

**Zoning Board Of Adjustment
February 10, 2021
Draft**

Meeting: Zoning Board of Adjustment

Date: February 10, 2021

- I. Meeting called to order
- 11. Pledge of Allegiance
- III. Open Public Meeting Act

IV. Roll Call

Member	Present	Absent
Ms. Bebeitich	X	
Mr. Borden		X
Ms. Radie	X	
Ms. Sadlowski		X
Ms. Santori	X	
Ms. Valentino	X	
Mr. Zahradnick	X	
Vice Chair Bimmer	X	
Chairman Gee	X	

V. Old Business: Continued

- 1. 131 E Kings Highway (NJSH 41)** -Block 17; Lot 4; BJ's Wholesale
Zone: BD-1
Existing Use: Retail Warehouse with Automobile Tire Service
Proposed Use: Retail Warehouse with Automobile Tire Service and
Fuel filling Station
Application: Preliminary & Final Site Plan Approval & Variance
Relief(Use & Benefit)

3rd Portion of Application-Site Plan Approval/Variance Relief

Witnesses sworn in by Board Solicitor Kingsbury

George Mateo Jr.

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Mark Malinowski

Nathan Mosley

Mr. James Miller

Continued Business: Section 3

Mr. Mateo testified he was in receipt of the RVE Review Letter.

He would like to proceed to Page 5.

Mr. Mateo introduced 4 Exhibits A-1 thru A-4, A-5 New Exhibit

Mr. Malinowski would like to walk thru everything being proposed.A-

1: Aerial Exhibit- Red Area-Proposed Filling Station

Parking Spaces: Code 569, Actual 539, Proposed 413

Proposed Signage on Lenola Rd- 2 Free Standing with pricing information

Existing Dumpster Area-Gas filling Station generates very little trash.

Barrels will be used and then taken to the Dumpster Area.

A-3: Canopy Views-24' X 169' 17' high Clearance 14' 6 dispensing areas,
Dual sides. Front Elevation faces King Highway BJ's Logo on canopy.

A-2: Concept Plan-will not allow Tractor Trailers, but smaller Semi-Trucks
And automobiles.

The Shared Driveway Access with U-Haul is of particular concern to
Board Members. The Access for the 3 Underground Tanks and Delivery
Trucks for BJ's is an Informal Agreement with U-Haul. There currently
Is not a formal Easement Agreement.

Chairman Gee noted that on the Engineer's Report the Underground
Tanks must be 15' from the Property Line. Also, what impact would the
Tanker Trucks unloading the gasoline have on the shared Driveway?

A-5: Shows Tanker superimposed on the Site-Plan.

Chairman Gee asked how many deliveries a day would the Tankers be
Making. Answer: 1-2 daily deliveries and they are Independent Trucking

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Company Tankers.

Chairman Gee noted that the Car Dealerships in Maple Shade claim they Have no control over Independent Car Carriers. Whom do we call at BJ's if This becomes a problem?

Board Member Ms. Valentino stated she has a lot of experience with Tanker's and said the width of the Drive-way is problematic.

RVE's Engineer recommended making a barrier mound to force the tankers Further into the Driveway. Nathan Mosley testified that the tankers can Unload over top of the Underground tanks. He feels the Driveway is wide Enough to accommodate the Tankers entering, then turning around by the Loading Docks at the side of the BJ's Building and exiting back thru the Shared driveway.

Mr. Mateo asked if this eased Ms. Valentino's Concerns? Answer: Yes

Mr. Mosley showed the Signage that would prohibit Semi-Trucks from Entering the Filling Station.

Mr. Mateo would like to go thru the Engineer's Letter.

Mr. McNulty would like some testimony provided on:

- a. Solar Panels- There will be None
- b. LED Downlighting- That will be under Canopy
- c. Propane & Kerosene- Provided in a separate area of the Facility
- d. Storage Shed- small 6' x 6' would be in use for Spill kit and Tools

RVE and BJ's Engineer's came to an agreement about the NO Stopping or Standing Signs

Mr. Malinowski asked for a waiver about widening the sidewalks on King's Highway side of the lot. They wanted to landscape the area instead of widening the sidewalks. This would achieve a more aesthetically pleasing buffer from the King's Highway Vantage Point.

RVE- Will you be addressing the surface ponding in the parking lot?

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Answer: Yes

Chairman Gee asked about the Lenola Rd Entrance? Would they address That entrance. It seems to him that as you enter, you cross over into the Oncoming Exit Lane.

Mr. Mateo would like to have Mr. James Miller, address the Parking and Loading as referred to on page 8 of the RVE Letter.

Mr. Miller testified that code would be 569 spaces. There is currently 539, And the Fuel Filling Station would reduce the number to 413. He further Testified that at Peak Demand BJ's only utilizes 228 spaces.

Relief would allow the site to function well within the Municipal Land Use Law without detriment.

Mr. Mateo asked that Mr. Miller testify to the Redesign of the Property Providing more Greenscaping and make the entire lot more attractive as you Drive by on King's Highway. Mr. Miller testified that granting the sidewalk Waiver is justified due to keep the existing sidewalks in the area consistent With other sidewalks in the area.

RVE would like testimony of Stormwater & Grading of the area.

Mr. Malinowski testified on record that there are no drainage problems, And would be willing to do a televised inspection once the project is Complete.

Mr. Malinowski also testified that No Irrigation system is proposed.

Mr. Miller asked for a Landscaping Waiver to reduce the perimeter Landscaping from 10% to 7.5%. He feels this is appropriate since only a Portion of the property is under review for application. They would like to Waive the Street Trees Requirement. This would keep visibility into the site.

Signage Relief: The Free-Standing sign is required to provide information About gas prices. There will be two free-standing signs. One for each Entrance.

Façade Signage on Canopy- Seeking Variance Relief- Mr. Miller provided

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testimony that the Logo Sign is 2 sq feet larger than code. The size of the signage on the canopy enhances functionality.

There will be no additional signage on the Warehouse Building itself.

That is the Conclusion of their Presentation.

Chairman Gee opened the meeting to the General Public

Mrs. Joanne Mortimer was sworn in by Board Attorney Kingsbury

Mrs. Mortimer testified that she is a BJ's member and shops there weekly.

She is concerned about traffic coming in and out of the King's Highway entrance. She testified that it is very difficult to navigate exiting with the oncoming traffic from the shopping center across the street in addition to traffic on King's Highway.

Mr. Mateo asked Mr. Mosley to address these concerns: Mr. Mosley

testified that a trip generation analysis was done and showed no

significant increase due to the filling station. SH41 is under State

Jurisdiction and the DOT granted approval and provided a letter of NO

Interest.

Public Portion Closed.

Chairman Gee asked for any further Board Member Questions-there being none.

A Motion to Approve with conditions from Page 14 was made by Vice

Chairman Bimmer, second by Mr. Zahradnick, All approve

VI. New Business: 42 N Pine Ave block 85 Lot 15 Bailey's Landscaping LLC
Z-21-02

Zone: business Development (BD)

Existing use: Vacant Building (previously used for Auto Repair)

Proposed Use: Landscaping Contractor

Application: "d" Variance and bulk or "c" variances

Applicant Attorney John Mininno presented the case.

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Board Attorney Swore in Jeff Bailey. He is the owner operator of Bailey's Landscaping. He has owned the business for 20 years and has a Landscape Architect degree from Temple University.

Mr. Bailey testified that his hours of operation are 7:30 am -5:30 pm. He has approximately 15 employees and 7 work vehicles with trailers. His intended use of the property is to store his vehicles, provide a Home Base and design area. He will be constructing a Mulch Bin on the property. There will be no changes to the building itself and he has no plans to store any Hazardous Materials or Bulk Fertilizers on the Property.

Chairman Gee asked if the parking lot will be paved and stripped. Mr. Bailey said no, this would not be a retail location that would necessitate that.

Vice Chairman Bimmer asked about the Mulch Storage bin. Is it made out of concrete, will it have a concrete floor, what will be the height and will it be visible from the street.

Mr. Bailey testified that it is made out of concrete blocks with a concrete floor. It will be a 3 sided bin with the opening towards the parking spaces. It will be 5 foot in height.

Engineer's Report: Board Engineer McNulty started with; the Sea Boxes. He had not been made aware of these until he received the aerial photos. His concern are the set-back requirements and are they considered garages or storage containers. Mr. McNulty stated that typically 10' setbacks are required for rear and side yards.

Mr. McNulty has concerns of the Run-Off from the Mulch bin. Also will there be privacy screening added to the existing fence, security cameras and lighting.

He recommends moving the fence back out of the "Right of Way" for traffic navigating the corner turn onto Front St.

Chairman Gee would like to revisit the Sea Boxes. Will they be taller than the Fence?

Board Engineer stated that standard size Sea Boxes are 8' tall, 8' wide and

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20 ' length. Recommends a Landscape Buffer, and a taller Wooden Fence in consideration of the neighbors.

Chairman Gee opened the meeting to the General Public. No Comments
Closed Public Portion

Board Attorney recommended testimony on the Conditions of the variance.
Why is this an appropriate site for the Operation?

Mr. Mininno noted the 2007 Resolution for this property approved this site for commercial use.

He feels there will be no negative impact on neighboring properties.

Board Attorney said these items would be included in the Condition of Approval.

7:30 am -5:30 pm hours of operation

15 Employees

Dumpster area

Mulch Bin

7 Operating Trucks with Trailers

Not a retail Location

2 Sea boxes with 10' rear and 5' side setbacks

Fence Repair and Buffering

Site Plan Waiver

Lighting to comply with Township Code

Security Lighting

A Motion to Approve with conditions was made by Vice Chairman Bimmer,
Second by Ms. Radie, All Approve

Minutes: January Meeting

A Motion to approve was made by Ms. Radie, second by Ms. Valentino, All
Approve

Resolutions:

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1. 2020-ZB-01 131 E Kings Highway Block 17 Lot 4 BJ's Wholesale Z-21-02 Part 1 and 2

A Motion to Grant Submission Waivers was made by Vice Chairman Bimmer, second by mr. Zahradnick, Eligible Voters: Radie, Valentino, Bimmer, Santori, Zahradnick and Gee All Approve

2. 2020-ZB-07-65 Old King's Highway Block 173.02 Lot 8.02 Freedom Stone Fabricator's LLC Z-21-03

A Motion to Grant conditional Use Variance and Site Plan Waiver was made by Ms. Valentino, Second by Vice Chairman Bimmer, Eligible Voters: Radie, Valentino, Bimmer, Santori, Zahradnick and Gee All Approve

3. 2020-ZB-08 829 N Forklanding Rd block 2 Lot 2.01 Edward and Christine Nusslein Z-21-4

A Motion to Approve Variances was made by vice Chairman Bimmer, second by Chairman Gee Eligible Voters: Radie, Valentino, Santori, Zahradnick, and Gee, All Approve

4. 2021-ZB-01 636 N Forklanding Rd Block 1.04 Lot 4 Biditt Property Group Z-21-05

A Motion to Approve was made by Ms. Radie, Second by Ms. Valentino Eligible Voters: Radie, Valentino, Santori, Zahradnick, and Gee, All Approve

Adjourn: A Motion to Adjourn was made by Vice Chairman Bimmer, Second by Mr. Zahradnick, All Approve