

May 4, 2022

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN

The meeting of the Zoning Board of Adjustment of the Township of Pennsauken, County of Camden, State of New Jersey was held on the above date. The meeting was being held via zoom.

Chairwoman Shirley Butler called the meeting to order at 7:00 P.M. Chairwoman Butler announced the meeting was being held in compliance with the New Jersey Open Public Meetings Act and had been duly advertised. The Chairwoman led the flag salute.

Roll call showed the following members to be present: Dianne Piccari, Paul Hoyle, Osvaldo Alves, Eddie DeVilla, Giovanni Cirilli, Darlene Hannah, and Chairwoman Shirley Butler, constituting a quorum. Also present were: Stephen Boraske, Solicitor; Gene Padalino, Planning and Zoning Coordinator; Daniela Tavarez, Planning and Zoning Assistant; Doug White; Zoning Board Engineer and Mary Leonard, Secretary.

Hearings

Ali Burgos is seeking 6 feet of relief from the front yard setback requirement of 30 feet in an R-2 Zone for a 10' x 6' porch/patio, 2 feet in height, and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 1510 Hillside Terrace, Plate 3, Block 303, Lot 25 on the Tax Map of the Township of Pennsauken, Zoning District R-2. (Continued from March 16<sup>th</sup> meeting)

Ali Burgos, 1510 Hillside Avenue, Pennsauken, New Jersey was sworn in by Solicitor Boraske.

The applicant proposes to use the porch for a sitting area. There is an awning from the existing structure.

Dianne Piccari questioned if the porch would be enclosed. The applicant replied no, it will be open on both sides and has two steps. There is an overhang from the roof. Ali Burgos stated she did not know she needed a permit for an open porch. She put it in for her aunt that lives with her.

Paul Hoyle questioned if her aunt needs a ramp and railing. Ali Burgos stated her aunt does not need a ramp as she is not handicapped. They will have a railing on the front and sides.

Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Boraske conducted fact finding. The applicant is requesting 6 feet of relief from the front yard setback requirement of 30' in an R-2 Zone for a 10' x 6' porch/patio, 2 feet in height. It has no negative impact of the Master Plan and it has no negative impact on the neighbors. The porch/patio will make it more accessible for a family member and it will make the home look better. The porch/patio will be open. The applicant is to secure all permits that are required.

Dianne Piccari moved to accept fact finding, seconded by Giovanni Cirilli, with all members agreeing unanimously.

Paul Hoyle moved to grant the application as it is not a detriment to neighbors and will fit in with the appearance of the house and will look nice. Giovanni Cirilli second the motion, which carried unanimously on roll call vote.

The vote was as follows. Giovanni Cirilli yes as stated. Dianne Piccari yes as stated. Ozzie Alves yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Darlene Hannah yes as stated. Chairwoman Shirley Butler yes and stated she hopes the applicant enjoys her porch and reminded her if she is going to do anything else, she will need a permit.

Rios Castro is seeking 20 feet of relief from the front yard setback requirement of 20 feet in an R-4 Zone for a 10' x 10' pergola and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 4733 Lafayette Avenue, Plate 52, Block 5215, Lot 1 on the Tax Map of the Township of Pennsauken, Zoning District: R-4.

Yeidy Rios Castro, 4733 Lafayette Avenue, Pennsauken, New Jersey, was sworn in by Solicitor Boraske.

Mrs. Castro stated the 10' x 10' pergola sits in front of the house and doesn't meet the 20' setback. She requested a variance. The work was done and she did not know she needed a permit. They want it so they can spend more time with family and friends and so they can sit outside in the summer. The neighbors helped to build it. It will be used for birthday parties and get togethers.

They purchased the pergola and put it up but they did not know they needed a permit. Chairwoman Butler questioned if it could be moved back. The applicant replied if it is moved back, it will be too close to the house.

Jose Martinez, 4721 Lafayette Avenue, Pennsauken, New Jersey, was sworn in by Solicitor Boraske. Mr. Martinez stated it is a beautiful structure and he was in favor of it.

Alva Rosaria 4722 Lafayette Avenue, Pennsauken, New Jersey, was sworn in by Solicitor Boaraske. Alva Rosaria stated she lives across the street from the applicant and was in favor of the structure.

Leopoldo Rosario, 4735 Lafayette, Avenue, Pennsauken, New Jersey, was sworn in by Solicitor Boraske. Mr. Rosario stated he was in favor of the structure.

#### Public

Chairwoman Butler opened the meeting to the public.

Keia Brown, 4730 Lafayette Avenue, Pennsauken, New Jersey, was sworn in by Solicitor Boraske. Keia Brown stated she was in favor of the structure and thought it was a good idea.

The public portion of the meeting was closed.

Paul Hoyle questioned if this could be granted. It meets side yard setback but it does not meet the front yard setback.

Solicitor Boarase stated it could be granted a variance for relief but it can not obstruct the view for pedestrians or drivers. It cannot have a visual impact on the driveway.

The applicant was questioned if they could move the structure back 5'. The applicant stated they would look into it.

This application will be tabled for the meeting of June 1, 2022. The applicant agreed. A decision will be reserved until the meeting of June 1, 2022. No further advertisement or notices will be required. All members of the Zoning Board agreed unanimously to the matter being tabled until June 1, 2022.

AFC Urgent Care R/E LLC is seeking a variance for multiple uses within 1 lot and all associated variances and waivers that may be required by the Pennsauken Zoning Board located at 6602-6630 S. Crescent Boulevard, Plate 58, Block 5836, Lots 1 & 9 on the Tax Map of the Township of Pennsauken, Zoning District: C-2.

Christopher Wisniewski, Esq. 457 Haddonfield Road, Cherry Hill, New Jersey 08002 represented the applicant.

Urgent Care is requesting a change of use for a retail store. A floor plan of Urgent Care was submitted. The proposed retail space will be on the left-hand side of the building.

Velvet Howell, 9 Hampton Court, Sicklerville, New Jersey 08081, property owner, Val Fichera, Philadelphia, Pa and Doug White, Zoning Board Engineer, were sworn in by Solicitor Boraske.

Val Fishera stated she helps people with supplements or medication for their health and with cancer. The customers are instructed to inform their physician concerning the supplements and medication. When the customer orders the product, it is mailed to them. Val Fishera takes the mail directly to the post office. The hours of operation will be Monday thru Saturday 10:00 A.M. until 7:00 P.M. They will be closed on Sundays.

There will be no deliveries in the parking lot. The deliveries will come to her home for safety purposes. There will two employees. One will be herself, full time, and her nephew, part time. She already has a small cliental. No children are allowed. They must be 21 or over. The opening date is planned for June 1, 2022.

Doug White questioned how many customers would there be a day. The applicant replied approximately five a day. The customer can receive a 30 to 90 day supply. There is no signage yet but there will be one and it will comply to the Township Ordinance. She will come back to the Planning Board, if necessary.

Doug White stated the lighting is not functioning at night properly. The landlord stated he will get the lights in the parking lot fixed and will address the exterior lighting. Mr. Howell stated he will have an electrician come out and fix the timer, which is not working correctly. It will be resolved.

#### Public

Chairwoman Shirley Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Attorney Wisniewski stated the applicant is requesting a use variance. It is a permitted use. The product is an alternant to traditional medicine. It is a less intense use. There is no detriment to the public good and there is little traffic.

Solicitor Boraske conducted fact finding. There is adequate space. There is no detriment to the public good. There is no detriment to the Master Plan or the Zoning Ordinance. The property owner will resolve the lighting issues, especially at night. The approval is conditioned to approvals and permits. The applicant has addressed the concerns of the Zoning Board Engineer. Standard conditions and permits apply.

Darlene Hannah moved to accept fact finding, seconded by Giovanni Cirilli, which all Zoning Board members agreed unanimously.

Paul Hoyle moved to grant the use variance and waiver of site plan subject to conditions as stated and the applicant is to meet with Doug White concerning lighting. The motion was seconded by Darlene Hannah, stating it is suitable for the area and the lighting conditions are to be corrected. The motion carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated and instructed the applicant to follow the sign ordinance. Ozzie Alves yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Giovanni Cirilli yes as stated. Darlene Hannah yes as stated. Chairwoman Shirley Butler yes and wished the applicant good luck and to be sure to comply with the sign ordinance.

#### Resolutions

Resolution Z-2022-18 was presented granting Patricia Buchanan 20 feet of relief from the front yard fence setback requirement for a 6-foot vinyl fence in the front yard. Premises located at 6228 High Street, Pennsauken, New Jersey 08110, Plate 6, Block 607, Lot 13.

Resolution Z-2022-19 was presented granting James Bryson 5.15 feet of relief from the rear yard setback requirement of 30 feet for a 14' x 30' open deck in the rear yard. Premises located at 2859 Morton Avenue, Pennsauken, New Jersey 08110, Plate 36, Block 3603, Lot 11.

Ozzie Alves moved the resolutions be adopted, seconded by Dianne Piccari, which carried unanimously on roll call vote.

The vote was as follows. Paul Hoyle yes. Dianne Piccari yes. Ozzie Alves yes. Eddie DeVilla yes. Chairwoman Shirley Butler yes.

#### Minutes

Dianne Piccari moved to approve the minutes of April 13, 2022 and April 20, 2022, seconded by Ozzie Alves, which carried unanimously on roll call vote.

#### Bills

Bills were presented from the firm of Florio and Perrucci in the amount of \$4,068.67. Darlene Hannah moved the bills be paid, seconded by Ozzie Alves, which carried unanimously on roll call vote.

The next meeting will be held on May 11, 2022 at 7:00 P.M. via zoom.

The meeting was duly adjourned on motion at 8:50 P.M.

Respectfully submitted,



Mary L. Leonard

Secretary