

**ZONING BOARD OF ADJUSTMENT
MINUTES
MAY 8, 2019**

The regular meeting of the Zoning Board of Adjustment was called to order by John Gee, Jr., Chairman.

All rose for the Pledge of Allegiance.

Meeting has been advertised in accordance with the State Open Public Meetings Act.

Roll Call:

Present: Michael Bimmer, Vice Chairman
John Gee, Jr., Chairman
Karen Radie
Steve Schmidt
Lu Valentino
John Zahradnick

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

Absent: Angie Santori

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

New Business:

325 W. Mill Rd. – Block 137; Lot 2; The Palace Associates LLC – ground mounted solar; Z-19-1

Zone: Residential (RA)

Existing Use: Residential (3.7+/- acres)

Proposed Use: Residential with ground mounted solar to power adjacent nursing home (Palace Care Center) property (Block 137, Lot 2.01 – 315 W. Mill Rd., The Palace Associates, LLC %Rose Mtn).

Application: “d” Variance – Power installation to provide electric to neighboring property with site plan waiver request.

Motion to continue until June 12, 2019 meeting: Radie/Bimmer. Roll Call: All Approve.

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630 Alexander Ave. – Block 141.01; Lot 6; Mancon Enterprises LLC; Z-19-5

Zone: Business Development (BD)

Application: “d” Variance – to allow Construction Company storage yard (vehicles and construction equipment).

Motion to continue until June 12, 2019 meeting: Schmidt/Borden. Roll Call: All Approve.

49 Collins Rd. – Block 1.04; Lot 5.01; Nicholas Sousa; Z-19-7

Zone: Residential-1 Existing Use: Single-Family Home

Application: “d” Variance & Bulk Variance – to allow Home Business Landscape Company (vehicles and equipment) to be parked and stored onsite. Construction of a 30’x 40’ detached garage for personal and landscape company use. Permitted: Private garage 32’x 24’.

Richard Roy, Esq., Comegno Law Group P.C.
Nicholas Sousa sworn in by Attorney Kingsbury.

Mr. Sousa requesting permission to construct a 30’ X 40’ X 22’ pole barn to store vehicle and outdoor equipment; trailers to be stored on outside right of pole barn. Equipment will be stored either in the pole barn or on the trailer. Currently has four trailers; may increase to six. Mr. Sousa lives at the property with his mother. Copies of Google map, survey, and photo of pole barn distributed to Board. Plans to install a 6’ white vinyl fence along the side property line; there is an existing fence along the back. Two sides and rear of property are either Township land or Township park which would be an existing buffer. No customers at site; all business is done at customers’ locations. Mr. Sousa does not anticipate any drainage issues; if any issues occur, he will work with Kevin Rijs to rectify. Plans to have minimal lighting outside door (down-lighting only); if any issues occur, they will be rectified. No proposed signage. Utilities in pole barn: electric; possibly water at sometime in the future. Three employees, including Mr. Sousa; hours: 7:30 AM – Dusk. No specific landscaping proposed. No sidewalk in front of property; is requesting a waiver regarding installation of a sidewalk/curb. Discussion regarding sidewalk waiver.

Report by Mr. Cantwell. Request for positive/negative criteria. *Will allow for business to stay in Maple Shade close to residence; no detriment.* Off-street parking requirements discussed. *Parking issue resolved; there is sufficient parking.* No cuttings, etc. will be stored on site. Where does runoff from garage roof drain to? *Middle of his yard. Runoff will not be directed to neighbor’s property. If water does drain on to neighbor’s property, issue will be corrected.*

Board: Questions regarding possible buffering (shrubs/evergreens) at neighbor’s sight-line, removal of trees, parking, curbs/sidewalks (in lieu of waiver, Council requests sum of money equal to value of curb and/or sidewalk be deposited with Township). Mr. Rijs commented that DOT announced awarding of a grant to do resurfacing on this section of road (does not know if it includes

sidewalk/curbing).

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Chairman Gee suggested that Board not approve the waiver and allow the applicant a certain timeframe to install sidewalk; at that time, the applicant will check with Township Engineer. Mr. Borden suggested a 3-year timeframe.

So there is an accurate record in Community Development office, Mr. Cantwell suggested plan be submitted showing exactly what will be done – e.g., how many trees will be planted, where the fence is, width of driveway. Mr. Rijs agreed to a mark-up survey.

Public: None.

Motion to include: Should there be drainage off building into neighboring property, applicant will correct; parking only on stone area for trailers and vehicles; curb/sidewalk will not be waived, but a time limit will be placed by person making motion; no parking (except for personal vehicles) to the curbside of fence to be installed; vegetation buffering to the left side of property (sight triangle from neighbor to proposed structure); mark-up survey to be given to Mr. Rijs; no human habitation; no occupancy for another business.

Motion to Approve: Borden (timetable – 3 years before sidewalk/curb have to be installed)/Bimmer.

Roll Call: All Approve.

Old Business: None.

Minutes:

April 10, 2019

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

Miscellaneous:

Reports:

Solicitor – Resolutions:

2019-ZB-8: 300 S. Lenola Rd. – Block 189; Lot 4.04 (Kingsway Plaza); Stephanie Weinstein (Hot Yoga); Z-19-8

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

