



SOMERDALE BOROUGH PLANNING AND ZONING BOARD
February 28, 2024 - 7:00 PM
Minutes

CALL TO ORDER: @7PM

SALUTE TO THE FLAG

SUNSHINE STATEMENT:

In compliance with the Open Public Meetings Act, notice of this meeting was given by way of mailing to the Courier Post Newspaper and posted in the Borough Hall on February 20, 2024.

ROLL CALL:

Chairperson Kathy O'Leary
Vice Chairman Nicholas Loberto-Resigned
Mayor George Badey
Councilman Larry Sefchick
Lieutenant Brian Usher
Christian Annese- Absent
Phil Miller
Michael Wharton
Wayne Neville
Thomas Leakan
Francis McGowan
Solicitor David Carlamere
Planner Robert Scott Smith PLS, PP
Zoning Officer Karen Wharton

MINUTES:

Board to approve the minutes of January 31, 2024

O'Leary This board will entertain a motion to approve or disapprove the minutes from January 31st meeting.

Motion: Sefchick

Second: Badey

O'Leary To approve?

O'Leary All in favor?

All Aye.

Opposed: None.

CORRESPONDENCE:

 Loberto resignation

 Vice Chair nomination _____

O'Leary Letter of resignation from Mr. Loberto. Open nomination for Vice Chair.

Sefchick Nominate Michael Wharton for Vice Chair with Somerdale planning and zoning board.

Second: Bady seconds nomination for Michael Wharton

O'Leary Any other nominations? Hearing none, we are good to close.

Motion: Badey

Second: Sefchick

O'Leary All in favor?

All Aye

Opposed: None

Michael Wharton accepts

RESOLUTIONS:

 # 2024-07

 Sophie & Pete's Properties LLC

 Joseph Graffeo & Kenneth Moninghoff

 121 N. White Horse Pike

 Somerdale NJ 08083

 Block 118 Lot 1

 Change of Variance

O'Leary Entertain a motion to read or not read the resolutions

Carlamere Combine the reading and the resolutions approval.

O'Leary Motion to combine the reading and the approval/ disapproval resolution.

Motion: Wharton, approval to waive the reading and approval for the resolution

Second: Sefchick

O'Leary Any questions on the motion? None

Roll Call: Yes

Kathy O'Leary
Mayor George Badey
Councilman Larry Sefchick
Lieutenant Brian Usher
Phil Miller
Michael Wharton
Wayne Neville
Thomas Leakan
Francis McGowan

RESOLUTIONS:

#2024-08
Kaiser Subdivision
Ronald J. Uzdevinis, Esquire
105 W. Somerdale Road
Somerdale NJ 08083
Block 116 Lot 1
Minor Subdivision

O'Leary Motion to the reading and approval/ disapproval of the resolution 2024-08.
Motion: Wharton, motion to waive the reading and approve resolution of 2024-08.
Second: Badey
O'Leary Any questions on the motion? None.

Roll Call: Yes

Kathy O'Leary
George Badey
Larry Sefchick
Brian Usher
Phil Miller
Michael Wharton
Wayne Neville
Thomas Leakan
Francis McGowan

NEW BUSINESS: **CANCELED**

Rise Home Buyers LLC
210 S. Warwick Road
Somerdale NJ 08083
Block 145 Lot 3.03

Reason: Use Variance d (1)

O'Leary Under new business the Rise Home Buyers canceled. Next item of new business is the Phoenix Son Enterprises.

Carlamere For the record this application involves use variance by stature requirement the mayor & the council member cannot participate in application for use variance. That is why we changed the agenda.

NEW BUSINESS:

Phoenix Son Enterprises LLC
134 W. Somerdale Road
Somerdale NJ 08083
Block 126 Lot 17

Reason: Use Variance d (1)

Peter Chacantias Representative for Phoenix Son Enterprise LLC. Here to submit the site plan waiver and use variance d (1) for the property of 134 W. Somerdale Road, block 126 and lot 17. Request a site plan waiver, and d (1) use variance relative to the use of the property. Property is located in a R1 zone which does permit single family homes but not multifamily dwelling. Property is and remained as character a triplex, 3 separate units in the home. The client has purchased the property, the house was already divided into 3 units and had 2 tenants and old owner living at the residence. From professional review letter there is evidence it has operated as duplex. There is an established electric meter in the year 2000 from permit application and the property has a dual sewer bill. At the very least the property has operated as duplex. Units will be referred as Apartments A, B and C. Applicant is purposing to install of a 6-space parking lot, totaling 2300 square foot, complying with review letter. NJ storm water management rules are not triggered. No other variances in connected with this use even with the installation with parking lot. There are 2 existing, nonconforming which predate this application and predate the purchase of property. They won't be altered in anyway. Essentially, we will not make any worse. The first is the front yard technically 25ft set back required a 12.7ft set back exists. And a 12.7-foot set back will remain. Same thing is true as for the side yard setback 10ft required, 4.6 ft is existing and 4.6 ft will remain. No other variance in connection with this application.

- Chacantias We will be presenting 3 witnesses, first is Samuel Clark - applicant rep, Nick Kuzowski- architect, Joe Mancini-profession engineer and planner.
- Carlamere Swears in all attended 3 witnesses; Samuel Clark, Nick Kuzowsky and Joseph Mancini.
- Chacantias Introduced Samuel Clark for the first testimony. Samuel is the sole proprietor of Phoenix and Son LLC.
- Clark Purchased the property from Brian Whelan. Whelan owned 2 properties right next to each other. He was looking to get rid of them unable to maintain the upkeep with properties. I would buy both as investment properties. The property was verbally marketed as a triplex. Having 2 tenants living at triplex and a resident living at the house next door, prior to the purchase of the property. One in apartment C, Melissa Jones, August of 2020 moved out this past July (2023). One in apartment B, Lacey Heist and in the original back first floor apartment. Lacy is still residing in unit B. Apartment C is now vacant.
- Carlamere The property was occupied by 2 individuals at that time.
- Clark First floor back side apartment B has the tenant and is still the same tenant, Lacey Heist. Apartment C, upstairs had a tenant Melissa Jones, her sister is the occupant of the 4-bedroom house next door. Apartment A facing Somerdale Road was occupied by previous owner. Full kitchen, bath and bedroom.
- Chacantias When purchased property, you were not aware of the zoning duplex and triplex?
- Clark No.
- Chacantias Continue using the property as a rental?
- Clark Absolutely, pending the approval of the board
- Chacantias List repairs you have made.
- Clark Number of request; windows leaking, basement, unit A holes in sheetrock, cabinets replaced upstairs, everything is brand new.

- Chacantias Board professional review letter dated January of this year (2024). Had some comments of additional comments of property for site conditions handed in exhibit A.
- Clark First is the side walk unit A entry on Somerdale Road. Brand new concrete slab installed.
- Chacantias For record page one on exhibit A.
- Clark Page 2 includes removing back yard debris. House will be power washed. Page 3, several crack on asphalt drive way. Fixing the driveway at one time, if the addition parking lot is approved.
- Chacantias Sam your intention had always been to fix the parking lot with the approval of the extension?
- Clark Yes. I want these houses to be somewhere that will benefit the township and the residents.
- Chacantias Tenant in the first-floor apartment B that is still rented. Apartment C & Apartment A are vacant?
- Clark Yes.
- Chacantias I have no further question for Mr. Clark.
- Miller Question; for the before and after picture of the step, referencing exhibit A, how high is that step?
- Clark That is just the angel of the picture, it is flat.
- Carlamere For the record from where the brick ends and the new slab there is no step.
- Clark "Before" picture everything is level
- Miller I am seeing is a 12" step without a railing.
- Clark Flat service to walk on.
- Usher Can you go over more detail with the back drop?

- Chacantias That question would be better answered by the architect Nick Kuzowski.
Introduction of architect.
- Kuzowski An architect for 25+ years, practicing for 7 years at Furno & Assoc.
Working on multifamily, multiple building types and presented on
multiple boards in the state of N.J. from Edgewater, Palmyra, Medford.
- Chacantias The plans that we see here are the plans submitted to the board?
- Kuzowski That is correct.
- Chacantias Exhibit A2 is submitted of a drawing showing the building improvements.
For the record these plans were prepared by you or under your
supervision?
- Kuzowski Correct. The presentation will be relatively brief. The project is minor
alteration layout, not changing much. Changing the exit locations for unit
B entrance door, so they are not using the garage. Making the outside
staircase code compliance. New renovation for updating appliances,
cabinets, flooring.
- Chacantias First and second page for the entrance layout.
- Kuzowski Entrance for unit A off Somerdale Rd. into front door entrance. Unit B
around driveway under new stairs of back building. Unit C will be
walking upstairs behind building above the garage.
- Chacantias Comment in board professional letter regarding about ADA compliance.
- Kuzowski ADA compliance, NJ rehab subcode if it will cost more than 20% of the
construction cost, you do not have to comply. We will make amends to it,
will try best to make complaint by using lever hardware, height of outlets,
moving switches. We will maintain what is preexisting for the rest.
- Chacantias No further question.
- Miller Are the garages staying? What units do they belong to? Will they be
separate?
- Kuzowski Garages will be separated. Front one will be for landlord or whichever he
chooses. Back on is used by apartment B tenant.
- Miller No studs?

- Kuzowski No, it's all sheet rocked.
- Clark Garages will be separate and used for parking or storage. The back one is used by the tenant in unit B and will stay that way. The front garage can be shared by Unit A and C.
- Chacianas Whichever is code complaint?
- Clark Yes, whichever is code complaint.
- Miller Are the railings on second level compliant?
- Kuzowski Yes, they are complaint.
- Kuzowski There is actually a curb under the rail it doesn't show in picture or shows smaller.
- McGowan Will there be a third meter installed for unit C?
- Clark Yes, a permit was pulled.
- Usher What about the third sewer connection?
- Clark If needed, yes one will be.
- Smith Question for the architect, no records to make it a duplex and now the conversion to a triplex. Second story entrance is unusual. Did you take a look at it? Have you actually walked on it? What changes are required to make it structural?
- Kuzowski Yes, the structure is efficient.
- Smith Permits for drainage?
- Kuzowski Drainage goes to a down spout so that is not an issue.
- Mancini Introduction of Joseph Mancini Tristate engineering and surveying, licensed from 2005(2007) respectively. Testify in other towns.
- Chacianas Submission of Exhibit A4 another drawing site plan ariel, showing lot is almost a full acre.

- Mancini Ariel site plan, this property actually goes around a property and circle back. Purposed the extended parking lot to accommodate 6 car parking spots, the grading and drainage will comply per professional review letter. Going from South to North for safe and drainage so it doesn't go into neighbors' property. Create a barrier slope and retaining wall to ensure plenty of room.
- Carlamere Are you implying you will work with the board engineer/planner to address the draining issue.
- Mancini Yes, but considering we have substantial wooded area we will direct it there to avoid neighbor's property.
- Chacantias Question in the review letter about the drop off.
- Mancini The local property does drop from south to north so we have to address the parking lot functional and the drop off 25 %, along with putting a barrier there to assist with any of the concerns from the review letter.
- Chacantias Question in review letter about lighting.
- Mancini Lighting isn't required in a single-family dwelling with the other neighboring houses. Not going to create a parking lot environment but we intend to make the environment safe and comply with boards planner report. We want to ensure safety around the building, by installing solar powered 10feet high lighting, on the back side of the building for the trash & waste, pad and sidewalk, fence on 2-3 side of the trash compactor.
- Chacantias One of the recommendations by providing an impact letter with Camden County planning board for along the road.
- Mancini Driveway is 18 feet wide and will be kept it as is. Limited amount of traffic with the SFD. By creating a better parking space for the tenants and keeping it up to repair. Will obtain "no impact letter" along the road by County. As d (1) use variance indicates no triplex in a R1 zone, this is similar to a 6BDR SFD. The property will be improved in that way. With the stability regarding the history of the property being used as a multifamily. The overall density of the property is still consistent.
- Smith Regarding the lighting minimum 1foot candle, lamination is low level lighting wattage so it isn't looking like a commercial lot.
- Mancini Yes.

- Carlamere If the application is approved you will work with the township planner.
- Mancini Yes.
- Smith Applicant has testified more than adequate and addressed the negative criteria. The Board can take into consideration the size of the lot which is a little less than an acre in the size of a SFD is equivalent.
- O'Leary Are there any other issues that need to be addressed?
- Smith Paving and the extension of the parking lot Joe Mancini will need to revisit with the overlay.
- Miller Parking lot extension, where is the parking lot pitch?
- Mancini Pitched toward the wooden area. Barrier in back but not taking it toward the neighbors.
- Miller Woods, do they go to any others properties?
- Mancini The area will be infiltrated.
- Smith The grading changes will divert won't be concentrated.
- O'Leary Any others?
- Miller The basement will that be a living space?
- Clark No, only the boiler.
- O'Leary If there are no other concerns, will open to the public @ 7:52pm.
- Patricia Hines Resident of 6 Gloucester Ave. Concerned for the runoff water since she is the neighboring houses around and we get enough water. Concerned because the applicant stated the third unit isn't being used and it is utilized already. How far back will be the parking lot? That was never answered. I can see a lot of disadvantages with 2 neighbors. Talk of seniors, this area has single seniors living there we want people with the same agenda as we do to live there. Bright lights for parking lot? Who will be the renters?

- O'Leary Anyone else from the public?
- James Wright 8 Gloucester Ave. The property that was purchased (134 W. Somerdale) Where are the property lines?
- Mancini Moves to exhibit A4 showing the layout of the property lines to Mr. Wright. The parking lot will not be adjacent
- O'Leary The egress and ingress are only from Somerdale RD?
- Mancini Yes, and the water will only be directed to run off our property not neighbors.

Exhibit A4 explained to the public again showing location of property lines, where the parking lot will be how the water runoff will be directed.

Closed to the public @ 8:05pm.

Miller Can the tenants able to turn around in the parking lot or are they going to have to back out on Somerdale Road?

Mancini They will be able to turn around.

Carlamere Summary- Refer to Resolution 2024-10

O'Leary Motion to combine waiver and variance application?

Motion: Wharton

Second: Miller

All in favor, Aye

O'Leary Opposed? None

GOOD OF ORDER: Nothing
GOOD & WELFARE: Nothing
ADJOURNMENT: @8:13PM

Motion: Wharton

Second: Miller

All in favor: Aye

Respectfully Submitted:

Meegan Wadleigh
Recording Secretary

