

**1 Township of Gloucester
Zoning Board of Adjustment
Thursday, January 10, 2013
7:30 P.M.**

Agenda

Salute to the Flag

General Rules

Meeting will start at 7:30P.M.

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

All persons testifying before the board must be sworn in.

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

Annual Reorganization

Election of Chairman

Election of Vice Chairman

Election of Secretary

Election of Recording Secretary

Appointment of Solicitor

Appointment of Engineer

Establishment of Meeting Dates

Adoption of Official Newspapers

Adoption of Agenda Procedures

MINUTES FOR ADOPTION

Zoning Board Minutes - *Thursday, December 13, 2012*

RESOLUTIONS FOR MEMORIALIZATION

#122053C

Rosemarie Marnell

Bulk C

Block: 15817 Lot: 9

#122049D

Ville 2, LLC

Use "D" Variance

Block: 18501 Lot: 2/11

APPLICATIONS FOR REVIEW

#122054C

Faydeen Mauger

Zoned: R3

Bulk C Variance

Block: 11703 Lot: 6

Location: 15 Ohio Ave., Blackwood

2nd floor addition (bedroom)

#122057CD
Salvatore & Cono Marchi
Zoned: R3

Bulk C & Use "D" Variance
Block: 17907 Lot: 53
Location: 1 Highwoods Ave., Sicklerville

Mother-in-law addition; attached 2nd garage, 2nd driveway, rear & front setback(s) w/2nd floor addition

#102006CPFSS Amended
Revere Run @ Park Place
Zoned: RA

Bulk C, PMSP, PMSB, FMSP, FMSB
Block: 14102 Lot: 17
Location: Melbourne Lane

Administrative Review Amendment for Community Center

#122059DSPW
DeNinno Properties, LLC
Zoned: CR

Use "D" Variance & Site Plan Waiver
Block: 6502 Lot: 1
Location: 1104 N. Black Horse Pike

Commercial; continue existing uses and reconstruct destroyed building and permit service/repair to automobile in new building

Meeting Adjourned

RESOLUTION OF THE GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT PROVIDING THE ELECTION OF CHAIRMAN

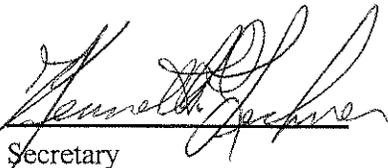
WHEREAS, the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER is empowered to elect from among its members a Chairman who shall preside at all public meetings and assume and discharge all of the responsibilities delegated by the Municipal Land Use Law 50:55D-1, et seq.; and

WHEREAS, upon motion made and seconded and upon the affirmative vote of a majority of members able to vote, the following individual was elected to serve as Chairman:

ROBERT RICHARDS

NOW, THEREFORE BE IT RESOLVED that the aforementioned individual shall be and is hereby elected to serve as Chairman of the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER for a term of one (1) year.

ATTEST:


Secretary

TOWNSHIP OF GLOUCESTER
ZONING BOARD OF ADJUSTMENT


Chairman

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER at a meeting held on the **10th day of January, 2013.**


Secretary

A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF GLOUCESTER PROVIDING THE ELECTION OF VICE CHAIRMAN

WHEREAS, the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER is empowered to elect from among its members a Vice Chairman who shall serve in the stead of the Chairman when the Chairman is absent and assume and discharge all of the responsibilities delegated by the Municipal Land Use Law 50:55D-1, et seq.; and

WHEREAS, upon motion made and seconded and upon the affirmative vote of a majority of members able to vote, the following individual was elected to serve as Vice Chairman:

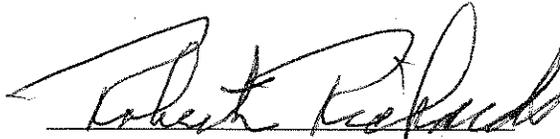
FRANK SIMIRIGLIA

NOW, THEREFORE BE IT RESOLVED that the aforementioned individual shall be and is hereby elected to serve as Vice Chairman of the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER for a term of one (1) year.

ATTEST:

TOWNSHIP OF GLOUCESTER
ZONING BOARD OF ADJUSTMENT


Secretary


Chairman

CERTIFICATION

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Secretary

A RESOLUTION OF THE GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT PROVIDING THE ELECTION OF A SECRETARY

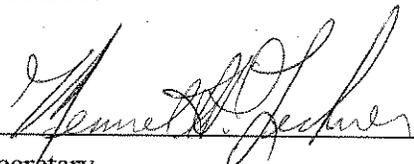
WHEREAS, the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER is empowered to elect a Secretary who need not be a member to serve as a Secretary to the Board and to assume and dispatch all obligations and duties of an administrative officer under the Municipal Land Use Law 50:55D-1, et seq.; and

WHEREAS, upon motion made and seconded and upon the affirmative vote of a majority of members able to vote, the following individual was elected to serve as Secretary:

KENNETH D. LECHNER

NOW, THEREFORE BE IT RESOLVED that the aforementioned individual shall be and is hereby elected to serve as Secretary of the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER for a term of one (1) year.

ATTEST:

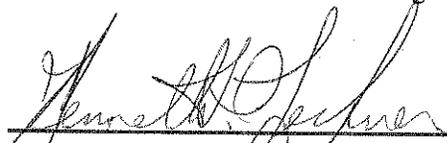

Secretary

TOWNSHIP OF GLOUCESTER
ZONING BOARD OF ADJUSTMENT


Chairman

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER at a meeting held on the 10th day of January 2013.


Secretary

**A RESOLUTION OF THE GLOUCESTER TOWNSHIP ZONING BOARD OF
ADJUSTMENT PROVIDING THE ELECTION OF A RECORDING
SECRETARY**

WHEREAS, the Zoning Board of Adjustment of the TOWNSHIP OF
GLOUCESTER is empowered to elect a Recording Secretary who need not be a member
to serve as a Recording Secretary to the Board.

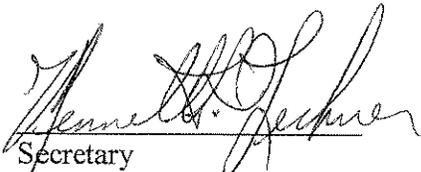
WHEREAS, upon motion made and seconded and upon the affirmative vote of a
majority of members able to vote, the following individual was elected to serve as
Recording Secretary:

JEAN GOMEZ

NOW, THEREFORE BE IT RESOLVED that the aforementioned individual
shall be and is hereby elected to serve as Recording Secretary of the Zoning Board of
Adjustment of the TOWNSHIP OF GLOUCESTER for a term of one (1) year.

ATTEST:

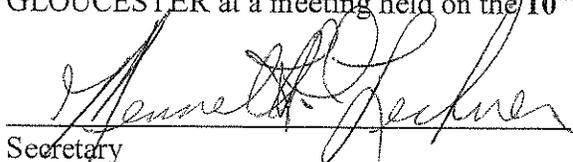
TOWNSHIP OF GLOUCESTER
ZONING BOARD OF ADJUSTMENT


Secretary


Chairman

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a
Resolution adopted by the Zoning Board of Adjustment of the TOWNSHIP OF
GLOUCESTER at a meeting held on the 10th day of January, 2013.


Secretary

A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF GLOUCESTER PROVIDING FOR THE SERVICES OF A SOLICITOR

WHEREAS, the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER is in need of the regular services of a Solicitor; and

WHEREAS, N. J. S. A. 40:55D-24 authorizes the Zoning Board of Adjustment to employ legal counsel, experts and other staff; and

WHEREAS, such services are deemed to be professional services within the definition of the local public contracts law N. J. S. A. 40A:11-2(6) and the award of such contracts are exempt from competitive bidding pursuant to N. J. S. A. 40A:11-51A (i); and this selection is part of a fair and open process in accordance with Title 19 of the laws of the State of New Jersey.

WHEREAS, the following individual is deemed by the Board to be the individual best qualified to serve as Solicitor:

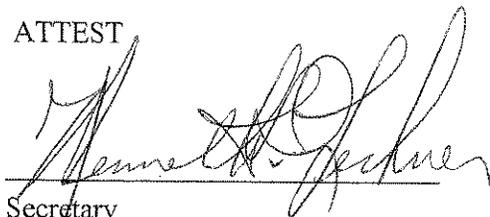
ANTHONY COSTA

NOW, THEREFORE, BE IT RESOLVED that the aforementioned individual be and is hereby awarded a contract for one (1) year from the date hereof for the provision of professional services as Solicitor; and

BE IT FURTHER RESOLVED that the Chairman and Vice Chairman and Secretary of the Board be and are hereby authorized to execute contracts with the named individual for the provision of professional services as Solicitor to the Zoning Board of Adjustment for the TOWNSHIP OF GLOUCESTER;

BE IT FURTHER RESOLVED that the Secretary of the Board is directed to publish a brief notice stating the nature, duration, service and amount of the contract awarded hereby which notice must further stat that this Resolution and the contract authorized hereby are on file and are available for public inspection in the office of the Clerk in the municipality which publication shall take place forthwith.

ATTEST

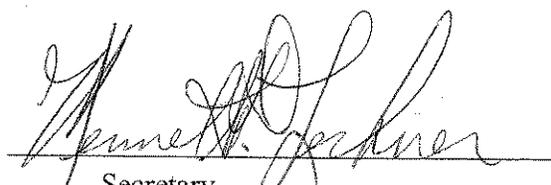

Secretary

TOWNSHIP OF GLOUCESTER
ZONING BOARD OF ADJUSTMENT


Chairman

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER at a meeting held on the 10th day of January, 2013.


Secretary

**A RESOLUTION OF THE GLOUCESTER TOWNSHIP ZONING BOARD OF
ADJUSTMENT PROVIDING FOR THE SERVICES OF AN ENGINEER**

WHEREAS, the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER is in need of the regular services of a Engineer; and

WHEREAS, N. J. S. A. 40:55D-24 authorizes the Zoning Board of Adjustment to employ legal counsel, experts and other staff; and

WHEREAS, such services are deemed to be professional services within the definition of the local public contracts law N. J. S. A. 40A:11-2(6) and the award of such contracts are exempt from competitive bidding pursuant to N. J. S. A. 40A:11-51A(i); and

WHEREAS, the following individual is deemed by the Board to be the individual best qualified to serve as Engineer:

CHURCHILL CONSULTING ENGINEERS

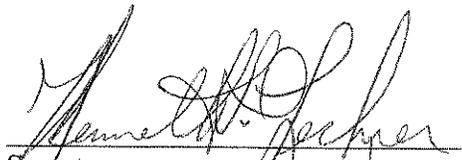
NOW, THEREFORE, BE IT RESOLVED that the aforementioned individual be and is hereby awarded a contract for one (1) year from the date hereof for the provision of professional services as Engineer; and

BE IT FURTHER RESOLVED that the Chairman and Vice Chairman and Secretary of the Board be and are hereby authorized to execute contracts with the named individual for the provision of professional services as Engineer to the Zoning Board of Adjustment for the TOWNSHIP OF GLOUCESTER;

BE IT FURTHER RESOLVED that the Secretary of the Board is directed to publish a brief notice stating the nature, duration, service and amount of the contract awarded hereby which notice must further state that this Resolution and the contract authorized hereby are on file and are available for public inspection in the office of the Clerk in the municipality which publication shall take place forthwith.

ATTEST:

TOWNSHIP OF GLOUCESTER
ZONING BOARD OF ADJUSTMENT


Secretary


Chairman

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER at a meeting held on the **10th day of January, 2013.**


Secretary

A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF GLOUCESTER ESTABLISHING REGULAR MEETING DATES AND OFFICIAL NEWSPAPERS IN CONFORMITY WITH THE OPEN PUBLIC MEETINGS ACT

WHEREAS, the Open Public Meeting Act requires advance written notice of all meetings of the Zoning Board of Adjustment be posted in one public place designated by the Board and mailed, telephoned, telegraphed or hand carried to at least two newspapers designated by Resolution and mailed to all persons requesting a copy of same upon payment of the established fee;

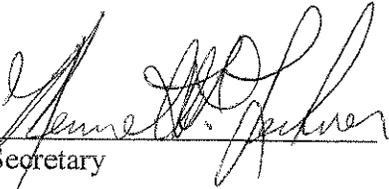
NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER as follows:

1. All advance written notices of the Board meetings shall be posted by the Board Secretary on the official bulletin board located in the Municipal Building of Gloucester Township;
2. All advance written notices of Board meetings shall be given to the **Courier Post** and/or the **Record Breeze**;
3. All advance written notices of Board meetings from January 10, 2013 through the date of the 2014 reorganization meeting of the Zoning Board shall be mailed to all persons requesting a copy of same after payment by such person of a fee of \$5.00. News media shall be exempt from such fee;
4. The regular meetings of the Board are hereby affixed for the following dates at the Township of Gloucester Municipal Building, Chews Landing-Clementon Road at Hider Lane, Gloucester Township, New Jersey at 7:30 p.m.

5. The regular meetings shall be held as scheduled unless canceled for lack of applications to process;
6. The board may provide for special meetings at the call of the Chairman or at the request of any two of its members, which special meetings shall be open to the public and to be held on at least forty eight (48) hours notice, which notice shall be in the same manner as that for a regular meeting;
7. The Chairman may call an executive session at any time to discuss the procedural preliminaries of an application being considered or to discuss any other matters permitted to be disbudded in closed session by N. J. S. A. 10:4-6 et seq. "The Sunshine Law"
8. Notice of the schedule of meetings indicated in Paragraph 4 shall forthwith be posted on the official bulletin board located in the Municipal Building and mailed to the Courier Post and filed with Clerk of the TOWNSHIP OF GLOUCESTER.

ATTEST:

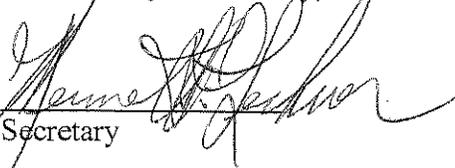
TOWNSHIP OF GLOUCESTER


Secretary


Chairman

CERTIFICATION

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Secretary

**Gloucester Township
Zoning Board of Adjustment
Regular Meeting Schedule**

2013

7:30 P. M. Council Room

January 10, 2013
January 24, 2013
March 14, 2013
March 28, 2013
April 11, 2013
April 25, 2013
May 09, 2013
May 23, 2013
June 13, 2013
June 27, 2013
July 11, 2013

August 08, 2013
August 22, 2013
September 12, 2013
September 26, 2013
October 10, 2013
October 24, 2013
November 14, 2013
December 12, 2013



Kenneth D Lechner, PP, AICP
Director of Community Development & Planning

KDL/dmb

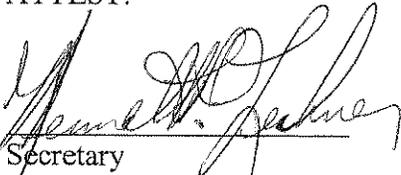
A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF GLOUCESTER ADOPTING AGENDA PROCEDURES

WHEREAS, the Municipal Land Use Law N. J. S. A. 40:55D-8 requires that every municipal agency acting thereunder must adopt rules and regulations for the administration of its functions, powers and duties; and

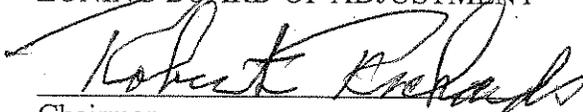
WHEREAS, the Zoning Board of Adjustment is desirous of maintain the current agenda procedures that have been adopted for such administration a copy of which are attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED THAT the agenda procedures of the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER be and are hereby adopted pursuant to the statutes in such case made and provided.

ATTEST:

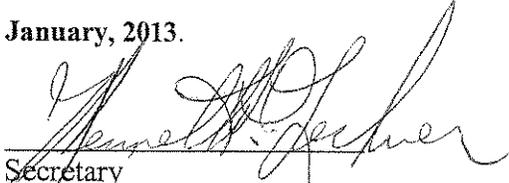

Secretary

TOWNSHIP OF GLOUCESTER
ZONING BOARD OF ADJUSTMENT


Chairman

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Zoning Board of Adjustment of the TOWNSHIP OF GLOUCESTER at a meeting held on the 10th day of January, 2013.


Secretary

**Gloucester Township Zoning Board of Adjustment
Agenda Procedures
2013**

- 1. Flag Salute**
- 2. Reading of the Commencement Statement**
- 3. Roll Call**
- 4. Adoption of Minutes**
- 5. Adoption of Resolutions**
- 6. Discussion Items**
- 7. Review of Applications**
- 8. Adjournment**

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT THURSDAY,
DECEMBER 13, 2012**

Chairman Richards called the meeting to order. Mr. Lechner read the commencement statement.

Roll Call:	Mr. Simiriglia	Present
	Mr. Bucceroni	Absent
	Mr. Gunn	Absent
	Mr. McMullin	Absent
	Mrs. Chiumento	Absent
	Mrs. Giusti	Present
	Mr. Acevedo	Present
	Mr. Treger	Present
	Mr. Scarduzio	Absent
	Mr. Richards	Present

Chairman Richards had the professionals sworn in:
Also Present: Mr. Anthony Costa, Zoning Board Solicitor
Mr. Ken Lechner, Township Planner

Mrs. Giusti will sit in for Mr. Bucceroni, Mr. Acevedo will sit in for Mr. McMullin, Mr. Treger will sit in for Mr. Gunn.

MINUTES FOR ADOPTION

Zoning Board Minutes for November 8, 2012.

Motion to approve the above-mentioned minutes was made by Vice Chairman Simiriglia and seconded by Mr. Acevedo.

Roll Call:

Vice Chairman Simiriglia	Yes
Mrs. Giusti	Abstain
Mr. Acevedo	Yes
Mr. Treger	Abstain
Chairman Richards	Yes

Minutes approved.

RESOLUTIONS FOR MEMORIALIZATION

#122049D
Ville 2 LLC
Use D Variance
Block: 18501 Lot: 2/11
Continued until January 10, 2013

#122052D
Garden Develop c/o Paparone Homes
Use D Variance
Block: 18103 Lot: 7.01

A motion to approve the above mentioned resolution was made by Vice Chairman Simiriglia and seconded by Mr. Acevedo.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Acevedo	Yes
Chairman Richards	Yes

Resolution Approved.

APPLICATIONS FOR REVIEW

#122053C
Rosemarie Marnell
Zoned: SCR
Bulk C
Block: 15817 Lot: 9
Location: 18 Dorothy Dr.
Seeking approval for Bulk C Variance to install deck 10 x 14 (total size 13 x 14)

Mr. Costa swears in Ms. Rosemarie Marnell.

Ms. Marnell explains the small lot size and need to be 5.5ft. from the lot line instead of the ordinance required 10ft. The homes are very close together in the development. There will be no roof and the steps will be on the back of the deck, the steps were put into the setback.

Vice Chairman Simiriglia has no questions and recognizes the common problem in the development.

Open to the Public
No Comments.

Open to the Professionals:
No Additional Comments.

A motion to approve the above mentioned application was made by Mr. Acevedo and seconded by Mr. Treger.

Roll Call:

Vice Chairman Simiriglia	Yes
Mrs. Giusti	Yes
Mr. Acevedo	Yes
Mr. Treger	Yes
Chairman Richards	Yes

Application Approved.

A Motion to Adjourn was made by Mrs. Giusti and seconded by Mr. Treger.

Respectfully Submitted, Jean Gomez, Recording Secretary.

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION # 122053C

RoseMarie Marnell

Block 15817, Lot 9

WHEREAS, RoseMarie Marnell, is the owner of the land and premises located at 18 Dorothy Drive in the Sicklerville section of the Township of Gloucester, New Jersey having made application to the Zoning Board of Adjustment of the Township of Gloucester, Camden County, for a variance to permit a 13x14' deck with a rear yard setback of 5.51 feet instead of the required 10 ft. for the property located upon Block 15817, Lot 9, as shown on the Official Map of the Township of Gloucester, located in an SCR Zone, said application being pro-se.; and

WHEREAS, the Board after carefully considering the representations made by the applicant at the public hearing held on December 13, 2012 as well as having reviewed the application and evidential exhibits at said hearing, has made the following factual findings and conclusions based thereon;

1. The applicant, RoseMarie Marnell is the owner of the land and premises located at 18 Dorothy Drive, in the Sicklerville section of Gloucester Township, New Jersey, as shown on Block 15817, Lot 9, on the Official Tax Map of the Township of Gloucester, located in an SCR Zone.

2. Proper notice was afforded all adjacent property owners as provided by the applicable statutes and ordinances, and the applicant provided proof of said notice.

3. All property taxes were paid to date.

4. After being sworn, the applicant testified that she wanted to have a 13x14 foot deck constructed. She has a small back yard and this is the only place to place the deck and there are other similar decks in the development

5. There were no objections to the request for the variance presented at the hearing.

UPON MOTION duly made and seconded to grant the applicant a variance to construct a deck with a rear yard setback of 5.51 feet the Board voted five (5) in favor, zero (0) against and zero (0) abstentions, thus granting the relief requested; and

WHEREAS, the Board has determined that the relief requested by the applicant may be granted without substantial detriment to the public good and otherwise without impairing the intent and purpose of the Zoning Plan and Ordinances of the Township of Gloucester because of the size and shape of the lot and the Board was of the opinion that the benefits exceed any detriment; and

WHEREAS, the statutory purposes will be advanced by the granting of the relief requested;

NOW THEREFORE BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Gloucester on this 13th day of December, 2012 that the applicant, RoseMarie Marnell, is hereby granted the aforesaid site plan, variance and waivers for the property located upon Block 15817, Lot 9 as shown on the Official Tax Map of the Township of Gloucester, consistent with the testimony, application and exhibits, same of which are incorporated herein.

ROLL CALL:

LIST NAMES

Frank Simiriglia	Yes
Mike Acevedo	Yes
Phyllis Guisti	Yes
Ken Treger	Yes
Robert Richards	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Robert Richards

Chairperson

I, Ken Lechner, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on the 10th Day of January, 2013.

Ken Lechner, Secretary

Prepared by:
ANTHONY P. COSTA, Esquire
63 Warwick Road
Stratford, New Jersey 08084

TOWNSHIP OF GLOUCESTER

INTER-OFFICE CORRESPONDENCE



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

RE: APPLICATION #122054C
 Faydeen Mauger
 15 Ohio Avenue
 BLOCK 11703, LOT 6

DATE: December 5, 2012

The Applicant requests approval to construct a 12.3' x 10.7' second story addition within the R-3 Residential District as indicated on the attached sketch.

I. ZONING INFORMATION

R-3 ZONE REQUIREMENTS:

Description	Required	Proposed	Complies
Minimum lot size	9,375 sf	±7,500 sf	enc
Minimum lot frontage	75 ft.	50 ft.	enc
Minimum lot depth	125 ft.	150 ft.	yes
Maximum building coverage	20%	±14.7% ¹	yes
Maximum lot coverage	40%	±18% ¹	yes
Principal Building Minimum Yard Depths and Height Limitations			
Front yard (dwelling)	30 ft.	29.31 ft.	yes
Side yard (addition)	10 ft.	4.74 ft.	no
Side yard (dwelling)	10 ft.	11.05 ft.	yes
Rear yard (addition)	30 ft.	±80 ft.	yes
Minimum Useable Yard Area	25%	> 25%	yes
Maximum Height	35 ft.	< 35 ft.	n/a

- ¹ = Scaled data.
 n/a = not applicable.
 = Variance required.

Variance Expiration: The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

II. VARIANCE COMMENTS

The application requires the following variance from the Land Development Ordinance based on scaled data from the sketch (survey) provided by the Applicant.

§422.K(2), Residential Swimming Pools and Cabana

- Side yard setback: (4.74 ft. provided v. 10 ft. min. required).

POSITIVE CRITERIA ("C1" and "C2" variances)

2. The Applicant must address and the Zoning Board of Adjustment consider the following in satisfying the positive criteria for the requested setback variance:
 - a. The Board has the power to grant a variance where by reason of exceptional narrowness, shallowness, shape, or topographic conditions or physical features, or an extraordinary and exceptional situation affecting a specific property, the strict application of the zoning regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the development of such property (basis 40:55D-70c(1)).
 - b. Also, the Board has the power to grant a variance when the purpose of the Municipal Land Use Law would be advanced by the deviation of the zoning ordinance and the benefits would substantially outweigh the detriments (basis N.J.S.A. 40:55-70c(2)).

NEGATIVE CRITERIA

The Board should not grant a variance unless it is clearly demonstrated that said variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance (basis 40:55D-70).

III. NOTICE REQUIREMENTS

The applicant must notice for the following variances:

From Section 405.F, Area, Yared, Height and Building Coverage to permit a second story addition four and seventy four hundredths (4.74) feet from the side property line (10 ft. minimum required).

IV. RECOMMENDATIONS

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: Faydeen Mauger
Anthony Costa, Esq.
James Mellett, PE, Churchill Consulting Engineers

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

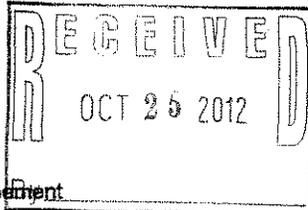
Submission Date: _____ Application No: 122054C
 Taxes Paid Yes/No _____ (Initial)
 Fees: 160⁰⁹ Project # 7482
 Planning Board Zoning Board of Adjustment
 Escr. 150⁰⁹ Escr.# 7482
¹ Upon receipt of all fees, documents, plans, etc.

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>Faydeen Manger</u> Address: <u>15 Ohio Ave</u> City: <u>Blackwood</u> State, Zip: <u>N.J. 08012</u> Phone: <u>(856) 227-2589</u> Fax: () - Email: <u>COWS22@verizon.net</u>	2. Owner(s) (List all Owners) Name(s): _____ Address: <u>Same</u> City: <u>Cell - 609-707-2906</u> State, Zip: _____ Phone: () - Fax: () -
---	--

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 checked="" 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 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 type="checkbox"/> _____ |



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	HC	PR	BW-RD	SCR-HC Overlay
<u>R3*</u>	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: _____	Firm: _____
Address: _____	State, Zip: _____
City: _____	Phone: () - Fax: () -
	Email: _____

*blue print
 survey land*

6. Name of Persons Preparing Plans and Reports:

Name: ~~Robert M. Serrano~~
Address: ~~2542 Riverside Ave~~
Profession: ~~Architect~~
City: ~~Atlanta~~
State, Zip: ~~GA 30334~~
Phone: ~~(404) 412-1412~~ Fax: ~~(404) 412-1412~~
Email: ~~rserrano@earthlink.net~~

Name: Keystone Construction Co Inc
Address: Po. Box 176
Profession: Contractor
City: Sevill
State, Zip: NY 08520
Phone: (856) 468-5582 Fax: ()
Email:

7. Location of Property:

Street Address: 1504 W Ave Block(s): 11703
Tract Area: Lot(s): 6

8. Land Use:

Existing Land Use: ~~Additional on 2nd floor~~ 2nd floor 2 bedrooms
Proposed Land Use (Describe Application): adding 2nd floor bedroom.

9. Property:

Number of Existing Lots: one Proposed Form of Ownership:
Number of Proposed Lots: one 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.

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet.

13. Zoning

All Applications	Proposed	Fence Application	Proposed
Front setback 1	38	Setback from E.O.P.*1	
Front setback 2		Setback from E.O.P.*2	
Rear setback	80	Fence type	
Side setback 1	14	Fence height	
Side setback 2	8	*E.O.P. = Edge Of Pavement.	
Lot frontage	53	Pool Requirements	
Lot depth	160	Setback from R.O.W.1	
Lot area	8500	Setback from R.O.W.2	
Building height	X	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: 1 Number of parking spaces provided: _____

Number of loading spaces required: 1 Number of loading spaces provided: _____

15. Relief Requested:

- Check here if zoning variances are required.
- Check here if exceptions to the application or municipal requirements are requested (N.J.S.A. 40:55D-51).
- Check here if exceptions to the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.1) are requested.
- 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

Jay M. Ray RN
Signature of Applicant

4-5-12
Date

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 herewith. 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).

10-25-12 Date
Jay Mung Signature
Jay Mung Print Name
Sworn and Subscribed to before me this _____ day of _____ (Year).

Signature

Print Name

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? No Yes
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units? No Yes
- C. Is this application for approval on a site or sites for commercial purposes? No Yes
- D. Is the applicant a corporation? No Yes
- E. Is the applicant a limited liability corporation? No Yes
- 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).

Jay Mung, Jr. Signature of Applicant
Jay Mung Print Name

No Yes
 No Yes
 No Yes
 No Yes
 No Yes
 No Yes
4-6-12 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 4-6-12, shows and discloses the premises in its entirety, described as Block 11703 Lot 6 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:

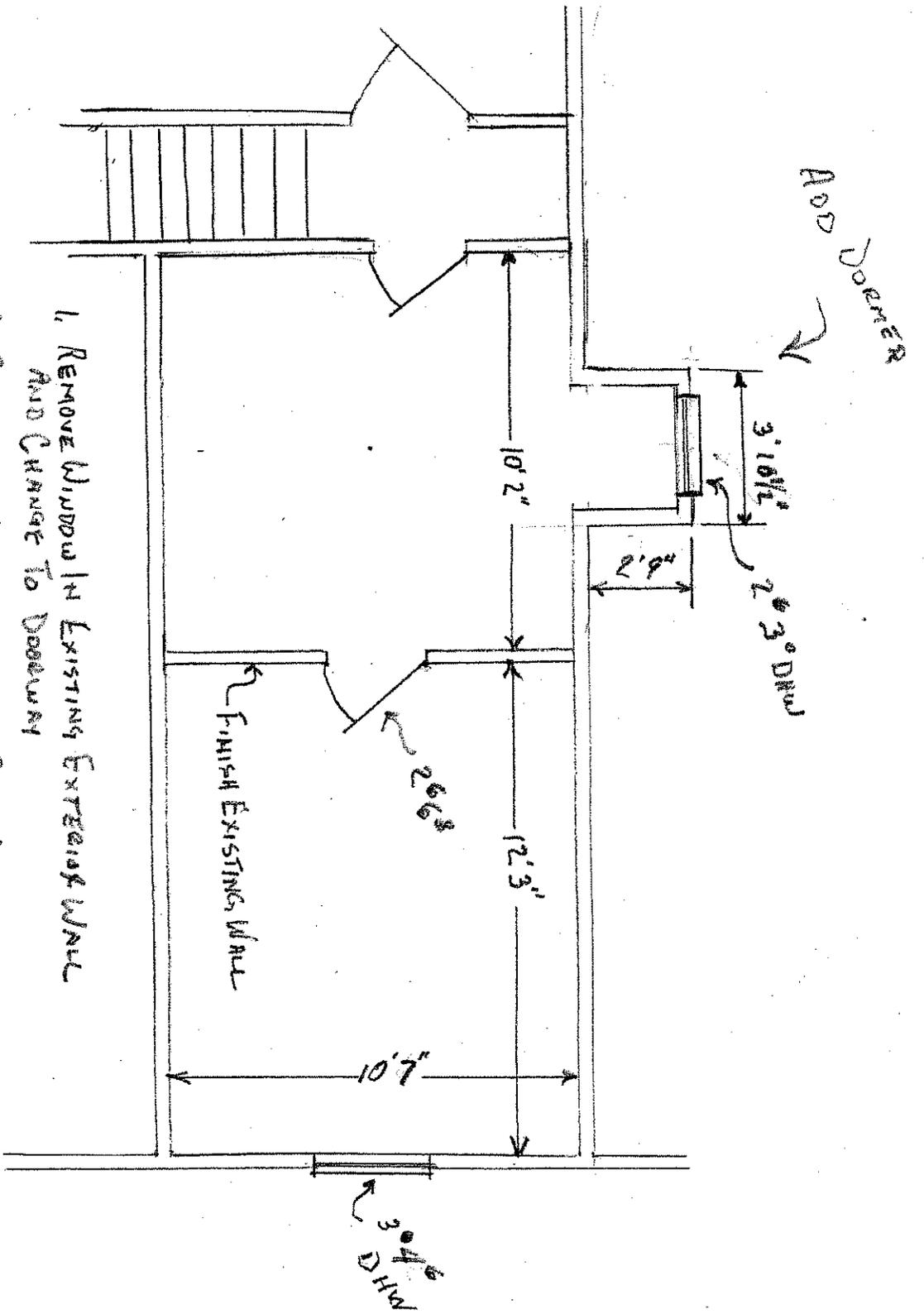
_____ of full age, being duly sworn to law, on oath and says that all of the above statement herein is true.

Sworn and subscribed to
On this 25 day of October
2012 before the following authority.

Name of property owner or applicant

Rita A Reeves
Notary public **RITA A. REEVES**

NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 01/16/2013 of 4

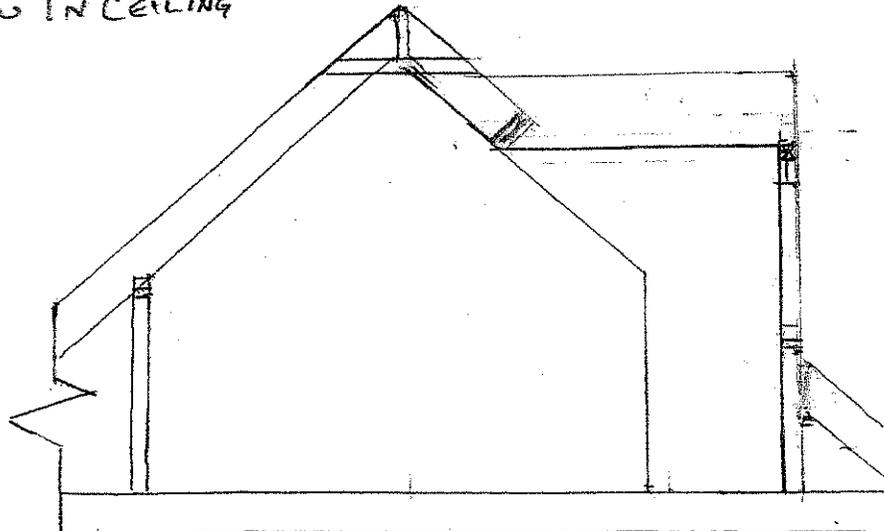


1. REMOVE WINDOW IN EXISTING EXTERIOR WALL AND CHANGE TO DOORWAY
2. ADD DOORNER TO EXISTING ROOM AS PER DRAWINGS
3. FINISH EXTERIOR SIDE OF EXISTING WALL w/ 1/2" GWB

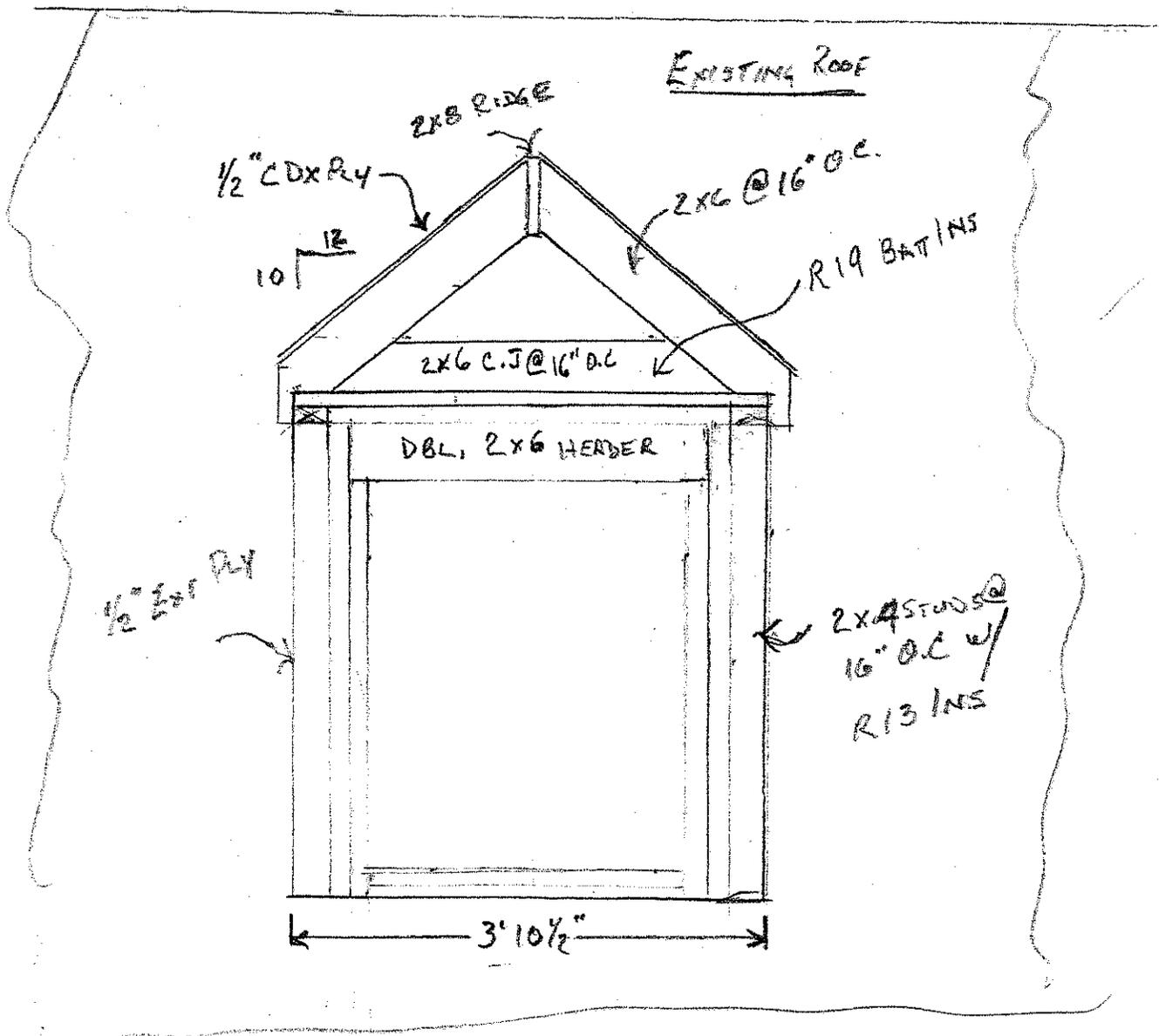
SCALE 1/4" = 1'0"

1. CEILING HEIGHT 7'0"
2. 2x6 CEILING JOISTS @ 16" O.C.
3. R19 INSULATION IN CEILING

SECTION THRU DORMER



SCALE $\frac{1}{4}'' = 1'0''$



SCALE $\frac{3}{4}" = 1'$

1. 1/2" ROOF SHEATHING CDX PLY
2. SIDING TO MATCH EXISTING, W/ TYVEK V.B.
3. FLASHING AS NEC. (STEP AND CONT.)
4. SHINGLES TO MATCH ADDITION
5. 1/2" SHEATHING ON WALLS
6. INTERIOR OF WALLS 1/2" GWB

REPRODUCED BY THE ENGINEERING SOCIETY OF AMERICA, INC. FROM THE ORIGINAL DRAWING BY THE TOWNSHIP OF GLOUCESTER, NEW JERSEY, 1936. THE ORIGINAL DRAWING WAS REPRODUCED BY THE ENGINEERING SOCIETY OF AMERICA, INC. FROM THE ORIGINAL DRAWING BY THE TOWNSHIP OF GLOUCESTER, NEW JERSEY, 1936. THE ORIGINAL DRAWING WAS REPRODUCED BY THE ENGINEERING SOCIETY OF AMERICA, INC. FROM THE ORIGINAL DRAWING BY THE TOWNSHIP OF GLOUCESTER, NEW JERSEY, 1936.

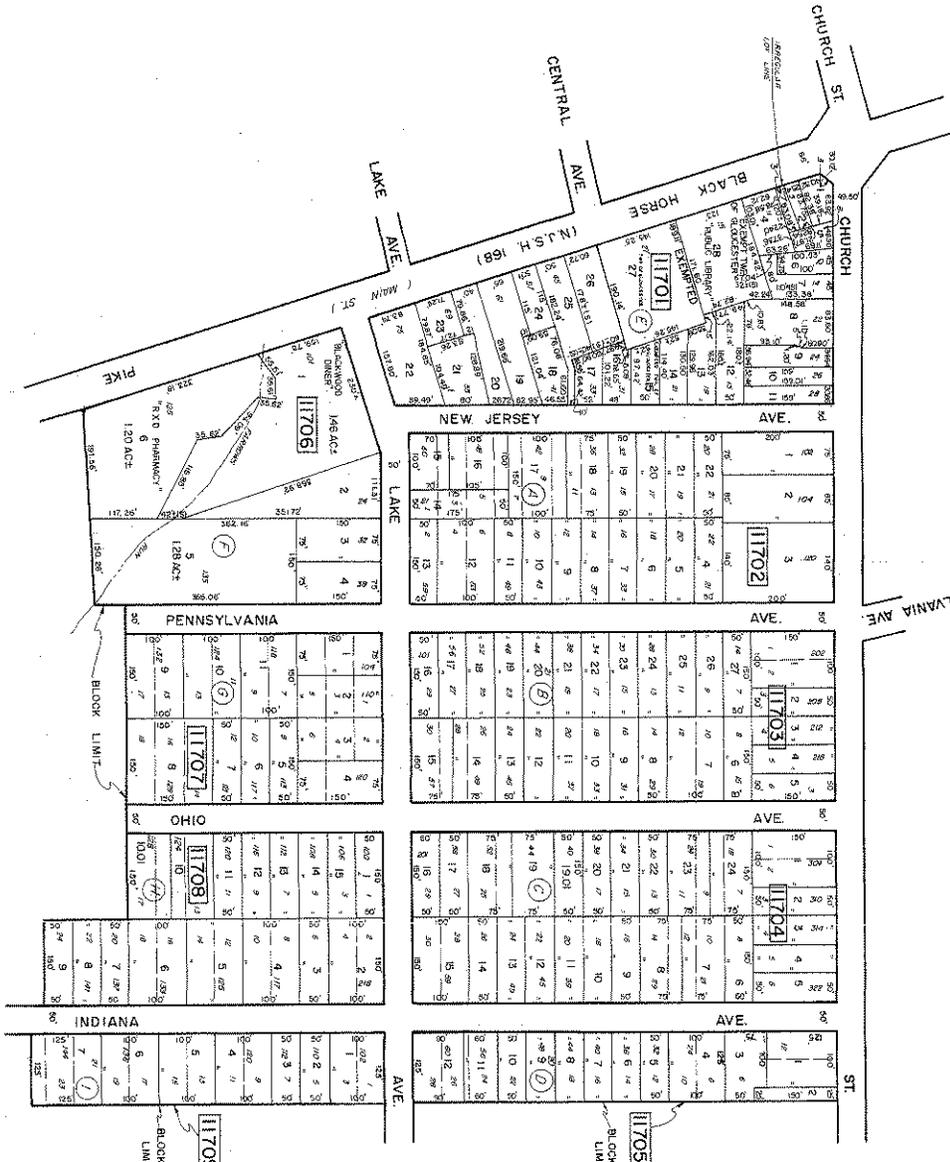
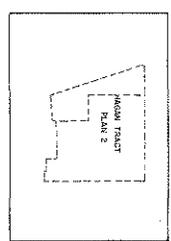


PLATE 107

PLATE 119



WILLIAM C. KIRSCH
LAND SURVEYOR 18396

TAX MAP
TOWNSHIP OF GLOUCESTER
NEW JERSEY
SCALE: 1" = 100'

LOT 26

LOT 27

LOT 2

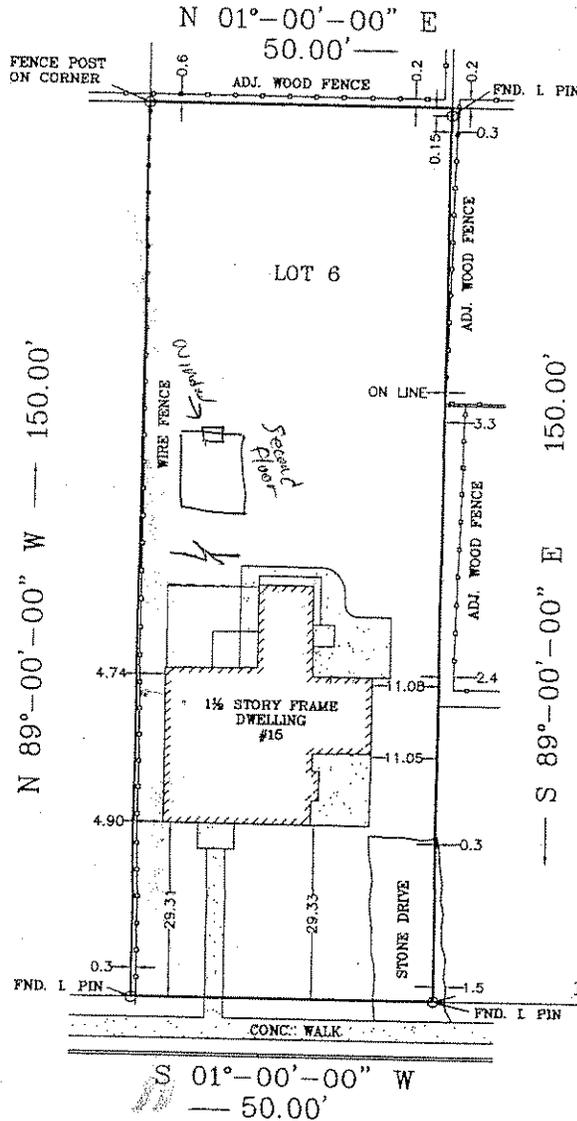
LOT 7

LOT 6

LOT 3

LOT 4

LOT 5



OHIO (50' R.O.W.) AVENUE

CHURCH (49.5' R.O.W.) STREET
A.K.A. CLEMENTON ROAD

REGISTERED
OCT 20 2011
By _____

CERTIFIED TO:
FAYDEEN MAUGER
INDEPENDENCE ABSTRACT & TITLE AGENCY
INFINITY HOME MORTGAGE COMPANY, INC.,
IT'S SUCCESSORS AND/OR ASSIGNS AS
THEIR INTEREST MAY APPEAR.

NOTES:
LOT NUMBERS REFER TO BLOCK 11703 ON THE
TOWNSHIP OF GLOUCESTER TAX MAPS.
A.K.A. LOT 8 ON SECTION "B", PLAN No. 1, PLAN OF
PART OF THE HAGANS TRACT AT BLACKWOOD, DULY
FILED.

"IN CONSIDERATION OF THE FEE PAID FOR MAKING THIS SURVEY, I
HEREBY CERTIFY TO IT'S ACCURACY (EXCEPT SUCH EASEMENT IF ANY
THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS OR ON THE
SURFACE OF THE LANDS AND NOT VISIBLE) AS AN INDUCEMENT FOR
ANY INSURER OF TITLE TO INSURE THE TITLE TO THE LANDS AND
PREMISES SHOWN THEREON. THE RESPONSIBILITY LIMITED TO THE
CURRENT MATTER AND INITIAL USE FOR WHICH IT IS BEING USED."

THIS IS TO CERTIFY THAT ON OCT. 17, 2003
I MADE A SURVEY OF THE LANDS AND PREMISES
SHOWN HEREON, AND THAT THIS PLAT IS IN AC-
CORDANCE WITH THE FIELD NOTES OF SAID SURVEY.

BRUCE A. EWING
LAND SURVEYOR

27844

N.J. LICENSE NO. 35835

SURVEY OF PREMISES
15 OHIO AVENUE
SITUATED IN
TOWNSHIP OF GLOUCESTER
COUNTY OF CAMDEN, NEW JERSEY

DRAWN BY: M.C.D. DATE 10/17/03 SCALE: 1"=25'

EWING ASSOCIATES
LAND SURVEYORS
900B No. DELSEA DRIVE, P.O. BOX 145, CLAYTON, N.J. 08312
PHONE: (856) 881-4931

Tax Account Maintenance

Block: 11703
 Lot: 6
 Qualifier:
 Owner: **WALTER, PAVEN**
 Prop Loc: 15 OHIO AVENUE

Year	Qtr	Type	Billed	Principal Balance	Interest	Total Balance
2013	2		1,170.09	1,170.09	.00	1,170.09
2013	1		1,170.10	1,170.10	.00	1,170.10
2013		Total	2,340.19	2,340.19	.00	2,340.19
2012	4		1,187.38	.00	.00	.00
2012	3		1,187.39	.00	.00	.00
2012	2		1,152.80	.00	.00	.00

Other Delinquent Balances: Interest Date: 10/25/12

Other APR2 Threshold Amt: Per Diem: Last Payment Date: 10/25/12

TOTAL TAX BALANCE DUE

Principal: Penalty:
 Misc. Charges: Interest:
 Total:

Comment

RECEIVED
OCT 25 2012

Bin# 63

~~B~~

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: October 25, 2012

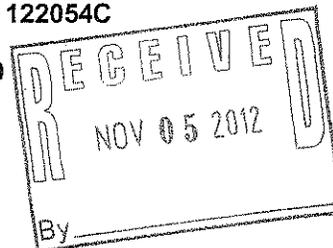
APPLICATION No. 122054C

APPLICANT: Faydeen Mauger

PROJECT No. 7440

BLOCK(S): 11703 Lot(S): 6

LOCATION: 15 Ohio Ave., Blackwood, NJ 08012



TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|-------------------------------------|----------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning 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"/> | Taxes | <input checked="" type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

- New Application - Bulk C
- Revision to Prior Application

PURPOSE OF TRANSMITTAL:

- For Your Review. **Please Forward Report by November 5, 2012**
- For Your Files.

ENCLOSED:

- 2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Minor Site Plan
- 1 Copy - Minor Subdivision Plat
- 3 Copies - Preliminary. Site Plan, 2 County Apps and 1 Twp. App.
- 3 Copies - Major Subdivision - Preliminary. Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Major Subdivision - Preliminary. 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

OK 11-1-12 JTG

Signature

TOWNSHIP OF GLOUCESTER
ZONING BOARD TRANSMITTAL



DATE: October 25, 2012

APPLICATION No. 122054C

APPLICANT: Faydeen Mauger

PROJECT No. 7440

BLOCK(S): 11703 Lot(S): 6

LOCATION: 15 Ohio Ave., Blackwood, NJ 08012

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|--------------------------|----------------------|-------------------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input checked="" 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"/> | Taxes | <input type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

- New Application - Bulk C
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PURPOSE OF TRANSMITTAL:

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ENCLOSED:

- 2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Minor Site Plan
- 1 Copy - Minor Subdivision Plat
- 3 Copies - Preliminary. Site Plan, 2 County Apps and 1 Twp. App.
- 3 Copies - Major Subdivision - Preliminary. Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Major Subdivision - Preliminary. 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

No issues.

Signature



GLOUCESTER TOWNSHIP POLICE TRAFFIC SAFETY UNIT SITE PLAN REVIEW

Application #122054C

15 Ohio Ave Faydeen Mauger

Block 11703 Lot 6

- Plans as shown along with available information do not reveal any anticipated traffic problems.
- Stop signs/traffic control signs as shown must be installed upon or prior to any occupancy.
- Traffic Control signs as shown on plans are not enforceable by police unless properly included by Municipal Ordinance made through application of the site owner under New Jersey 39:5-1.
- Emergency contact numbers for site issues with twenty-four human contact should be provided to Police prior to start of construction.

Other:

NOV 20 2012

Reviewed By: Lt. Brian McKendry Cpl. Richard Worst

Signature:  Date Submitted: 11/19/12

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

November 7, 2012

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

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

Re: Application #122054C
Faydeen Mauger
15 Ohio Avenue, Blackwood, NJ 08012
Block 11703, Lot 6

NOV 13 2012

Gentlemen:

In response to your transmittal regarding the above application, approval will have no effect on the sanitary sewer system.

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

Very truly yours,

**THE GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

Robert C. Benson
Robert C. Benson
Executive Director

RCB:mh

TOWNSHIP OF GLOUCESTER

Inter-office Correspondence



TO: Zoning Board of Adjustment

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

RE: **APPLICATION #122057D Escrow #7522**
Salvatore & Cono Marchi
1 Highwoods Avenue
BLOCK 17907, LOT 53

DATE: December 5, 2012

The above application is to permit an in-law addition with kitchen facilities, bedroom, living room and attached garage with a second driveway in an existing single-family dwelling within the R-3 – Residential District. The project is located on the northeast corner of Highwoods Avenue and New Brooklyn – Clementon Road.

I. ZONING INFORMATION

1. Zone: R-3 ~Residential District (§405.F).

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>Complies</u>
Minimum lot size	9,375 sf	±15,030 sf ¹	yes
Minimum lot frontage			
Highwoods Avenue	75 ft.	94.725 ft.	yes
New Brooklyn – Clementon Road	75 ft.	163.825 ft.	yes
Minimum lot depth	125 ft.	137.68 ft.	yes
Maximum building coverage	20%	±14.9% ¹	yes
Maximum lot coverage	40%	±22.8% ¹	yes
PRINCIPAL BUILDING MINIMUM YARD DEPTHS AND HEIGHT LIMITATIONS			
Front yard			
Highwoods Avenue (Dwelling)	30 ft.	32.03 ft.	yes
New Brooklyn – Clementon Road	30 ft.	29.92 ft.	no*
Side yard	10 ft.	15.80 ft.	yes
Rear yard	30 ft.	±25 ft.¹	no*
Minimum Useable Yard Area	25%	≥ 25%	yes
Maximum Height	35 ft.	≤ 35 ft.	yes
ACCESSORY BUILDING MINIMUM YARD DEPTHS AND HEIGHT LIMITATIONS			
Front Yard	N.P.	n/a	n/a
Side yard	10 ft.	n/a	n/a
Rear yard	10 ft.	n/a	n/a
Maximum garage height	20 ft.	n/a	n/a
Maximum other building height	15 ft.	n/a	n/a

¹ = Scaled data.

* = Variance required.

Variance Expiration: The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>Complies</u>
OFF-STREET PARKING AND PRIVATE GARAGES			
Maximum area (2 garages)	800 sf	670 sf	yes
Less than area of principal building	< ±2,239 sf ¹	670 sf	yes
Maximum stories	1	1	yes
Maximum number of garages	1	2	no*

¹ = Scaled data.

* = Variance required.

Variance Expiration: The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

II. VARIANCE COMMENTS

The application as submitted requires the following variance:

§405.B, R3 – Residential District, Permitted Uses

1. An in-law addition with kitchen facilities, bedroom, living room, which is not listed as a permitted use in the R-3 Residential District.

§405.F, Area, Yard, Height, and Building Coverage

2. Front yard: (29.92 ft. provided v. 30 ft. minimum required).
3. Rear yard; (±25 ft. provided v. 30 ft. minimum required).

§422.H(6), Off-Street Parking and Private Garages

4. Number of garages: (2 provided v. 1 maximum allowed).

§424.D, Driveways (Residential)

5. Number of Driveways: (2 provided v. 1 maximum allowed).

POSITIVE CRITERIA ("C1" and "C2" variances)

The Applicant must address and the Zoning Board of Adjustment consider the following in satisfying the positive criteria for the requested residential district setback variance:

6. The Board has the power to grant a variance where by reason of exceptional narrowness, shallowness, shape, or topographic conditions or physical features, or an extraordinary and exceptional situation affecting a specific property, the strict application of the zoning regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the development of such property (basis 40:55D-70c(1)).
7. Also, the Board has the power to grant a variance when the purpose of the Municipal Land Use Law would be advanced by the deviation of the zoning ordinance and the benefits would substantially outweigh the detriments (basis N.J.S.A. 40:55-70c(2)).

POSITIVE CRITERIA ("D1")

The Applicant must address and the Zoning Board of Adjustment consider the following in satisfying the positive criteria for the requested "D1" variance:

8. The Board has the power to grant a variance for a use in a district restricted against such use (basis N.J.S.A. 40:55-70d(1)).

- a. A use variance must meet the statutory "special reasons" standards; the zoning purpose most amplifying the meaning of special reasons is, the promotion of the general welfare (basis *Medici v. BPR Co.*, 107 N.J. 1 (1987)).
 - i) The Applicant must identify and provide an analysis of those special reasons of zoning that are applicable to the application.
 - ii) Furthermore, *Medici* requires an "enhanced quality of proof and clear specific findings" that the variance sought is not inconsistent with the Master Plan and Zoning ordinance."
 - iii) In addition to the aforementioned special reasons, the Applicant must also provide specific testimony addressing the enhanced quality of proof that the variance sought is not inconsistent with the intent and purpose of the Master Plan and Zoning ordinance.

NEGATIVE CRITERIA

The Board should not grant a variance unless it is clearly demonstrated that said variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance (basis 40:55D-70).

IV. NOTICE REQUIREMENTS

The applicant must notice for the following variances:

From Section 405.B, R-3 Residential District, to permit an in-law addition with kitchen facilities, bedroom, living room within the R-3 Residential District, from Section 405.F, Area, Yard, Height, and Building Coverage a setback of twenty nine and ninety two hundredths (29.92) feet from the front property line and approximately twenty five (25) feet setback from the rear property line (30 ft. minimum required), from Section 422.H(6) to permit two attached private garages (1 maximum allowed), and from Section 424.D, to permit two driveways (1 maximum allowed).

V. RECOMMENDATIONS

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

cc: Salvatore & Cono Marchi
Anthony Costa, Esq.
James Mellett, PE, Churchill Consulting Engineers

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 Date¹: _____ Application No. #122057CD Taxes Paid Yes/No _____ (Initial)

Planning Board Zoning Board of Adjustment

Fees \$360⁰⁰ Project # 1522

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

Escr. \$1350⁰⁰ Escr. # 1522

LAND DEVELOPMENT APPLICATION

1. Applicant

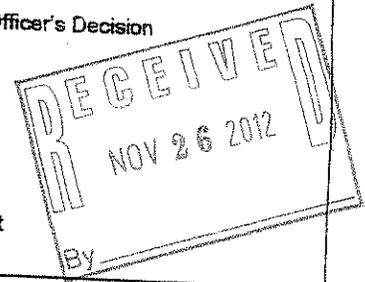
Name: Salvatore Marchi
 Address: 1 Highwoods Ave
 City: Sicklerville
 State, Zip: NJ 08081
 Phone: (917) 428-0306 Fax: ()
 Email: S.marchi.46@gmail.com

2. Owner(s) (List all Owners)

Name(s): Cone Marchi
 Address: 1 Highwoods Ave
 City: Sicklerville
 State, Zip: NJ 08081
 Phone: (917) 428-0306 Fax: ()

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 checked="" type="checkbox"/> Bulk "C" Variance ² |
| <input type="checkbox"/> Minor Site Plan | <input checked="" type="checkbox"/> Use "D" Variance ² |
| <input type="checkbox"/> Preliminary Major Site Plan ² | <input 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 type="checkbox"/> _____ |



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	HC	PR	BW-RD	SCR-HC Overlay
<u>R3</u>	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: _____ Firm: _____
 Address: _____ State, Zip: _____
 City: _____ Phone: () - - Fax: () - -
 Email: _____

6. Name of Persons Preparing Plans and Reports:

Name: Thomas M Ellis
 Address: 49 Branch st
 Profession: Survey
 City: Medford
 State, Zip: NJ 23141
 Phone: (854) 7432 Fax: () -
 Email: _____

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

7. Location of Property:

Street Address: 1 Highwoods Ave Block(s): 17907
 Tract Area: _____ Lot(s): 53

8. Land Use:

Existing Land Use: SFD - Deck COOKING/EATING
1-Bedroom 1-KITCHEN/
LIVING ROOM
 Proposed Land Use (Describe Application): Mother-in-law addition 48x15, ATTACHED
2nd GARAGE 18x15; 2nd driveway 30x18; 25' REAR setback; 24.92'
front setback 2 with 2nd floor 15 x 15 addition.

9. Property:

Number of Existing Lots: 1 Proposed Form of Ownership: ?
 Number of Proposed Lots: _____
 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.

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet.

13. Zoning

All Applications	Proposed	Fence Application	Proposed
Front setback 1	_____	Setback from E.O.P.*1	_____
Front setback 2	29.92	Setback from E.O.P.*2	_____
Rear setback	25'	Fence type	_____
Side setback 1	_____	Fence height	_____
Side setback 2	_____	*E.O.P. = Edge Of Pavement.	_____
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	270 SQ FT	Shed area	_____
Garage height	8 FT	Shed height	_____
Number of garages	2	Setback from R.O.W.1	_____
(Include attached garage if applicable)		Setback from R.O.W.2	_____
Number of stories	1	Setback from property line 1	_____
		Setback from property line 2	_____

14. Parking and Loading Requirements:

Number of parking spaces required: _____ Number of parking spaces provided: _____

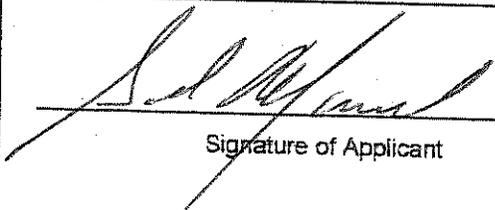
Number of loading spaces required: _____ Number of loading spaces provided: _____

15. Relief Requested:

- Check here if zoning variances are required.
- Check here if exceptions to the application or municipal requirements are requested (N.J.S.A. 40:55D-51).
- Check here if exceptions to the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.1) are requested.
- 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

 _____ Signature of Applicant	11-19-12 _____ Date
_____ 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 herewith. 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).

11-24-12
Date

Cono Marchi
Signature

CONO MARCHI
Print Name

Sworn and Subscribed to before me this
24 day of NOVEMBER
2012 (Year).

[Signature]
Signature

[Signature]
Print Name

MARIAN C. DEZELICH
Notary Public State of New York
No. 01DE4989201
Qualified in Richmond County
Commission Expires December 2, 2013

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? No Yes
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units? No Yes
- C. Is this application for approval on a site or sites for commercial purposes? No Yes
- D. Is the applicant a corporation? No Yes
- E. Is the applicant a limited liability corporation? No Yes
- 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).

[Signature]
Signature of Applicant

Salvatore Marchi
Print Name

No Yes

11-19-12
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 4-16-09, shows and discloses the premises in its entirety, described as Block 17907 Lot 53, 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:

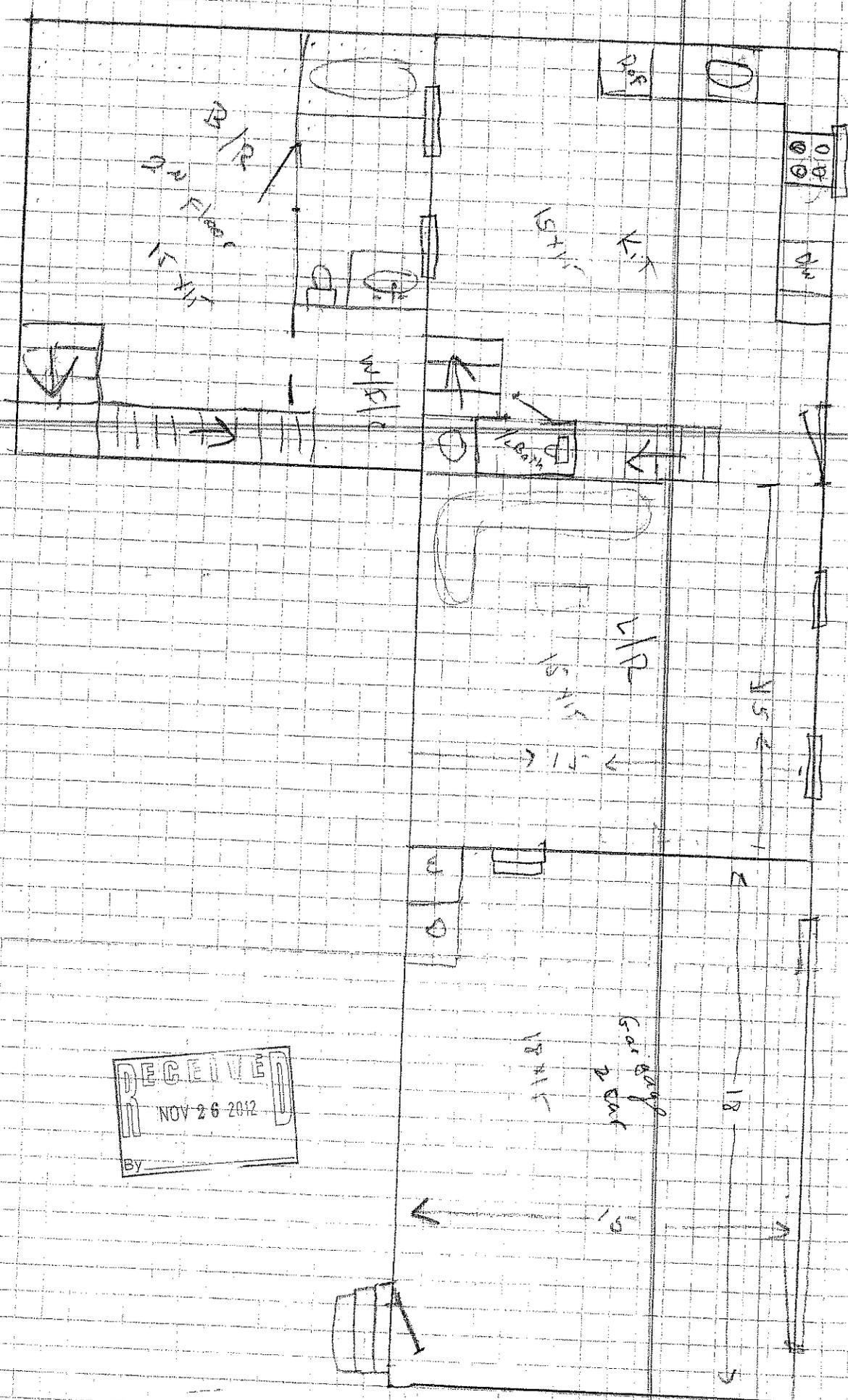
Sal Marchi of full age, being duly sworn to law, on oath and says that all of the above statement herein is true.

Sworn and subscribed to
On this 19 day of November
2012 before the following authority.

[Signature]
Name of property owner or applicant

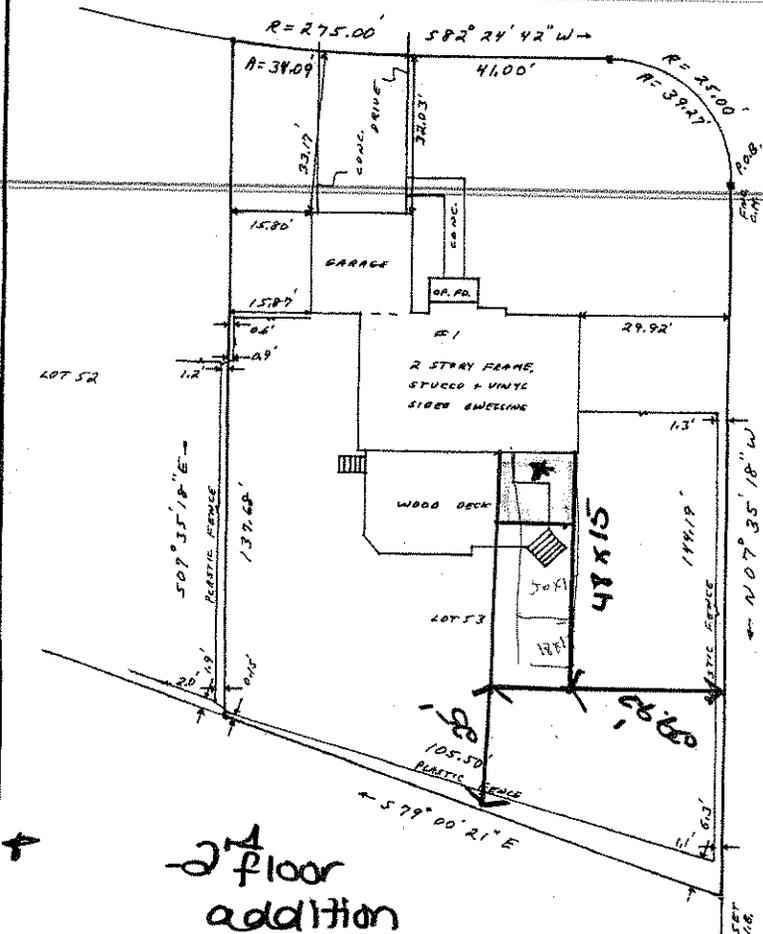
Rita A Reeves
Notary public

RITA A. REEVES
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 01/16/2013 4 of 4

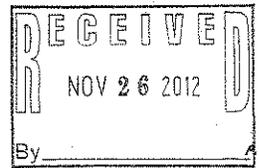


RECEIVED
 NOV 26 2012
 BY _____

HIGH WOODS (50') AVENUE



2nd floor addition



COND MARCHI + ANGELO MARCHI
 TRIDENT LAND TRANSFER CO (ND) LP
 WELLS FARGO BANK
 ITS SUCCESSORS AND/OR ASSIGNS

P.I.R. BEING LOT 53, BLOCK 19907, "FOREST RIDGE, SECTION TWO", FILED MARCH 1, 2001 AS ORIGINAL FILE 446 MAP 20

A.K.A. LOT 53, BLOCK 19907, GLOUCESTER TWP, TAX MAP

"TO: _____ ANY INSUROR OF TITLE RELYING HEREON AND ANY OTHER PARTY IN INTEREST: "IN CONSIDERATION OF THE FEE PAID FOR MAKING THIS SURVEY, I HEREBY CERTIFY TO ITS ACCURACY, EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE AS AN INDUCEMENT FOR ANY INSUROR OF TITLE TO INSURE THE TITLE TO THE LANDS AND PREMISES SHOWN THEREON THIS RESPONSIBILITY LIMITED TO THE CURRENT MATTER AND INITIAL USE FOR WHICH IT IS BEING USED"

Thomas M. Ellis
 (LAND SURVEYOR)
 NEW JERSEY LICENSE NO. 23145

MAP
 Showing Survey of Property Situate In
 TOWNSHIP OF GLOUCESTER
 CAMDEN COUNTY, NEW JERSEY
 Scale: 1" = 30' APRIL 11, 2009
THOMAS M. ELLIS
 Land Surveyor Lic. No. 23145
 49 Branch St., Medford N. J.
 854-7431

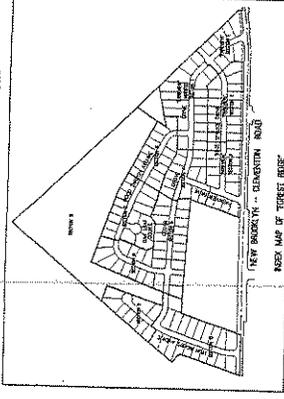
179.01

TAX MAP
TOWNSHIP OF CLOUCESTER

CAMDEN COUNTY
NEW JERSEY

CRAB F. REMINGTON LAND SURVEYOR INC. NO. 2024

REMINGTON & YERGENICK ENGINEERS
1000 W. 10TH ST. SUITE 200
ROSELAND, NJ 07068
TEL: 908-992-1000 FAX: 908-992-1001

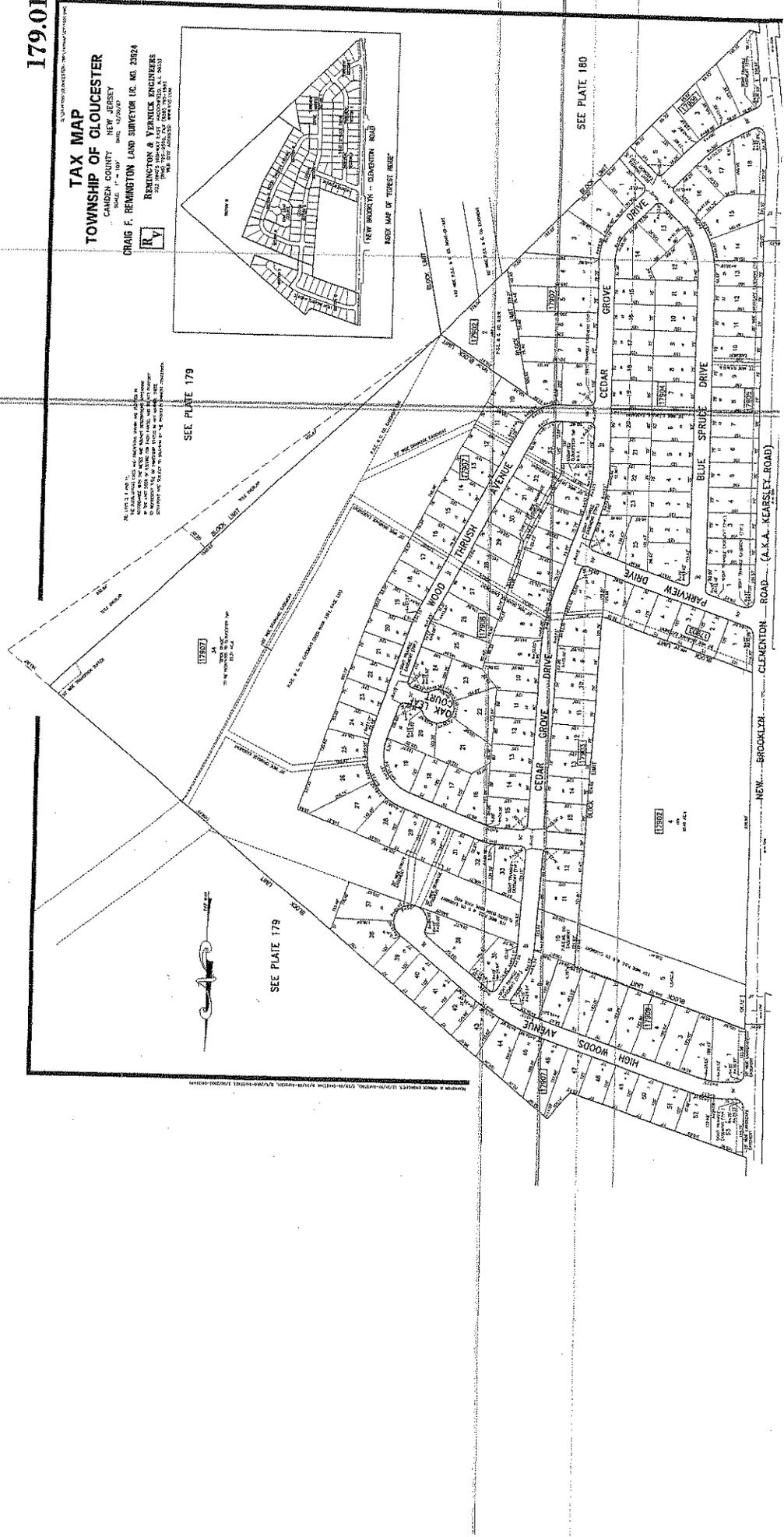


REVISIONS:
1. 11/15/24: CORRECTED THE AREA OF THE LOTS AND THE TOTAL AREA OF THE TRACT.
2. 11/15/24: CORRECTED THE AREA OF THE LOTS AND THE TOTAL AREA OF THE TRACT.
3. 11/15/24: CORRECTED THE AREA OF THE LOTS AND THE TOTAL AREA OF THE TRACT.
4. 11/15/24: CORRECTED THE AREA OF THE LOTS AND THE TOTAL AREA OF THE TRACT.

SEE PLATE 179

SEE PLATE 179

SEE PLATE 180



THIS MAP IS A REPRODUCTION OF THE ORIGINAL MAP AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

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

November 29, 2012

ROBERT C. BENSON
Executive Director

CAROLINE M. TARVES
Administrative Secretary

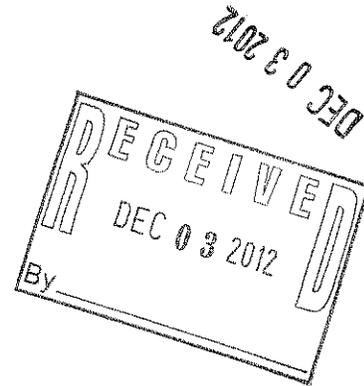
MARLENE HRYNIO
Recording Secretary

HOWARD C. LONG JR, ESQ.
Solicitor

THOMAS LEISSE, PE, CME
Consulting Engineer

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

Re: Application #122057CD
Salvatore & Cono Marchi
1 Highwoods Avenue, Sicklerville, NJ 08081
Block 17907, Lot 53



Gentlemen:

In response to your transmittal regarding the above application, approval will have no effect on the sanitary sewer system.

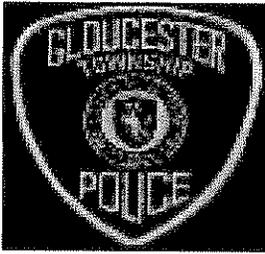
Should you have any further questions, please feel free to contact me.

Very truly yours,

THE GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY

Robert C. Benson
Robert C. Benson
Executive Director

RCB:mh



GLOUCESTER TOWNSHIP POLICE TRAFFIC SAFETY UNIT SITE PLAN REVIEW

Application #122057CD 1 Highwoods Ave Salvatore Marchi

Block 17907 Lot 53

- Plans as shown along with available information do not reveal any anticipated traffic problems.
- Stop signs/traffic control signs as shown must be installed upon or prior to any occupancy.
- Traffic Control signs as shown on plans are not enforceable by police unless properly included by Municipal Ordinance made through application of the site owner under New Jersey 39:5-1.
- Emergency contact numbers for site issues with twenty-four human contact should be provided to Police prior to start of construction.

Other:

DEC 03 2012



Reviewed By: Lt. Brian McKendry Cpl. Richard Worst

Signature: _____

Date Submitted: 12/3/12

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: November 26, 2012

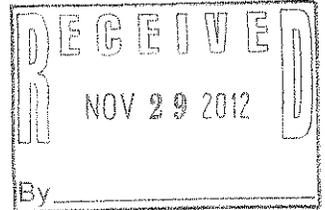
APPLICATION No. 122057CD

APPLICANT: Salvatore & Cono Marchi

PROJECT No. 7522

BLOCK(S): 17907 Lot(S): 53

LOCATION: 1 Highwoods Ave., Sicklerville, NJ 08081



TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|--------------------------|----------------------|-------------------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input checked="" 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"/> | Taxes | <input type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

- New Application - Bulk C & Use D Variance
- Revision to Prior Application

PURPOSE OF TRANSMITTAL:

- For Your Review. ***Please Forward Report by December 12, 2012***
- For Your Files.

ENCLOSED:

- 2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Minor Site Plan
- 1 Copy - Minor Subdivision Plat
- 3 Copies - Preliminary. Site Plan, 2 County Apps and 1 Twp. App.
- 3 Copies - Major Subdivision - Preliminary. Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Major Subdivision - Preliminary. 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

No Issues. Need Deed Restriction for in-law suite only.

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

11/27/12

Signature



December 19, 2012

Gloucester Township Community Development
Kenneth D. Lechner, PP, AICP
PO Box 8
Blackwood NJ 08012

Re: Gloucester Township Zoning Board
Revere Run at Park Place
Gloucester Township, NJ
Block 14102; Lot 17
Our File # 2733-3
Application #102006CPFSS



Dear Mr. Lechner:

As discussed, the developer has modified the configuration of the Community Center to address architectural program changes associated with their funding requirements.

Enclosed please find two (2) copies of the signed Site Plan sheet revised to 11/27/12 which depicts the configuration of the Community Center as approved by the Zoning Board.

Also enclosed are two (2) copies of the unsigned Site Plan sheet revised to 12/19/12 which depict the proposed configuration of the Community Center.

In summary, the Community Center was reduced from 2,920 SF to 2,650 SF, a canopy was added to the front façade, and the Center was moved approximately 5 ft further from the curb line of Road B and 10.8 ft further away for the easterly property line.

The proposed configuration of the Community Center would not result in any new variances or design waivers.

Therefore, it is requested that your office advise if the Zoning Board has any objection to this revision. It is understood that this request may be brought before the Zoning Board on January 10, 2013. Unless otherwise informed, representatives of the developer (Revere Run Housing Associates, LLC) will be in attendance at the Zoning Board's January 10, 2013 meeting to address any questions that may arise.

Should you have any questions, or require any additional information, please contact the undersigned.

Very truly yours,
BACH ASSOCIATES, PC

Steven M. Bach, PE, RA, PP, CME
President

Enclosures

C: Nick Cangelosi of Conifer Realty, LLC

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 Date¹: _____ Application No.: 622059DSPA

Taxes Paid Yes/No _____ (Initial)

Planning Board Zoning Board of Adjustment

Fees 410⁰⁰ Project # 7553

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

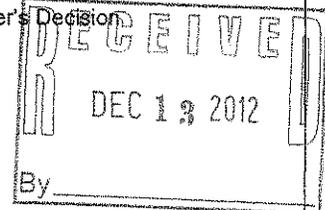
Escr. 93⁰⁰ Escr.# 7553

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>DeNinno Properties, LLC</u> Address: <u>1104 N. Black Horse Pike</u> City: <u>Blackwood</u> State, Zip: <u>NJ 08012</u> Phone: <u>(856) 820-4832</u> Fax: <u>(856) 374-3996</u> Email: <u>fdeninno1@verizon.net</u>	2. Owner(s) (List all Owners) Name(s): <u>Same as Applicant</u> Address: _____ City: _____ State, Zip: _____ Phone: <u>(856) _____</u> Fax: <u>(856) _____</u>
--	--

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 checked="" 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 type="checkbox"/> _____ |



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	<u>CR</u>	BP	G-RD	LP-1
R1	RA	BWD	NC	IN	M-RD	NVBP
R2	APT	OR	HC	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>Albert K. Marmero</u> Address: <u>44 Euclid Street</u> City: <u>Woodbury</u>	Firm: <u>Long, Marmero, & Associates</u> State, Zip: <u>NJ 08096</u> Phone: <u>() 848-6440</u> Fax: <u>() 848-5002</u> Email: <u>amarmero@longmarmero.com</u>
---	--

6. Name of Persons Preparing Plans and Reports:

Name: Deborah Anderson R.A. P.P. PWS

Name: _____

Address: 313 Downing Road

Address: _____

Profession: ARCHITECT / PLANNER

Profession: _____

City: Somerdale

City: _____

State, Zip: NJ 08083

State, Zip: _____

Phone: (856) 346-3352 Fax: (856) 346-3657

Phone: (856) - _____ Fax: (856) - _____

Email: darch2anderson@aol.com

Email: _____

7. Location of Property:

Street Address: 1104 N. Black Horse Pike

Block(s): 6502

Tract Area: 1.518 ACRES

Lot(s): 1

8. Land Use:

Existing Land Use: Commercial; Sale of Auto Sales and Accessories

Proposed Land Use (Describe Application): Commercial; continue existing uses and reconstruct destroyed building and permit service/repair to automobiles in new building

9. Property:

Number of Existing Lots: 1

Proposed Form of Ownership:

Number of Proposed Lots: 1

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.

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet.

13. Zoning			
All Applications	Proposed	Fence Application	Proposed
Front setback 1	<u>29.8'</u>	Setback from E.O.P.*1	<u> </u>
Front setback 2	<u>-</u>	Setback from E.O.P.*2	<u>N/A</u>
Rear setback	<u>40.0 48.4'</u>	Fence type	<u> </u>
Side setback 1	<u>73.6'</u>	Fence height	<u> </u>
Side setback 2	<u>-</u>	*E.O.P. = Edge Of Pavement.	
Lot frontage	<u>-</u>	Pool Requirements	<u>N/A</u>
Lot depth	<u>-</u>	Setback from R.O.W.1	<u> </u>
Lot area	<u>-</u>	Setback from R.O.W.2	<u> </u>
Building height	<u>-</u>	Setback from property line 1	<u> </u>
		Setback from property line 2	<u> </u>
		Distance from dwelling	<u> </u>
		Distance = measured from edge of water.	
		R.O.W. = Right-of-way.	
		Setback = Measured from edge of pool apron.	
Garage Application	<u>N/A</u>	Shed Requirements	<u>N/A</u>
Garage Area	<u> </u>	Shed area	<u> </u>
Garage height	<u> </u>	Shed height	<u> </u>
Number of garages	<u> </u>	Setback from R.O.W.1	<u> </u>
(Include attached garage if applicable)		Setback from R.O.W.2	<u> </u>
Number of stories	<u> </u>	Setback from property line 1	<u> </u>
		Setback from property line 2	<u> </u>
14. Parking and Loading Requirements:			
Number of parking spaces required: <u> </u>		Number of parking spaces provided: <u>50</u>	
Number of loading spaces required: <u> </u>		Number of loading spaces provided: <u> </u>	
15. Relief Requested:			
<input checked="" 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			
 _____ Signature of Applicant		<u>x 12/13/12</u> _____ Date	
_____ 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 herewith. 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)

x 12/3/12
Date


Signature

FRANK DeNinno III
Print Name

Sworn and Subscribed to before me this

3rd day of December


Signature

2012 (Year).

Albert K. Morano, NJ Licensed Attorney
Print Name

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? | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| B. Is this application for a variance to construct a multiple dwelling of 25 or more family units? | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| C. Is this application for approval on a site or sites for commercial purposes? | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| D. Is the applicant a corporation? | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| E. Is the applicant a limited liability corporation? | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| F. Is the applicant a partnership? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |

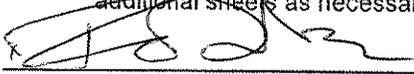
IF YES TO ANY OF THE ABOVE:

- 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).
- 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).

Frank DeNinno = 100% owner


Signature of Applicant

FRANK DeNinno III
Print Name

x 12/3/12
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 9-21-12, shows and discloses the premises in its entirety, described as Block 6502 Lot 1; 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:

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

Sworn and subscribed to
On this 3rd day of December,
20 12 before the following authority.

x 
Name of property owner or applicant


Notary public



Long Marmero & Associates, LLP

Douglas M. Long Δ
Albert K. Marmero Δ
Michael J. Coluzzi Δ
Kathleen M. Bonezyk Δ*
Anthony Mazzarelli †Δ
James Schroeder Δ

A New Jersey Limited Liability Partnership
ATTORNEYS AT LAW

44 Euclid Street
Woodbury, NJ 08096

(856) 848-6440
TELECOPIER (856) 848-5002
WEBSITE: www.longmarmero.com

Δ Member NJ Bar
† Member PA Bar
* Member FL Bar

December 12, 2012

Gloucester Township Zoning Board
VIA HAND DELIVERY



**RE: Use Variance and Site Plan Waiver,
Block 6502, Lot 1,
1104 N. Black Horse Pike**

Dear Zoning Board:

Please accept this application for both a Use Variance and Site Plan Waiver, for the above referenced property. As you may be aware, there are currently two buildings on this property, one of which was recently destroyed in a fire. The existing building is used for the sale of automobiles and automobile accessories, while the destroyed building was used for the service/repair of automobiles. The zoning in this area has changed and service/repair of automobiles is no longer a permitted use in this zone, which made the service/repair use an existing non-conforming use. Now, as the building has been destroyed, it is a legal requirement for the applicant to now receive a use variance to continue this use. This is the reason of the use variance application.

The applicant is also seeking a site plan waiver, as the property has been the subject of previous, recent site plan approvals, and the applicant is not proposing to do anything different with the property than that which was permitted prior to the destruction of the building.

Please place this matter on an upcoming Zoning Board agenda. Please also feel free to contact me with any questions or concerns.

Very truly yours,
LONG, MARMERO, & ASSOCIATES, LLP

Albert K. Marmero
Attorney for DeNinno Properties, LLC

TOWNSHIP OF GLOUCESTER
ZONING BOARD TRANSMITTAL

DATE: December 13, 2012

APPLICATION No. #122059DSPW

APPLICANT: DeNinno Properties, LLC

PROJECT No. #7553

BLOCK(S): 6502 Lot(S): 1

LOCATION: 1104 N. Black Horse Pike, Blackwood, NJ 08012

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|--------------------------|----------------------|-------------------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input checked="" 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"/> | Taxes | <input type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

New Application – Use "D" Variance & Site Plan Waiver

Revision to Prior Application

*Update for
Auto Additions
OK*

PURPOSE OF TRANSMITTAL:

For Your Review. **Please Forward Report by December 23, 2012**

For Your Files.

ENCLOSED:

- 2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Minor Site Plan
- 1 Copy - Minor Subdivision Plat
- 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 & Site Plan Waiver

No issues.

[Signature] 12/17/12
Signature



GLOUCESTER TOWNSHIP POLICE TRAFFIC SAFETY UNIT SITE PLAN REVIEW

Application #122059DSPW

1104 N Black Horse Pike Blackwood

Block 6502 Lot 1

- Plans as shown along with available information do not reveal any anticipated traffic problems.
- Stop signs/traffic control signs as shown must be installed upon or prior to any occupancy.
- Traffic Control signs as shown on plans are not enforceable by police unless properly included by Municipal Ordinance made through application of the site owner under New Jersey 39:5-1.
- Emergency contact numbers for site issues with twenty-four human contact should be provided to Police prior to start of construction.

Other:

DEC 17 2012



Reviewed By: Lt. Brian McKendry Cpl. Richard Worst

Signature: _____

Date Submitted: 12/17/12

Tax Account Maintenance

Block:
 Lot:
 Qualifier:
 Tax Bill

Owner: DENIMMO PROPERTIES LLC

Year	Qtr	Type	Billed	Principal Balance	Interest	Total Balance
2013	2		5,538.87	5,538.87	.00	5,538.87
2013	1		5,538.87	5,538.87	.00	5,538.87
2013		Total	11,077.74	11,077.74	.00	11,077.74
2012	4		5,618.07	.00	.00	.00
2012	3		5,618.07	.00	.00	.00
2012	2		5,459.67	.00	.00	.00

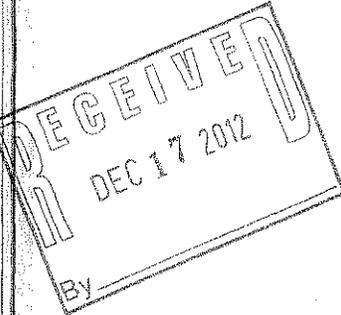
Other Delinquent Balances:
 Interest Date: 12/15/12

Other APR2 Threshold Amt:
 Per Djem:
 Last Payment Date: 12/04/12

TOTAL TAX BALANCE DUE

Principal:
 Penalty:

Misc. Charges:
 Interest:
 Total:



Current



TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: December 13, 2012

APPLICATION No. #122059DSPW

APPLICANT: DeNinno Properties, LLC

PROJECT No. #7553

BLOCK(S): 6502 Lot(S): 1

LOCATION: 1104 N. Black Horse Pike, Blackwood, NJ 08012

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|--------------------------|----------------------|-------------------------------------|---------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning 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 checked="" type="checkbox"/> | Fire District 23456 |
| <input type="checkbox"/> | Taxes | <input type="checkbox"/> | Construction | | |

plans attached

STATUS OF APPLICATION:

- New Application – Use “D” Variance & Site Plan Waiver
- Revision to Prior Application

PURPOSE OF TRANSMITTAL:

- For Your Review. **Please Forward Report by December 23, 2012**
- For Your Files.

ENCLOSED:

- 2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Minor Site Plan
- 1 Copy - Minor Subdivision Plat
- 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 & Site Plan Waiver

w/o comments

[Signature]
Signature

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

December 17, 2012

ROBERT C. BENSON
Executive Director

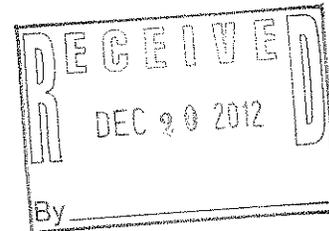
CAROLINE M. TARVES
Administrative Secretary

MARLENE HRYNIO
Recording Secretary

HOWARD C. LONG JR, ESQ.
Solicitor

THOMAS LEISSE, PE, CME
Consulting Engineer

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



Re: Application #122059DSPW
DeNinno Properties, LLC
1104 N. Black Horse Pike, Blackwood, NJ 08012
Block 6502, Lot 1

Gentlemen:

In response to your transmittal regarding the above application, approval will have no effect on the sanitary sewer system.

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

DEC 20 2012

RESOLUTION OF FINDINGS AND CONCLUSIONS

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION #052155DSPW

ADDISON BRADLEY

Block 6502, Lot(s) 2

WHEREAS, Addison Bradley, is the contract purchaser of the property located on the Black Horse Pike in the Blackwood section of the Township of Gloucester, New Jersey having made application to the Zoning Board of Adjustment of the Township of Gloucester, Camden County, for use and bulk variances for a proposed 16' x 60' off-premise commercial sign (billboard) and site plan waiver within the R3 District, for the property located upon Block 6502, Lot 2, as shown on the Official Map of the Township of Gloucester, located in an R3 District, said application being represented by John Cardwell, Esq.; and

WHEREAS, the Board after carefully considering the representations made by the applicant at the public hearing held on Dec. 8, 2005 as well as having reviewed the application and evidential exhibits at said hearing, has made the following factual findings and conclusions based thereon:

1. The applicant, Addison Bradley, is the contract purchaser of Block 6502, Lot 2 located on the Black Horse Pike in the Blackwood section of the Township of Gloucester, located in an R3 District.
2. Proper notice was afforded all adjacent property owners as provided by the

applicable statutes and ordinances, and the applicant provided proof of said notice.

3. All property taxes were paid to date.

4. After being sworn, the applicant testified that he was seeking to erect a 16' x 60' off-premise commercial sign (billboard) along with variances for: lot frontage of 89.80 feet where 100 feet is required; a variance for sign location; variance for sign area of 960 square feet where only 10 square feet is allowed; and sign height of 91 feet where only 4 feet is allowed.

5. The applicant admitted into evidence photographs A1 to A3 showing the access to the site, the underpass, and the site itself. The applicant went on to indicate that access to the site would be on East Blenheim Avenue through a railroad access easement. He also testified that the municipal utilities authority owns surrounding property.

6. Mr. Bradley indicated that there was an error in the title report and the matter is presently in litigation in the Superior Court of Camden County.

7. Mr. Bradley indicated the size of the parcel would be approximately 1.29 acres out of 3.11 acres, however, no subdivision was being sought at this time. He went on to say they needed a D1 user variance and also a D6 height variance, as well as the size of the sign, the height of the sign, and lot frontage.

8. Tiffany Civiello, a professional planner, testified on behalf of the applicant. She indicated that she believed the general welfare would be promoted in that this site and the uses are particularly suited to the split lot zoning of CR and R3. She went on to say that residential use, in her opinion, is highly unrealistic because you cannot get to the property for residential use. She also said the CR use has been restricted because

the frontage is too small and she did not believe the property could accommodate permitted uses.

9. Ms. Civiello also went on to say they have a state permit from DOT and that aesthetically, because of the proximity to other billboards, it would be pleasing. She also stated there is an undue hardship in that the property is severely restricted, and that the unique circumstances of the topography of the lot make the construction of the billboard feasible. She did not feel there was any negative impact and that the Master Plan portion of the R3 Zone is removed from other residential uses. She did not feel there was any detriment to the public good.

10. The Board expressed concerns as to location of the billboard right at the entrance to the freeway. The Board did not believe this would be safe, nor did the members agree with the applicant's version of access to the site.

11. Mr. Lechner, the Township Planner, had asked for a comparison of other billboards on Rte. 42 and indicated the applicants had his reports in September 2005 and they had not answered his concerns.

12. Mr. Frank Simiriglia, a Board member, disagreed with the applicant's special reasons. Mr. Simiriglia did not believe that the applicant had met the special reasons, that the applicant had not been able to satisfy the setbacks, and the location of the billboard and the proximity to the off-ramps made it a hazardous condition. He also believed the property can be used for permitted uses.

13. Mr. Kevin Bucceroni, another Board member, however, felt that the applicant's hands were tied, that there were limited uses, and did not believe the billboard

would be a problem.

14. One member, however, pointed out that the applicant is the contract purchaser of the property and therefore no hardship exists to the applicant.

15. Kate Zawachi of 43 Garden Rd. testified against the application. She indicated there is a need to look at the wetlands and that there are serious drainage problems at the site, and that the on and off ramp only has a short distance to merge. She believes the construction of a billboard at that site would be dangerous.

UPON MOTION duly made and seconded to deny the applicant a variance to construct a 16' x 60' billboard along with the aforesaid variances, the Board voted six (6) in favor, one (1) against, and zero (0) abstentions, thus granting the relief requested; and

WHEREAS, the Board has determined that the relief requested by the applicant may not be granted without substantial detriment to the public good and otherwise without impairing the intent and purpose of the Zoning Plan and Ordinances of the Township of Gloucester in that the location of the billboard would create a more hazardous condition than exists; that the applicant did not supply the Township Planner with the required information regarding the comparisons of other billboards on Rte. 42, and the Board went on to state the applicant did not meet its burden of special reasons and the hardship does not exist because they do not own the property and the Board is also of the opinion that permitted uses can be used on the property and that the litigation may resolve the issue of hardship as it pertains to the present owner.; and

WHEREAS, the statutory purposes will not be advanced by the granting of the relief requested due to the fact that the applicant failed to give special reasons, failed to

give credible special reasons and the Board did not feel the testimony of the applicant to be credible:

NOW, THEREFORE BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Gloucester on this 8th day of December 2005 that the applicant, Addison Bradley, is hereby denied the aforesaid variance for the property located upon Block 6502, Lot 2, as shown on the Official Tax Map of the Township of Gloucester, consistent with the testimony, application and exhibits, same of which are incorporated herein and made a part hereof.

ROLL CALL:

Joe LaRatta	Yes
George Marks	Yes
John Fuscellaro	Yes
Frank Simiriglia	Yes
Robert Richards	Yes
Kevin Bucceroni	No
Derrick Evans	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**



Chairperson

I, Ed Sayers, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on January 12, 2006.

Edward W. Sayers

Ed Sayers, Secretary

Prepared by:
ANTHONY P. COSTA, Esquire
63 Warwick Rd.
Stratford, New Jersey 08084

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING
BOARD MEMORIALIZING A MINOR SUBDIVISION APPROVAL
AND FINAL MAJOR SITE PLAN FOR
FRANK LA PALOMENTO, SR., APPLICATION #011032CMPSPF

WHEREAS, on June 11, 2002 consideration was given to the application of Frank LaPalomento, Sr. for property located at 1106 Black Horse Pike, Block 6502, Lots 1 and 2; and

WHEREAS, David DeClement, Esquire appeared on behalf of the applicant and James Hornig, applicant's engineer and Frank LaPalomento, Sr., applicant testified on behalf of the application and no-one appeared and testified from the public; 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, Traffic Commander, Fire Marshall, Municipal Utilities Authority, County Planning Board, Tax Collector and Water Company and having heard testimony from the Board Planner and Board Engineer makes the following factual findings in conditionally approving the subject application for a minor subdivision approval and final major site plan:

1. Existing Zoning: GB
2. Intended Use: Auto Sales & Service pursuant to a preliminary approval.
3. The application implicates the following provisions of the ordinance:

	Lot Requirement	Proposed
Front Yard Setback	100 feet or 50 feet side or rear parking	73 feet (Brown Ave.)* 28.7 feet (BHP)* 115 feet (BHP)
Side Yard, Minimum	8 feet	12.95 feet 16 feet 15 feet
Side Yard Aggregate	20 feet	>20 feet
Rear Yard Setback	50 feet	46.9 feet (existing)* 100 feet (proposed)
Lot Size	20,000 square feet	59,467 square feet
Lot Coverage	65%	72.8%**
Building Coverage	20%	11.7%
Lot Width	100 feet	338 feet
Lot Depth	200 feet	184 feet*
Building Height	35 feet	1 story
Landscaped buffer to residential property.	20 feet	NA

* EXISTING CONDITION

** VARIANCE REQUIRED

Variance Expiration. The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

4. The Board Planner reviewed the following plans:

SHEET	TIT	DATE	REVISION DATE
1	Final Site Plan	05-24-01	04-15-02
2	Grading & Utilities Plan Stormwater Management Plan	05-24-01	04-15-02
3	Landscaping and Lighting Plan	05-24-01	04-15-02
4	Soil Erosion and Sediment Control Plan	05-14-01	04-15-02
5	Soil Construction Details and Notes	05-24-01	04-15-02
6	Site Construction Details	05-24-01	11-01-01
1	Plan of Minor Subdivision	10-10-01	04-15-02
1	Property Plan Topographic Map and Wetlands Map	01-26-01	

5. The Board Planner issued a report recommending certain revisions, clarifications and/or modifications to the plan with which the applicant agreed to comply to the extent that they had not done so already.

6. The applicant must comply with the Traffic Commander's report of July 12, 2001. All traffic regulations as shown (handicapped parking, stop intersections, one way, etc.) and traffic regulations as required by the fire official having jurisdiction must be established pursuant to N.J.S.A. 39:5A-1. This is a condition of approval.

7. The applicant must comply with the Fire Marshall's report of May 20, 2002. The trash enclosure must be fifteen (15) feet from the building. A trust sign must be installed at the front of the building as per N.J.A.C. 5:70-2.20(a)1.ii.

8. Public sewer is available to the subject tract according to the report of the Municipal Utilities Authority. A form F application will be required.

9. The applicant will obtain the approval of the County Planning Board.

10. All taxes are paid on the subject tract.

11. Public water is available to the tract according to a report of the New Jersey Water Company.

12. The Board Engineer reviewed the following plans:

Sheet	Title	Date	Revision Date
1 of 6	Final Site Plan	05-24-01	04-15-02
2 of 6	Grading & Utilities Plan, Stormwater Mgt. Plan	05-24-01	04-15-02
3 of 6	Landscaping & Lighting Plan	05-24-01	04-15-02
4 of 6	Soil Erosion and Sediment Control Plan	05-24-01	04-15-02
5 of 6	Soil Erosion Sed. Control Notes & Details	05-24-01	04-15-02

6 of 6	Site Construction Details	05-24-01	11-01-01
1 of 1	Plan of Minor Subdivision	10-10-01	04-15-02
1 of 1	Property Plan, Topographic Map and Wetlands Map	01-26-02	
---	Drainage Report	04-24-02	

13. The Board Engineer also issued a report indicating the need for several revisions, clarifications and/or modifications to the plan to which the applicant agreed as a condition of approval, except as specifically waived herein.

NOW, THEREFORE, after considering the foregoing facts the Board concludes that the application for a minor subdivision approval and final major site plan 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 except for page 4, paragraph 12, requiring a television inspection of the storm drain system.

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) The Board Engineer is to review the basin revisions until he is satisfied that the potential for standing water would be eliminated.

G) The payment of \$6,606.25 to the Curb & Sidewalk Trust Fund is to be made by the applicant.

H) All terms and conditions of preliminary site plan approval.

Those Eligible to Vote Those in Favor Those Opposed

Busa	
Forte	X
Greco	
Gross	
Martinis	
Morris	X
Schina	X
McLaughlin	X
Mayer	X

ATTEST:

David J. Benedetti
 DAVID BENEDETTI, SECRETARY

GLOUCESTER TOWNSHIP
 PLANNING BOARD:

John D. McLaughlin
 JOHN D. MCLAUGHLIN, 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 25th day of June 2002.


DAVID BENEDETTI, SECRETARY

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION # 122049D

VILLE 2, LLC

Block 18501, Lot 2/11

WHEREAS, Ville 2, LLC, is the record owner of the property located at 1035 Sicklerville Road in the Sicklerville section of the Township of Gloucester, New Jersey having made application to the Zoning Board of Adjustment of the Township of Gloucester, Camden County, for a Use variance to remove the 55 year old age restriction and an increase of density from 5 units per acre to 7 units per acre for the property located upon Block 18501, Lot 2/11, as shown on the Official Map of the Township of Gloucester, located in a BP and SCR-HC OVERLAY Zone, said application being represented by Robert Mintz, Esq.; and

WHEREAS, the Board after carefully considering the representations made by the applicant at the public hearing held on October 25, 2012 as well as having reviewed the application and evidential exhibits at said hearing, has made the following factual findings and conclusions based thereon;

1. The applicant, Ville 2, LLC, is the record owner of the property located at 1035 Sicklerville Road, in the Sicklerville section of Gloucester Township, New Jersey, as shown on Block 18501, Lot 2/11, on the Official Tax Map of the Township of Gloucester, located in a BP and SCR-HC OVERLAY Zone.

2. Proper notice was afforded all adjacent property owners as provided by the applicable statutes and ordinances, and the applicant provided proof of said notice.

3. All property taxes were paid to date.

4. The applicant produced Kevin Somerville of Ryan Homes, Leah Furey Bruder, a Professional Planner; Steven Bach, a Professional Engineer; Deanna Drumm, a Traffic Engineer; and Harvey Sternberg, owner of the property.

Steve Bach, a Professional Engineer, explained the site, explained the entrance off of Sicklerville Road and buffering. He indicated that the applicant is proposing 176 units on 23 acres which would be approximately 7 units per acre instead of the allowed 5 units per acre.

Introduced into evidence were the following;

A1- aerial conceptual plan.

A2- conceptual plan for 176 units.

A3- a second conceptual plan

A4- a Townhouse rendering.

A5- a landscape plan.

A6- a landscape plan

A7 -an approval plan for the traffic light.

Mr. Bach indicated that the applicant would agree to design, construct, and pay for the traffic light conditioned upon the applicant getting County and State Approval. He indicated that there would be no bulk variances required and the applicant would be enhancing the property by using Belgium Block, monumental street lighting and upgrading signage.

Mr. Sternberg, owner of the property, testified that he was instrumental in building the Walgreens, Target, Lowes, and the shops at Cross-Keys. He indicated that the township only required 10 acres of his property to be commercial; however he developed a 60 acre site with 35 acres of commercial and 25 acres of residential. He indicated that he is a quality developer and aesthetics are important to him and that the average price of the Townhouses would be \$189,000.00.

Mr. Somerville of Ryan Homes indicated that they are the third largest home builder and they are very interested in building this project and the average price with upgrades would be possibly \$220,000.00.

Deanna Drumm, Traffic Engineer, explained the impact of this 176 units on Sicklerville Road, she indicated that a traffic light there would be helpful and there is a need to widen Sicklerville Road, however they need the County approval for the widening and also County and State approval for the traffic light. She was of the opinion that there would be 20 to 30 additional trips per hour if the applicant were to have the 55 year old age restriction lifted. She went on to say that the project would make it easier to get the County and State to approve the traffic light.

Leah Furey Bruder, a Professional Planner, explained the uses permitted on the site. She went on to say the applicant could have developed 50 acres as residential, however, he did the commercial piece with 35 acres with the remainder 25 acres for residential. She explained that the applicant needs a D-5 density variance and a D1 age restricted variance. Ms. Furey Bruder went on to say the site is particularly suited and that the purposes of zoning 40A:55D-1 (a) (d) (k) would advance the purposes of the Statute. She went on to say they meet all bulk requirements and the streetscape would be beautiful, she went on to say there would be excess parking, and the Townhouses would help compliment the stores. Ms. Furey Bruder testified that in 2005 Council re-zoned the property for SCR Zones and it was okay at that time. However 55 and over is not viable at this time. She indicated that the Board recently removed the age restriction for another community in town. She went on to say the master plan is usually reviewed every 6 years but because of the Statute change it is now 10 years and was of the opinion that senior citizen housing would be taken out in the future. She further went on to say that there would be minimal impact on the schools and she also agreed as a condition of approval

that the applicant would design, comply and pay for the traffic light subject to County and State approval.

The Board reviewed the engineer's letter dated 10-19-12 and the applicant was in agreement with same as well as Ken Lechner's letter of 10-18-12 and the applicant was in agreement. Mr. Lechner explained that there is a developer agreement between the applicant and the Borough Council and that is if the applicant is successful in getting this approval they would have to go back to Council to get them to remove the SCR Zone from the developer's agreement.

Approximately, 13 people spoke in opposition to the project. They were of the opinion that when the project was developed it was supposed to be 55 and over and that 55 age restriction should remain. They were concerned if the restriction were lifted, it would bring in additional children who would be using their playgrounds since the applicant has not proposed any recreational facilities on site. The major concern of all the objectors were traffic on Sicklerville Road. One member testified that an accident occurred right on her front lawn; another testified that it is impossible to get out of her driveway at peak hours due to traffic. Other people suggested that the increase in density is strictly for the developer's economic reasons and that is not a purpose that the Board should consider in granting the variance.

UPON MOTION duly made and seconded to deny the applicant a variance to increase density from 5 units per acre to 7 units per acre, the Board voted six (6) in favor, one (1) against and zero (0) abstentions; and **UPON MOTION** duly made and seconded to grant the applicant Relief from the 55 and over restriction, the Board voted five (5) in favor, two (2) against, thereby granting the relief requested.

WHEREAS, the Board has determined that the relief requested by the applicant as to the 55 and over restriction may be granted without substantial detriment to the public good and

otherwise without impairing the intent purpose of the Zoning Plan and Zoning Ordinance of the Township of Gloucester due to the fact that age restriction is not a viable market at this time and the Board was of the opinion that the benefits exceed any detriments; and

WHEREAS, the majority of the Board has determined that the increase in density cannot be granted since it was the Board's opinion that the reason for the increase was strictly economic to the builder and did not promote the purposes of zoning and the increase traffic would be detrimental to the public good , and therefore that request cannot be granted without substantial detriment to the public good and otherwise would impair the intent purpose of the Zoning Plan and Zoning Ordinance of the Township of Gloucester because the SCR Zone originally called for 5 units per acre, this was the agreement the developer had with the town and the Board was of the opinion that because of the increased traffic that the detriment would exceed any benefit; and

WHEREAS, the statutory purposes will be advanced by the granting of the relief of removing the age restriction only.

NOW THEREFORE BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Gloucester on this 25th Day of October, 2012 that the applicant, Ville 2, LLC, is hereby granted the variance to remove the age restriction and denied the variance request for increase in density from 5 to 7 for the property located upon, Block 18501, Lot 2/11 as shown on the Official Tax Map of the Township of Gloucester, consistent with the testimony, application and exhibits, same of which are incorporated herein and made a part hereof and it is further conditioned upon the applicant designing, applying for a traffic light and payment of a traffic light conditioned upon County and State approval.

ROLL CALL:

AS TO THE USE VARIANCE DENSITY

LIST NAMES

Frank Simiriglia	No
Kevin Bucceroni	Yes
Carmen Scarduzio	Yes
Jay McMullin	Yes
Phyllis Giusti	Yes
Michael Acevedo	Yes
Ken Treger	Yes

AS TO THE REMOVAL OF SENIOR CITIZEN RESTRICTION

Frank Simiriglia	Yes
Kevin Bucceroni	Yes
Carmen Scarduzio	Yes
Jay McMullin	Yes
Phyllis Giusti	Yes
Michael Acevedo	No
Ken Treger	No

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Frank Simiriglia **Chairperson**

I, Ken Lechner, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on 13th Day of December, 2012.

Ken Lechner, Secretary

Prepared by:
ANTHONY P. COSTA, Esquire
63 Warwick Road
Stratford, New Jersey 08084

CHURCHILL
Consulting Engineers
A Professional Corporation

Corporate Headquarters
344 North Route 73, Suite A, Berlin, NJ 08009
Phone 856-767-6901 Fax 856-767-0272

January 4, 2013

Mr. Kenneth D. Lechner, P.P., A.I.C.P.
Department of Community Planning and Development
Gloucester Township
Chews Landing Road at Hider Lane
P.O. Box 8
Blackwood, NJ 08012

Re: Salvatore & Cono Marchi
Use Variance
1 Highwoods Avenue
Block 17907, Lot 53
Gloucester Township, Camden County, NJ
Application No. 122057CD
Our File No. GX13002-ME

Dear Mr. Lechner:

We have received the following information for the referenced project:

- A. Copy of Township of Gloucester Land Development Application;
- B. A copy of a hand drawn architectural layout of the addition;
- C. A copy of a marked-up Map of Survey. Original Survey was prepared by Thomas M. Ellis, PLS, dated April 16, 2009;
- D. A copy of tax map sheet 179.01.

We offer the following comments with regards to application:

I. Project Description

- 1. The project site is located along the northern side of Highwoods Avenue at the intersection with New Brooklyn – Clementon Road (A.K.A. Kearsley Road).

2. The site is known as Block 17907, Lot 53 as per the tax map of the Township of Gloucester.
3. The referenced tract consists of approximately 0.35 acres based on GIS tax map data.
4. The lot is located in the R-3 Residential district.
5. The site is currently occupied by a single family dwelling.
6. The applicant is proposing to construct an “in-law” addition. The footprint of the addition will be 48 feet in depth x 15 feet in width (720 square feet).
7. The addition will include a kitchen, a second story bedroom, a living room and a two-car garage.
8. The applicant is also proposing a secondary driveway for the property which will front on Kearsley Road.
9. The property is located within a large subdivision.

II. Land Use / Zoning

1. The project site is located in the R-3 Residential district.
2. The R-3 Residential District is intended for single-family detached uses at a density of three (3) units per acre.
3. An “in-law” addition with kitchen facilities is not a permitted use within either the R-3 district. Therefore, a Use Variance is required.
4. The applicant must demonstrate special reasons in accordance with Municipal Land Use Law Section 40:55D-70 in order for the Board to consider the Use Variance.
5. The applicant must demonstrate that such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and the Gloucester Township Zoning Ordinance.
6. Our office defers review of conformance with the area yard and bulk requirements of the Ordinance to your office.

III. Miscellaneous

1. The proposed second attached garage will require a variance from Section 422.Q(6) of the Gloucester Township Land Development Ordinance (LDO), which only allows one garage.
2. The second driveway will require a variance from Section 424.D of LDO, which only allows one driveway per single-family dwelling. Additionally, a variance will be required from Section 424.G of the LDO for allowing a driveway to be installed along the frontage of a higher classified roadway since the property is a corner lot.
3. We do not recommend allowance of the second driveway for the following reasons:
 - a. The referenced property is located at the entrance to a large subdivision development. The subdivision has multiple entrances; however, there are at least twenty-eight (28) dwellings located on the referenced entrance (Highwoods Ave.). Additionally, the roadway most likely receives traffic from the connecting roadways within the subdivision.
 - b. The proposed driveway would be located within the acceleration lane for the associated subdivision. Since the subdivision was designed to include an acceleration lane at this location to manage the expected volume of traffic, we do not recommend altering the characteristics of the lane.
 - c. Further, based on review of the included tax map, there is a twenty (20) feet wide landscape easement located along the property frontage of Kearsley Avenue. The driveway would be located within the easement and would alter the intent of the easement.
4. If approved, the driveway shall be constructed of a 2" FABC Mix I-5 surface course on a 6" quarry blend stone base, or 4" thick NJDOT Class B concrete course with No. 9 reinforcement wire or equivalent on a stabilized subbase, or 6" thick NJDOT Class B concrete on a stabilized subbase. All driveway aprons and adjacent sidewalk areas shall be concrete.

Mr. Kenneth D. Lechner, P.P., A.I.C.P.
Salvatore & Cono Marchi
Gloucester Township Department of Community Planning and Development
January 4, 2013
Page 4 of 4

5. The addition shall be constructed with a gutter and roof leader system to manage roof runoff.
6. All runoff shall not be directed towards a neighboring property.

Any Zoning Board approval shall be contingent upon approval from all other governmental agencies having jurisdiction including but not limited to Camden County Planning Board, Camden County Conservation District, Gloucester Township Municipal Utilities Authority, Aqua New Jersey, Inc. /New Jersey American Water, etc.

If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

Churchill Consulting Engineers



James J. Mellett, P.E.
Project Manager

JJM:jm

cc: Gloucester Township Zoning Board Chairman and Members (via email)
Mr. Anthony Costa, Esq., Zoning Board Solicitor (via email & mail)
Ms. Alisa Ortiz, Gloucester Township Zoning Officer
Mr. Salvatore Marchi, Applicant (via email & mail)

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January 4, 2013

Mr. Kenneth D. Lechner, P.P., A.I.C.P.
Department of Community Planning and Development
Gloucester Township
Chews Landing Road at Hider Lane
P.O. Box 8
Blackwood, NJ 08012

Re: DeNinno Properties, LLC
Use Variance & Site Plan Waiver
Block 6502, Lot 1
1104 N. Black Horse Pike
Gloucester Township, Camden County, NJ
Gloucester File No. 122059DSPW
Our File No. GX13003-ME

Dear Mr. Lechner:

We have received the following information for the referenced project:

- A. A copy of a Township of Gloucester Zoning Board Transmittal;
- B. A copy of a Township of Gloucester Land Development Application;
- C. A copy of a Township of Gloucester Tax Map Sheet 65;
- D. Correspondence from Long, Marmero & Associates, LLP dated December 12, 2012;
- E. Site Plans, prepared by Deborah V. Anderson, RA, PP, PWS dated December 1, 2012.

We have reviewed the application and offer the following comments:

I. General

1. The project site is located on the west side of the Black Horse Pike (N.J. State Highway Route 168) between New Jersey State Highway Route 42 and Brown Avenue.
2. The site is known as Block 6502, Lot 1 as per the submitted application.
3. The referenced tract consists of approximately 1.5 ± acre of land as per the submitted application.
4. The tract has approximately 338 feet of frontage along the Black Horse Pike and 72 feet of frontage along Brown Avenue.
5. The lot is located within the Commercial Residential (CR) District.
6. As per the submitted correspondence the site is currently utilized for auto sales, auto accessory sales and auto repair.
7. The auto repair facility recently burned down; therefore, the applicant is seeking a Use Variance in order to continue the uses of the site.

II. Use Variance

1. The property is located within Commercial Residential (CR) District.
2. The Commercial Residential (CR) District is intended for older commercialized areas of the Black Horse Pike and Lower Landing Road developed before high levels of car ownership required significant off street parking. This district retains a mix of residential uses including small apartment buildings. Because of the era in which the uses were established, commercial uses that entail relatively low customer activity are encouraged while retaining certain personal service uses already established in the area.
3. An auto accessories sales/repair shop is not listed as a permitted use in the zone. Additionally, a used auto sales facility is not listed as a permitted use. The applicant is therefore seeking a use variance.
4. Since the existing site currently functions as auto accessories sales/repair shop as well as a used auto sales facility, we defer to your office the

history of the site as to whether a Use Variance was previously granted for the site.

5. The applicant should demonstrate special reasons in accordance with Municipal Land Use Law Section 40:55D-70 in order for the Board to consider the Use Variance.
6. The applicant must demonstrate that the variance relief can be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance of Gloucester Township.
7. We defer review of conformance with the area yard and bulk requirements of the Ordinance to your office.

III. Site Plan Waiver

1. The applicant is requesting a Site Plan waiver for this project since the site was previously subject to a Site Plan review.
2. We have reviewed the submitted plans and performed a site visit and do not have an objection to the waiver request. However, the Board may wish to require the following items:
 - a. The parking area striping is faded and could use restriping.
 - b. It appears that portions of the asphalt paving in the vicinity of the building that was involved in the fire has been damaged and may be further damaged during reconstruction. Any damaged areas should be repaired where necessary.
 - c. A stop bar and stop sign should be added at the exit from the site.
8. The specific amount of autos to be displayed for sale should be specified.
9. The applicant should address parking adequacy of the site in testimony given the three types of uses on site. According to the Land Development Ordinance the following parking requirements apply to the site:
 - a. Automobile sales require one parking space for each four hundred (400) square feet of showroom area, plus one (1) per

Mr. Kenneth D. Lechner, P.P., A.I.C.P.
Gloucester Township Department of Community Planning and Development
DeNinno Properties, LLC
January 4, 2013
Page 4 of 4

employee. In addition, one space per display vehicle, at least one hundred and seventy (170) square feet in size, is required.

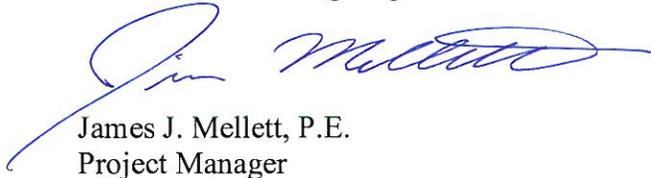
- b. An automobile service bay requires five spaces per service bay. The amount of bays should be specified.
 - c. Retail services requires five (5) spaces per one thousand (1,000) net square feet of commercial space.
3. We defer the review of the handicap accessible parking spaces and the barrier free access to the Construction Official.
 4. The applicant should indicate if a Survey has been performed for the site.
 5. The applicant may be required to obtain approval from the NJDOT due to the proposed change in use. The applicant should review the same.

Any Zoning Board approval shall be contingent upon approval from all other governmental agencies having jurisdiction including but not limited to the New Jersey Department of Transportation, Gloucester Township Municipal Utilities Authority, Camden County Conservation District, Aqua New Jersey, Inc./New Jersey American Water, etc.

If you should have any questions or require additional information, please feel free to contact our office.

Very truly yours,

Churchill Consulting Engineers

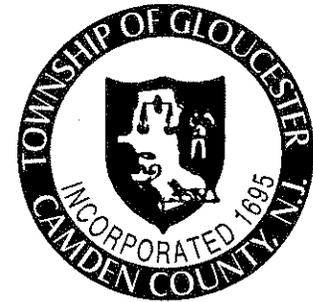


James J. Mellett, P.E.
Project Manager

JJM:jm

cc: Gloucester Township Zoning Board Chairman and Members (via email)
Mr. Anthony Costa, Esq., Zoning Board Solicitor
Ms. Alisa Ortiz, Gloucester Township Zoning Officer
Mr. Albert K. Marmero, Applicant's attorney (via email)
DeNinno Properties, LLC, Applicant (via email & mail)
Ms. Deborah Anderson, RA, PP, PWS, Applicant's Professional (via email)

Inter-office Correspondence



TO: Zoning Board of Adjustment

FROM: Kenneth D. Lechner, PP, AICP, Director / Planner
Dept. of Community Development

RE: **APPLICATION #122059DSPW Escrow #7553**
DeNinno Properties, LLC
BLOCK 6502, LOT 1

DATE: January 7, 2013

The Applicant requests use variance and site plan waiver approval for "Commercial; continue existing uses and reconstruct destroyed building and permit service/repair to automobiles in new building" within the CR – Commercial Residential District. The project is located on the southwest corner of the Black Horse Pike and Brown Avenue.

Applicant/Owner: DeNinno Properties, LLC, 1104 N. Black Horse Pike, Blackwood, NJ 08012 (telephone #856-820-4832).

Architect/Planner: Deborah Anderson, RA, PP, PWS, 313 Downing Road, Somerdale, NJ 08083 (telephone #856-346-3352).

Attorney: Albert K. Marmero, Esq., Long, Marmero Associates, 44 Euclid Street, Woodbury, NJ 08096 (telephone #856-848-6440)

I. INFORMATION SUBMITTED

1. Long, Marmero Associates Transmittal Letter dated 12/12/12.
2. Land Development Application Form and checklist dated 12/13/12.
3. Variance plan, as prepared by Deborah Anderson, RA, PP, PWS consisting of the following:

<u>Sheet</u>	<u>Plan Description</u>	<u>Date / Latest Revision</u>
001	Site Plan & Details	12-10-12
002	Lighting Plan & Details	12-10-12
003	Landscaping Plan	12-10-12
004	Landscaping Details	12-10-12

I. PROJECT DESCRIPTION

1. **Frank LaPalomato #011032CPSP (Frank's Auto Sales)**
 - a. The property-in-question previously received approval for "Mondernization of existing used car sales facility" in the GB – General Business District by Planning Board Resolution #011032CPSP adopted March 12, 2002.
 - b. The aforementioned Planning Board approval required "no public repairs at the facility ..." [Finding of Fact #3].
2. **DeNinno Properties, LLC #122059DSPW**
 - a. The property-in-question was rezoned to CR – Commercial Residential by Ordinance O-03-03, Land Development, adopted on January 27, 2003. The above use became nonconforming, whereas, auto accessories/repairs, sales, and service is not a permitted use in the district.
 - b. Any nonconforming use or structure destroyed by more than 50% shall be considered completely destroyed and may only be rebuilt by approval of a variance as per §401.C(1), Non-conforming uses and structures.
 - c. It's our understanding the instant application proposs the following:
 - i. Sale of Automobiles, Sale of Auto Accessories, Installation of Auto Accessories for all automobiles regardless of where purchased; and.
 - ii. The Repair/Service of Automobiles regardless of where purchased.

II. ZONING REVIEW

ZONE: CR – Commercial Residential [§414].

Section 414.F. CR – Commercial Residential District

Description	Other Use	Proposed	Complies
Lot size (min.)	1 acre	1.52 acres	yes
Lot frontage (min.) Black Horse Pike Brown Avenue	100 ft. 100 ft.	337.94 ft. 71.87 ft.	yes enc
Lot depth (min.)	300 ft.	±308 ft. ¹	yes
Building coverage (max.)	15%	±72.8% ²	yes
Lot Coverage (max.)	50%	±11.7% ¹	yes
Buffer (min.)	25 ft.	±1 ft.	enc
Principal Building Minimum Yard Depths and Height Limitations			
Front yard (min.) Black Horse Pike Brown Avenue	20 ft. 20 ft.	29.85 ft. ±59 ft. ¹	yes yes
Side yard (min.)	10 ft.	39.2ft.	yes
Rear yard (min.)	25 ft.	48.4 ft.	yes
Building Height (max.)	35 ft.	< 35 ft.	yes
Floor Area Ratio (max.)	0.25	10.54	yes
Parking spaces (1/250 sf) Building #1 – Sales/Accessories 1 space/400 sf showroom (1,042 sf), plus 1/employee, plus 170 sf/vehicle for sale Building #2 – Auto Repair 5 spaces / bay (3 n/p n/p <u>10</u>	<u>22</u> 50	---
Parking Area Setback			
In front of the building line	N. P.	yes	enc
From side property line (min.)	15 ft.	±1 ft.	enc
From rear property line (min.)	15 ft.	±1 ft.	enc

¹ = Scaled data.

² = Variance approved by Planning Board Resolution #011032CPSP adopted March 12, 2002.

* Variance required.

Variance Expiration: The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

III. APPLICATION SUBMISSION CHECKLIST

The Applicant has provided the checklist items in accordance with §817, Submission Checklist for a variance.

The following checklist items remain outstanding and must be addressed on a revised plan or request a waiver.

1. A key map with north arrow showing the entire development and its relation to surrounding areas at a scale of not less than 1" = 2000' [Checklist #32].
2. The names, addresses, block and lot numbers of all property owners within 200 feet of the development [Checklist #33].
3. Proposed structures and uses of the tract, i.e., size, height, location, arrangement, and architect's scaled elevation of the front, side and rear of any structure to be modified, with building lighting details and attached signs. [Checklist #39].
 - a. The Applicant must provide testimony and/or building elevation to address architecture of the building proposed for renovations.
4. Floor plans where multiple or more than one use is proposed that have different parking standards [Checklist #42].
5. Existing signs including the location, size, and height [Checklist #43].
6. Proposed signs including the location, size, height and scaled elevations of the front, side, and rear of any side directed or modified including sign lighting details [Checklist #44].

IV. WAIVER COMMENTS

The Applicant has not requested waivers from having to provide the checklist requirements.

V. VARIANCE COMMENTS

The Application as submitted requires the following variances from the CR –Commercial Residential District:

§414.B, Permitted Uses

1. Sale of Automobiles, Sale of Auto Accessories, Installation of Auto Accessories for all automobiles regardless of where purchased; and the Repair/Service of Automobiles regardless of where purchased is not a listed permitted use in the CR –Commercial Residential District.

POSITIVE CRITERIA ("C1" and "C2" variances)

The Applicant must address and the Board consider the following in satisfying the positive criteria for "C" type variances, if applicable:

2. The Board has the power to grant a variance where by reason of exceptional narrowness, shallowness, shape, or topographic conditions or physical features, or an extraordinary and exceptional situation affecting a specific property, the strict application of the zoning regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the development of such property (basis 40:55D-70c(1)).

Also, the Board has the power to grant a variance when the purpose of the Municipal Land Use Law would be advanced by the deviation of the zoning ordinance and the benefits would substantially outweigh the detriments (basis N.J.S.A. 40:55-70c(2)).

POSITIVE CRITERIA ("D1" use variance)

The Applicant must address and the Zoning Board of Adjustment consider the following in satisfying the positive criteria for the requested "D1" variance:

3. The Board has the power to grant a variance for a use or principal structure in a district restricted against such use or principal structure (basis N.J.S.A. 40:55-70d(1)).
 - a. A use variance must meet the statutory "special reasons" standards; the zoning purpose most amplifying the meaning of special reasons is, the promotion of the general welfare (basis *Medici v. BPR Co.*, 107 N.J. 1 (1987)).
 - i. The Applicant must identify and provide an analysis of those special reasons of zoning that are applicable to the application.
 - ii. The Applicant must provide testimony addressing the "enhanced quality of proof and clear specific findings" that the variance sought is not inconsistent with the Master Plan and zoning ordinance.
 - iii. Furthermore, "such proofs and findings must satisfactorily reconcile the grant of the use variance with the ordinance's continued omission of the proposed use from those permitted in the zone."

NEGATIVE CRITERIA

The Board should not grant a variance unless it is clearly demonstrated that said variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance (basis N.J.S.A. 40:55D-70).

VI. GENERAL REVIEW COMMENTS AND SPECIAL CONCERNS

The Applicant must address the positive criteria including special reasons, standards of zoning and the negative criteria applicable to the required variances for the following master plan and zoning issues.

1. Master Plan
 - a. Consistency of the proposed use with the criteria of the aforementioned B-1 Mixed Business/Residential land use classification of the master plan.
2. Zoning
 - a. Consistency of the proposed use with the CR –Commercial/Residential District and character of the built environment.
3. Use Variance
 - a. We recommend the Applicant provide professional testimony addressing the particular suitability of the subject property to accommodate the following components of the proposed use:
 - i. Sale of Automobiles, Sale of Auto Accessories, Installation of Auto Accessories for all automobiles regardless of where purchased.
 - ii. The Repair/Service of Automobiles regardless of where purchased.
4. Variance Plan
 - a. We recommend a revised lighting plan be provided to address the following performance and design standards of the Land Development Ordinance:

- i. Additional illumination is required for approximately nine (9) parking spaces in front of the southerly building as per §508.F(1), Lighting.
 - ii. An average maximum illumination shall not exceed two (2) footcandles as per §508.F(2), Lighting.
 - iii. Reduce the spillover illumination to no more than 0.25 footcandles at the property line as per §508.F(4), Lighting.
 - iv. Additional illumination is required for the entrance drive as per §508.F(9), Lighting.
- b. We recommend a revised landscaping plan be provided to address the following performance and design standards of the Land Development Ordinance:
- i. Sight triangles, planting details, and planting notes as per §507.A(3)(c).
 - ii. Add the following note to guarantee proposed plants:
 - 1. "All plant material not surviving for a period of two (2) years shall be replaced with the same or equivalent size species."

5. Site Plan Waiver:

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

- a. "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 ..."
- i. Should the Board approve a site plan waiver, we would recommend a conditional of approval include appropriate time limits to complete the site improvements provided on the variance plan.

VII. RECOMMENDATIONS

- 1. The 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, I reserve the right to provide additional comments during the public hearing to advance the planning process.

cc: DeNinno Properties, LLC
 Albert K. Marmero, Esq.
 Anthony Costa, Esq.
 James Mellett, PE, Churchill Consulting Engineers