

**MINUTES OF THE BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN**

A public meeting of the Zoning Board of Adjustment of the Township of Pennsauken, in the County of Camden, in the State of New Jersey was held on the above date at the Pennsauken Municipal Building, 5605 N. Crescent Boulevard, Pennsauken, New Jersey.

Vice Chairwoman Hannah called the meeting to order at 7:00 P.M. and led the flag salute. Roll call disclosed the following members present: Paul Hoyle, Darlene Hannah, Diane Piccari, Colette Jones and Duke Martz. Acting Solicitor Steve Boraske, Esq., Zoning Board Engineer Douglas White, Planning and Zoning Coordinator, Gene Padalino and Secretary Nancy Ellis were also present.

Vice Chairwoman Hannah 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.

Colette Jones assumed the seat of absent member Shirley Butler.

**HEARINGS:**

**AC PELLEGRINI, LLC**-Seeking use variance approval to permit a full service used car dealership with auto repairs and accessories. Premises located 5910 S. Crescent Blvd. Known as Plate 58, Block 5845, Lot 1 on the Tax Map of the Township of Pennsauken. Zoning District: C-2 (Redevelopment)

Mr. James Burns, Esq. came forward to represent the applicant and described the application. He stated that his client is seeking a use variance and if it is approved, they will come back to the board at a later date with a site plan. However, they have submitted a conceptual plan and drawings depicting the site and the proposed improvements. Mr. Burns further stated that their plan was presented to the Redevelopment Authority and they approve of their plan.

Mr. James Miller, Professional Planner, Louis Pellegrini and Douglas White, Zoning Board Engineer came forward and were duly sworn by the Solicitor.

Mr. Pellegrini testified that he along with his family have run the car dealership since 1973. The dealership was located at the Airport Circle for 18 years and relocated to Mt. Ephraim Avenue in Camden and have been there since the late 1980's. His wife and he ran it and now their sons Drew and Mark do as well. Mr. Pellegrini further testified that they have sold thousands of cars through the years and they believe this particular property is perfect for their business in that it's a large property and it is in a high traffic area along Route 130.

The applicant submitted a picture depicting an aerial view of the site with the existing conditions and it was marked into evidence as Exhibit A-1.

The applicant testified they propose to only have 1 line of cars displayed on the outside of the property. There is a 23,000 square foot building on the site and they propose to create a showroom inside the building where they will be able to park approximately 45 cars. The applicant further testified that that they sell and repair cars. The cars they sell are typically 6 to 10 years old and the cost of the cars are around \$10,000.00. The applicant further stated that they do all car repairs except for body work or paint the cars they sell. They also send a lot of cars out for some repairs and body work. Mr. Pellegrini testified that 13 employees will work at the site and six of his employees have been with him for over 25 years and another six employees have been with him for over 10 years. The applicant testified they will be open from 9:00 AM until 8:00 PM, Monday through Friday, 9:00 AM until 6:00 PM on Saturday and they will be closed on Sunday. The applicant stated they usually sell 20 cars per month and they will have a security system and motion detectors at the site.

Upon query, Mr. Hoyle was informed by the applicant that they do repairs from 9:00 AM until 5:00 PM.

Mr. James Miller, Professional Planner came forward to testify. He stated that there will be no changes to the access points at the site. There is adequate space and there will be no adverse impact from the site. The bulk of the business will be conducted within the C-2 Commercial zone, although the property is also partially in the R-2 Residential zone. There is a wall that completely surrounds the site and what is at the site will continue with renovations. Mr. Miller stated that there are Commercial uses all along Route 130 north and south bound. Some of the uses surrounding the property are a barber shop, a phone store and it extends into the R-2 Residential zone and the use of the property is a permitted conditional use. Mr. Miller further testified that there will be a small increase in impervious coverage at the site that will require a variance. Mr. Miller further testified as to the positive and negative criteria of the site. The positive criteria are that a similar use of the site is preexisting, there is plenty of parking areas, there is an existing wall that completely surrounds the site and the structures at the site are long established and preexisting. Mr. Miller testified that the use is perfect for the existing business in that there will be a showroom for cars to be parked inside, the car repairs will be done inside garages and there is plenty of parking at the site. The proposed use is similar to the former use at the site, where there was auto service and they also repaired boats. Mr. Miller further testified that the property is part of the highway, there will be no detriment to the surrounding businesses and the applicant will be subcontracting work out to other businesses in the area as well. Mr. Miller stated that most people today go online before they go to the establishment and they already know what they're looking for. Also, by using a vacant property, problems are avoided, it stabilizes the neighborhood and this site is particularly suited for this use. Mr. Miller testified as to the negative criteria stating that this use advances the zoning plan in that the property will be reoccupied and the site will be rehabilitated. There will be no negative impact to the zone plan. The property is deteriorating and the applicant will restore the existing structure at the site. Mr. Miller further stated that it's unlikely that someone would demolish the existing building on the property to develop the site for what is permitted in the R-2 Residential zone.

Mr. Douglas White, Zoning Board Engineer came forward and went over key points and recommendations from his review letter dated February 13, 2020.

The meeting was open to the public.

Ngocvien Nguyen, 4025 Homestead Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Nguyen testified she lives next door to the property. She expressed her concerns for potential noise and traffic from the site and for the safety of her two children.

There being no one who else wished to speak, the meeting was closed to the public.

It was the consensus of the board that they were not able to vote for a use variance without seeing a more detailed site plan. The applicant agreed to continue the hearing to a later date and they will have a site plan prepared.

Gene Padalino announced that the application will be continued to the hearing on March 18, 2020.

**Closed Executive Session – N.J.S.A. 10:4-12b.(7)** - Update and discussion with Zoning Board Attorney regarding ongoing litigation matter: *Triplet Real Estate, LLC v. Pennsauken Zoning Board*, CAM-L-4767-19.

**MINUTES:**

It was moved, seconded and unanimously agreed to approve the minutes from the February 5, 2020 Zoning Board meeting.

**CORROSPONDENCE:**

None

**RESOLUTIONS:**

None

**BILLS:**

02/19/2020-Florio, Perrucci, Steinhardt & Cappelli-Monthly Retainer-*\$1,134.67*

02/19/2020-Florio, Perrucci, Steinhardt & Cappelli- Resolution Prep for Sherman Diggs-*\$204.00.*

02/19/2020-Florio, Perrucci, Steinhardt & Cappelli- Resolution Prep for Heriberto Vega-*\$926.64.*

02/19/2020-Florio, Perrucci, Steinhardt & Cappelli- Resolution Prep for Trans for Nation Thetre Productions-  
*\$221.00.*

02/19/2020-Florio, Perrucci, Steinhardt & Cappelli- Resolution Prep for 5521 Westfield Avenue, LLC-  
*\$995.00.*

**COORDINATOR'S REPORT:**

None

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 8:20 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary