

THE REGULAR MEETING OF THE JOINT LAND USE BOARD FOR THURSDAY, APRIL 27, 2017  
WAS CALLED TO ORDER AT 7:00 P.M. AT THE LINDENWOLD BOROUGH HALL.

SUNSHINE ANNOUNCEMENT

FLAG SALUTE

PRESENT: – KATE GASKILL, ESQ., BOARD SOLICITOR  
JEFF HANSON, PE, CME, BOARD ENGINEER

MEMBERS PRESENT:

MAYOR RICH ROACH  
COUNCILMAN RON BURROWS  
MR. JOE VANDERGRIFT  
MS. PAT STRIPPOLI  
MR. CHRIS RASMUSSEN  
MS. KATHY FITZPATRICK  
MS. JOY JACKSON  
MR. JIM SAAD

MEMBERS ABSENT:

MR. CRAIG WELLS  
MS. BETH FOSTER

MR. SAAD ENTERTAINED FOR A MOTION TO APPROVE THE MINUTES FROM MARCH 23, 2017. MAYOR ROACH MADE THE MOTION TO APPROVE, MOTION SECONDED BY MS. STRIPPOLI. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MR. SAAD WHO ABSTAINED. MOTION CARRIED.

MR. SAAD ENTERTAINED FOR A MOTION TO APPROVE THE MINUTES FROM APRIL 19, 2017. MAYOR ROACH MADE THE MOTION TO APPROVE, MOTION SECONDED BY MS. STRIPPOLI. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

MR. SAAD ENTERTAINED FOR A MOTION TO APPROVE RESOLUTION, JLUB-17-3, NIESSNER, BLOCK 112, LOT 8. MS. STRIPPOLI MADE THE MOTION TO APPROVE, MOTION SECONDED BY MS. FITZPATRICK. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

MR. SAAD ENTERTAINED FOR A MOTION TO APPROVE RESOLUTION, AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT. MS. STRIPPOLI MADE THE MOTION TO APPROVE, MOTION SECONDED BY MAYOR ROACH. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

APPLICATION JLUB-17-6  
ALFONSO ESTRADA  
788 EMERSON AVENUE  
BLOCK 134.01, LOT 10  
MINOR SITE PLAN WAIVER  
CHANGE IN USE  
GIFT SHOP IN FEBRUARY & MAY TO  
STORAGE, FOOD PREPARATION &  
GIFT SHOP IN FEBRUARY & MAY

ALFONSO ESTRADA – SWORN IN

JEFF HANSON, BOARD ENGINEER – SWORN IN

MR. ESTRADA GIVING STATEMENT OF WHAT HE WOULD LIKE TO DO  
(USE AS GIFT SHOP A COUPLE DAYS DURING VALENTINE’S DAY AND MOTHER’S DAY,  
STORAGE FROM HIS OTHER STORE)

BOARD SOLICITOR STATING DO YOU UNDERSTAND THAT STORAGE IS THE MAIN  
FUNCTION OF THIS RETAIL SPACE THAT IS NOT PERMITTED. YOU WOULD NEED TO  
APPLY FOR AN USE VARIANCE. IF IT’S STORAGE AS AN ACCESSORY TO THE GIFT SHOP,  
KEEPING INVENTORY. ARE YOU STORING FOOD FROM YOUR RESTAURANT, YOU HAVE A  
WALK-IN REFRIGERATOR

MR. ESTRADA STATING YES, I ONLY WANT TO USE IT A FEW DAYS AS A GIFT STORE, I  
WANT MAINLY FOR STORAGE.

BOARD SOLICITOR STATING IT IS A RETAIL CENTER

BRIEF QUESTION AND ANSWER SESSION BETWEEN BOARD MEMBERS, BOARD ENGINEER,  
BOARD SOLICITOR AND APPLICANT  
(FOCUS OF MOST QUESTIONS – THE PREPARATION OF FOOD IN THIS LOCATION AND  
TAKING IT TO OTHER LOCATION THROUGH BACK DOOR, COUNTY HEALTH DEPARTMENT)

BOARD SOLICITOR STATING THE PRIMARY USE OF THIS RETAIL SPACE IS GOING TO BE  
STORAGE?

MR. ESTRADA STATING YES

BOARD SOLICITOR STATING YOU ARE IN A B1 ZONING DISTRICT AND UNDER OUR CODES,  
PROHIBITS USES ARE STORAGE AREAS.

BOARD ENGINEER EXPLAINING TO APPLICANT WHAT AN USE VARIANCE IS

WAYNE HANS – SWORN IN

BOARD SOLICITOR STATING IT IS MY UNDERSTANDING THAT YOU HAVE INSPECTED THIS  
RETAIL SPACE

MR. HANS STATING I DID NOT DO A FULL INSPECTION, WHEN I WAS AT THE FACILITY I  
FOUND SOMEONE SLICING VEGETABLES IN THERE. I TOLD THEM THEY COULD NOT DO  
THAT. THERE WERE SOME PROPANE TANKS IN THERE WHICH I TOLD THEM COULD NOT  
BE IN THERE. I ASKED IF I COULD SET A DATE TO COME BACK AND DO A FULL  
INSPECTION. HE AGREED ON THAT. I CALLED THE BOARD OF HEALTH TO HAVE THEM  
COME THROUGH WITH ME AND ALSO THE FIRE DISTRICT. ALL OF US WERE IN THERE  
TOGETHER, AT THAT TIME WE FOUND SOME GAS CANS, WHICH HAVE BEEN TAKEN CARE  
OF AND THAT THEY COULD NOT CUT FOOD THERE. THE BOARD OF HEALTH DID THEIR  
OWN INVESTIGATION; I DO NOT KNOW THE OUTCOME OF THAT. THEY SAID NO PREPPING  
OF FOOD AND TAKING IT OUT THE BACK. I DON’T KNOW WHEN THE WALK-IN BOX WAS  
PUT IN THERE, THE SINKS WERE PUT IT AND NEITHER WERE INSPECTED.

COUNCILMAN BURROWS STATING WAS THERE FOOD IN THE WALK-IN BOX OR JUST  
FLOWERS?

MR. HANS STATING THERE WEREN’T ANY FLOWERS, THERE WERE (5) GALLON BUCKETS  
OF FOOD FOR HIS RESTAURANT.

THERE WERE BOXES PILED UP TO THE CEILING AND HE WAS TOLD BY THE FIRE  
MARSHALL THAT HE HAS TO HAVE AN 18 INCH CLEARANCE. I HAVE NOT BEEN BACK IN  
THERE SINCE.

BOARD SOLICITOR STATING MY CONCERN IS YOUR INTENTION IS TO MAKE THE PRIMARY  
USE OF THIS RETAIL SPACE FOR STORAGE FOR ANOTHER BUSINESS. STORAGE IS NOT

PERMITTED IN THIS BUSINESS DISTRICT UNLESS YOU COME BACK AND APPLY FOR AN USE VARIANCE.

AFTER MUCH DISCUSSION, APPLICANT DECIDED TO AMEND HIS APPLICATION TO A CHANGE IN USE (GIFT SHOP ONLY).

MR. SAAD STATING SO YOUR INTENT NOW IS TO GO FOR THE CHANGE OF USE, TO STRICTLY A GIFT SHOP, NO FOOD STORAGE, NO FOOD PREPARATION, NO FOOD GOING FROM THIS STORE TO THE OTHER STORE.

MR. ESTRADA STATING YES.

BOARD SOLICITOR STATING SO YOUR CONDITIONS IN THIS CHANGE OF USE WOULD BE NO FOOD STORAGE, NO RESTAURANT EQUIPMENT IN THIS RETAIL SPACE, NO FOOD IN THE REFRIGERATOR, YOU WILL NOT NEED THE DEPARTMENT OF HEALTH INSPECTION NOW, ANY OUTSTANDING ZONING VIOLATIONS, YOU WILL COOPERATE WITH CODE ENFORCEMENT WITH THE REMAINING, AND WE WILL SEEK ENFORCEMENT ACTION AGAINST THE LANDLORD.

BOARD ENGINEER STATING AND WE WILL CONDITION THIS APPROVAL UPON THE ITEMS IN MY LETTER.

BOARD SOLICITOR STATING THAT WOULD BE THE RESTRIPIING OF THE PARKING LOT, THE ADA RAMPS AND THE POTHOLES.

DISCUSSION ON SECURITY

BOARD SOLICITOR STATING YOU WOULD HAVE TO GET SECURITY MEASURES AND HAVE THAT APPROVED BY THE LINDENWOLD POLICE DEPARTMENT.

CHANGE OF USE WITH ALL THESE CONDITIONS AND A WAIVER OF THE SITE PLAN.

MR. SAAD OPENED THE MEETING TO THE PUBLIC AND NO ONE STEPPED FORWARD.

MR. SAAD ENTERTAINED FOR A MOTION TO APPROVE WITH THE CONDITIONS AS STATED AND AGREED TO BY THE APPLICANT. MAYOR ROACH MADE THE MOTION TO APPROVE, MOTION SECONDED BY MR. RASMUSSEN. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

APPLICATION JLUB-17-7  
WAWA  
421 S. WHITE HORSE PIKE  
BLOCK 151, LOT 2.02  
REQUEST FOR EXTENSION  
FOR TRASH ENCLOSURE

SARA SZYMBORSKI, ESQ. – PRIME LAW

MS. SZYMBORSKI STATING I REPRESENT WAWA AND WE WERE LAST HERE IN MAY OF 2015 AT WHICH TIME WE RECEIVED AMENDED SITE PLAN APPROVAL TO ADD A TRASH ENCLOSURE TO THE EXISTING LOCATION. AS YOU KNOW WE HAVE TWO YEARS FOR OUR APPROVALS THAT WOULD BE UP ON JUNE 25<sup>TH</sup>. SO WE ARE ASKING FOR A ONE YEAR EXTENSION TO GET THAT WORK DONE. UNFORTUNATELY WE DID THAT AS PART OF AN OVERALL STATE WIDE PROGRAM TO PUT TRASH ENCLOSURES IN ALL THOSE STORES AND DIDN'T GET THEM ALL DONE WITHIN THE TWO YEARS. WE WILL HAVE IT DONE BY JUNE 25, 2018.

BOARD MEMBERS HAD NO QUESTIONS

BOARD SOLICITOR STATING THE MUNICIPAL LAND USE ALLOWS FOR AN EXTENSION

MR. SAAD OPENED THE MEETING TO THE PUBLIC AND NO ONE STEPPED FORWARD.

MR. SAAD ENTERTAINED FOR A MOTION TO APPROVE. MS. STRIPPOLI MADE THE MOTION TO APPROVE, MOTION SECONDED BY MR. RASMUSSEN. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

MR. SAAD OPENED THE MEETING TO THE PUBLIC AND NO ONE STEPPED FORWARD.

MEETING ADJOURNED

NANCY DIDOMENICO  
BOARD SECRETARY