

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING MINUTES
MUNICIPAL BUILDING
OCTOBER 21, 2014 – 7:15 P.M.**

The Delran Township Zoning Board of Adjustments regular meeting of Tuesday, October 21, 2014, was called to order by Mr. Gonzaga at 7:15 pm, in the Delran Township municipal building.

The Open Public Meetings Act Announcement was read by Mr. Gonzaga and the pledge of allegiance was performed.

ROLL CALL

Present: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele., Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

Professionals: William Sitzler, Esquire, Board's Esquire; Terrence Combs, PP, Board's Planner; Joseph Raday, PE, Board's Engineer; Bryan Hall, PE, Board's Acting Engineer; and Sheri Hannah, Board's Secretary.

RESOLUTIONS

PUBLIC HEARINGS

**Bee Dee Associates
ZZ2012-3
73 & 79 Hartford Road – Block 120, Lots 40 & 42.01
Bulk & Use Variances Certificate of a Nonconforming Use, Amended Site Plan**

Mr. Pinto, attorney for the applicant recaps the last meeting. He stated that he had a few addition items to present to the board.

A-1-10-21- uses of the site.
A-2-#1-15-10-21- pictures of site
A-3-5 photos of similar properties 10-21

Mr. Gaskell stated that he compiled the list of uses on the property. But he also stated that from month to month the tenants or uses changes. The photos that were submitted were taken approximately two months ago.

The exhibit A-3- shows that the surrounding properties are being utilized in a similar fashion as the Bee Dee property.

Terry Combs, board planner reviewed his letter dated Sept 12, 2014. He stated that his letter outlined the variances required. Mr. Combs testified that the plans have been revised for some of the issues stated in the letter. The driveway has been reduced. More green area has been created. Additional split rail fence to be added along the parking area with landscaping to be planted along the fence. The use of outdoor storage needs to be controlled by what and how much is being stored. Mr. Combs stated that there was

not a decision made in regard to the sidewalks along Hartford Road. There are a lot of non-conforming uses on this property and a lot of variances needed.

Mr. Comb's stated that the 3 biggest issue with this property is the outdoor storage. He stated that there is large equipment, cars and trailers. There needs to be a defined area for storage.

Mr. Pinto stated that the items listed on exhibit A-1 are what is currently on the property. Mr. Gaskell stated that the items change from month to month but will be the same type of objects. Mr. Gaskell also stated that the cars that are on the property are owned by a man who comes to the property and repairs the cars then sells them.

Mrs. Wuebker asked about the mobile homes and cars that are stored. She stated that with these items being stored the property can potentially become a junk yard. Mr. Gaskell testified that he is attempting to remove the mobile home. Mr. Gaskell also stated that 2 of the mobile homes are abandoned.

Mr. Combs stated that he would work with the applicant on the planting on the property.

Bryan Hall, Engineer, the design waivers and the variances for the preexisting conditions, a variance for parking, buffering and proper landscaping. There is a lighting variance required. There is a design waiver and variance required for curbing.

Mrs. Wuebker spoke about that she feels that this application will be able to satisfy the negative criteria for granting a use variance because this does not go along with the master plan. She understands that the applicant pointed out that there are other properties that are doing the same but this is why that decisions need to be made more along with the conditions of the master plan.

Open to the Public
Close to the public

Mr. Sitzler stated that the professionals did a wonderful job in pointing out all the issues that needed to be addressed, but as stated before there is already a variance from 2004. Mr. Sitzler also stated that with this property that a time limitation may be a condition of approval.

- 1. Mr. Schultz made a motion to grant a use variance to expand the use from an approval given in 2004 and the easement discussed and Mrs. Wuebker Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele., Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.
- 2. Mr. Schultz made a motion to grant a use variance to allow a landscaping business with outside storage and also conditions stated by Mrs. Weubker and the Board's professionals and Mr. Jeney Seconded.**
Voted in the Affirmative: Mr. Jeney, Mr. Jesuele, Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.
Voted in the negative: Mrs. Wuebker
- 3. Mr. Schultz made a motion to approve outdoor storage on lot 42.01 with the condition of inoperable automobiles or inoperable mobile homes, also to remove all unregistered vehicles from the property and Mr. Jeney Seconded.**
Voted in the Affirmative, Mr. Jeney, Mr. Jesuele., Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.
Voted in the Negative: Mr. Jesuele, Mrs. Wuebker.

4. **Mr. Schultz made a motion to approve Bill's Truck storage and Ms. Parento Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele., Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

5. **Mr. Schultz made a motion to approve the bulk variances and Mr. Smith Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.
Abstained: Mr. Jesuele

6. **Mr. Schultz made a motion to approve the bulk variances to include parking requirements, landscape buffering and fencing and Mr. Jesulele Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele
Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

7. **Mr. Schultz made a motion to approve the design waiver requested such as gravel parking instead of paving and Mr. Jesulele Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele
Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

8. **Mr. Schultz made a motion to deny a design waiver to not provide sidewalk and Mr. Jeney Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele
Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

9. **Mr. Schultz made a motion to deny a design waiver to not provide sidewalk and Mr. Jeney Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele
Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

10. **Mr. Schultz made a motion to approve a sign variance for a 57 foot sign where 50 are permitted and Mr. Jeney Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele
Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

11. **Mr. Schultz made a motion in regard to all variances that if ownership of the property should change the variances dissolve and Mr. Jeney Seconded.**
Voted in the Affirmative: Mrs. Wuebker, Mr. Jeney, Mr. Jesuele
Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

Recess: 9:40PM

Resume: 9:57PM

Fat Albert's Billiards, LLC
4000 Route 130 North
Block 107, Lot 2 & 2.01
Variance

Steven Kessler, Attorney for the applicant. Mr. Kessler stated that this upscale pool hall will be 440 sq. feet. Fat Albert's billiards started 2 years ago. Fat Albert's host competitions. This property is in the c-2 zone which does not permit pool halls. Mr. Kessler stated that this is a prime property for this use since it is on the highway. The use is consistent with other recreational uses in the area. He feels that this will not be a detriment to the community. There will not be noise issues and this will prevent "another" vacant property which will be good for the township.

Albert Tinelli, owner of the business, stated that the other facility he owns is a family oriented pool hall. Also many children frequent his establishment. Lessons are given at his facility. The hours are m-t 11-12PM, 11-2Am s-s. This is a BYOB establishment. Mr. Tinelli also stated that there have never been any issues of disorderly conduct with the liquor.

This will be a second location.

Mr. Tinelli stated that there are usually 10-12 retired customers that visit the property during the day.

Mrs. Wuebker questioned the parking. Mr. Tinelli testified that that during the day the clientele is very light and at night all the surrounding businesses will be closed which would allow for more spaces.

Tournaments usually draw any from 16 players to 220 players. But the tournaments are scheduled so only so many play at one given time.

Mr. Combs, Planner for the board stated that this property only has 75 seats available. Also those waivers are being requested and since that this is an existing building he is in agreement to the waivers.

The floor plan submitted needs dimensions. If there is any deed restriction they need to be submitted.

Mr. Comb's stated that there should be one parking space to every 1,000 square feet which would make 26 parking spaces needed. Which he feels at time would be more than adequate.

Earnest Bosi, stated that the property in question is the old dance studio. It is the corner property.

There will be no structural changes.

Mr. Comb's stated that there needs to be an update site [plan provided].

Open to the Public

1. Mr. Ward, resident stated that he feels that he would not want this in his back yard. Another concern is the alcohol. Mr. Ward is also concerned with the noise from music or disorderly conduct due to people being drunk.
2. Steven Marut, resident stated that he play pool and that he visits the other Al' and reiterates that this is a people and family friendly place and feels that this would be good for the community.

Mr. Schultz made a motion to grant completeness waivers and Mrs. Wuebker Seconded.

Voted in the Affirmative: Mr. Jeney, Mr. Jesuele, Mrs. Parento, Mr. Smith, Mr. Schultz
Mrs. Wuebker and Mr. Gonzaga.

There will 14 tables and two employees on staff during the day and more at night and during tournaments. Mr. Tinelli stated that there will not be food at this time but maybe at a later time he will consider it. Mr. Wuebker stated that she has concerns with the hours. She thinks that maybe they should be required to close at 12AM or 1AM. Mr. Tinelli stated that with Chili's being right there that maybe people would want to play pool after dinner which would warrant later hours.

Mr. Schultz made a motion to grant a use variance for Fat Albert's LLc and Mrs. Parento Seconded.

Voted in the Affirmative: Mr. Jeney, Mr. Jesuele, Mrs. Parento, Mr. Smith, Mr. Schultz Mrs. Wuebker and Mr. Gonzaga

MINUTES – September 16, 2014

Mrs. Parento made a motion to approve the minutes from the September 16, 2014 meeting and Mr. Smith Seconded.

Voted in the Affirmative: Mr. Jeney, Mr. Jesuele, Mrs. Parento, Mr. Smith, Mr. Schultz and Mr. Gonzaga.

RESOLUTION

Mrs. Parento made a motion to approve Resolution ZZ 2014- and Mr. Jeney Seconded.

Motion passed with a unanimous voice vote.

ADJOURNMENT

Mrs. Parento made a motion to adjourn at 10:49PM and Mr. Schultz Seconded.

Motion passed with a unanimous voice vote.