

CINNAMINSON TOWNSHIP ZONING BOARD OF ADJUSTMENT
CINNAMINSON ZONING BOARD
April 13, 2022

The Special Meeting of the Zoning Board being held April 13, 2022 is scheduled for 6:30 p.m. in the Municipal Building, 1621 Riverton Road, Cinnaminson, NJ. Chairman makes the public statement.

Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by advertising this Special Meeting in the Burlington County Times on April 10, 2022 and by advertising this Special Meeting in the Courier Post on April 10, 2022.

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.

ROLL CALL:

Members Present – Mr. Bednarek, Mr. Devlin, Mrs. Galosi, Mr. Trampe, Mr. O'Donnell, Ms. Woodman and Mr. Neely.

Also Present: Richard Strobel, Board Attorney, Hugh Dougherty, Board Engineer and Patricia Rucci, Secretary.

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.

Case #22-4-2 – KH Investors, d/b/a Doggies Style Pets – Use Variance - 141 Route 130, Suite G, Block 1407, Lot 29.01.

MR. HOVATTER: Attorney for the Applicant. The property is located 141 Route 130, Suite G, Block 1407, Lot 29.01. The property is owned by New Plan of Cinnaminson and is managed by Brixmor Property Group. As shown on the letter dated February 17, 2022, the owner fully supports the Application and has provided this Board with authority for the Applicant to proceed. It is currently used for pet grooming and a delivery and training facility for dogs. He spoke about the Applicant's business.

MR. STROBEL: He swears in Mark Remsa, Applicant's Planner and Howard Nelson – Chief Executive Officer for the Applicant.

MR. REMSA: He went through his outline. The property is located on Block 1407, Lot 29.01. The store has the grooming services and sells pet supplies and food. He described the surrounding land uses. They are asking for a use variance because the zone doesn't permit adoption type services. There is no new construction being proposed. This is an existing commercial facility. This adoption service is just an extension of that operation. The store is a little over 3,000 square feet. There is sufficient parking. He really doesn't see anything negative

being generated by having two adoption room for two dogs in an existing commercial operation. This is an expansion of a commercial service that fits really well with the Pet Store and its services. This store fits in beautifully with the Shoppes at Cinnaminson. I find that the use variance can be granted because it promotes the purpose of the Land Use Law, occurs on a site that is particularly suited for this service, accrues no significant detriment to the public good and doesn't substantially impair the intent purpose of the zone plan (inaudible).

MR. NELSON: We just adopt out dogs. He gave an overview of the adoption process and the care for the dogs. He spoke about their business.

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

MRS. GOINS: Pet Value was there previously. She has been to the store in Philadelphia and it is a wonderful store.

A MOTION IS MADE BY MR. DEVLIN seconded by Mr. Neely to approve the use variance with standard conditions. ROLL CALL VOTE: AYE, Mr. Devlin, Ms. Galosi, Mr. Trampe, Mr. O'Donnell, Ms. Woodman, Mr. Neely and Mr. Bednarek, no opposed, motion passes.

Case #22-3-1 – Goodwill Industries of Southern New Jersey and Philadelphia, Inc. – Use Variance and Preliminary and Final Site Plan, 915 Route 130, Block 1304, Lots 32 and 33.

MR. BURNS: Attorney for the Applicant. We are here for Use Variance Approval and Preliminary and Final Site Plan Approval associated with a proposed Goodwill Donation Center at the property known as Block 1304, Lots 32 and 33.

The property is located on the corner of Riverton Road and NJ State Highway Route 130 and in the Township's Business Development Zone. The property is 1.04 acres. The Donation Center is a commercial use. He spoke about the donation center locations of other Goodwill Centers. Goodwill owns the subject property. Substantial landscaping and buffering has been provided along the side and rear property lines. Goodwill is prepared to supplement the landscaping as may be recommended by your Board Professionals or the Board and add additional screening, if recommended by the Board and Professionals. The Applicant is proposing to repave or restripe the parking lot and install new site lighting. This one acre site will be completely rebuilt, enhanced and beautified. He reviewed the variances. We did receive the Engineer and Planner review letter dated and March 15, 2022 and Fire Marshall letter dated March 17, 2022. We can comply with all of the comments and conditions contained in those letters.

MR. DOUGHERTY: He reviewed the completeness items. This application is deemed complete.

A MOTION IS MADE BY MRS. GALOSI seconded by Ms. Woodman to deem this application complete with submission waivers as requested by the applicant. ROLL CALL VOTE: AYE, Mr. Devlin, Ms. Galosi, Mr. Trampe, Mr. O'Donnell, Ms. Woodman, Mr. Neely and Mr. Bednarek, no opposed, motion passes.

MR. STROBEL: He swears in Michael Shaw – Chief Operating Officer, James Miller, Applicant’s Planner, Robert Stout, Applicant’s Engineer and Andrew Feranda, Traffic Consultant.

MR. SHAW: He gave an overview of the Goodwill organization. The only reason a (inaudible) donation center exists is to accept donations. There are no retail sales that occur at these locations.

MR. BURNS: That is the use we are proposing in Cinnaminson.

MR. SHAW: That is correct.

Mr. Burns advised the Board of other Goodwill locations that operate (inaudible) donation centers.

MR. BURNS: The Goodwill locations in Wall Township and Pennington Township were found to be beneficial uses in the Resolutions of approval.

MR. SHAW: That is correct.

MR. SHAW: He agreed to work with the Zoning Board professionals to provide any additional landscaping or screening including a fence. He will work with the Zoning Board Professionals regarding the proposed lighting plan.

Mr. Burns and Mr. Shaw gave the Board an overview of the Goodwill organization.

MR. SHAW: He had no concerns or comments to comply with The Zoning Board Engineer’s review letter dated March 15, 2022. He will comply with the Fire Marshall’s review letter dated March 17, 2022.

Exhibit A-1 – Elevation Rendering

MR. STOUT: Exhibit A-2 – Aerial Photograph. The building is 3,150 square feet. He described the photograph to the Board. There is existing sidewalk along Riverton Road. We are proposing to add sidewalk along Route 130. They are putting lighting around the property. He gave the Board an overview of the Application.

Exhibit A-3 – Landscaping and Lighting Plan

Exhibit A-4 – Sign Plan

The Board and the Professionals discussed the Application.

MR. MILLER: Applicant’s Planner. He identified the surrounding uses. We are seeking a D-1 Use Variance. He provided the Board his Planning testimony. He thinks it is a use that would

make a positive contribution to the BD District. He believes the relief satisfies both the positive and negative criteria.

MR. FERANDA: Applicant's Traffic Consultant. We are subject to the DOT's requirements for the site. From a traffic stand point, it is less intense. What they are looking to do here is not an intense use. It doesn't have a lot of parking because they don't need that parking.

The Zoning Board took a recess.

The Zoning Board resumed the meeting.

MR. BEDNAREK: He opened the public portion of the meeting for the use variance portion of the Application.

MR. STROBEL: He swears in Mr. Hare.

MR. ROGER HARE: I applaud what Goodwill is doing. He presented photos R-1 through R-6. He took all of the pictures of two Goodwill sites. He explained the pictures to the Board. He expressed his concerns to the Board.

MR. BURNS: We specifically stated there would be no tractor trailers at this site. There would be box trucks only. We would happily agree to this as a condition of approval. We discussed the fact that there would be no pallets outside and there would be no gaylords left outside. Mr. Shaw doesn't own the site where the photographs were taken.

MR. STROBEL: He swears in Mr. Smith.

MR. BRADFORD SMITH: He had questions about the landscaping. He advised that nobody contacted him about whether he would be willing to sell his property.

MR. BEDNAREK: He thanked Mr. Smith.

MR. STROBEL: He swears in Mr. Feghali.

MR. JOHN FEGHALI: He expressed his concerns to the Board. He spoke about the upgrade of his business and businesses in the area.

MR. BEDNAREK: He thanked Mr. Feghali.

MR. STROBEL: He swears in Mr. Goins.

MR. MICHAEL GOINS: He expressed his concerns to the Board.

MR. BEDNAREK: He thanked Mr. Goins.

MR. STROBEL: He swears in Mrs. Goins.

MRS. ROSE ANN GOINS: She advised the Board that she saw piles of donations at another Goodwill location.

MR. BEDNAREK: He thanked Mrs. Goins.

MR. STROBEL: He swears in Mr. Bacon.

MR. ROBERT BACON: He thinks Goodwill does a great job. He expressed his concerns to the Board.

MR. BEDNAREK: He thanked Mr. Bacon.

MR. STROBEL: He swears in Ms. McCauley.

MS. PHYLLIS MCCAULEY: She spoke about traffic. She expressed her concerns to the Board.

MR. BEDNAREK: He thanked Ms. McCauley.

MR. BURNS: We will work with your Professionals to work out a screening plan. We have provided extensive buffering and landscaping. They will work with our Professionals with the building of the store.

A MOTION IS MADE BY MR. TRAMPE seconded by Mrs. Galosi to grant a use variance for a drop off location for clothing and assorted goods that is not specified in the permitted use in the BD Zone. No outside storage of any materials or pallets, no tractor trailers, no outside trailers, daily cleanups and work with the Engineer on the conditions of lighting, screening and landscaping, explore potential barriers or chains, proposed signage for deterring drop offs, security cameras, all standard conditions. Add additional employees and pickups as needed. No pallets or gaylords outside. ROLL CALL VOTE: AYE, Mr. Devlin, Ms. Galosi, Mr. Trampe, Mr. O'Donnell, Ms. Woodman, Mr. Neely and Mr. Bednarek, no opposed, motion passes.

He opened the public portion of the meeting.

MR. BRADFORD SMITH: He spoke about the landscaping, curbing and the setback for the sign.

MR. STOUT: We did have some Deciduous Trees in there originally. We are going to use Evergreens. We are willing to do the curb line. They kept the sign out of the site triangles.

MS. BARBARA BACON: She identified her parking lot and wanted to know if there could be a fence installed on the property line.

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

MR. DOUGHERTY: He referred to the two variances. One is a pre-existing variance. We don't want to have a lot of parking there so I think the variance is acceptable with 11 parking spaces

instead of 16. They will work with the Applicant's professionals regarding the landscaping. This is subject to outside agency approvals. He is satisfied with Mr. Stout's testimony regarding the sign being outside the site triangle.

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 MR. TRAMPE seconded by Mrs. Galosi to grant Preliminary and Final Site Plan approval with the requested bulk variances, conditioned on compliance of the Engineer's review letter dated March 15, 2022, fence along the boundary line with the Whistlers Inn property, adding the curb along the Senate Office property, (inaudible) Evergreen Trees along the side, outside agency approval, larger island, reinforce the landscaping to the northeast corner, work with the Board Engineer to maximize lighting, signage, security cameras at his satisfaction (inaudible) and no obstructions within the sight triangle. ROLL CALL VOTE: AYE, Mr. Devlin, Ms. Galosi, Mr. Trampe, Mr. O'Donnell, Ms. Woodman, Mr. Neely and Mr. Bednarek, no opposed, motion passes.

RESOLUTION:

A MOTION IS MADE BY MR. DEVLIN seconded by Ms. Galosi to grant the Resolution for Case #22-4-3 – Luis Rivera – Conditionally granting bulk variances to construct fence on left side of existing dwelling leaving ten (10) foot front yard setback where fifty (50) feet is minimum required, and fence on right side of existing dwelling leaving forty (40) foot front yard setback where fifty (50) feet is minimum required. Conditionally granting bulk variance to enclose existing carport leaving forty (40) foot front yard setback where fifty (50) feet is minimum required. VOICE VOTE: ALL AYE, Abstain, Mr. Neely, motion passes.

A MOTION IS MADE BY MRS. GALOSI seconded by Mr. Neely to approve the voucher for Richard C. Strobel noted on the Agenda. VOICE VOTE: ALL AYE, 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. GALOSI seconded by Mr. O'Donnell to adjourn the meeting. The meeting is adjourned. VOICE VOTE: ALL AYE, no opposed, motion passes.

Duly passed and adopted

Respectfully submitted,

December 7, 2022


Patricia Rucci