

**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: Paul Hoyle, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari, and Duke Martz. Acting Solicitor Richard Wells, Esq., Zoning, 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.

Paul Hoyle assumed the seat of absent member Carl Bierbach.

**HEARINGS:**

**SWAMIBAPA 73, LLC**- Seeking relief from the front yard fence setback requirement of 20 feet for a 6 foot fence & wall (3 feet of brick wall with 3 feet of fence on top) and any other variances required by Pennsauken Zoning Board. Premises located at 1444 Route 73, Block 2600, Lot 5 in Zoning District C-1 & Redevelopment.

John Adams stated that this application was approved by the Redevelopment Authority.

Mr. Rich Roy, Esq. came forward to represent the applicant. Mr. Roy stated that the applicant is for a variance to install a decorative brick wall with a fence on top.

Mr. Kaush Patel, Principal of Swamibapa 73, LLC, 2011 Walsh Road, Philadelphia, PA and Mr. Brent Stephens, Stephens Landscaping, contractor for the applicant, 994 Lower Mill Road, Pittsgrove, NJ came forward to testify and both were duly sworn by the Solicitor.

Mr. Patel testified that he is the general manager of the banquet hall and he purchased the property on August 5, 2016. Mr. Patel further stated that they are proposing to install a decorative wall with an aluminum fence on top. They have been making improvements on the property both inside and outside and this is the first of the improvements they want to make to the exterior of the building. They wish to make the improvements to the property so that that it is more presentable and it will better the community.

Mr. Stephen's testified that they want to make the property look like a "fantasy land" in that they want to make improvements that are over and beyond necessary for weddings and formal events. Mr. Stephen's testified that the structure they propose is approximately 5'9" tall. It will be made of a block brick bottom with a 3 foot black aluminum fence on top. There will be openings to drive through and there will be no gates. Mr. Stephens further stated that the fence will not interfere with an existing fire hydrant at the site.

Upon query, Miss Piccari was informed by the applicant that there will be no site line issues for traffic.

Upon query, Mr. Martz was informed by the applicant that the fence is only for esthetics.

The applicant testified that there is no detriment and the benefits outweigh the detriments. The applicant further stated that they will be removing existing trees from the property and installing low maintenance shrubs

Upon query, Miss Piccari was informed by the applicant that the facility will be strictly used for catering events. It will not be used as a night club as it was in the past.

Upon query, Mrs. Longo was informed by the applicant that the hall is divided into separate rooms so that they can cater several events at one time.

Mr. Hoyle commented that he believes the proposed plan will look nice.

Upon query, Mrs. Longo was informed by the applicant that the fence on top of the wall will have a top and bottom rail for safety.

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 fence will be decorative and safe. There will be no gates for ingress and egress. Mr. Adams was further informed by the applicant that if the fence were to be damaged, there is a 20 year warranty on the structure for repairs and/or replacement. The applicant further informed Mr. Adams that he owns the property and does not plan to lease the property or leave any time soon in the future.

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 bulk variance relief based upon the applicant's desire to construct a 6 foot screening fence along the front of the property in a C-1 zone and redevelopment zone. Section 141-84 establishes the C-1 zone and subsection D only contemplates screening style fences or other structures on the rear and side yard of the property. The applicant is proposing to install a screening style fence consisting of a 3 foot wall and a 3 foot fence, roughly 6 foot high along the frontage of the property, which necessitates the request for bulk variance relief. The applicant received approval by the township redevelopment authority. The applicant purchased the property in August of 2016 and submitted exhibit A-1 which are pictures of similar style structure and exhibit A-2 which is labeled a site plan of the structure. The applicant and his contractor both testified as to the style of the fence, structure of the fence and the placement of the fence on the property. The applicant confirmed that the concern by the fire marshal would be addressed and the applicant agreed to a condition to the approval to make sure that there is at least 10 foot of space between the fence and the fire hydrant at the property. No members of the public appeared to testify. The applicant testified that there are no detriments and that the benefits outweigh the detriments. The applicant also testified that there are substantial benefits to the esthetics of the property.

Mrs. Longo motioned to accept fact finding. Mr. Silver seconded.

Mr. Silver motioned to grant the application. He stated that he believes the applicants are adding beauty to the property and he is hoping they set precedence in that area. Miss Hannah seconded. Roll call: Mr. Hoyle Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari and Duke Martz -Aye. None opposed.

**MINUTES:**

None

**CORROSPONDENCE:**

None

**RESOLUTIONS:**

**Resolution #Z-2017-12** granting **MARK WHITE** 28 feet of relief from the rear yard setback requirement of 30 feet for a 5 x 5 deck (no roof). Premises located at 3140 Bethel Avenue, Block 3006, Lot 8 in Zoning District R-3.

**BILLS:**

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

***6/21/2017***-Florio, Perrucci, Steinhardt & Fader, LLC-Zoning Board Solicitor Monthly Retainer-***\$1,134.67***.

***6/21/2017***-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for William Hickman-***\$201.50***.

***6/21/2017***-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Scott & Michael Mallinger-***\$201.50***.

**COORDINATOR'S REPORT:**

None

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