

Borough of Bellmawr Zoning Board of Adjustment

Meeting Minutes

Tuesday, March 15, 2016

MEETING CALL TO ORDER AT 7:30PM, BY CHAIRMAN, JOSEPH HARTMAN.

OPENING STATEMENT, Read by Joseph Hartman

Pursuant to the open Meetings Act, I hereby announce that adequate notice of this meeting, as required by said act, has been provided by adopting a schedule of regular monthly meetings for the year 2016. Which schedule was posted on the Borough Hall Bulletin Board, mailed to the Courier Post Newspaper and filed with the Borough Clerk.

ROLL CALL, Present:

Joseph Hartman, Chairman

Kenneth Murray, Vice Chairman

Emil Andrew, Secretary

Len Landi, Member

Harold O'Connell, Member

Chris Fasulo, Member

Josh Haas, Alt #1

Kathleen McCarthy, Alt #2

Absent: Robert Smith

OTHERS PRESENT:

Solicitor, Charles Petrone

Council Liaison, Councilman Paul Sandrock

Zoning officer, Jim Burleigh

Engineer, Thomas Cundey, Remington & Vernick

Recording Secretary, Tina Johnson

Approval of Minutes

A motion was made to approve the minutes from January 17, 2016, and February 15, 2016 and was seconded. All in favor.

APPEAL CASE #2016-01

The Liquor Mart
334 E. Browning Road
Bellmawr, NJ 08031
Block 136, Lot 7

Attorney for applicant: Lynda Hinkle, Hinkle Law Sworn in.

RE: Ordinance 116-82, Animated, flashing and illusionary signs using mechanical or electrical devises to revolve, flash or display movement or illusion of movement are prohibited.

Applicant seeking to replace current illuminated broken sign, with same, with the addition of a blinking sign 48"X24".

Mr. Sudip Patel, Applicant, Sworn in.

Mr Patel testified describing the changes to the present sign for The Liquor Mart. Mr. Patel stated the sign has been broken a long time and Mr. Patel is replacing the original sign with the same size, he is not changing the height of the sign, under the original sign he is requesting to add a 24" X 48" digital sign that would be illuminated till 10 O'clock pm each evening. The board questioned Mr. Patel as to the colors, Mr. Patel agreed to use colors that were within the ordinance. Mr. Patel agreed to remove the two signs that are not permitted per the Borough ordinance that are pictured in photo he presented.

Mr. Mulligan was sworn in. Mr. Mulligan questioned the scrolling sign, and his concern that the flashing scrolling sign would be a distraction to passing vehicles, he also was concerned about the lighting into his and other homes nearby Mr. Mulligan also voiced concern about trucks that are using the parking lot as overnight parking.

Mr. Tralie was sworn in. Concern is property values. He doesn't see the need for a big sign in a residential area. He stated his line of vision from his home he can see the beer signs and all the vehicles coming and going. He voiced concern over the two lower signs being removed.

The Zoning Board members questioned Mr. Patel as to the Looms brightness or LED . He Patel could not answer the question. The board suggested Mr. Patel request a continuance till the April 19, 2016 Zoning Board Meeting so that Mr. Patel can provide adequate testimony by the sign company.

Case 2016-01 requested a continuance until the April 19, 2016 meeting. The case will continue on April 19, 2016. The applicant is not required to re-notice the property owners within 200 feet.

Appeal Case 2016-02 Bellmawr-Browning LLC

82 E Browning Road
Bellmawr NJ 08031
Block 137, Lot 43

Attorney Damien O. Del Duca, Esquire, Del Duca Lewis, LLC

Member Kathleen McCarthy seated for Joshua Haas. Joshua Haas removed himself from the Board as he resides within 200' of the 82 E Browning. Case 2016-02.

Sworn in: Mr. Broderson attorney for the applicant, Mr. Creigh Rahenkamp planner, Scott Oren, Owner, Mr. Davis, property mgr., Thomas Cundey, Engineer Remington & Vernick, Mr. Haas resident.

Bellmawr- Browning LLC currently owns the property known as 82 E. Browning Road. The site is also known as the former Dealers Service and United Rentals. The site is approximately 5.11 acres. It is improved with four principal structures: a 2,750sf retail building, a 2,496sf garage, a 1,750sf cape cod dwelling and a 28,855sf building that was occupied by United Rentals.

On February 17, 2015, the Zoning Board granted the application of Orens Development, Inc., an affiliate of Bellmawr-Browning LLC, for an interpretation that the applicant's use of the property, is a continuation of a pre-existing, non-conforming use that the Zoning Board certified in 2000. Resolution #2015-02. The resolution reflects that the applicant anticipated leasing any unused portions of the 28,855sf building and outside storage area for the same types of uses as that of the applicant, and subject to the same conditions as set forth in Resolution #2015-02.

Since obtaining the Board's approval, the applicant has determined the demand for the remainder of the 28,855sf building is different than the applicants use in Resolution 2015-02. As a result, the applicant now is applying to the Zoning Board to permit the applicant to lease portions of the building and outside storage area for other commercial uses that are harmonious with the applicants use.

Specifically, the uses proposed for leasing are any of the following uses; carpentry, cabinet workshop, auto and truck repair, furniture storage, auto detailing, storage of gym weight equipment. The Board stated no dumpster storage. All leases must apply for a certificate of occupancy first to determine permitted use. All tenants must apply for a mercantile license to do business in Bellmawr. No working on trucks or vehicles outside of building. This site will not be used for junk

yard or salvage, No dumpster storage. Federal Express delivery truck repair hours of operation 7am to 6pm. All repairs to be performed inside the garage.

After much discussion a motion was made.

Hartman: Motion to approve the use variance for the tenant who is occupying approximately 3,000sf of the 28,000 plus building to repair of FedEx box trucks. We will condition, as well as grant a site plan waiver, for the activity and we will condition this approval on the prior resolutions, hours of limitation being 7am to 6pm., 6days a week, no outside work performed on any vehicles, have all after hours parking of vehicles be outside of the buildings rather than inside of the buildings; also that all tenants within the buildings have to go through the CO process.

Motion seconded: Mr. O'Connell

Roll call vote:

Kathleen McCarthy, YES

Chris Fasulo, YES

Hal O'Connell, YES

Len Landi, YES

Emil Andrae, YES

Joseph Hartman, YES

Motion carries

Motion to adjourn: Hal O'Connell

Motion Seconded: Emil Andrae