

**Township of Gloucester
Planning Board Agenda
July 10, 2012
7:30 P. M.**

**Salute to the Flag
Opening Statement
General Rules**

Meeting will start at 7:30 P. M.

No new applications will be heard after 10:00 P. M.

All persons testifying before the Board must be sworn in.

The Board Chairperson reserves the right to hear applications in any order

MINUTES FOR MEMORIALIZATION

RESOLUTIONS FOR MEMORIALIZATION

#121024MC	Minor Subdivision/Bulk C Variance
Sara & Richard Howard, III	Block: 2102 Lots: 2, 2.01 & 4

#121020PFMSCUAC	Preliminary/Final Major Site Plan
Embree Asset Group, Inc.	Conditional Use Approval, Bulk C
Pep Boys	Block: 20101 Lot: 8

APPLICATIONS FOR REVIEW

#121037SPW	Site Plan Waiver
Marketplace @ Chews Landing, LLC	Block: 20601 Lots: 2 & 3
c/o Paramount Realty	Location: 1236 Chews Landing Rd.
Child Care Center	Laurel Springs
(Former Ace Hardware)	
Demolition of Former Garden Center to be used as an accessory play area	
Approx. 3900 sf)	
<u>Zoned: HC</u>	

Meeting Adjourned

**A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING
BOARD MEMORIALIZING A MINOR SUBDIVISION WITH BULK VARIANCES
FOR SARAH and RICHARD HOWARD, III
APPLICATION NO: 121024MC**

WHEREAS, on June 12, 2012 consideration was given to the application of Sarah and Richard Howard, III (hereinafter "Applicant") for the property located at Block 2102, Lots 2, 2.01 and 4 (hereinafter "the Property") for minor subdivision into two (2) lots; and

WHEREAS, the Applicant is appearing before the Board proposing to create two (2) conforming lots by combining lot 2.01 with lot 4 with two (2) remaining lots of lot 2 and lot 4; and

WHEREAS, Addison Bradley, the Applicant's planner, testified in support of the application. Mr. Bradley presented the application for minor subdivision, stating that the proposed minor subdivision would create two (2) conforming lots within the Commercial Residential (CR) district. Mr. Bradley testified that the two new lots, 2 and 4, will be the result of combining existing lot 2.01 with existing lot 4 which will create two (2) new lots that will be conforming. Mr. Bradley testified that the applicant would still require a variance for frontage of lot 4 on Chestnut Street. The Applicant is requesting this variance as the Applicant's home faces and has sufficient frontage on Black Horse Pike. Mr. Bradley also testified that the Applicant is requesting variance to allow a second garage on the property and also is requesting a variance to exceed the size of the proposed pool house. The Applicant provided testimony in support of the second garage and the size of the pool house indicating that the property is larger than others in the area and the second garage will be used to storage of personal equipment including the Applicant's truck with plow. Mr. Bradley further testified that the Applicant was requesting waiver from the requirement to provide sidewalk on the frontage of the property on Chestnut Street. The Applicant testified that the neighboring properties, a cemetery and an industrial building do not have sidewalk on their frontage. Additionally, the Applicant testified that the topography of the frontage on Chestnut Street could require a retaining wall to sustain any installation of sidewalk due to the steep slope down to the street level. The Applicant testified that between the difficulty in installing the sidewalk and the nature of the neighboring properties, installation of the sidewalk would be a hardship on the Applicant and therefore requested waiver; and

WHEREAS no member of the public appeared to speak on the application; and

WHEREAS, the Planning Board having received reports from professionals and other advisors to the Board including, without limitation, the Zoning Officer, Board Engineer, Board Planner, County Planning Board, Traffic Commander, Fire Marshall, Tax Assessor, Water Department and Municipal Utilities Authorities having heard testimony from the Board Planner

BLOCK 2102, LOT 4: Proposed Detached Cabana/Garage**ACCESSORY BUILDING MINIMUM YARD DEPTHS AND HEIGHT LIMITATIONS**

Standard	Required	Proposed	Complies
Front yard (min.)	N.P.	±164 ft. ¹	yes
Side yard (min.)	5 ft.	±53 ft. ¹ / ±21 ft. ¹	yes / yes
Rear yard (min.)	5 ft.	19.5 ft.	yes
Garage height (max.)	15 ft.	20 ft.	no*
Other building height (max.)	12 ft.	n/a	n/a

OFF-STREET PARKING AND PRIVATE GARAGES

Maximum area	800 sf.	±714 ft. ²	yes
Less than area of principal building	< ±2,348.33 sf.	1,008 sf. ³	yes
Maximum stories	1	2	no*
Maximum number of garages	1	2	no*

- ¹ = Scaled data
² = Applies only to garage portion of building.
³ = Applies to entire building
* = Variance required

CABANA SIZE AND SETBACK LIMITATIONS

Cabana area (max.)	168 sf.	546 sf. ²	no*
Front yard (min.)	N.P.	±164 ft. ¹	yes
Side yard (min.)	10 ft.	±53 ft. ¹ / ±21 ft. ¹	yes
Rear yard (min.)	3 ft.	19.5 ft.	yes

- ¹ = Scaled data
² = Applies only to cabana portion of building.
* = Variance required

4. The Board Planner reviewed the following plans:
 - a. Land Development Application Form, checklist, dated 05/01/2012.
 - b. Architectural plans (elevation and floor plan) for "Garage/Pool House," as prepared by Bishop & Smith dated 05/17/2012.
 - c. Minor subdivision plan, as prepared by Richard M. Sapio, PLS, comprising of one (1) sheet dated 04/10/2012.

5. The Board Planner, Kenneth D. Lechner, PP. AICP, issued a report dated May 23, 2012 recommending certain revisions, clarification and/or modifications to the plans with which the applicant agreed to comply to the extent that they had not done so already.

6. The Board Engineer, Steven M. Bach, P.E., R.A., P.P., C.M.E., of Bach Associates, PC., reviewed the following plans:

- a. Land Development Application Form, checklist, dated 05/01/2012.
 - b. Plan entitled "Re-division & CR Variance, Block 2102, Lots 2, 2.01 & 4, Township of Gloucester, County of Camden" consisting of one (1) sheet, dated 04/10/2012, as prepared by Richard M. Sapio, PLS.
 - c. Architectural Plan (Elevations and Floor Plan) for "Garage/Pool House," prepared by Bishop & Smith, dated 05/17/2012.
7. The Board Engineer issued a report dated June 5, 2012 indicating the need for several revisions, clarifications and/or modifications to the plan to which the applicant agreed as a condition of approval.

NOW, THEREFORE BE IT RESOLVED, after considering the foregoing facts the Board concludes that Sarah and Richard Howard, III's application for minor subdivision with bulk variance approval has substantial merit and should be approved subject, however, to the following conditions:

- A) Compliance with all Township, County, State and Federal rules, regulations and ordinances.
- B) Approval of all appropriate reviewing agencies including without limitation, the MUA, County Planning Board, Traffic Commander, Fire Marshall, Soil Conservation District, Department of Transportation and Police Department.
- C) Compliance with the Board Engineer's report and comments at the public hearing
- D) Compliance with the terms and conditions of the Board Planner's report and comments at the public hearing.
- E) Compliance with all representations made by the applicant at all public hearings.
- F) All existing easements on the property shall be provided to the Board Solicitor for review. All proposed or required easements shall be subject to the Board Solicitor's review and approval. All proposed or required easements for residential properties shall also be subject to three point notification (first contract of sale, deed into first home owner and plan notation.)

WHEREAS, a motion was duly made by Mrs. Washington and duly seconded by Mr. Jones to approve the Minor Subdivision to create conforming Lots 2 and 4; approve variances from the lot frontage requirements for the frontage of Lot 4 on Chestnut Street; variance from the maximum height of a detached garage; variance from the maximum stories of a detached garage; variance from the maximum number of detached garages on a property; and variance from the maximum area of a detached cabana (pool house) in the CR zoning district, with waiver from sidewalk requirements for Lot 4 on Chestnut Street and with conditions as set forth and a roll call vote on the motion was recorded as follows:

Those Eligible to Vote	Those in Favor	Those Opposed
Mr. Guevera	x	
Mr. Jones	x	
Mrs. Musser	x	
Mr. Pearce	x	
Mrs. Washington	x	
Mr. Del Duke	x	
Mr. Mercado	x	
Chairman Kricun	x	

ATTEST:

GLOUCESTER TOWNSHIP
PLANNING BOARD:

KENNETH LECHNER, SECRETARY

ANDREW KRICUN, CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Gloucester Township Planning Board at a meeting held on the 12th day of June 2012.

KENNETH LECHNER, SECRETARY

**A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD
MEMORIALIZING A PRELIMINARY AND FINAL MAJOR SITE PLAN and
CONDITIONAL USE APPROVAL WITH BULK VARIANCES
FOR EMBREE ASSET GROUP, INC.
APPLICATION NO: 121020PFMSCUAC**

WHEREAS, on May 22, 2012 and June 12, 2012 consideration was given to the application of Embree Asset Group, Inc., (hereinafter "Applicant") for the property located at Block 20101, Lot 8 (hereinafter "the Property") for preliminary and final major site plan and conditional use approval with associated bulk variances and waivers for the construction of Pep Boys service and tire center; and

WHEREAS, the Applicant is appearing before the Board proposing the construction of a Pep Boys service and tire center on the Property where formerly a Checkers restaurant existed; and

WHEREAS, Aravind Aithal, Esquire appeared on behalf of the Applicant, Allison Mathern, representative of Pep Boys appeared on behalf of the Applicant, _____, Engineer for the Applicant and David Lumas, Architect for the Applicant, testified in support of this application. On May 22, 2012, Mr. Aithal presented the application stating that the Applicant intends to construct a Pep Boys Auto Service and Tire Center on the 8/10ths of an acre that makes up the Property. Mr. Aithal stated that the site is currently vacant and previously housed a Checkers. Mr. Aithal further stated that the Applicant is requesting Preliminary and Final Site Plan Approval for the conditionally permitted use as presented, along with bulk and parking variances. Allison Mathern, a registered professional engineer and the architectural project manager from Pep Boys provided testimony about the application and the proposed improvements to the Property. Ms. Mathern testified that she had significant input into the site selection and assisted in the site review and plan design. Ms. Mathern further testified that this Property was ideal because the Applicant could build from the ground up, was close to the Pep Boys main office in Philadelphia and would operate as a showpiece of this operation in South Jersey. Ms. Mathern further testified that this Property will be a service and tire center with six (6) service bays that will focus largely on smaller jobs such as tune ups, tire changes, oil changes and battery changes. Ms. Mathern entered into evidence as **Exhibit A-1** a disc with slides showing other Pep Boys stores in the area and the proposed site layout. Ms. Mathern testified that there will be no body work done on site including painting and there will not be heavy service such as engine replacement, but that the work will be done on a drive in and appointment basis. Ms. Mathern testified that the proposed hours of operation will be 8 a.m. to 6 p.m. Monday through Friday, 8 a.m. to 4 p.m. on Saturday and 9 a.m. to 4 p.m. on Sunday. Ms. Mathern indicated that the operation will have a total of six (6) employees with a maximum of four (4) employees working at any time. Ms. Mathern testified that the Applicant expects that the volume of service will be twelve (12) to fifteen (15) cars per day and that the average service at this proposed site will be less than two (2) hours. Ms. Lori Ka _____,

P.E., an engineer for the Applicant also provided testimony, indicating that the Applicant would comply with the bulk of recommendations provided by the Township Planning Board professionals. Ms. Ka _____ testified that the Applicant is proposing one (1) compliant freestanding sign, two (2) façade signs that require variances due to size as well as six (6) signs over each service bay which would require variances as they are not permitted in the zone. Ms. Ka _____ provided testimony regarding the necessity for the size of the signage on the site and above the service bays so that the traveling public could safely recognize and enter the site and to focus line of sight and access to the site. All Board professionals agreed with the testimony of the Applicant that the requested sign variances requirements were necessary for safety and appropriate for this type of business. Thereafter, Ms. Ka _____ provided testimony relative to the proposed on-site parking and the Applicant's proposal of seventeen (17) spaces where thirty (30) spaces are required. Ms. Ka _____ testified that the site only allows for a limited number of parking spaces and that a variance is appropriate because of the type of business that the Applicant is proposing; a tire and service center where average time of service will be only two (2) hours. In addition, Ms. Ka _____ testified that the six (6) service bays allow for additional parking in the form of vehicles being serviced or stored and therefore the current proposed parking is adequate. All Board professionals agreed in their review that the parking requirement appeared excessive given the nature of the site and the proposed business, stating that the ordinance as existing is more appropriate for collision centers that perform larger scale work on vehicles for longer periods of time. Further testimony was provided relative to the bulk variance requested by the Applicant from the rear yard setback requirement. The Applicant provided testimony stating that the orientation of the building on the site creates a situation where one corner is within the required thirty (30) foot setback but the average rear yard setback for the property meets the zoning requirement. The Board professionals stated in their review, variance from the rear yard setback does not jeopardize public safety. Thereafter Mr. David Lumas provided testimony regarding the architecture of the proposed building, including the façade components. Mr. Lumas entered as **Exhibit A-2** the building plans and elevations. Mr. Lumas and the Applicant agreed that the back of the building which will be facing the street will have the same façade as all other sides of the building and they will amend the design accordingly.

The members of the Board expressed concerns regarding aspects of the project and decision on this matter was tabled for further testimony from the Applicant's planner. The Applicant returned on June 12, 2012 and provided further testimony with Mr. Aithal representing the application and introducing Mr. Craig R _____, who testified as the Applicant's traffic engineer to further discuss parking. Mr. R _____ testified that the proposed 17 spaces was sufficient to accommodate the parking requirements of the site and the type of operation, such as oil changes, will not require parking that would be necessary if the operation was more intense. Mr. Aithal provided testimony that the Applicant had agreed to install a fence on the rear of the property to shield property owners from sound. Mr. Aithal also provided testimony that the Applicant and Pep Boys would operate within the applicable noise laws and would provide additional vegetation and shrubs as may assist in the mitigation of any sound. Mr. Aithal also testified that the Applicant would work with the Township to produce signage on the property that advertises the Township; and

WHEREAS a number of members of the public appeared to testify on each date:

May 22, 2012

1. Kelly Hoch, 53 Woodmill Dr., expressed concerns about the storage of vehicles on site for long periods of time and the potential the site becomes a junkyard, noise and increased traffic in the area.
2. Amam Acholonu, expressed concerns about noise, parking and security in his neighborhood and the impact of this site on impervious coverage.
3. Joan Blackwell, 2 Woodmill Dr., expressed concerns about traffic and noise and the effect this proposed structure would have on resale value of her property.
4. David Hoch, 53 Woodmill Dr., expressed concerns about traffic and parking in his neighborhood as well as the prolonged parking of vehicles on the property.

June 12, 2012

1. Thomas Shovelin, Esq., on behalf of neighbor McDonald's and franchise owner Sam Rabinowitz who was initial objector but withdrawn. Major concern was parking but Pep Boys agreed to implement corporate policy not to park in the neighboring lot and Pep Boys agreed to pay for installation of signage if necessary.
2. Boyce Kinsey, concerns about frequent power outages in the area and the effect on traffic onto site as well as concerns about drainage and pollution on site and mitigation efforts regarding the same.
3. Bill Cassamassima, 11 Woodmill Dr., expressed concerns about long term parking on site of disabled vehicles.
4. Catherine Henry, 3 Woodmill Ct., expressed reservations about the project.
5. David Hoch, 53 Woodmill Dr., expressed concern about the size of the property and the lack of space on the site.
6. Kelly Hoch, 53 Woodmill Dr., expressed concerns about the noise of the tools used on site.
7. Joe Rago, 1 Woodhaven Ct., expressed concerns about the appropriateness of a Pep Boys at that location; and

WHEREAS, the Planning Board having received reports from professionals and other advisors to the Board including, without limitation, the Zoning Officer, Board Engineer, Board Planner, County Planning Board, Traffic Commander, Fire Marshall, Tax Assessor, Water Department and Municipal Utilities Authorities having heard testimony from the Board Planner and Board Engineer makes the following factual findings in conditionally approving the subject application for preliminary and final major site plan approval with variances and waivers:

1. Existing Zoning: HC – Highway Commercial
2. Intended Use: Pep Boys Service and Tire Center

Little Gloucester Rd.	125 ft.	171.845 ft.	yes
Fuel Pump setback (min.)			
Street line	35 ft.	n/a	n/a
Side and Rear Property Line	25 ft.	n/a	n/a
Entrances and exits (max.)	3	2	yes
Pits, storage areas, trash within building ¹	yes	yes	yes
Fuel tanks underground	yes	n/a	yes
Repair performed inside building	yes	yes	yes
Number of vehicles awaiting repair	8	n/p	---
No exterior vehicle or equipment display	yes	no	yes

¹ = This does not apply to proposed required trash enclosure as per §510.L, Refuse/Recyclable Storage Areas

SIGN STANDARDS (FREE-STANDING)

Description	Required	Proposed	Conforms
Number (max.) - §426.Z(2)	2	1	yes
Area (max.) - §426.R(1)	50 sf.	49.875 sf.	yes
Height (max.) - §426.R(7)	8 ft.	8 ft.	yes
Letter size (max.) - §426.R(1)	10 in.	≥ 10 in.	yes
Property line setback - §426.Z(3)	15 ft.	≥ 25.36 ft.	yes

SIGN STANDARDS (FAÇADE)

Description	Required	Proposed	Conforms
Number (max.) - §426.Q(2)	2	2	yes
Area (max.) - §513.Q(1) – Front Elevation “PEP BOYS AUTO Service & Tires”	100 sf.	231.63 sf.	no*
Area (max.) - §513.Q(1) – 2 nd Front Elevation “PEP BOYS AUTO Service & Tires” and “Complete Oil Change” with logo		160.89 sf. <u>28.44 sf.</u>	
Total	50.18 sf.	189.33 sf.	no*
Letter size (max.) - §426.R(1)	10 in.	≥ 10 in.	yes
Property line setback - §426.Z(3)	15 ft.	≥ 25.36 ft.	yes

* = Variance required

SIGN STANDARDS (BAY SERVICE FAÇADE SIGNS)

Description	Required	Proposed	Conforms
“COMPLETE OIL CHANGE” Two signs at 12.625 sf.	N.P.	yes	no*
“TIRES” One sign at 5 sf.	N.P.	yes	no*
“BRAKES” One sign at 5 sf.	N.P.	yes	no*

"ALIGNMENT" One sign at 5 sf.	N.P	yes	no*
"CHECK ENGINE LIGHT" One sign at 5 sf.	N.P.	yes	no*

4. The Board Planner reviewed the following plans:

- a. Bob Smith & Associates Transmittal Letter dated 04/17/2012.
- b. Land Development Application Form and Checklist dated 04/17/2012.
 1. Owner's consent letter dated 02/24/2012
 2. Corporate Disclosure Statement
 3. Addendum A, List of Variances and Waivers
- c. ALTA/ASCM Land Title Survey, as prepared by Millman Surveying, Inc., comprising one (1) sheet dated 12/21/2011.
- d. Signage plans (color), as prepared by CIMA Network comprising of eight (8) sheets dated 02/05/2012.
- e. Stormwater Management Report as prepared by InSight Engineering, LLC dated 02/23/2012.
- f. Architectural Plans as prepared by Ignarri Lumas Architects consisting of the following:

<u>Sheet</u>	<u>Plan Description</u>	<u>Date/Latest Revision</u>
A1	Floor Plans, Exterior, Elevations & Materials	02/03/2012

- g. Engineering plans, as prepared by InSight Engineering, LLC consisting of the following:

<u>Sheet</u>	<u>Plan Description</u>	<u>Date/Latest Revision</u>
1	Title Sheet	02/23/2012
2	Existing Conditions and Demolitions Plan	02/23/2012
3	Site Plan	02/23/2012
4	Grading and Utilities Plan	02/23/2012
5	Landscape Plan	02/23/2012
6	Lighting Plan	02/23/2012
7	Landscaping and Lighting Details	02/23/2012
8	Construction Details	02/23/2012
9	Construction Details	02/23/2012
10	Erosion and Sedimentation Control Plan	02/23/2012
11	SESC Notes & Details	02/23/2012

5. The Board Planner, Kenneth D. Lechner, PP. AICP, issued a report dated May 7, 2012 recommending certain revisions, clarification and/or modifications to the plans with which the applicant agreed to comply to the extent that they had not done so already or had not requested waiver from the same.
6. The Applicant requested waiver from submission of an Environmental Impact Statement as the site will be undisturbed and there are no increase environmental impacts to the site.
7. The Applicant requested a waiver from providing a Traffic Impact Report as the Applicant provided testimony that the impact of vehicles on the property will be less than the previous use.
8. The Applicant requested a waiver from providing a loading zone as the Applicant will not be receiving product that will require a loading area or zone.
9. The Board Engineer, Steven M. Bach, P.E., R.A., P.P., C.M.E., of Bach Associates, P.C., reviewed the following plans:

- a. Township of Gloucester Land Development Application, dates 03/15/2012.
- b. Township of Gloucester Land Development Application Checklist undated.
- c. Sign package prepared by Cinanetwork, date 02/05/2012, no revision.
- d. Stormwater Management Report for Major Site Plan of Block 20101, Lot 8, Gloucester Township, New Jersey, Pep Boys Auto, dated 02/23/2012, no revision.
- e. ALTA/ASCM Land Title Survey prepared for Pep Boys, 1501 Blackwood Clementon Road, Gloucester Township, Camden County, State of New Jersey, prepare by Millman Surveying, Inc., date 12/21/2011, revised 01/11/2012.
- f. Drawings entitled "Preliminary and Final Major Site plan for Pep Boys Auto, Block 20101, Lot 8, Tax Map Sheet 201, 1501 Blackwood Clemeneton Road, Gloucester Township, Camden County, New Jersey," prepared by InSite Engineering, consisting of the following:

<u>Sheet</u>	<u>Plan Description</u>	<u>Date/Latest Revision</u>
1	Title Sheet	02/23/2012, 04/09/2012
2	Existing Conditions and Demolitions Plan	02/23/2012, 04/09/2012
3	Site Plan	02/23/2012, 04/09/2012
4	Grading and Utilities Plan	02/23/2012, 04/09/2012
5	Landscape Plan	02/23/2012, 04/09/2012
6	Lighting Plan	02/23/2012, 04/09/2012
7	Landscaping and Lighting Details	02/23/2012, 04/09/2012
8	Construction Details	02/23/2012, 04/09/2012
9	Construction Details	02/23/2012, 04/09/2012
10	Erosion and Sedimentation Control Plan	02/23/2012, 04/09/2012
11	SESC Notes & Details	02/23/2012, 04/09/2012

10. The Board Engineer issued a report dated May 16, 2012 indicating the need for several revisions, clarifications and/or modifications to the plan to which the applicant agreed as a condition of approval notwithstanding waivers requested and approved by the Board.

NOW, THEREFORE BE IT RESOLVED, after considering the foregoing facts the Board concludes that Embree Asset Group Inc.'s application for preliminary and final major site plan approval with bulk variance and waivers has substantial merit and should be approved subject, however, to the following conditions:

- A) Compliance with all Township, County, State and Federal rules, regulations and ordinances.
- B) Approval of all appropriate reviewing agencies including without limitation, the MUA, County Planning Board, Traffic Commander, Fire Marshall, Soil Conservation District, Department of Transportation and Police Department.

- C) Compliance with the Board Engineer's report and comments at the public hearing
- D) Compliance with the terms and conditions of the Board Planner's report and comments at the public hearing.
- E) Compliance with all representations made by the applicant at all public hearings.
- F) All existing easements on the property shall be provided to the Board Solicitor for review. All proposed or required easements shall be subject to the Board Solicitor's review and approval. All proposed or required easements for residential properties shall also be subject to three point notification (first contract of sale, deed into first home owner and plan notation.)

WHEREAS, a motion was duly made by Mr. Guevera and duly seconded by Mr. Mercado to approve the Preliminary and Major Site Plan with variance from rear yard setback requirements, variance from parking requirements, variance from front elevation signage area, variance allowing a second elevation sign, variance to allow service bay signs and waiver from providing an environmental impact statement, a traffic impact statement and from providing a loading zone on site and with conditions as set forth more fully above and in testimony of the Applicant, and a roll call vote on the motion was recorded as follows:

Those Eligible to Vote	Those in Favor	Those Opposed
Mr. Guevera	x	
Mrs. Musser	x	
Mr. Pearce	x	
Mr. Del Duke	x	
Mrs. Washington	x	
Mr. Mercado	x	
Chariman Kricun	x	

ATTEST:

GLOUCESTER TOWNSHIP
PLANNING BOARD:

KENNETH LECHNER, SECRETARY

ANDY KRICUN, CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Gloucester Township Planning Board at a meeting held on the 12th day of June 2012.

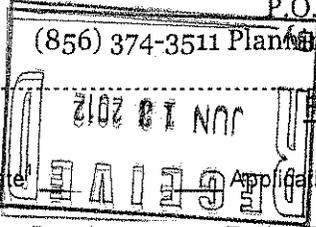
KENNETH LECHNER, SECRETARY

TOWNSHIP OF GLOUCESTER

Chews-Landing Clementon Road at Hider Lane

P.O. Box 8 Blackwood, NJ 08012

(856) 374-3511 Planning (856) 374-3512 Zoning (856) 232-6229



For Office Use Only

Submission Date: Application No.: 1210375PW

Taxes Paid Yes/No (Initial)

Fees 210.00 Project # 7178

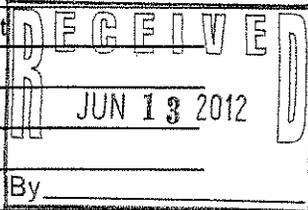
Planning Board Zoning Board of Adjustment

Escr. 750.00 Escr.# 7178

¹ Upon receipt of all fees, documents, plans, etc.

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>Marketplace at Chews Landing, LLC</u> Address: <u>c/o Paramount Realty</u> <u>1195 Route 70, Suite 2000</u> City: <u>Lakewood</u> State, Zip: <u>NJ 08701</u> Phone: <u>(732) 961-8115</u> Fax: <u>(732) 886-1690</u> Email: <u>sn@paramountrealty.com</u>	2. Owner(s) (List all Owners) Name(s): <u>Same as Applicant</u> Address: <u> </u> City: <u> </u> State, Zip: <u> </u> Phone: () - - Fax: () - -
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3. Type of Application. Check as many as apply:

<input type="checkbox"/> Informal Review ²	<input type="checkbox"/> Planned Development ²
<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Interpretation ²
<input type="checkbox"/> Preliminary Major Subdivision ²	<input type="checkbox"/> Appeal of Administrative Officer's Decision
<input type="checkbox"/> Final Major Subdivision	<input type="checkbox"/> Bulk "C" Variance ²
<input type="checkbox"/> Minor Site Plan	<input type="checkbox"/> Use "D" Variance ²
<input type="checkbox"/> Preliminary Major Site Plan ²	<input checked="" type="checkbox"/> Site Plan Waiver
<input type="checkbox"/> Final Major Site Plan	<input type="checkbox"/> Rezoning Request
<input type="checkbox"/> Conditional Use Approval ²	<input type="checkbox"/> Redevelopment Agreement
<input type="checkbox"/> General Development Plan ²	<input checked="" type="checkbox"/> Change of Use proposed use is a permitted child care center)

² Legal advertisement and notice is required to all property owners within 200 feet.

4. Zoning Districts (Circle all Zones that apply)

ER	R4	GCR	CR	BP	G-RD	LP-1
R1	RA	BWD	NC	IN	M-RD	NVBP
R2	APT	OR	<u>HC</u>	PR	BW-RD	SCR-HC Overlay
R3	SCR	OF	GI	FP	L-RD	NVSCR Overlay
						IR

5. The following applicants are required to be represented by a New Jersey Attorney: Corporation, Partnership, Limited Liability Corporation and Limited Liability Partnership

Name of Attorney: <u>Richard J. Goldstein</u> Address: <u>20 Brace Road, Suite 201</u> City: <u>Cherry Hill</u>	Firm: <u>Hangley Aronchick Segal Pudlin & Schiller</u> State, Zip: <u>NJ 08034</u> Phone: <u>(856) 616-2172</u> Fax: <u>(856) 616-2170</u> Email: <u>rgoldstein@hangley.com</u>
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6. Name of Persons Preparing Plans and Reports:

Name: _____	Name: _____
Address: _____	Address: _____
Profession: _____	Profession: _____
City: _____	City: _____
State, Zip: _____	State, Zip: _____
Phone: (____) _____ - _____ Fax: (____) _____ - _____	Phone: (____) _____ - _____ Fax: (____) _____ - _____
Email: _____	Email: _____

7. Location of Property:

Marketplace at Chews Landing
1236 Chews Landing Road

Street Address: _____ Block(s): 206.01

Tract Area: +16.32 acres Lot(s): 2 & 3

8. Land Use:

Existing Land Use: Shopping Center

Proposed Land Use (Describe Application): Same with use of a tenant space (approx. 11,129 sf of former Ace Hardware) as a child care center with demolition of former garden center area to be used as an accessory play area (approx. 3900 sf). Construct 6' fence around perimeter of play area.

9. Property:

Number of Existing Lots: 2

Number of Proposed Lots: 2

Proposed Form of Ownership:
 Fee Simple Cooperative
 Condominium Rental

Are there *existing* deed restrictions? No Yes **(If yes, attach copies)**

Are there *proposed* deed restrictions? No Yes

10. Utilities: (Check those that apply.)

Public Water Public Sewer Private Well Private Septic System

11. List of Application Submission Materials:

List all additional materials on an additional sheet. See attached

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet.

Section 11. Submission Materials:

1. ALTA/ACSM Land Title Survey prepared by Consulting Engineer Services dated 4/16/97;
2. Proposed Daycare/Children of America, Elevation prepared by LR Associates, Inc. dated 5/18/12;
3. Proposed Daycare/Children of America, Floor Plan prepared by LR Associates, Inc. dated 5/18/12;
4. 3 photos of similar play area (at different location);
5. Marketplace at Chews Landing - overall site plan depicting general location of proposed Children of America child care center and play area.

Section 18. Disclosure Statement

**David Levy
1195 Route 70
Lakewood, NJ 08701**

13. Zoning			
All Applications	Proposed	Fence Application	Proposed
Front setback 1	_____	Setback from E.O.P.*1	<u>3'0"</u>
Front setback 2	_____	Setback from E.O.P.*2	<u>10'0"</u>
Rear setback	_____	Fence type	<u>White pvc*</u>
Side setback 1	_____	Fence height	<u>6 ft.</u>
Side setback 2	_____	*E.O.P. = Edge Of Pavement.	<u>*(board on board)</u>
Lot frontage	_____	Pool Requirements	
Lot depth	_____	Setback from R.O.W.1	_____
Lot area	_____	Setback from R.O.W.2	_____
Building height	_____	Setback from property line 1	_____
		Setback from property line 2	_____
		Distance from dwelling	_____
		Distance = measured from edge of water.	
		R.O.W. = Right-of-way.	
		Setback = Measured from edge of pool apron.	
Garage Application		Shed Requirements	
Garage Area	_____	Shed area	_____
Garage height	_____	Shed height	_____
Number of garages	_____	Setback from R.O.W.1	_____
(Include attached garage if applicable)		Setback from R.O.W.2	_____
Number of stories	_____	Setback from property line 1	_____
		Setback from property line 2	_____
14. Parking and Loading Requirements:			
Number of parking spaces required: <u>711</u>		Number of parking spaces provided: <u>726</u>	
Number of loading spaces required: _____		Number of loading spaces provided: _____	
15. Relief Requested:			
<input type="checkbox"/> Check here if zoning variances are required.			
<input type="checkbox"/> Check here if exceptions to the application or municipal requirements are requested (N.J.S.A. 40:55D-51).			
<input type="checkbox"/> Check here if exceptions to the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.1) are requested.			
<input type="checkbox"/> Check here if waivers from the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.2) are requested. [Such waivers require application to, and approval of the N.J. Site Improvement Advisory Board].			
NOTE: If any of above are required, attach hereto separate exhibit(s) for each category of relief sought, stating the factual basis, legal theory, and whether they have been previously granted.			
16. Signature of Applicant			
Marketplace at Chews Landing, LLC			
By:	<u>Morris Levy</u>	<u>6/12/12</u>	
	Signature of Applicant	Date	
	Morris Levy		
	_____	_____	
	Signature of Co-applicant	Date	

17. Consent of Owner(s):

I, the undersigned, being the owner(s) of the lot or tract described in this application, hereby consent to the making of this application and the approval of the plans submitted here with. I further consent to the inspection of this property in connection with this application as deemed necessary by the Municipal agency. (If owned by a corporation, attach a resolution authorizing application and officer signature)

6-12-12

Date

Sworn and Subscribed to before me this

12 day of June

2012 (Year).

Signature
Marketplace at Chews Landing, LLC

By:
Print Name Morris Levy, Member

Signature
MARTIN SAFCHIK

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires 3/24/2016

18. Disclosure Statement (Pursuant to N.J.S.A. 40:55D-48.1 and 48.2):

Complete each of the following sections:

- A. Is this application to subdivide a parcel of land into six or more lots?
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
- C. Is this application for approval on a site or sites for commercial purposes?
- D. Is the applicant a corporation?
- E. Is the applicant a limited liability corporation?
- F. Is the applicant a partnership?

- No Yes

IF YES TO ANY OF THE ABOVE:

1. List the names and addresses of all stockholders or individual partners owning at least 10 percent of it's stock of any class or at least 10 percent of the interest in partnership, as the case may be. (Use additional sheets as necessary).
2. Does a corporation or partnership own 10 percent or more of the stock in this corporation or partnership?

IF YES:

List the names and addresses of the stockholders of that corporation holding 10 percent or more of the stock or 10 percent or greater interest in that partnership, as the case may be. This requirement is to be followed by every corporate stockholder or partnership, until the names and addresses of the non-corporate stockholder and individual partners with 10 percent or more ownership have been listed. (Use additional sheets as necessary)

- No Yes

Marketplace at Chews Landing, LLC

By: Morris Levy
Signature of Applicant

Morris Levy, Member

Print Name

6-12-12

Date

19. Survey waiver certification:

As of the date of this application, I hereby certify that the survey submitted with this application, under the date of 4/26/07, shows and discloses the premises in its entirety, described as Block 206.01 Lot 2 & 3 and I further certify that no buildings, fences or other facilities have been constructed, installed or otherwise located on the premises after the date of the survey with the exception of the structures shown. *

State of New Jersey,
County of Camden:

Morris Levy of full age, being duly sworn to law, on oath and says that all of the above statement herein is true.

Marketplace at Chews Landing, LLC

By: Morris Levy
Name of property owner or applicant

Morris Levy, Member

Sworn and subscribed to

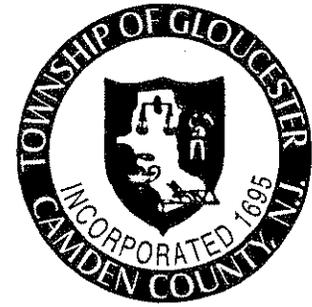
On this 12th day of June,
20 12 before the following authority.

Martin Safchik
Notary public

*and with the exception of improvements made in connection with development of Checkers Restaurant as previously approved.

MARTIN SAFCHIK
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/24/2016

Inter-office Correspondence



TO: Planning Board

FROM: Kenneth D. Lechner, PP, AICP, Director/Planner
Alisa Ortiz, Zoning Officer
Department of Community Development & Planning

RE: **APPLICATION #121037SPW** Escrow #7178
Market Place at Chews Landing
BLOCK 20601, LOTS 2 & 3

DATE: June 19, 2012

The Applicant requests approval for a site plan waiver to utilize a portion of an existing tenant space (Formerly Ace Hardware) within the Marketplace Shopping Center for a childcare center within the HC – Highway Commercial District as per the submitted survey plan. The project is located on the southwest side of Chews Landing Road east of Hider Lane.

Applicant/Owner: Market Place at Chews Landing, LLC c/o Paramount Realty, 1195 Route 70, Suite 2000, Lakewood, NJ 08701 (telephone #732-961-8115).

Attorney: Richard J. Goldstein, Esq., Hanglely Aronchick Segal Pudlin & Schiller, 20 Brace Road, Suite 201, Cherry Hill, NJ 08034 (telephone #856-616-2170).

I. INFORMATION SUBMITTED

1. Hanglely Aronchick Segal Pudlin & Schiller transmittal Letter dated 6/13/12.
2. Land Development Application Form and checklist dated 6/13/12.
3. Marketplace at Chews Landing (tenant plan location).
4. Elevations plan, as prepared by L R Associates, Inc., comprising one (1) sheet dated 5/18/12.
5. Floor plan, as prepared by L R Associates, Inc., comprising one (1) sheet dated 5/18/12.
6. Color photographs of proposed outdoor play equipment.
7. Proposed demolition concept sketch with black/white photographs.
8. ALTA/ACSM Land Title Survey (copy), as prepared by Consultant Engineer Services comprising one (1) sheet dated 4/26/07.

II. ZONING REVIEW

ZONE: HC – Commercial Residential [§416].

USES: A Child Care Center is a permitted use (Basis N.J.S.A. 40:55D-66.6, Child care centers located in nonresidential municipal districts; permitted).

<u>Description</u>	<u>Required (Other use)</u>	<u>Proposed</u>	<u>Conforms</u>
Lot size (min.)	1 ac	16.32 ac	yes
Lot frontage (min.)			
Chews Landing Road	100 ft.	1,494.59 ft.	yes
Kelly Driver Road	100 ft.	1,379.68 ft.	yes
Lot depth (min.)	300 ft.	182.90 ft.	enc
Building coverage (max.)	15%	±21.5% ¹	yes
Lot coverage (max.)	50%	±80% ¹	enc
Floor Area Ratio	0.25	0.215	yes
PRINCIPAL BUILDING MINIMUM YARD DEPTHS AND HEIGHT LIMITATIONS			
Front yard			
Chews Landing Road	20 ft.	189.48 ft.	yes
Kelly Driver Road	20 ft.	78.97 ft.	yes
Side yard	10 ft.	60.88 ft. / 43.82 ft.	yes / yes
Rear yard	25 ft.	n/a	n/a
Minimum Useable Yard Area	n/a	n/a	n/a
Maximum Height	35 ft.	n/a	n/a
Parking (shopping center) ²			
4.5 spaces / 1,000 sf			
Retail Center: 136,358 sf			
Blockbusters: 5,955 sf			
Bank: 3,600 sf			
Checker's: 969 sf			
Subtotal 146,882 sf	661		
Chil Care Center (11,128 sf)			
1 space / 600 sf, plus	19		
1 space / employee	24		
House of worship ³			
1 space/3 seats	20		
TOTAL	724	729	yes

¹ = Scaled data.

² = Parking is based on approvals for Checker's, a bank pad site, and a pending application for a house of worship before the Zoning Board of Adjustment.

³ = Application #122033D pending before the Zoning Board of Adjustment.

enc = Existing nonconformance.

n/a = Not applicable.

III. VARIANCE COMMENTS

The Application as submitted does not require variances.

IV. WAIVER COMMENTS

The Applicant has requested a waiver from Site Plan Review as per §801.A(3). The applicable Land Development Ordinance states the following:

“The approving authority may waive the requirement of site plan approval whenever it determines that the proposed development, alteration, repair, or change of use or occupancy does not affect the existing condition of the lot or premises, including: topography; vegetation; drainage; flood plains; marshes and waterways; open space; walkways, means of ingress and egress; utility services; landscaping; structures; signs; lighting and screening devices; and other considerations of site plan review ...”

V. SITE PLAN WAIVER COMMENTS

1. The applicant must provide testimony to address the proposed surface for the outdoor recreation area.
2. The applicant must provide testimony to address trash and recyclables as per §510.L, Refuse/Recyclable Storage Areas.
3. We recommend the applicant provide landscaping along the outside perimeter of the proposed vinyl fence to advance the aesthetics of the Township and the built environment as per §507.A, landscaping.
4. We recommend the applicant install a sufficient number of vinyl covered concrete/steel bollards along the perimeter of the outdoor recreation area.
 - a. The purpose of this requirement is to provide additional safety, whereas, there is significant vehicle circulation along three (3) sides of the proposed location of the outdoor recreation area.

VI. LAND DEVELOPMENT ORDINANCE COMMENTS

The Applicant is advised of the following additional requirements of the Land Development Ordinance:

1. *A soil removal plan if soil is to be removed from the site for use or sale other than the premises subject to this application as per §801.C, Soil Removal.*
2. *A grading plan prepared and sealed by licensed professional engineer as per §814, Grading Approval.*
3. *Before recording final subdivision plats or as condition of final site plan approval or as a condition to the issuance of a zoning permit pursuant to N.J.S.A. 40:50D-65d the furnishing of a performance guarantee, maintenance guarantee, and inspection fees as per §903, Guarantees and Inspections and §904, Certification or Guarantee Required; Estimate of Guarantee.*
4. *Requirements precedent to construction as per §905, Pre-conditions to Commencement of Construction.*
5. *Construction of off-tract improvements as per §906, Off-Tract Improvements Recapture.*

6. *A zoning permit is required prior to the issuance of any construction permits and prior to the issuance of a Certificate of Occupancy by the Construction Official the Applicant must acquire a Certificate of Zoning Conformity from the Zoning Officer as per §1102, Permits, General, §1103, Zoning Permit and §1104, Certificate of Zoning Conformity.*

VII. RECOMMENDATIONS

1. Applicant must address the above underlined comments.
2. The Applicant is advised revised plans and support documents would not be accepted by this Department without sufficient escrows for professional services in accordance with the signed escrow agreement.

We have no further comments regarding this application at this time; however, reserve the right to provide additional comments during the public hearing to advance the planning process.

cc: Market Place at Chews Landing, LLC
Richard J. Goldstein, Esq.
Edward Brennan, Esq.
Steven M. Bach, PE

TOWNSHIP OF GLOUCESTER PLANNING BOARD TRANSMITTAL

DATE: **June 19, 2012** APPLICATION No #121037SPW
 APPLICANT **Marketplace @ Chews Landing, LLC** PROJECT No # 7178
 BLOCK(S): **20601** Lot(S): **2 & 3** Zoned: **HC**
 LOCATION: **1236 Chews Landing Road, Laurel Springs, NJ 08021**

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|--------------------------|---------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Board Planner | <input type="checkbox"/> | Tax Assessor |
| <input type="checkbox"/> | Camden County Planning Board | <input type="checkbox"/> | Traffic Officer | <input type="checkbox"/> | G.T.M.U.A. |
| <input type="checkbox"/> | N.J. American Water Co. | <input type="checkbox"/> | Aqua N.J. Water Co. | <input type="checkbox"/> | Fire District 1 2 3 4 5 6 |
| <input type="checkbox"/> | | <input type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

New Application: Site Plan Waiver in connection with the change of use – A portion of the Former Ace Hardware will be used as a permitted CHILD CARE CENTER With (accessory play area).

PURPOSE OF TRANSMITTAL:

- For Your Review. **Please Forward Report by July 6, 2012**
 For Your Files.

ENCLOSED:

- 2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Minor Site Plan
- Land Title Survey & Proposed Daycare layout
- 3 Copies - Prelimin. Site Plan, 2 County Apps and 1 Twp. App.
- 3 Copies - Major Subdivision - Prelimin. Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Major Subdivision - Prelimin. Plat
- 1 Copy - Preliminary Site Plan
- 1 Copy - Major Subdivision - Final Plat
- 1 Copy - Final Site Plan
- 3 Copies - Major Subdiv. - Final Plat, 1 Dev. Plan, 2 County Apps. 1 Twp. App.
- 1 Copy - Amended Site Plan
- 1 Copy - Major Subdivision - Amended Plat
- 1 Copy - Traffic Report
- 1 Copy - Development Plan
- 1 Copy - Drainage Calculations
- 1 Copy - E.I.S.
- Recycling Report



- Variance Plan Bulk (C) Variance Use (D) Variance

Taxes are current.

Signature *Maryann Bussa*

Commissioners
RICHARD P. CALABRESE
Chairman
FRANK SIMIRIGLIA
Vice Chairman

Board Members
RICHARD EDGAR
AMY TARVES
DORA M. GUEVARA
JOSEPH PILLO
KEN GARBOWSKI



**GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

401 W. Landing Road, Blackwood, NJ 08012
P.O. Box 216, Glendora, NJ 08029-0216
Phone: (856) 227-8666 • FAX: (856) 227-5668

ROBERT C. BENSON
Executive Director

CAROLINE M. TARVES
Administrative Secretary

MARLENE HRYNIO
Recording Secretary

HOWARD C. LONG JR, ESQ.
Solicitor

THOMAS LEISSE, PE, CME
Consulting Engineer
JUN 25 2012

June 21, 2012

Township of Gloucester
Dept. of Community Development
P.O. Box 8
Blackwood, New Jersey 08012

Re: Application #121037SPW
Marketplace @ Chews Landing, LLC
1236 Chews Landing Road, Laurel Springs, NJ 08021
Block 20601, Lots 2 & 3

Gentlemen:

In response to your transmittal regarding the above application, approval will have no effect on the sanitary sewer system, however, the number of billing units will change.

Should you have any further questions, please feel free to contact me.

Very truly yours,

**THE GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

A handwritten signature in cursive script that reads "Robert C. Benson".

Robert C. Benson
Executive Director

RCB:mh

Bin 68

A

TOWNSHIP OF GLOUCESTER PLANNING BOARD TRANSMITTAL

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TRANSMITTAL TO:

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| <input type="checkbox"/> | Camden County Planning Board | <input type="checkbox"/> | Traffic Officer | <input type="checkbox"/> | G.T.M.U.A. |
| <input type="checkbox"/> | N.J. American Water Co. | <input checked="" type="checkbox"/> | Aqua N.J. Water Co. | <input type="checkbox"/> | Fire District 1 2 3 4 5 6 |
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- 1 Copy - E.I.S.
- Recycling Report

- Variance Plan Bulk (C) Variance Use (D) Variance

OR 7-3-12 JVG Bidg - Site Plan Only

Signature

TOWNSHIP OF GLOUCESTER PLANNING BOARD TRANSMITTAL

DATE: June 19, 2012

APPLICATION No #121037SPW

APPLICANT Marketplace @ Chews Landing, LLC

PROJECT No # 7178

BLOCK(S): 20601 Lot(S): 2 & 3

Zoned: HC

LOCATION: 1236 Chews Landing Road, Laurel Springs, NJ 08021

TRANSMITTAL TO:

- Township Engineer
- Camden County Planning Board
- N.J. American Water Co.
- Taxes

- Board Planner
- Traffic Officer
- Aqua N.J. Water Co.
- Construction

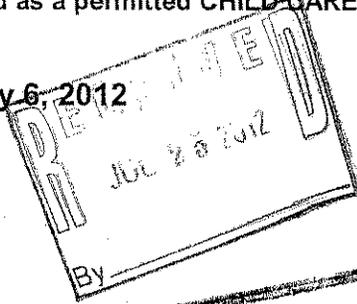
- Tax Assessor
- G.T.M.U.A.
- 

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- Variance Plan
- Bulk (C) Variance
- Use (D) Variance

w/o COMMENT

Signature

