

VOORHEES TOWNSHIP ZONING BOARD MINUTES September 10th, 2020

The Chairman called the meeting via zoom to order and stated it was being held in compliance with the "Open Public Meeting Act" and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Cohen, Mr. Weil, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Pannu, Mr. Cupersmith, Mr. Senges.

Absent:

Also, present: Chris Norman, Board Solicitor, Bennett Matlack, CME, Christopher Dochney, CME, Stella R. Sytnik, Zoning Board Secretary.

MINUTES FOR APPROVAL

Mr. Cohen motioned to approve the Minutes from the August 27th Zoning Board meeting; seconded by Mr. Willard; none (0) against; Mr. Weil, abstained, Mr. Pannu abstained.

RESOLUTIONS FOR APPROVAL

Mr. Cupersmith motioned to approve **RESOLUTON NO. 20-15** seconded by Mr. Willard; none (0) against.

Ayes: Mr. Cohen, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Cupersmith, Mr. Senges.

Nays: None.

Abstention: Mr. Weil, Mr. Pannu.

NEW BUSINESS**PROSTO AUTO GLASS, LLC**

100 Kresson Gibbsboro Road
Block 230.27, Lot 45

Mr. Norman summarized the Application stating the Applicant is seeking relief from Section 152.062 for use variance approval to permit an auto service use installing and repairing automobile glass in the O-3 office district. The use is currently not permissible, although the prior occupant used the property for large truck repairs. No structural changes are anticipated, and the footprint will remain the same. There will be minimal traffic, as the work will be done by appointment.

Mr. Senges asked the Applicant's Attorney to testify.

Mr. Norman swore in Mr. Krill, the Applicant, Mr. Cutler, the Applicant's Attorney and Mr. Miller, the Applicant's Engineer.

Mr. Cutler asked a few questions of his client, Mr. Krill.

Is Mr. Krill a managing member? Mr. Krill answered yes.

How many members in the operation? Mr. Krill responded there were two (2).

Who is the other member? Mr. Krill replied the other member's name is Andrey Skorobogatko, and Mr. Skorobogatko is on the call and listening in.

Mr. Cutler further asked how long ago did Mr. Krill purchase the property. Mr. Krill responded two (2) years ago.

Has Mr. Krill you cleaned up the property? Mr. Krill replied yes, drastically.

VOORHEES TOWNSHIP ZONING BOARD MINUTES September 10th, 2020

Mr. Krill mentioned that it used to be South Jersey repair shop, he drove by a couple of times as he also lives on 317 Kresson Gibbsboro Road. He was aware that the building was repossessed from the previous owner. Besides what the Township already did, they cleaned it inside and outside after they purchased it to make it presentable.

Mr. Cutler asked about the nature of the business. Mr. Krill replied it is a simple service shop, glass replacement and small and cheap repair, to stop it from spreading if one needs to replace windshield if it is beyond repair.

Mr. Cutler asked Mr. Krill to confirm that they repair and replace auto glass and Mr. Krill answered positive.

Mr. Cutler asked about tools being used. Mr. Krill responded mostly hand tools, barely any machinery, rarely any power tools to extract windshields.

Mr. Cutler verified that there is no noise during the operation. Mr. Krill confirmed this is correct.

Mr. Cutler stated most work is done on the site and in shop, and by appointment only. Mr. Krill confirmed all of the above. Sometimes they prefer to do the job on their site.

Mr. Krill explained there is no traffic, they only repair when clients come in and they work on one vehicle at a time, by appointment.

Mr. Cutler asked if they ever store vehicles. Mr. Krill responded no. Are vehicles towed to property? No. How many maximum vehicles will be at the property? They have two (2) vehicles of their own, he and Andrey, one vehicle may stop to repair, one may stop to say hello, so at most four (4). Mr. Krill informed the Board he started to work on his own in December 2015, so it will be five (5) years.

Mr. Cutler asked if there was a fence behind the property. Mr. Krill confirmed it was correct. Is the fence in good condition? Mr. Krill said it serves its purpose. The previous owner had junk so the fence served to separate it, they only have grass.

Mr. Senges asked if they do any work in the back. Mr. Krill replied not necessarily. Is all the work being done in the building? Mr. Krill said yes.

Mr. Senges asked how many employees are in this business. Mr. Krill responded there is Andrey and himself, they are partners, it is a two-men show.

Mr. Norman inquired about hours of operation. Mr. Krill replied it is 9am to 5pm.

Mr. Matlack asked about a typical number of cars on site at one time. Mr. Krill stated they have two (2) vans and they may come in the morning to pick up supplies, Andrey and himself, and typically one customer who brings his vehicle for repair so they only work at one car at a time; however, sometimes someone can stop by to say hello. They have capacity on inside to work on 8 vehicles. There normally are no more than one or two visible vehicles on site. Maximum number of vehicles may be four (4). They work out of the van when they are mobile.

Mr. Cohen inquired about a possibility of someone not wanting to wait on site and if it was conceivable for 3 people to drop off their cars and ask to get it to them when the repairs are done; then they will have 5, 6 or 7 cars on site.

Mr. Krill explained they try not to have that happen as they work by appointments, and the whole purpose of the in-shop service is that a client can wait and drive it away immediately once done. Clients do not want to miss all day at work and wait all day.

Mr. Cohen inquired about a possible scenario when his car would need a repair and his wife would drop him off. Would then his car be kept inside overnight, do they have enough room? Mr. Krill replied absolutely, and if say the customer is late due to a sick child as an example, they would leave it inside to keep it clean if not even for security purposes. They take full responsibility for the vehicles left at the site.

Mr. Cohen inquired about glass deliveries schedule, what kind of trucks come to deliver it, and how do they stock and dispose of the damaged glass.

VOORHEES TOWNSHIP ZONING BOARD MINUTES September 10th, 2020

Mr. Krill explained they have two (2) deliveries per day, one in the morning around 9:30 am, and another one when a van leaves the warehouse around 5 pm. Their major warehouses are all local, in Pennsauken and they use regular commercial size vans. They deliver the glass, leave it on site and are on their way. The disposal of the damaged glass goes through trash receptacles. The same suppliers who deliver glass, take the damaged glass back and hopefully recycle.

Mr. Cupersmith asked for how long they have been in this business. Mr. Krill responded overall for 15 years. Prior to starting his own business, he worked for major companies, did not want to mention names, for the last five (5) years he started doing it on his own. He and his brother-in-law are in the same type of business; co-owners, they managed big shops.

Mr. Cupersmith asked for how long they did truck repairs on this site? Mr. Krill told him that he did not.

Mr. Cutler clarified that his client did not do truck repairs, the previous owner of the site did truck repairs, he never occupied the premises, he wants to do everything right in accordance with the ordinance.

Mr. Matlack asked about number of parking spaces on the site. Mr. Krill said nothing designated and explained that previously all the items were stacked up. The front parking which is paved is huge. The whole front site is about 250x150 feet with 90% of it being taped.

Mr. Senges inquired if it would make sense to require designated parking for safety. Mr. Matlack agreed since they do not have a site plan.

Mr. Cutler noted they do not believe they need approval for the site plan as they asked for the waiver and based on his previous conversation with the Board attorney. They are not making any changes to the site.

Mr. Senges pointed out that the township code will require some designated parking.

Mr. Matlack cited the ordinance and mentioned he thinks that based on the size of the property eight (8) designated parking spaces on the site would suffice and they may need some striping.

Mr. Norman updated the Board that he spoke with Mr. Cutler who indicated it is a small-scale operation for auto glass repair, and as they have just heard from the testimony, the operation does not service more than five (5) cars. If we can stipulate the condition, we do not need a site plan.

Mr. Cutler said they do not object to that. He asked whether they would still need a site plan if they had a stipulation on limit on the number of cars being serviced. Mr. Senges responded he does not believe they need a site plan, but they need designation including at least one handicapped parking space.

Mr. Cutler advised the Board they would accept the conditions as they had asked for waiver for the site plan.

Mr. Senges asked the Board if anyone had any objections or input for the handicapped space.

Mr. Weil commented that he is very well familiar with the property. He believes vast improvements have already been made of what was there before. He mentioned that even ten (10) cars parking situation will pale in comparison to what was on the property before – RV's, boats, tractor trailers. There is a huge area in the back, it would definitely suffice in lieu of any type of sit plan. They should they designate that for handicapped. They could just put lines and having that area striped.

Mr. Senges agreed with what Mr. Weil said but he believes they need to designate a few spaces for handicapped.

Mr. Cohen inquired about the plan of the property. Mr. Krill replied the building is 75 feet long, half of it are two (2) big garage doors 16x18, side by side. There is empty space to the left enough for 25x40. He mentioned they are planning on putting a sign there. They were approached by a sculptor/builder who lives in Alluvium. No neon, nothing flashy, no statues or fountains.

Mr. Senges pointed out that the sign will have to meet Zoning Ordinance.

VOORHEES TOWNSHIP ZONING BOARD MINUTES September 10th, 2020

Mr. Norman advised the Board that if they don't have a specific sign plan, they will stipulate to ensure it is in compliance.

Mr. Cutler commented they have nothing flashy in mind, nothing outrageous and if the Board wants to condition it, they will concur.

Mr. Krill added that he lives down the street, this is something he envisions to fit the zoning ordinance and fit the township, be presentable and classy, and to make all of them proud.

Mr. Krill added that people know who they are, but they need the name and logo. We want to steer people in the right direction. The sign will meet the ordinance.

Mr. Miller was invited by Mr. Cutler to testify on behalf of the Applicant.

Mr. Miller gave an overview of the property location, zoning district and surrounding areas. He further elaborated on positive and negative criteria of the requested use variance. They require D1 variance.

Under the positive criteria Mr. Miller cited the ordinance for two special reason purposes, (A) and (G). Both of these purposes deal with the appropriateness of the site for the use. In terms of particular suited aspects, Mr. Miller identified the following factors: existing improvements on the site; the building contains 2000 sq ft of space and it was designed for the similar type of business; office area; two (2) garages, parking lot could accommodate at least twenty (20) vehicles, it could easily be striped to accommodate specific use including the handicapped space; the proposed use has only two (2) employees, most of the business is conducted offsite; ideal for the proposed business use, ideal fit for small business with limited activity; the property is surrounded by residential; no significant traffic or other activity; intensity and character is great fit; finally, the useful provider means viable business structure; it will be reoccupied in appropriate manner; planning advantage of being it occupied as opposed to having it abandoned; consistent with existent pattern; the project is advancing township planning objectives of redevelopment. All the above factors make it meet positive criteria.

In terms of the negative criteria, Mr. Miller indicated they need to show there is no substantial detriments to the public good and zone plan. In terms of general welfare, mostly it has to do with the intentional impact on the use of surrounding area. He believes it is low intensity, good use; given the character and impact on the road, he does not see any substantial impact on traffic. It is a good fit for the neighborhood given its character. It is consistent with O-3 district zone and is consistent with the intent and purpose of the zone plan; and this is a unique use because of its character and scale; the board attached conditions that have been numerated and will be followed; orientation toward the road is good, business conducted mostly on the rear of the property; limited amount of customers; trip generation much less than other businesses. For all those reasons he believes it satisfied the negative criteria.

Mr. Miller further noted that the application does require use variance but procedures that are attached are going to ensure the use remains competitive with its purposes and intent and it should yield the Board's approval.

Mr. Senges asked if Mr. Cutler had any questions for the Board. Mr. Cutler confirmed that they have no problems with handicapped spacing and signs. They are asking for the best result for the township out of this property.

Mr. Dochney pointed out that the existing building predated the ordinance. He further clarified that it has about nine (9) non-conformities on the site. He feels they do not need to go over all of them because the Applicant is not seeking the site plan, but it needs to be included in the record.

Mr. Senges addressed Mr. Norman on his advice on how to handle the non-conformities issue in terms of the motion.

Mr. Norman advised the Chairman and the Board that bulk variances are usually subsumed within the use variance requests. This is a very low intensity operation, this use is limited to the specific type of use and if in future the Applicant needs amended site approval, they will apply for it and will need to adhere to other bulk standards.

VOORHEES TOWNSHIP ZONING BOARD MINUTES September 10th, 2020

Mr. Cohen inquired if they Applicant is going to start making new car windows in future, and, generally speaking, how much they anticipate the business to grow which means the traffic will grow. Mr. Krill replied negative, this is such a specific type of business. They do what most big dealership, like Mercedes Benz and Ford, Chevrolet do not do their own glass.

Mr. Senges asked the Board if there were more questions.

Mr. Pannu asked if everyone at the location is there by appointment. Mr. Krill explained that they cannot prevent people from stopping by; however, it is a different type of operation from other repair shops. For example, at Jiffy Lube, you can stop by and get services. In their case, they have to allocate the space.

Mr. Norman pointed out that they are not a walk-in operation. They do everything by appointment. He added that for one thing the constraint is that they need to order replacement glass prior to the appointment.

Mr. Matlack asked whether the Applicant went to the county planning board for approval since this property is on the county road. Mr. Cutler said no but he had to put them on notice, however.

Mr. Senges closed this portion of the hearing and opened the floor to the public.

Seeing no one in the public in terms of commenting or having any questions about the application, the Chairman closed public portion and asked the Solicitor to give a synopsis of the motion.

Mr. Norman summarized the motion stating the Board will grant the use variance and site plan waiver subject to the conditions that they will have to provide striping for four (4) vehicles including one handicapped space, and business operations shall be for an auto glass repair only by appointment and that any significant change of use will require amended use variance. Per Mr. Senges' recommendation, Mr. Norman stated he will also include in the motion conformance to signage and the fact that it will be a repair and replacement shop.

Mr. Cohen motioned to approve the Application seconded by Mr. Willard.

Ayes: Mr. Cohen, Mr. Weil, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Cupersmith, Mr. Senges

Nays: None

Abstention: Mr. Pannu

Mr. Norman advised the Resolution will be adopted and the Applicant there is forty five (45) days right of appeal from the date of the publication of the notice of decision. This is a standard procedure and the Applicant should be aware of it.

Mr. Senges opened the floor to the public. Seeing no one to comment on the application, the Chairman brought it back to the Board.

Seeing no further business Mr. Willard made a motion to adjourn, seconded by Mr. Cohen.

Stella R. Sytnik
Zoning Board Secretary