

MAYOR

James P. Mehaffey

TOWNSHIP COMMITTEE

Megan Kerr
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WEST DEPTFORD TOWNSHIP

Municipal Building
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Phone (856) 845-4004

Township Administrator

Lee Ann DeHart

Chief Finance Officer

Michael Kwasizur

Registered Municipal Clerk

Lee Ann DeHart

ZONING BOARD OF ADJUSTMENT MINUTES

Tuesday, May 9, 2023

CALL MEETING TO ORDER

- **Pledge of Allegiance**
- **Open Public Meeting Act Statement of Compliance:** In accordance with Section V of the Open Public Meetings Act, Chapter 231, Public Law 1975, notice of this meeting was posted on the Township bulletin board designed for that purpose. Notice was mailed to the official newspaper as provided by Township Ordinance. Notice was filed with the Municipal Clerk.
- **Roll Call**
 - Present:** Chairman Nichols Mr. Barna Mr. Fentress Vice Chair Oldt
Ms. Ives Mr. Rutter Ms. Russell
 - Absent:** Ms. Stewart
- **Swearing In of Professionals –** Mr. Dochney, Mr. Farrell and Mr. Di Rosa were sworn in by Mr. Alice.

APPROVAL OF PREVIOUS MEETING MINUTES

- April 11, 2023, Meeting Minutes – Motioned by Mr. Fentress, 2nd by Mr. Oldt, All in Favor -Aye, 1 abstention, Mr. Barna

OLD BUSINESS

- NONE

NEW BUSINESS

1. **Application #ZB-2023-0004 (NLM Group LLC)**
NLM Group LLC Map 22, Block 32.17, Lot 2
270 Jessup Road M-1 (Light Manufacturing) Zone
Requested Relief: Applicant wishes to add an additional 30’ x 60’ pole barn structure to extend an existing pole barn on the property.
Mr. Kevin DiDuch, KD Law, the applicant’s Attorney is presenting the application for the applicant, NLM Group LLC, which is a 3-year carpet cleaning business, 270 Jessup Road, seeking permission to add a 30’x60’ extension to the previously existing pole barn. The purpose of their business is to expand and bring additional business to West Deptford. Mr. DiDuch introduced Anthony Di Rosa, from Tri State Civil Engineer, along with Mr. Dochney and Mr. Farrell were sworn in at this time by Mr. Alice. Mr. Di Rosa explained **Exhibit A-1 – Colorized Site Plan. He explained**

where the existing property (270 Jessup Rd) is located, (Jessup Rd & Tilden Rd). The property has an existing 2 story dwelling, residential garage, pole barn to the southwest of the property, the proposed pole barn is proposed to the first southern portion of the property, there is existing asphalt driveway, stone parking area, asphalt driveway for residence and walkway. Two thirds (2/3) of the property are heavy vegetation landscaping buffer around the perimeter of the property. The existing property contains several setbacks of non-conforming conditions setbacks, front yard set back for the existing dwelling is 25.5' where 50' is required, front yard setback – existing garage 2.4' where 50' is required, no accessory required in front yard. The existing perimeter is behind the existing garage is 14.9' where 30' is required. These are all nonconforming conditions that are brought out of this application. The proposed Pole Barn will sit on top of the existing stone parking lot. The storm water will collect and run down the existing driveway to Jessup Rd, and will not impact the access to the site, parking will remain where the stone is. The access to the existing pole barn and residence and parking lot is not being affected. Mr. Di Rosa continued saying in addition to the nonconforming variance for the existing dwelling and garage the proposed pole barn will require a 9' setback where 50' is required. He stated that the position of the house fronts two (2) roads and proposes somewhat of a hardship on the property for development.

Questions and comments from the board: Mr. Rutter asked about the existing buffer – it will not be touched, was said by Mr. Di Rosa.

Questions and comments from the professionals: Mr. Dochney went over his comments in his report – any change of operations – none, new employees – no, any changes to parking – no.

At this time Larry Bradley was sworn in by John Alice and was asked about the nature of the business and Mr. Bradley gave testimony that there aren't any new employees, storage only for cleaning supplies, which is temperature controlled, vehicles will be stored, and power washers will be stored. No hazardous materials will be stored, utilities - the electric service to the building, lighting will likely match the existing, the height will be the same as the existing. The inaccessible area, the applicant would agree to keep landscaping. Mr. Farrell went over his reports and asked about the refuge – it will be picked up by West Deptford Township – no additional trash, stormwater – direct run off down spouts to the driveway.

Mr. Alice asked about the height of the pole barn – max aloud 50' – matched the existing pole barn.

Mr. Oldt asked if the buffer around the perimeter will be maintained – and it is and will continue to be maintained.

Open comments to the public when no one came forward this section was closed.

Motion to approve by Mr. Oldt, 2nd by Mr. Barna, Roll call vote, 7-yes, 0-nay.

2. Application#ZB-2023-0005 (Cay Property Management)

Cay Property Management

Map 3, Block 3.01, Lot 34

1102 Crown Point Road

M-1 (Light Manufacturing) Zone

Requested Relief: Use variance for use as a banquet hall and office.

Daniel Baker – Baker Law group, the applicant, Cay Property Management's attorney, introduced the owner of Cay Property Management, **Curtis Jones**, at this time he was sworn in by Mr. Alice. Mr. Baker mentioned that the said property was purchased by Mr. Jones las year, previously the said property was a Gentleman's club, and the intended use is for events, weddings, family reunions, etc. There aren't any changes outside of the building. There is roughly 120 parking spots. There are

changes to the inside, the applicant mentioned he added 2 bathrooms with permits, and took out all the stages now the inside is all open. The applicant would like to have events every day, the hours of operations will accommodate the customer, possibly between noon and midnight. No other business will be conducted, other than the events to be rented, no memberships. No employees, Mr. Jones or his partner will be onsite during rentals. Customers will bring their own food. Mr. Jones described the neighborhood and the surrounding properties, there aren't any residences surrounding the building. Mr. Alice asked about a liquor license, Mr. Jones replied there isn't a liquor license. Mr. Alice then asked what the alcohol situation was – Mr. Jones replied whoever rents for an event will have to obtain a permit to bring in alcohol. Mr. Baker mentioned it will be in the contract for the customer to obtain a permit for alcohol. There was discussion between the board and the applicant about alcohol.

Comments from the Planner, Mr. Dochney – nothing specific, he has no problem with the customer obtaining their own permit for alcohol.

Mr. Barna asked about the food preparation if any, Mr. Jones responded that there is a kitchen, but the customer is to use it just for space, there is a warmup drawer that the customer can use, the kitchen is for prep only, no cooking. There was mention of occupancy, which is about 303 or more. There are 2 rooms for multiple parties, 65 people on the smaller side and 235 on the larger side. There are 103 parking spaces. Mr. Dochney mentioned the property line-there are parking spaces facing Crown Point Rd which are on Sunoco property, at least 20-30, unless the property lines have changed. The applicant is aware of the parking spaces but has not explored the situation yet. There was discussion about the parking spaces between Mr. Dochney and the board. Chairman Nichols asked the applicant what his understanding of the parking spaces, his reply was he was in the understanding that the parking spaces were all included at the time he purchased the property. The applicant does not have a survey of his property, no layout, or conceptual plans.

Vice Chair Oldt mentioned the proposed application is a good idea, it's in a good location but is falling short of detail. **Chairman Nichols** mentioned there isn't enough information. **Mr. Alice** suggested for the applicant to explore more, get a survey, and explore more about alcohol.

Mr. Baker and his applicant requested an adjournment until next meeting for more exploration on the issues. **Chairman Nichols – All in favor for applicant to table the application until next meeting - AYE.**

CORRESPONDENCE

NONE

RESOLUTION FOR MEMORIALIZATION

2023-2 – Parks Grove LLC

Motioned to approve by Vice Chair Oldt, 2nd by Mr. Fentress, 2 Abstentions (Mr. Barna and Ms. Russell) All in Favor-AYE

2023-3 – Hans Attys (Denial)

Motioned to approve by Vice Chair Oldt, 2nd by Ms. Ives, 2 Abstentions (Mr. Barna and Ms. Russell)

REPORTS

1. **Zoning Board of Adjustment Solicitor** (John Alice)
2. **Zoning Board of Adjustment Engineer** (Bryson and Yates)
3. **Zoning Board of Adjustment Planner** (CME Associates)

OPEN TO THE PUBLIC

Motion by Mr. Barna, 2nd by Mr. Fentress, All in Favor - AYE

CLOSED TO THE PUBLIC

Motion by Mr. Barna, 2nd by Mr. Fentress, All in Favor - AYE

ADJOURNMENT

Motion by Mr. Fentress, 2nd by Vice Chair Oldt, All in Favor – AYE

Respectfully Submitted,
Patricia Austin, Recording Secretary
Adopted 6/13/2023