

Council, in the State of New Jersey was held on the above date at the Pennsauken Municipal Building, 5005 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, Lysa Longo, Paul Hoyle, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari, Lou Morales 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.

HEARINGS:

WILLIAM HICKMAN - Seeking 20 feet of relief from the front yard fence setback requirement of 20 feet for a 6 foot vinyl fence and any other variances required by Pennsauken Township Zoning Board. Premises located at 8285 Sheppard Road, Block 1615, Lot 1 in Zoning District R-3.

Bill & Christy Hickman, 8285 Sheppard Road came forward to testify and were both duly sworn by the Solicitor.

Mr. Hickman testified that they would like to replace an existing 4 foot chain link fence with a 6 foot vinyl fence on the same fence line.

The applicant presented a packet of pictures depicting similar fences in their neighborhood.

The Solicitor marked the packet of pictures into evidence as A-1.

Upon query, Mrs. Longo was informed by the applicant that they currently have a 4 foot fence and they want to replace it with a 6 foot vinyl fence.

Upon query, Mr. Bierbach was informed by the applicant that they will remove the existing fence to install a new 6 foot vinyl fence in the same foot print. The applicant further informed Mr. Bierbach that the fence will be solid, white and it will have two gates on both sides of the property. One gate will be for the landscaper's lawn mower and larger equipment and the other for general access.

Upon query, Mrs. Longo was informed that the fence will not obstruct the street line view.

Upon query, Mr. Silver was informed by the applicant that they had to come to the board because they are extending the height of the fence. Mr. Silver was further informed by the applicant that they have had items stolen from their yard in the past and they are hoping the 6 foot solid fence will help to deter further intrusions.

Upon query, Mrs. Hannah was shown digital pictures from the applicant's cell phone depicting the existing fence on their property.

Upon query, Miss Piccari was informed by the applicant that the 6 foot fence will go around the perimeter of the yard to secure the pool and the fence will have two gates.

Mr. Martz recommended that a 4 foot fence be installed toward the front of the property and a 6 foot fence down the sides and rear yard.

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 install a 6 foot vinyl fence around the property in the R-3 zone. Section 141-89,

fence is no longer in good condition and that the 6 foot height is being requested to both provide privacy for the existing pool and to provide additional security based upon prior issues with intrusions on their property. The applicants testified that a solid vinyl fence will be installed which is similar to other fences in the neighborhood and that it will also be equipped with two gates. The applicant did note that the property is set back further than other properties in the neighborhood and submitted that the proposal for a 6 foot vinyl fence toward the front will not create a "fortress" as the board is concerned about. The applicant submitted exhibit A-1, which is a collection of color pictures of other properties in the neighborhood with similar fences and they also provided digital pictures to the board, representing the current state 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 have a hardship in that they have a pool and the fence will provide privacy and safety and that the fence will also help deter further intrusions on their property as they have had in the past. Mr. Martz seconded. Roll call: Carl Bierbach, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari and Duke Martz -Aye. None opposed.

SCOTT & MICHAEL MALLINGER - Seeking 19 feet of relief from the rear yard setback requirement of 35 feet for a 10' x 12' deck on the rear of house and any other variances required by Pennsauken Township Zoning Board. Premises located at 6421 Lexington Avenue, Block 6110, Lot 1 in Zoning District R-2.

Scott & Michael Mallinger, 6421 Lexington Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Mallinger testified that they have a deck that is raised off the ground, it is old and rickety and it's not safe. Therefore, they have to replace it. The applicant further testified that it's a large back deck. However, they don't use it because it sits up high and there is no privacy from the neighbors. Therefore, they would like to create a landing from the existing house, have steps going down to the back yard and build the deck at ground level.

Upon query, Mrs. Butler was informed by the applicant that they will have a contractor construct the deck.

Miss Picarri stated that she has no problem with the deck and she believes it will be an improvement.

Upon query, Miss Hannah was informed by the applicant that the deck will be low to the ground and they will not need railings around it.

Upon query, Mr. Silver was informed by the applicant that there is an existing fence around their entire property.

Upon query, Mrs. Longo was informed by the applicant that the deck will be constructed with wood.

Upon query, Mr. Bierbach was informed by the applicant that deck will be open and they do not plan to enclose the deck.

Upon query, the Solicitor was informed by the applicant that they will not be installing any utilities on the deck. The existing lighting in the yard is sufficient.

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 applicant for bulk variance relief based upon the applicant's desire to construct a deck in the rear of the property. Section 141-77 of the township code establishes the R-2 zone and Subsection C4 requires a rear yard setback of 35 feet. The applicant is proposing

results in the variance from the setback requirement. The applicants committed that they have a contractor hired to construct the deck and they will obtain permits contingent upon the approval this evening. The applicant confirmed that the deck will not have a roof or any other utilities and that the existing lighting is sufficient. The deck is not high enough to require railings.

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

Mr. Martz motioned to grant the application. He stated that he believes there is no detriment. He further stated that he believes the new deck will be better for the esthetics and will provide more privacy from the neighbors. Mr. Martz Silver seconded. Roll call: Carl Bierbach, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari and Duke Martz -Aye. None opposed.

MINUTES:

It was moved, seconded and unanimously agreed to approve the April 5th and April 19th meeting minutes.

CORROSPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2017-08 granting **RYAN MCDONALD** 24 feet of relief from the rear yard setback requirement of 35 feet for an 18' x 18' deck (No Roof). Premises located 2621 Finlaw Avenue, Block 2909, Lot 4 in Zoning District R-2.

Resolution #Z-2017-09 granting **MACKK PROPERTIES LLC** a use variance and waiver of site plans for a social hall in the C-2 zone and expansion into the R-3 zone. Premises located at 6702 North Crescent Blvd, Block 2217, Lot 6 in Zoning District C-2, R-3 & Redevelopment.

BILLS:

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

*5/3/2017-T&M Associates, Engineering Services for Dollar Tree-**\$837.00.***

*5/3/2017-T&M Associates, Engineering Services for Stonegate II-**\$2,369.28.***

*5/3/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Zoning Board Solicitor Monthly Retainer-**\$1,134.67.***

*5/3/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Bayada-**\$201.50.***

*5/3/2017-Florio, Perrucci, Steinhardt & Fader, LLC-Preparation of Resolution for Eddie's Pizzeria-**\$201.50.***

COORDINATOR'S REPORT:

Mr. Adams informed the board as to some of the projects that are going on around town.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 7:50 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary