

**DELRAN TOWNSHIP
ZONING BOARD
MUNICIPAL BUILDING
REGULAR MEETING
APRIL 18, 2019 – 7:00 PM**

OPEN PUBLIC MEETINGS ACT

The Delran Township Zoning Board regular meeting of Thursday, April 18, 2019 was called to order by Mr. Jeney at 7pm in the Township Municipal building.

The Open Public Meetings Act Announcement was read by Mr. Jeney, and the Pledge of Allegiance was performed.

ROLL CALL

Present: Mr. Jeney, Mr. Smith, Mrs. Parento, Mr. Hewko, Mr. Anderson & Mr. Khinkis

Absent: Mr. Singer & Mr. Chascsa

Professionals: Michael Robert, CME Engineer, Maryanne Bucci-Carter, CME Planner & Jen Johnson, Attorney

NEW APPLICATION

Advocare, LLC
3140 Bridgeboro Road
Block 118, Lot 2
ZN2019-02
Preliminary & Final Site Plan with Use Variance

This application was tabled to a future date.

Palavra Viva Church Corp.
4000 Route 130 N, Unit 31 second floor
Block 107, Lot 2
ZN2019-01
Use Variance

Mr. Jeff Snow, Attorney for the applicant stated that they are before the board for a Use Variance. There are 3 members of the church that will testify. Mr. Jonas Singer owner of the property located at 4000 Rt. 130 N, Block 107, Lot 2 was sworn in by Ms. Johnson. Roberta Andrade Rodrigues, Edson Rodrigues & Pastor Sergio Brandao were sworn in by Ms. Johnson.

The property is owned by Pegasus Realty Group, Mr. Singer is the managing member of Pegasus Realty Group. Exhibit A1 is the survey of the site done by Robin & Associates. The property is located in the C-2 General Commercial Zoning District & the Church intends to use a portion of the building on the second floor where they intend to utilize this particular structure. Previous

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to this, there was a school in there. It is vacant at present time. Since churches are not a permitted principal use or conditional use with in that C2 zone, they will require a Use Variance. They submitted to the board a general operation statement that states that they intend to use the leased premises for religious services & other church related activities for both adults & children.

What they anticipate is having services there 2 nights a week on Wednesday & Sunday. They anticipate that congregates will start filling in around 7pm & the service would start around 8pm.

The floor plan layout shows where all the services will take place along with the exterior rooms for the workshops classrooms. The area where the service will take place will have about 90 seats. At the present time there would be about 60 individuals. It is a young church in this area. They are trying to get a foundation under its feet.

In regards to the parking spaces, they are shown on the survey. It shows 165 and according to the engineer, planner's letter, they only need 30 for this particular purpose. Based on the timeframe of the services, it will be off peak hours. One of the services will take place on Sunday evenings so as a result of that, they don't anticipate any problems with the parking.

In addition to that, if they have 60 to 90 people coming in at 7:00 or 8:00 in the evening, they don't feel there will be an issue with any parking problems, no substantial increase in traffic either on Suburban Blvd or Rt. 130.

The Church hasn't proposed any activities at the site that would be outdoors at any point & time. No tents to be placed outside. Everything would be handled inside at the leased premises on the second floor.

With regard to the neighborhood area in the back, they don't anticipate having any adverse effect on these particular residential neighbors through the rear. Will not create any noise in the area.

Exhibit A2 is a picture of the second floor where the church will be. Exhibit A3 shows the pictures of the parking area.

Ms. Johnson asked about the lot for the property. She shows it as lot 2.03. Mr. Snow has it as lot 2. The land surveyor who did the plan couldn't locate the deed for the recent subdivision on file at the County yet. That's why on the plan, he still has the Chili parcel as part of the site.

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Chili has recently subdivided from the site but it hasn't been recorded at the County yet. The surveyor has to do it by what is on record. If a resolution is granted, they will make it 2.03. Mr. Jeney stated that the Fire Official's report states that the address will be 4000 Rt. 130 N, Building A, Suite 32.

Ms. Johnson stated the Fire Official's letter states that the landlord needs to repaint both fire lanes "NO PARKING FIRE LANE" every 150 " across the lane not parallel to the curb. Ms. Johnson asked Mr. Singer if that has been completed. Mr. Singer said that he is currently going through the Chili subdivision, that's why the maps haven't been filed yet. His intent is to repave the lot and needs to add additional handicap spaces in front of this spaces as part of an agreement that he reached through a legal action for handicap accessibility. He is resolving that and his intent is to repave, re-strip and add additional handicap spots. Mr. Jeney asked when that would be happening. Mr. Singer said he is looking at some prices now & also waiting on some money from Chili's. Plans on it as soon as he can.

Ms. Johnson asked Mr. Singer who the previous occupant was before this. According to Mr. Singer, it was a Turkish Cultural Center. It was a similar use being Religious in nature and had Sunday schools and a after school program. Before that he believes that it was office space. Star Institute was on the other side from this location.

Ms. Carter, PP from Pennoni asked for a confirmation of the square footage. It is approximately 4,000 sq. ft. per Mr. Singer. Mr. Snow wanted to clarify that he spoke to the surveyor based upon the plan that was given to him, he calculated that out to be at a little over 3,700 sq. ft.

Ms. Carter asked for the applicant to provide a little more description on the accessory uses that was mentioned in their introduction. Ms. Rodrigues stated that the purpose of the Church is to worship God. That have kids that are born American that also will have a service in both Portuguese & English. The rooms are surrounding the middle room where the service will take place. There will be about 60 people attending service. Some of the rooms will be used as a pre service room before church. Other rooms are for the children and their class room studies of their faith. Some will be multi-purpose rooms & office areas. There are bathrooms on the 2nd floor. They are gender assigned.

Mr. Snow stated that there is room for 90 seats but there are only 60 currently. Anticipating to grow to 90. When the service starts at 8pm, about 8:15 the children disburse to the classroom, with teachers & some moms. The Pastor & one secretary will be there during the hours of 9 to 5. No more than 2 people per day.

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Ms. Carter asked about the signage. The signs will be put up on the building & out on the sign monument on the highway. They will comply with all signage ordinances. They were previously approved with a lens change.

Mr. Roberts from CME spoke about the handicap spots. Once the parking lot gets paved, all that will be in compliance with ADA guidelines. They are slightly concerned about the grade leading to & from the building. Mr. Singer stated that he will most likely have to pull a permit for the resurfacing & re-striping of it. They might lose a few spaces with the handicap spots. But they still have adequate spaces. They will probably open up the concrete isle to have direct access which will add some spaces. All handicap spaces will be brought up to code. He already did the ones by the Post Office. He is adding a couple more there & then also adding to where the front of the office spaces are.

Mr. Anderson asked if the upstairs area had any fire sprinkler system. Mr. Singer stated no sprinkler. There is an alarm system that is tied into the stores beneath it. If there are any issues downstairs, there is an alarm upstairs as well. The Fire Official's letter mentioned the different things about the requirements if the building is equipped with a fire protection system. They do not have a system but they do have all the required extinguishers, smoke detectors etc.

The cross easement exists but not showing up since the deed isn't ready yet from the subdivision of the Chili's just recently. It will show up once that gets filed.

Mr. Snow wanted to state that there is no substantial detriment to the public with what they are looking for in the Use Variance application. If you grant the variance it won't impair the intent or the purpose of the township zoning plan or ordinance. This is an ideal spot for his clients for what they are looking to do.

OPEN TO PUBLIC

No public comment at this time.

CLOSE TO PUBLIC

**Mr. Hewko made a motion to approve the Use Variance. Mr. Anderson seconded it.
The results are as follows:**

Aye: Mr. Jeney, Mr. Smith, Mrs. Parento, Mr. Hewko, Mr. Anderson & Mr. Khinkis

Absent: Mr. Singer & Mr. Chascsa

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**Mr. Smith made a motion to deem the application complete. Mr. Khinkis seconded it.
The results are as follows:**

Aye: Mr. Jeney, Mr. Smith, Mrs. Parento, Mr. Hewko, Mr. Anderson & Mr. Khinkis

Absent: Mr. Singer & Mr. Chascsa

DISCUSSION

Mr. Jeney discussed with the board members about the application Bee Dee. He wanted to give an update on it. He, along with Ms. Johnson, & the CME professionals meet and had a discussion on what is required in order to come back before the board. They did come to a resolution at the end of the meeting stating where they need to be. The ball is in their court to perform & if they don't, then we will have to move forward with the Zoning Officer to inspect the property & move forward from there.

MINUTE APPROVAL

Minutes from regular meeting dated September 20, 2018.

Minutes from regular meeting dated October 18, 2018.

Minutes from regular meeting dated December 20, 2018.

Minutes from Re-Organization meeting dated January 17, 2019.

Minutes from regular meeting dated March 21, 2019.

Carried over to next meeting.

OPEN/CLOSE TO PUBLIC

No members of the public were present.

ADJOURNMENT

Mr. Khinkis made a motion to adjourn at 8:00, seconded by Mr. Hewko. Results are as follows:

Vote was carried with a unanimous voice vote.

Respectfully submitted,

Kathy Phillips, Secretary,
Planning & Zoning

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