

**ZONING BOARD OF ADJUSTMENT
MINUTES
JANUARY 9, 2019**

The regular and reorganization meeting of the Zoning Board of Adjustment was called to order by David Frank, Esq., Acting Attorney.

All rose for the Pledge of Allegiance. Meeting has been advertised in accordance with the State Open Public Meetings Act.

Attorney Frank administered oath of office to: Lu Valentino, Class IV, Term Expires 12/31/2019
Steven Schmidt, Class IV, Term Expires 12/31/2022
Richard Borden, Alt. #1, Term Expires 12/31/2021
Dawn Sadlowski, Alt #2, Term Expires 12/31/2020

Roll Call:

Present: Michael Bimmer
John Gee, Jr.
Karen Radie
Angie Santori
Steve Schmidt
Lu Valentino

Richard Borden, Alt. #1
Dawn Sadlowski, Alt. #2

Absent: John Zahradnick

Also Present: David Frank, Esq.
Robert Kingsbury, Esq.
John Cantwell, P.E., P.P., C.M.E.
Kevin Rijs, Community Development Director

Organization of the Board:

Nomination of Chairman. *John Gee, Jr. (Bimmer/Santori)*

Motion to Close Nominations: Borden/Bimmer. All In Favor.

Nomination of Vice Chairman. *Michael Bimmer (Schmidt/Santori)*

Motion to Close Nominations: Borden/Santori. All In Favor.

Nomination of Attorney. *Robert Kingsbury, Esq. (Gee/Borton)*

Motion to Close Nominations: Motion/Second. All In Favor.

Appointment of Engineer. *Remington & Vernick (Gee/Bimmer)*

Motion to Close Appointment: Bimmer/Santori. All In Favor.

Appointment of Secretary. *Debbie Henderson (Gee/Borton)*

Motion to Close Appointment: Bimmer/Schmidt. All In Favor.

Appointment of Environmental Engineer. *Marc Selover, Environment Resolutions, Inc. (Borton/Schmidt)*

Motion to Close Appointment: Bimmer/Santori. All In Favor.

**ZONING BOARD OF ADJUSTMENT
MINUTES
JANUARY 9, 2019
Page 2**

Consent Approval of Meeting dates for the year as set by Council. *Gee/Bimmer. All In Favor.*
Consent Approval of Official Newspaper authorized by Council. Courier Post, the Central Record and Burlington County Times. *Gee/Bimmer. All In Favor.*

New Business:

2836 Rt.73 N. – Block 189.01; Lot 2.01, 2.06, 2.07, & 2.11; Jersey Premier Outdoor Advertising Billboards; Z-17-8 Zone: Business Development (BD)
Existing Use: Clover Motel **Proposed Use:** New Doubled Sided LED Billboard Sign 14’ x 48’
Application: D Variance with Site Plan **One side LED and One Side Static**

Motion to continue application under the condition that new notices will be served; to be heard at March 13, 2019 meeting: Borton/Schmidt Roll Call: All Approve.

* *Attorney Kingsbury joined meeting.*

860 Rt.73 N. – Block 174; Lot 2.03; Jersey Premier Outdoor Advertising Billboards; Z-17-9
Zone: Business Development (BD)
Existing Use: Retail Building **Proposed Use:** New Doubled Sided Static Billboard Sign 14’ x 48’
Application: D Variance with Site Plan **Both sides Static**

Motion to continue application under the condition that new notices will be served; to be heard at March 13, 2019 meeting: Borton/Radie Roll Call: All Approve.

508 S. Lenola Rd. – Block 189.02; Lot 1; Cellco dba Verizon; Z-18-20
Zone: Business Development (BD)
Existing Use: Telecommunications Facility **Proposed Use:** Expansion
Application: D Variance with Site Plan – Emergency Generator Installation

Christopher Schubert, Esq. on behalf of Verizon Wireless

Edward Martella, Project Engineer, TECTONIC; Brian Seidel, Professional Planner; Jonathan Mapp, Project Manager, Verizon Wireless, sworn in by Attorney Kingsbury.

Notices were sent out to all parties, including those in Moorestown and Mt. Laurel. Exhibit packages distributed.

Testimony by Mr. Martella. Property contains unmanned telecommunications facility and tower; building houses telecommunications switching facility. Property is owned by Cellco Partnership dba Verizon Wireless. Described MASF upgrades on site (resolution from 2015). Substantial upgrades made to existing storm water system.

**ZONING BOARD OF ADJUSTMENT
MINUTES
JANUARY 9, 2019
Page 3**

Footprint not being expanded; inside of building will be improved to accommodate new equipment. Only exterior improvement will be rooftop venting units. Also, provision is being made for emergency back-up power. One megawatt generator will be at south side; provides support in the event of a power outage. Diesel-powered generator will be completely enclosed and has sound attenuation materials. No concern with leakage – tank is double walled and has a number of alarms which will go back to switch; switch is manned, 24 hours a day in some cases. Discussion of buffering/screening and storm water system. Holding tank is 1,000 gallons of fuel; lasts 2½ – 3 days. Testimony by Mr. Mapp: generator is purely an emergency, back-up generator. Maintenance/exercise of the generator takes place on a regular basis; 30 minutes once a week. Applicant is amenable to scheduling maintenance to occur no earlier than 10 A.M. Testimony by Mr. Seidel. Comments by Mr. Cantwell.

Public: None

1st Motion: To grant a “d (2)” use variance for the expansion to install generator, to include conditions: maintenance done after 10 AM during weekday; subject to engineering report being accepted on adequate storm water management; details for retaining wall.

Motion to Approve: Radie/Schmidt. Roll Call: All Approve.

2nd Motion: To grant minor site plan approval with conditions enumerated. Waiver of landscaping plan.

Motion to Approve: Borton/Schmidt. Roll Call: All Approve.

314 E. Main St. – Block 102; Lot 4; St. John’s Episcopal Church; Z-18-21

Zone: Downtown Business (DB)

Existing Use: Vacant Store Proposed Use: Church

Application: “D” Use Variance

Ellen McDowell, Esq., McDowell Law PC

Christina Crowthers, St. John’s Episcopal Church, sworn in by Attorney Kingsbury

Testimony by Ms. Crowthers: Three-year lease; maximum of 15 members, including clergy; plan is to add approximately 10 additional members. Regarding parking, estimation is one car for every three people. One service on Sunday, 10 – 11 AM. During the week, space will be used for resourcing out people, doing e-mails, etc., trying to resource people who have issues/problems and may request prayer. Approximately four persons during the week, to include members and people outside the congregation; property would be used 9 AM – 9 PM. No thrift shop, no soup kitchen, no drug/alcohol rehab, no weddings/funerals, church has no employees. No onsite parking. They have a written statement that Columbia Bank is allowing use of their facility for parking on Sunday and have contacted the Masonic Lodge regarding parking at their facility. Their Plan B would be for parking on Front Street and shuttle people; they have communicated to their members not to park on Chestnut Avenue. OLPH also uses the Columbia Bank facility for parking; however, hours of worship are different.

**ZONING BOARD OF ADJUSTMENT
MINUTES
JANUARY 9, 2019
Page 4**

Board members commented that service time will coincide with OLPH and parking at Columbia Bank, and that there is parking in front of Steinhauer School and on Main Street – the other side of Chestnut.

A sketch of the proposed space was distributed to Board members. No changes will be made to the outside of the building. There will be a portable handicapped ramp. Chairman Gee – overview of Site Plan discussion. If approval is given, it will stay with building. Board member questioned sound-proofing and kitchen area.

Public: Robert Berard, Berard’s Carpet, 318-320 East Main Street, sworn in by Attorney Kingsbury. Comments regarding parking.
Bob Anzidei sworn in by Attorney Kingsbury. Comment regarding possible parking at Steinhauer School.

Board: Engineer Report by Mr. Cantwell.

Motion to Approve: Radie/Bimmer. Roll Call: 4 Affirmative; 3 Denial

Michael Bimmer	APPROVE	Steve Schmidt	DENY
John Gee, Jr., Chairman	APPROVE	Lu Valentino	DENY
Karen Radie	APPROVE	Richard Borden	DENY
Angie Santori	APPROVE		

104 Orchard Ave. – Block 8; Lot 4; Spectrum; Z-18-22
Zone: Residential (RA)
Existing & Proposed Use: Residential
Application: C Variance – Accessory Structure/Use – ground mounted solar panels

Public Notice Issue. Case Not Heard.

Old Business: ***Postponed***

Discussion:

Garden Sheds – Storage Sheds: The 2016 annual report of the ZBA (N.J.S.A. 40:55D-70.1) was adopted by the ZBA at the meeting on 02/08/2017 (A copy of the report is attached). In 2017, the report was distributed to Council and the Planning Board. At the last Zoning Board Meeting the Chairman of the Board initiated a discussion on revisiting the 2016 recommendation that more than one (1) garden shed be permitted per residential lot; the direction to the Board was that consideration should be given to permitting additional storage sheds.

**ZONING BOARD OF ADJUSTMENT
MINUTES
JANUARY 9, 2019
Page 5**

205-71: Non-Conforming Structures – Enlargement/Expansion

N.J.S.A. 40:55D-3& D-68: "*Nonconforming structure*" means a structure the size, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption, revision or amendment.

Minutes:

December 12, 2018

Motion to Approve: Roll Call:

Miscellaneous:

Reports:

Solicitor – Resolutions:

2019-ZB-1 508 S. Lenola Rd. – Block 189.02; Lot 1; Cellco dba Verizon

Motion to Approve: Borden/Schmidt. Roll Call: All Approve.

Eligible to Approve: Michael Bimmer
John Gee, Jr., Chairman
Karen Radie
Angie Santori
Steve Schmidt
Lu Valentino
Richard Borden

Engineer: None

Community Development: None

2018 Annual ZBA report (Draft)

Once Around: Happy New Year

Adjourn:

Motion to Adjourn: Gee/Bimmer. All In Favor.