

**CINNAMINSON TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
October 2, 2019**

MR. BEDNAREK: The Regular Meeting of the Zoning Board being held October 2, 2019 beginning at 6:40 p.m. in the Municipal Building, 1621 Riverton Road, Cinnaminson, NJ. Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by advertising this Regular Meeting in the Burlington County Times on January 15, 2019 and by advertising this Regular Meeting in the Courier Post on January 15, 2019.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision, and decorum appropriate to a judicial hearing must be maintained at all times.

Members Present – Mr. Conway, Mrs. Galosi, Mrs. McStravick, Mr. Trampe, Mrs. Wolaniuk, Mr. Sell, Mr. Devlin and Chairman Bednarek.

Also Present: Mr. Strobel, Board Attorney and Patricia Rucci, Secretary.

MR. BEDNAREK: The Board's policy is not to commence hearing a matter after 10:00 p.m., but instead to adjourn the matter to the next regularly scheduled meeting. Any matters still being heard at 10:00 p.m. may be completed that evening or may be adjourned to the next regularly scheduled meeting at the Board's discretion.

MR. BEDNAREK: Case #19-10-1 – Speed Raceway WG, LP – Use Variance -1103 Route 130 South, Block 1004, Lot 13.01.

MR. BARONOWSKI: Attorney for the Applicant. The indoor race track was approved by way of use variance granted in 2012. Speed Raceway wants to add two features to enhance their entertainment capabilities. To make better use of some of the interior space that is not really well utilized. That is axe throwing entertainment and some rock wall climbing elements. There are no other changes proposed to the Racetrack or any of the other indoor elements. Axe throwing has a very good safety record. The witnesses are Eric Armstrong from Speed Raceway, Jeff King, Architect and Jim Miller, Professional Planner.

MR. STROBEL: He swears in Mr. Armstrong and Mr. Miller.

MR. ARMSTRONG: Employee of Speed Raceway.

MR. MILLER: Professional Planner.

MR. ARMSTRONG: Vice President and Director of Operations. Speed Raceway has operated solely as go-kart facility for the past seven years. We introduced some light concession stands and we always had an arcade as well. They hired hundreds of local, mostly youth in the local area. They hosted 1.2 million guests. There are two Speed Raceways, one in Cinnaminson and one in Horsham, Pennsylvania. This is a family owned business with two locations. They want

to convert the unutilized space into the two new popular attractions. The Rock Wall. Their sister site in Horsham has nine Axe Throwing Tunnels. Their proposal has five tunnels. They are also proposing a sixteen foot, four person Rock Climbing Wall.

MR. DEVLIN: Are there any set standards for Safety for axe throwing?

MR. ARMSTRONG: With axe throwing, individuals have to complete a waiver process and they go through a safety protocol. An Axe Coach will show them how to throw. They allow participants to take practice shots. Sixteen is the age limit. Anyone under eighteen needs to be accompanied by a guardian. The group is never inside the cage together. It is only two people in at a time. Two targets in each lane. A right lane and left lane. The coach is in there as well. There is chain link fencing. There is a railing. Spectators are watching from the back part. There is a target. We provide the equipment.

Rock Wall is 16 Feet. Falls under Department of Community Affairs for the State of New Jersey. The attraction is monitored with inspections. Our Rock Wall will have a Hydraulic (inaudible) System. They wear a full safety harness, there is padded flooring at the bottom and there is a Climbing Coach so there are three safety measures as well. They need to be 42 inches tall and 40 pounds.

MR. ARMSTRONG: There Horsham location has a very positive experience with axe throwing and rock climbing.

MR. STROBEL: He swears in the Applicant's Architect, Jeffrey King.

MR. BARONOWSKI: He referred to the height of the rock wall and was wondering if it would necessitate any exterior changes?

MR. KING: It would not. It is a 20 feet high and sixteen feet wide. There will be no structural changes to the building (inaudible).

Mr. King described Exhibits A-1 and A-2.

Exhibit A-1 – Enlarged Plan of A-3 – Proposed Floor Plan. No structural changes. They are not impeding any of egress points to the building.

MR. MILLER: Applicant's Planner. He did represent Speed Raceway when they got their approval. This is in the Route 130 Corridor and in the BD District. There is a Shopping Center there with a significant vacancy. This occupies about 77,000 square feet. He feels it is an asset to the Shopping Center. They are seeking a D-2 Variance. It is the modification of the pre-existing non-conforming use. Underlying zoning has remained in place. Exterior of the building will not change. It is a small change in the primary use. It meets the criteria of not creating either a significant intensity to the use or significant change in its character. He believes the relief being sought is consistent with what the Board did when they granted the original use variance. There is an abundance of parking. The use does satisfy the positive criteria.

He doesn't see any detriment to the public welfare as a result of the variance we are seeking. It is a relatively minor addition to a pre-existing use. He thinks it will be a benefit to the uses of the Community.

MR. BEDNAREK: He opened the public portion of the meeting. No one came forward.

MR. BEDNAREK: He closed the public portion of the meeting.

MR. STROBEL: He referred to the Tax Sale Notice. He advised that the amount due for costs and interest is \$150.11. There was email correspondence regarding this matter. The applicant's attorney advised that a check was in the mail for this payment. If the Board grants approval, they should include a condition that this must be paid. Also, there is a Pennoni invoice due in the amount of 147.00. The secretary advised that this invoice is for the owner of the property.

MR. BARONOWSKI: We have contacted the owner about the first bill regarding the lien sale for sewer charges. The owner advised that he already sent payment. As far as the Pennoni invoice, I have no reason to believe that the owner will not attend to it promptly. I understand if there is a condition such as that, it would be conditioned on payment of these outstanding fees. We understand that it would be an appropriate condition.

A MOTION IS MADE BY MR. SELL, seconded by Mr. Hare to approve the use variance for two additional recreational amenities, axe throwing and rock climbing with the condition that the lien is paid and the Pennoni invoice is paid. Standard Conditions. ROLL CALL VOTE: AYE, Mrs. Galosi, Mr. Hare, Mrs. McStravick, Mr. Trampe, Mrs. Wolaniuk, Mr. Sell and Chairman Bednarek, no opposed, motion passes.

MR. BEDNAREK: He opened the public portion of the meeting. No one came forward.

MR. BEDNAREK: He closed the public portion of the meeting.

A MOTION IS MADE BY MRS. MCSTRAVICK, seconded by Mrs. Galosi to approve the vouchers for Pennoni Associates listed on the Agenda. VOICE VOTE: ALL AYE, no opposed, motion passes.

Board Members expressed positive comments about the Conifer/MEND Project.

A MOTION IS MADE BY MRS. GALOSI, seconded by Mrs. McStravick to adjourn the meeting. The meeting is adjourned. VOICE VOTE: ALL AYE, no opposed, motion passes.

Duly passed and adopted

Respectfully submitted,

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Patricia Rucci