butler, Darlene Hannah, Jaye Silver, Dianne Piccari and Duke Martz. Acting Solicitor Richard Wells, Esq., Zoning Board Engineer, Raymond Jordan, Planning & Zoning Coordinator John Adams, 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 Lysa Longo.

HEARINGS:

MARTIN SALDANA-Seeking a use variance and site plan approval to convert an existing office and retail use into a multi-unit apartment with six units. Premises located at 3801 Marlton Pike, Block 5832, Lot 11 in Zoning District C-1.

Mr. Allen Zeller, Esq. came forward to represent the applicant.

Mr. Zeller gave an overview of the application. He stated that the applicant, Martin Saldana, M&R Management Services seeks to convert an existing office building into 6 residential unit apartments. The property is located on the corner of Marlton Pike and Chadler Avenue in the C-1 Commercial Zoning District. Mr. Zeller further informed the board that the property has been vacant for some time and there will be substantial upgrades to the property. Mr. Zeller further testified as to the bulk variances for parking and design waivers as well.

The Architect for the project, Mr. El Donaldo F. Vid, the Professional Planner, Mr. James Miller, the and the Zoning Board Engineer, Ray Jordan all came forward and were duly sworn by the Solicitor.

Mr. Vid described his credentials and was qualified as expert witnesses by the board.

Mr. Vid testified that the property is a commercial building and he described the existing conditions at the site. Mr. Vid further testified that the building will be converted to have four (4) two bedroom apartments and two (2) one bedroom apartments and each will have its own entrance. Mr. Vid further testified that a washer and dryer will be installed in each unit.

Upon query, Mr. Silver was informed by the applicant that they will make the building ADA accessible if it is required.

Mr. Vid further stated that they will do some exterior improvements such as clean and repair the brick on the façade of the building. Mr. Vid further testified that the basement of the building will be used for storing equipment for the building and there are existing steps to the basement on the outside.

Mr. Martz left the meeting at 7:40 pm.

The applicant presented a series of 5 photos of the property to the board.

The Solicitor marked the photos of the building into evidence as A-1 through A-5.

Mr. Vid testified that the building is structurally sound and they will make repairs to the existing parking lot.

Mr. Ray Jordan read his review letter dated January 24, 2017 onto record.

The applicant agreed to comply with all of Mr. Jordan's recommendations in his review letter.

Mr. Martin Saldana, 7741 Lee Avenue, Pennsauken came forward to testify and was duly sworn by the Solicitor.

Mr. Saldana testified that he purchased the building and that all of the testimony given by the experts so far is correct. Mr. Saldana further testified that he lives in Pennsauken and his business use to be in Pennsauken. However, he has since moved his business to Camden.

Mr. Miller testified as to the surrounding area of the site. He stated that the surrounding area around the building is predominantly residential consisting of twin homes, town homes and in the rear of the building is the residential R-3 Zoning District which consists of single family homes. Mr. Miller described the variances necessary for the application. Mr. Miller further testified as to the positive and negative criteria of the application. Mr. Miller stated that the proposed use is a less intense use than what is permitted in the C-1 Commercial Zoning District.

Upon query, Mrs. Butler was informed by the applicant that there will be large trash receptacles provided for each unit and the residents will be able to push them to the curb.

Upon query, Mr. Morales was informed by the applicant that the residents will be provided with trash cans that they can fill and put out to the curb and all of the trash cans will be located in the rear of the building. Mr. Morales stated that he believes a dumpster should be provided at the site. Mr. Morales was further informed by the applicant that they will repair and resurface the existing parking lot as needed, they will be installing additional lighting in the rear of the building and they will also be repairing an existing retaining wall at the site.

Upon query, Mrs. Butler was informed by the applicant that each unit will have separate water, gas & electric meters, heating and air conditioning units and a washer and dryer. The applicant further informed Mrs. Butler that they will install additional lighting at the site and repair the parking lot. The applicant further stated that they will install a sign that will identify the name of the apartment complex.

Upon query, Mr. Silver was informed by the applicant that each unit will be provided with parking in the rear of the building. The applicant further stated that there is additional parking on the street and the proposed use is a lot less intense than what is permitted in the C-1 zone.

Mr. Zeller stated that the applicant purchased the property and has not been successful getting commercial tenants to lease space at this site and the property has been vacant for years.

Upon query, Mrs. Butler was informed by the applicant that they will try to control any parking issues at the site by limiting the parking to each unit within the tenant's lease.

Upon query, Miss Hannah was informed by the applicant that he purchased the property and has not used the property for anything else as of yet.

Upon query, Miss Piccari was informed by the applicant that he purchased the property with the intention to rent the units to businesses. However, he has not been successful. The applicant further informed Miss Piccari that he could not afford to have any less than 6 apartment units at the site. Miss Piccari was further informed by the applicant that there will be additional lighting installed in the rear and the front of the building and a security system will be installed at the site as well.

Upon query, Mr. Vid informed Mrs. Butler that each unit must and will have fire walls, ceilings and floors.

Upon query, Mr. Morales was informed by the applicant that each apartment will be approximately 800 (+/-) square feet each. The applicant further informed Mr. Morales that a section 8 certificate becomes transportable after one year and if someone wants to rent one of these apartments, they will not discriminate.

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 for the conversion of an office building into a 6 unit apartment building within the C-1 zone and for site plan approval. Section 141-81 of the township ordinance establishes the C-1 Zoning District, which does not permit multifamily dwellings and a use variance is therefore required. The applicant presented two experts

for the application. An architect and planner and both were qualified as experts. The applicant's architecture expert provided an overview of the existing conditions as well as the plan modifications to the site. The applicant's planner summarized the proposed modifications for the site and specifically addressed the positive and negative criteria applicable to the requested relief. The planner provided extensive testimony as to the positive and negative criteria as well as the suitability of the proposed site and how it advances the purpose and intent of the municipal land use law. We also heard testimony from the applicant as to his history and background on operating the property, his purchasing the property and why he is seeking a variance for the proposed use. There were two conditions that the applicant agreed to. As a condition to the approval, first being that the applicant will confirm whether any ADA parking spaces are required. It is the applicant's belief that at this point there are not. If any modifications are necessary, the applicant will coordinate with the board professionals. Second, the applicant has agreed to attempt to control the parking through the tenant's lease agreements to limit the number of cars that will occupy the parking lot and try to eliminate any overflow.

Miss Hannah motioned to accept fact finding. Mr. Silver seconded.

Miss Hannah motioned to grant the use variance and site plan with the conditions imposed by the board. Miss Hannah stated that currently the property is an eye sore and the applicant has shown a way to fix up the property and it is good for the surrounding community. Miss Hannah further stated she believes that the application enhances the intent and purpose of the land use law by providing housing for people of the community, the use is consistent with the surrounding residential area, it is a less intense use than what is permitted in the zone and she sees no detriment to the community. Mr. Silver seconded. Roll call: Lou Morales, Shirley Butler, Jaye Silver, Darlene Hannah, and Dianne Piccari -Aye. None opposed.

MINUTES:

None

CORROSPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2017-01 - Granting **CRYSTAL SMITH** a use variance to permit a fitness training facility operation in the C-2 zone where it is not a permitted use and any other variances required by the Pennsuken Township Zoning Board. Premises located at 5509 N. Crescent Blvd, Block 4808, Lot 2 in Zoning District C-2 & Redevelopment.

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 8:50 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary