



TOWNSHIP OF GALLOWAY  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
PLANNING BOARD      ZONING BOARD OF ADJUSTMENT

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Antoinette Irwin  
PLANNING / ZONING BOARD  
ADMINISTRATOR

**MINUTES**  
**ZONING BOARD MEETING**  
**January 12, 2023**

Jim Cox called the meeting to order at 6:30pm.

The following members were sworn in: Muhammad Ayub, James Delcane

Present: Muhammad Ayub, Salvatore Bancheri, Jim Cox, James Delcane, Chirag Desai, Calvin Ferrara, Ken Kachnic

Absent: Bruce Kern, Josh Smith

**ELECTION OF OFFICIERS:**

Chairman: Jim Cox

Vice Chairman: Bruce Kern

Secretary: Antoinette Irwin

**APPOINTMENT OF THE PROFESSIONAL STAFF:**

Solicitor: Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors

Conflict Solicitor: Ridgway Legal

Engineer: Kates Schneider Engineering LLC

Conflict Engineer: T&M Associates

Planner: Kates Schneider Engineering LLC

The meeting schedule for 2023 was approved. The Zoning board Meetings are scheduled on the 2<sup>nd</sup> Thursdays of the month beginning at 6:30pm unless otherwise noticed.

**APPROVAL OF MINUTES:** December 8, 2022 (**Approved**)

**APPROVAL OF ANNUAL REPORT:** 2022 Annual Report of Decisions (**Approved**)

## NEW APPLICATION

9-22 Swenson Welding  
500 S. Philadelphia Ave  
B. 126 L. 1 & 2  
“D” Use Variance

### Sworn In:

Dylan Swenson, Owner  
Cormack Morrissey, Professional Planner and Engineer

Mr. Mintz’s credentials were accepted by the board.

The applicant is represented by Robert Mintz Esq and accompanied by Cormack Morrissey appearing in his expert capacity as a professional planner and engineer. The applicant is requesting a “D” variance for the expansion of a lawful-preexisting non-conforming use, as well as the use of a temporary storage structure to house equipment until the permanent structure is complete.

The applicant proposes the addition of a 20,000 square foot structure which will allow him to bring the majority of the operation indoors. The variances requested include 35.6 % building coverage where code requires a maximum of 13.8% and 73.7% total site coverage where code states 68.3% maximum. They are also requesting a variance for parking, 21 parking spots are proposed where 46 are required by code.

Dylan Swenson provided testimony concerning the function of the business and the use of the property.

Board Member Ayub asked Mr. Swanson how many parking spots are needed.  
*Currently there are 13 parking spaces and the proposal is 24.*

Board Member Ferrara asked why the business is looking to move indoors.  
*We would like to reduce the level of noise in the neighborhood. An indoor facility will also increase productivity by allowing us to work in different types of weather that we would not be able to work in otherwise.*

Cormack Morrissey spoke about the split TR and TC zones, citing Galloway Ordinance 2336 BC, which states any commercial property in the TC split zone is considered entirely in the TC zone. The building coverage area was originally at 48% in just the TC zone, but since the property is to be treated as entirely TC the building coverage will actually be only 35.6% where 30% is required by code.

Swenson’s operation falls under light industrial. Mr. Morrissey argues that although it is a non-conforming use it does fit in with the characteristics of the neighborhood which include an oil supplier, and is also consistent with the neighborhood of the past when the property was owned by Peter Lumber. Swenson’s operation has been He argues that the light industrial use on this property is consistent with the master plan by promotion of redevelopment in appropriate locations, and

will improve the quality of life for the residents of the immediate neighborhood by lowering the noise level, controlling the flow of traffic, and adding buffers between the parking lot and the residential neighborhoods. It will also promote aesthetics by replacing with chain link fence with a vinyl fence, covering machinery, reducing the number of accessory structures on the property, and improving parking designs to prevent parking on the main street. The project benefits the township by retaining and encouraging local businesses, and conforms to the master plan. Mr. Morrissey states there is no detriment to the community, only enhancement.

Mr. Morrissey then described the other options for the lot, should the board reject this proposal and the applicant find a new property for his business. The TC zone allows for neighborhood use commercial properties. These could be anything from a bar, a restaurant or even a skating rink. Mr. Morrissey argues businesses conforming to the zone would cause more of a nuisance than the Swenson operation by staying open much later into the night and bringing in more traffic. Mr. Morrissey completed his presentation and requests that all his opinions be observed as expert opinions.

### **Public Questions/Comments**

Thomas Dase, 502 S Cincinnati, stood in disagreement with the township's decision to allow Swenson as a continued existing non-conforming use. He argues there was no review by the board or opportunity for the neighbors to be heard when the property changed hands from Peter Lumber to Swenson Welding.

Rodney Bove, 503 Philadelphia Ave, spoke favorably of Swenson. He stated Swenson has made great improvements to the neighborhood including adding lights, cameras, and fence covers.

Don Purdy, 24 S Odessa, spoke in support of Swenson. He is particularly grateful for Swenson choosing to stay in Galloway rather than taking the business to another site in another town.

### **Board Questions/Comment**

Township Solicitor, Pat Varga, stated he does not believe it would be in the township's best interest to make a decision on the parking space and site plan cover variances without seeing a proposed site plan in front of the board.

Board member Ferrara asked the width of the roads on Aloe and North and Main?

*North Street is average, about 24 feet wide. Cincinnati is about 26 feet. Aloe 24 feet. Philadelphia is 42.*

Board member Ferrara asked if the size of the street bring up any sort of safety concern for the area?

*People do use Aloe to turn off of Philadelphia, but in terms of our business there have been no accidents or safety concerns. The plans proposed for the bigger building provides more enabling of circulation on the site. It increases site safety and safety on the roadway.*

Board member Katchnic asked if Sewnson has 18 employees now and only 13 parking spots, where area the employees currently parking?

*Many of the employees live very close to the facility and walk. Others are dropped off. We do not need parking for every employee.*

Katchnic notes there is a large discrepancy between the number of parking spots required and the variance they are seeking.

*The staff will remain the same size. We do not anticipate increasing our staff, just bringing the project inside.*

The board and applicants agreed to vote on an amended application consisting only of the building variance, D1 use, and temporary storage at this time. The remainder of the application will be heard at the time a site plan application is presented.

A motion to approve application # 9-22, Swenson Welding, was made by Desai and seconded by Bancheri.

All in favor: Muhammad Ayub, Salvatore Bancheri, James Delcane, Chirag Desai, Calvin Ferrara, Ken Kachnic, Jim Cox.

Opposed: None

Meeting adjourned at 8:18pm.