

**Township of Gloucester
Zoning Board of Adjustment
Wednesday, August 26, 2015
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.

MINUTES FOR ADOPTION

Zoning Board Minutes – *Wednesday, July 22, 2015*

RESOLUTIONS FOR MEMORIALIZATION

#152029C Nicholas DiBiasio	Bulk C Variance Block: 9110 Lot: 3
#152037C Cortez & Sheronne Robinson	Bulk C Variance Block: 17002 Lot: 8
#152038CDM James & Linda Chando	Bulk C & Use "D" Variance/Minor Subdiv Block: 7815 Lots: 1 & 1.01
#142005CDSPWA Joseph Federico	Appeal of Administrative Officer's Decision Block: 6502 Lot: 8

APPLICATIONS FOR REVIEW

#152040C Michael Galante Zoned: R3	Bulk C Variance Block: 12802 Lot: 1 Location: 76 Argyle Ave., Blackwood
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21' x 25' composite deck; hot tub; 6' stockade fence; 12'x26' shed with setbacks

#152042C
Brian & Maria Stubbs
Zoned: R3

Bulk C Variance
Block: 20503 Lot: 57
Location: 1 North Gate Dr., Laurel Springs

15' x 30' above ground pool with setbacks

#152032CDSPWMS
Bernie Wilson
Zoned: CR

Minor Site Plan
Block: 5403 Lot: 11
Location: 1414 Black Horse Pk., Blackwood

Auto repair and towing

#152041A
1840 P. Cheeseman Rd., LLC
Zoned: IN/R2

"A" Variance
Block: 14003 Lot: 13

Appeal of Administrative Decision/Residential Substance Abuse Treatment Facility

Meeting Adjourned

GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
WEDNESDAY, JULY 22, 2015

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

Roll Call:

Vice Chairman Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mrs. Chiumento	Present
Mr. Rosafi	Present
Mr. Acevedo	Present
Mr. Treger	Absent
Ms. Scully	Absent
Chairman McMullin	Present

Chairman McMullin had the professionals sworn in:
Also Present: Mr. Anthony Costa, Zoning Board Solicitor
Mr. James Mellett, P.E., Churchill Engineering
Mr. Ken Lechner, Township Planner

MINUTES FOR ADOPTION

Zoning Board Minutes for Wednesday June 24, 2015.

A motion to approve the above mentioned minutes was made by Mrs. Chiumento and seconded by Mr. Rosafi.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mrs. Chiumento	Yes
Mr. Rosafi	Yes
Chairman McMullin	Yes

Minutes Approved.

RESOLUTIONS FOR MEMORIALIZATION

#152033C
David Forsythe
Bulk C Variance
Block: 11905 Lot: 10

#152032CDSPW
Bernie Wilson
Bulk/Use "D", Variance/Site Plan Waiver
Block: 5403 Lot: 11

#152025DMS
Jersey Outdoor Media, LLC
Use "D" Variance/Minor Site
Block: 10903 Lot: 2

#152031DSPW
Vision Properties, Strawberry Sq., LLC
Use "D" Variance/Site Plan Waiver
Block: 18601 Lot: 2.01 Unit: 1705

A motion to approve the above mentioned resolutions was made by Mr. Bucceroni and seconded by Mr. Rosafi.

Roll Call:

Vice Chairman Simiriglia	Yes (excluding #152025DMS)
Mr. Bucceroni	Yes
Mrs. Chimento	Yes
Mr. Rosati	Yes
Chairman McMullin	Yes

Resolutions Approved.

APPLICATIONS FOR REVIEW

#152029C

Nicholas DiBiasio

Zoned: R3

Bulk C Variance

Block: 9110 Lot: 3

Location: 78 Hollyoke Rd., Somerdale

Construct 2nd garage 25' x 30' rear yard w/3' setback on West (rear) & 0' setback on South (left), install new driveway around left side of residence to access garage (approx. - 1800 sq. ft) install w/0' setback on South (left), Concrete floor in garage.

Mr. Costa swears in Mr. DiBiasio.

Mr. DiBiasio reviews his application:

- he can't fit his truck in the garage,
- not enough room for his tools,
- garage is about 750 sq. ft. (25' x 30'),
- concrete to garage,
- drainage in engineers report.

Mr. Mellett states the impervious coverage is greater then the allowable limit.

- allowable parallel property; curbing,
- dry well system to deal with run off from the garage and let the water perk into the ground (stone trench).
- should be an over flow in the design for the dry well system directing the water towards the driveway.
- roof leaders.

Mr. DiBiasio states they will install "T"s from the gutters.

Mr. Mellett states to put where the overflow will be on the plan.

Mr. Lechner inquires if the building will match the home.

Mr. DiBiasio states "yes, the same colors".

Mr. Lechner questions Mr. DiBiasio what kind of home he has.

Mr. DiBiasio states he as a bi-level and the garage will be steel.

Mr. Lechner questions where the gable will face.

Mr. DiBiasio states Hollyoke Rd. 30' wide, with 2 garage doors and gable, no "man" doors on that side.

Mr. Lechner states the building sub code official states a fire wall rating is necessary.

Mr. DiBiasio states he has discussed the fire wall rating with his builder.

Mr. Lechner states the building sub code official's opinion is more important.

Vice Chairman Simiriglia states the draining eve isn't shown.

Mr. DiBiasio states he will have that added to the plan and the downspouts that will run underground.

Open to Professionals:

No Additional Comments.

Open to the Public:

No Comments.

A motion to approve the above mentioned application was made by Mr. Bucceroni and seconded by Charmin McMullin.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosafi	Yes
Mr. Acevedo	Yes
Chairman McMullin	Yes

Application Approved.

#152037C

Cortez & Sheronne Robinson

Zoned: RA

Bulk C Variance

Block: 17002 Lot: 8

Location: 222 Hampshire Rd., Sicklerville

6' to 4' white wood picket fence w/setbacks.

Mr. Costa swears in Mr. Carter and Ms. Sheronne Robinson.

Ms. Robinson wants to put the fence on her property line.

Mr. Mellett points out the setback would put the fence in her living room because their frontage is only 24'..

Mr. Bucceroni states it is very common in the development.

Open to Professionals:

No Additional Comments.

Open to the Public:

No Comments.

A motion to approve the above mentioned application was made by Mr. Scarduzio and seconded by Mrs. Chiumento.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosafi	Yes
Mr. Acevedo	Yes
Chairman McMullin	Yes

Application Approved.

#152038CDM

James & Linda Chando

Zoned: R3

Bulk C & Use "D" Variance/Minor Subdivision

Block: 7815 Lots: 1 & 1.01

Location: Old Black Horse Pike & Richmond Ave.

2 twins with a minor lot subdivision (amended application).

Mr. Costa swears in Mr. James Chando, Mrs. Linda Chando, Mr. Addison Bradley (planner), & Mr. Brunermer (PE).

Mr. Wade explains the minor subdivision for 2 lots instead of 3 lots and requests an amended application. They would like to build on the 2 lots facing Richmond Ave. and do nothing with the rear lot.

Mr. Bradley begins by discussing the minor subdivision:

- there will be no access to the Old Black Horse Pike,
- amend the application to 2 lots on Richmond Ave. w/twins,
- no access to the Old Black Horse Pike from the corner lot,
- do nothing with the 3rd lot, a formal application will have to be done and they will do one,
- Old Black Horse Pike and Richmond Ave. back up to Rt. 42,
- across the street is all commerce, where the old Wawa is located,

Use Variance - positive criteria:

- meets special reasons,
- established appropriate,
- promotes use and site appropriateness,
- twins allowed in a RA zone,
- aging attached housing (twins) in the township,
- twins would be similar to previous twins built recently in the township,
- 13,000 sq. ft. lot,
- master plan consists of a variety of housing types,
- easier purchase price range 150,000 to 180,000,
- younger and older couples can afford them,
- twins would serve as a buffer from the commercial properties,
- site coverage is less than 40%,

Negative Criteria:

- excess of standards in RA zone,
- lower lot coverage than what is permitted in a R3 zone,
- buffer highway,
- prior sharpening business and home,
- has been on the market for single family homes and marketed for commercial use too.

Engineers Report:

Mr. Wade discusses a minor subdivision and meeting all requirements,

- item 4 request details of the development on a plan and waive the curb and make it consistent with Richmond Ave..
- will remove aprons,
- will try to maintain mature trees,
- grading & drainage: will be submitted with building permits,
- storm water management won't be addressed because they are only dealing with 2 front lots.

Vice Chairman Simiriglia discusses the minor subdivision and use. Also, turnaround capabilities for the vehicles along with the striping of the driveways.

Mr. Addison states they will be similar to the previous twins that have been built and approved.

Mr. Wade states any new issues that arise will be resolved with the professionals.

Mr. Brunermer (PE):

- the 2 lots drop off quickly,
- flood plain discussion,
- approval for a buffer not impacting the flood plain.

Mr. Bradley (planner) discusses landscaping, saving some mature trees, and landscaping the homes.

Mr. Wade states the Camden County planning board application has been made. They are not impacting their drainage/CC soil conservation.

Mr. Mellett states there shouldn't be an soil contamination expected.

Mr. Lechner states it was a auto accessory business before.

Mr. Chando states they sold detail stuff and stickers.

Mr. Mellett suggests they will address all concerns and they will add details, remove lot 1 and simplify the application. Confirm the grading plan when the applicant applies for his building permits.

Mr. Wade reviews Mr. Lechner's report:

- certification for the absence of wetlands,

-renaming the lot will have to be dealt with separately.

Mr. Brunermer discusses the application:
- the property slopes down front to back,
- grade and storm water will be addressed,

Mr. Wade states they are in agreement with all subdivision comments pg. 1 thru pg. 5,
- agree with paragraph 8 items 1 - 3,
- in agreement with land development ordinance.

Mr. Lechner discusses section 3 #2 zoning schedule to other Use category with Mr. Wade.
Mr. Lechner continues with section 6 driveway and easement language; deed restriction.
Mr. Bradley states the twins will be owner/renter, which has been no problem so far.
Mr. Lechner inquires if the building that burned down has any oil tanks.
Mr. Chando states they only had gas, no oil tank.
Mr. Lechner asks Mr. Chando if he is comfortable with no environmental issues.
Mr. Chando states "yes".

Mr. Wade requests a waiver for sidewalks since there aren't any in any of the neighborhoods. This is followed by much discussion about sidewalks on the Old Black Horse Pike.

- remove apron and lace a curb that is ADA compliant,
- ramp at intersection should be brought up to standards,
- repair sidewalk on Old Black Horse Pike.

Mr. Lechner discusses the landscaping in lieu of a performance guarantee.
- put landscaping and grading on the plan,
- done before a CO is granted.

Mr. Bucceroni requests the shrubs on the 3rd lot be kept 8' to 10' from the sidewalk.

Open to Professionals:
No Additional Comments.

Open to the Public:
No Comments.

A motion to approve the above mentioned application with the following conditions: grading plan and landscaping plan at time of building permit, no affect on buffer, wetlands/flood plain, repair sidewalks and apron, waiver for the sidewalk, curb, and storm water management, was made by Mr. Bucceroni and seconded by Mr. Rosati.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosati	Yes
Mr. Acevedo	Yes
Chairman McMullin	Yes

Application Approved.

#142005CDSPWA
Joseph Federico
Zoned: CR
Appeal of Administrative Officer's Decision
Block: 6502 Lot: 8
Location: 1000 Black Horse Pike., Blackwood.
Clarify the Zoning Code for Sign Height.

Mr. Costa swears in Mr. Joseph Federico (owner) and Mr. Bruce McKenna (PE).

Mr. Wade (Esq.) discusses the old ordinance.

A1 - Sign visibility

New Ordinance sign visibility: 50' above where the sign can first be seen; the ordinance changed to 45' from the horizontal plane of the road.

Mr. McKenna (PE):

-the exhibit shows the USG's quadrangle, Blackhorse Pike and Rt. 42 and the north side of the sign. The sign will meet ordinance requirements. southbound side is the same elevation (100') same as the northbound side.

Vice Chairman Simiriglia requests the total elevation of the billboard.

Mr. McKenna states 115': the 1st elevation is 100' and the sign will be 50' above the elevation.

Mr. Mellett discusses elevations: 60' at site, billboard at 150' and 60' along rt. 42 with the site 20' lower.

Mr. McKenna states the owner would like to build at 115'.

Mr. Lechner questions the signs total height at 115': 80' from road height.

Mr. Bucceroni asks how much of the sign do you see at 100'.

Mr. McKenna states all you see is the top boarder of the sign.

Mr. Lechner states he has no objections.

Mr. Mellett states adding height doesn't add any engineering implications.

Open to Professionals:

No Additional Comments.

Open to the Public:

No Comments.

A motion to approve the change in the billboard height to 115' and clarify the language on the issued permit was made by Mr. Rosati and seconded by Mr. Scarduzio.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chimento	Yes
Mr. Rosati	Yes
Mr. Acevedo	Yes
Chairman McMullin	Yes

Approved.

Mr. Bucceroni addresses the board about Timber Creek Liquors as they haven't started any work promised since the board approved fencing and front drive/sign improvements. Suggests shutting the store down if he doesn't comply.

****AUGUST 12, 2015 Zoning Board Meeting is cancelled.**

A motion to Adjourn was made by Mr. Bucceroni and seconded by Mr. Scarduzio.

Respectfully Submitted, Jean Gomez, Recording Secretary.

RESOLUTION OF FINDINGS AND CONCLUSIONS

**BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

**APPLICATION #142005CDSPW
JOSEPH FREDERICO
Block 6502, Lot 8**

WHEREAS, Joseph and Brenda Frederico are the record owners of the property located at 1000 Black Horse Pike (Block 6502, Lot 8) and have received certain approvals by virtue of a Resolution of Findings and Conclusions, Board of Adjustment Township of Gloucester under Application Number 142005CDSPW adopted February 12, 2015, and having applied for and obtained a zoning permit dated April 28, 2015 pursuant to said approvals; and

WHEREAS, the Zoning Administrative Officer Mr. Lechner has requested the Fredericos to discuss the determination made by the Zoning Officer and specifically to discuss the Gloucester Township Zoning Code language contained in Section 426DD(5)(c) and the applicant Fredericos appeared in the person of John D. Wade, attorney for the applicant, and evidence having been presented by Mr. Wade, Addison Bradley P.P. and Bruce McKenna P.E. of Monarch Engineering supporting their position that this height "shall be referenced from the horizontal plane or road surface which the billboard shall be seen or viewed"; and

WHEREAS, the Board after carefully considering the representations concluded:

1. The applicants, Joseph and Brenda Frederico, are the record owner of the property located at 1000 Black Horse Pike in the Blackwood section of Gloucester Township, New Jersey as shown on Block 6502, Lot 8 on the official tax map of the Township of Gloucester, located in a CR Zone.

2. The application of interpretation of Zoning Officer's decision under N.J.S.A. 40:55D-70(a) is properly before the Zoning Board of Adjustment.

3. Based upon the applicants' Exhibit A, which shows that the initial point of sign visibility exists at elevation 100 feet along State Highway 42, that the elevation for the approved billboard sign located at Block 6502, Lot 8 should be determined to be 50 feet above the initial point of elevation at 100 feet. Based upon the elevation of the approved billboard at the applicant's location, the height of the sign at Block 6502, Lot 8 will not exceed 115 feet from ground level.

Upon motion duly made and seconded to support the applicants' position and interpretation of the Zoning Code language the board votes 6 in favor and 1 against thereby affirming the applicants' position relative to the height determination.

ROLL CALL:

LIST NAMES:

Jay McMullin	Yes
Frank Simiriglia	No
Kevin Bucceroni	Yes
Carmen Scarduzio	Yes
Arlene Chiumento	Yes
Andrew Rosati	Yes
Michael Acevedo	Yes

ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER

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 day of August 26, 2015.

Ken Lechner, Secretary

Prepared by:
Anthony P. Costa
63 Warwick Road
Stratford, New Jersey 0804

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

**APPLICATION # 152037C
CORTEZ & SHERONNE ROBINSON
Block 17002, Lot 8**

WHEREAS, Cortez & Sheronne Robinson, are the owners of the land and premises located at 222 Hampshire 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 variance a 4&6 foot fence 0 feet from the front property line instead of the required 40 feet, for the property located upon Block 17002, Lot 8, as shown on the Official Map of the Township of Gloucester, located in an RA 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 July 22, 2015 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 applicants, Cortez and Sheronne Robinson are is the owners of the land and premises located at 222 Hampshire Road, in the Sicklerville section of Gloucester Township, New Jersey, as shown on Block 17002, Lot 8, on the Official Tax Map of the Township of Gloucester, located in an RA 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 applicants testified they have an irregular 24' lot and this is the only location to install the fence. The applicants submitted a survey showing the location of the fence and marked as Exhibit 1.

5. There were no objections to the application.

UPON MOTION duly made and seconded to grant the applicants a variance to construct the fence the Board voted seven (7) in favor, none(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 26th day of August, 2015 that the applicants, Cortez and Sherrone Robinson, are hereby granted the aforesaid variance for the property located upon Block 17002, Lot 8 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
Andrew Rosati	Yes
Kevin Bucceroni	Yes
Carmen Scarduzzio	Yes
Michael Acevedo	Yes
Jay McMullin	Yes
Arlene Chiumento	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Jay McMullin

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 26th Day of August, 2015.

Ken Lechner, Secretary

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

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION # 152029C

NICHOLAS DIBIASIO

Block 9110, Lot 3

WHEREAS, Nicholas Di Biasio, is the owner of the land and premises located at 78 Hollyoke Road in the Somerdale 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 construct a 25x20 garage 3 feet from the rear on the west and 0 feet on the south side and install a new driveway around the left side with a 0 foot setback, for the property located upon Block 9110, Lot 3, as shown on the Official Map of the Township of Gloucester, located in an R-3 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 July 22, 2015 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, Nicholas Di Biasio is the owner of the land and premises located at 78 Hollyoke Road, in the Somerdale section of Gloucester Township, New Jersey, as shown on Block 9110, Lot 3, on the Official Tax Map of the Township of Gloucester, located in an R-3 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 his truck does not in the existing garage and he had an engineer prepare a grading and drainage plan and marked as Exhibit 1 showing there is no problem with water running onto adjacent properties. He explained there would be rolled curbs parrell to the driveway and a dry well system would be installed. The applicant agreed as a condition of approval that he would have an overflow valve, comply with the Construction Official's report and will submit revised plans showing the drainage on the left side of the house.

5. There were no objections to the application.

UPON MOTION duly made and seconded to grant the applicant the aforesaid variances the Board voted seven (7) in favor, none(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 26th day of August, 2015 that the applicant, Nicholas DiBlasio, is hereby granted the aforesaid variance for the property located upon Block 9110, Lot 30 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
Andrew Rosati	Yes
Kevin Bucceroni	Yes
Carmen Scarduzzio	Yes
Michael Acevedo	Yes
Jay McMullin	Yes
Arlene Chiumento	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Jay McMullin

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 26th Day of August, 2015.

Ken Lechner, Secretary

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

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

**APPLICATION # 152038CDM
JAMES & LINDA CHANDO
Block 7815, Lots 1 & 1.01**

WHEREAS, James and Linda Chando, are the owners of the land and premises located at Richmond Avenue and Old Blackhorse 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 a Use variance to construct two Twins, a minor subdivision to create 3 lots, waiver of sidewalk and curbs and a waiver from the Storm Water management, for the property located upon Block 7815, Lots 1 & 1.01, as shown on the Official Map of the Township of Gloucester, located in an R-3 Zone, said application being represented by John Wade Esq.; and

WHEREAS, the Board after carefully considering the representations made by the applicant at the public hearing held on July 22, 2015 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 applicants, James and Linda Chando are the owners of the land and premises located at Richmond Avenue and Old Blackhorse Pike, in the Blackwood section of Gloucester Township, New Jersey, as shown on Block 7815, Lots 1 & 1.01, on the Official Tax Map of the Township of Gloucester, located in an R-3 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, Addison Bradley, a Professional Planner that the applicants are amending their application to allow the Twins on the 2 lots facing Richmond Avenue and if anything is to be done on the third lot it would require a new application. He went on to say that the Blackhorse Pike is commercial and it is Residential behind these lots and they would create a nice buffer for the single family homes. He stated the Master Plan provides for a variety of housing types and this project would be less dense than the permitted uses and there would be no negative impact to the neighborhood. The applicant agreed with the comments in the Churchill report and Mr. Lechner's. As a condition of approval the applicant also agreed there would be no impact on the buffer in the flood plan would repair the existing sidewalk apron along the Blackhorse Pike and would submit a grading and landscaping plan at the time of applying a building permit. The applicant also requested bulk variances as enumerated in Mr. Lechner's report dated July 7, 2015

5. There were no objections to the application.

UPON MOTION duly made and seconded to grant the applicant the aforesaid variances ,minor subdivision and waivers the Board voted seven (7) in favor, none(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 26th day of August, 2015 that the applicants, James and Lind Chando are hereby granted the aforesaid variances , subdivision and waivers for the property located upon Block 7815, Lots 1& 1.01 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 the applicant complying with the conditions previously mentioned.

ROLL CALL:

LIST NAMES

Frank Simiriglia	Yes
Andrew Rosati	Yes
Kevin Bucceroni	Yes
Carmen Scarduzzio	Yes
Michael Acevedo	Yes
Jay McMullin	Yes
Arlene Chiumento	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Jay McMullin

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 26th Day of August, 2015.

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
 Department of Community Development & Planning
 RE: APPLICATION #152040C
 Michael Galante
 76 Argyle Avenue
 BLOCK 12802, LOT 1

DATE: July 28, 2015

The above application is to permit a 20.7' x 25' deck with hot tub and a 12' x 20' residential tool shed in the R-3 – Residential District as per the submitted sketch.

I. ZONING INFORMATION

1. Zone: R-3 ~ Residential District [§405].

R-3 Zone Requirements (§405.F):

Standard	Required	Proposed	Complies
Minimum lot size	9,375 sf	9,876.6 sf	yes
Minimum lot frontage			
Argyle Avenue	75 ft.	65.46 ft.	enc
Fraser Avenue	75 ft.	118.90 ft.	yes
Minimum lot depth	125 ft.	131.25 ft.	yes
Maximum building coverage	20%	±17.3% ¹	yes
Maximum lot coverage	40%	±25.4% ¹	yes
PRINCIPAL BUILDING MINIMUM YARD DEPTHS AND HEIGHT LIMITATIONS			
Front yard (addition)			
Argyle Avenue	30 ft.	31.8 ft.	yes
Fraser Avenue (deck)	30 ft.	21.7 ft.	no*
Side yard (dwelling))	10 ft.	11.6 ft.	yes
Rear yard (deck)	30 ft.	28.6 ft.	no*
Minimum Useable Yard Area	25%	≥ 25%	yes
Maximum Height	35 ft.	n/a	n/a

¹ = Scaled data.

enc = Existing nonconformance.

* = 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.

RESIDENTIAL TOOL SHED YARD DEPTHS AND HEIGHT LIMITATIONS			
Maximum shed area	168 sf	240 sf	no*
Number	1	1	yes
Maximum shed height	12 ft.	12 ft.	yes
Distance between adjacent buildings	10 ft.	±25 ft. ¹	yes
Front yard	N.P.	no	yes
Side yard	5 ft.	5 ft.	yes
Rear yard	5 ft.	±7 ft.	yes

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.F – R-3 –Residential District, Area, Yard, Height and Building Coverage

1. Front yard (Fraser Avenue): (21.7 ft. provided v. 30 ft. min. required).
2. Rear yard: (28.6 ft. provide v. 30 ft. min. required).

§422.L – Residential Tool Shed

3. Size: (240 sf provided v. 168 sf max. allowed).

§422.K – Residential Swimming Pools and Cabanas

4. The proposed hot tub must be at least 10 ft. from the dwelling.

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 variances:

5. 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)).

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).

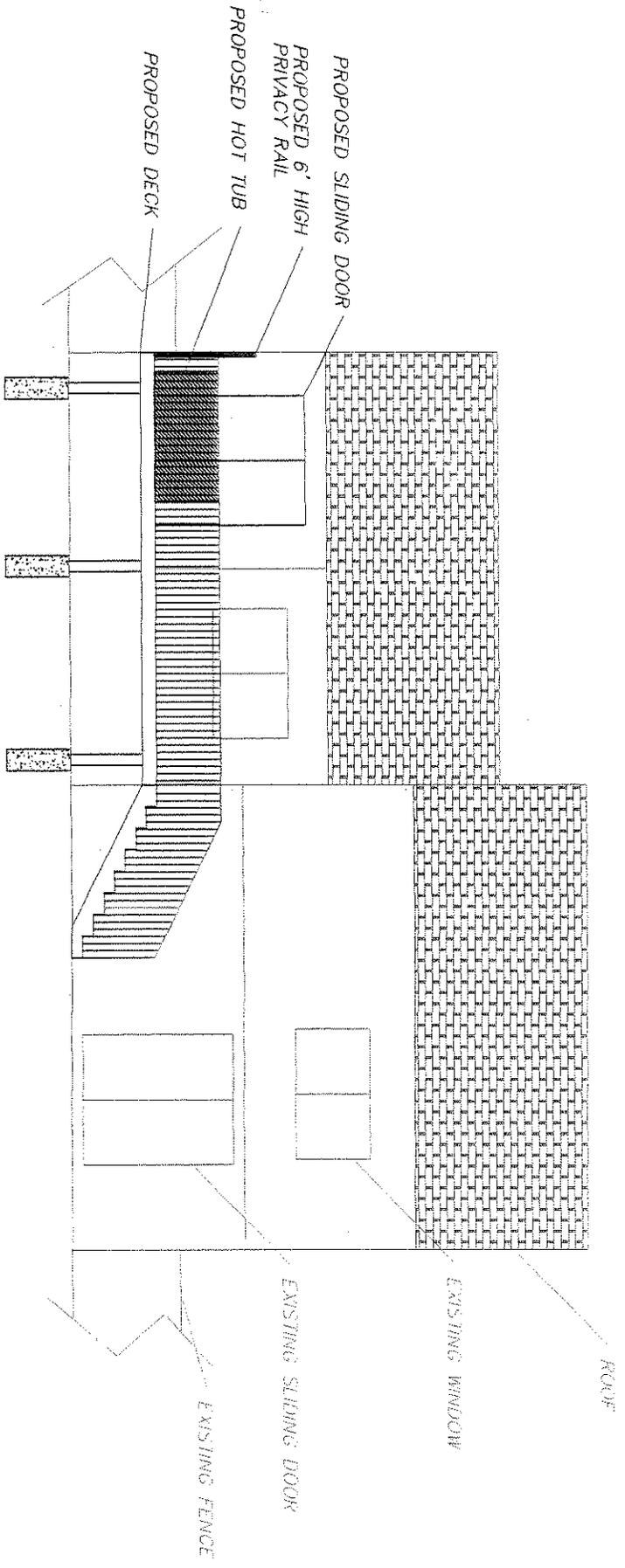
III. NOTICE REQUIREMENTS

The applicant must notice for the following variances:

From Section 405.F, Area, Yard, Height and Building Coverage, to permit a deck with a setback from the front property line along Fraser Avenue of twenty one and seven tenths (21.7) feet (30 ft. minimum required and a setback from the rear property line of twenty eight and six tenths (28.6) feet (30 ft. minimum required and from Section 422.L, Residential Tool Shed to permit a shed two hundred forty (240) square feet (168 sf maximum allowed).

I 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: Michael Galante
Anthony Costa, Esq.
James Mellett, PE, Churchill Consulting Engineers



PROPOSED SLIDING DOOR

PROPOSED 6' HIGH
PRIVACY RAIL

PROPOSED HOT TUB

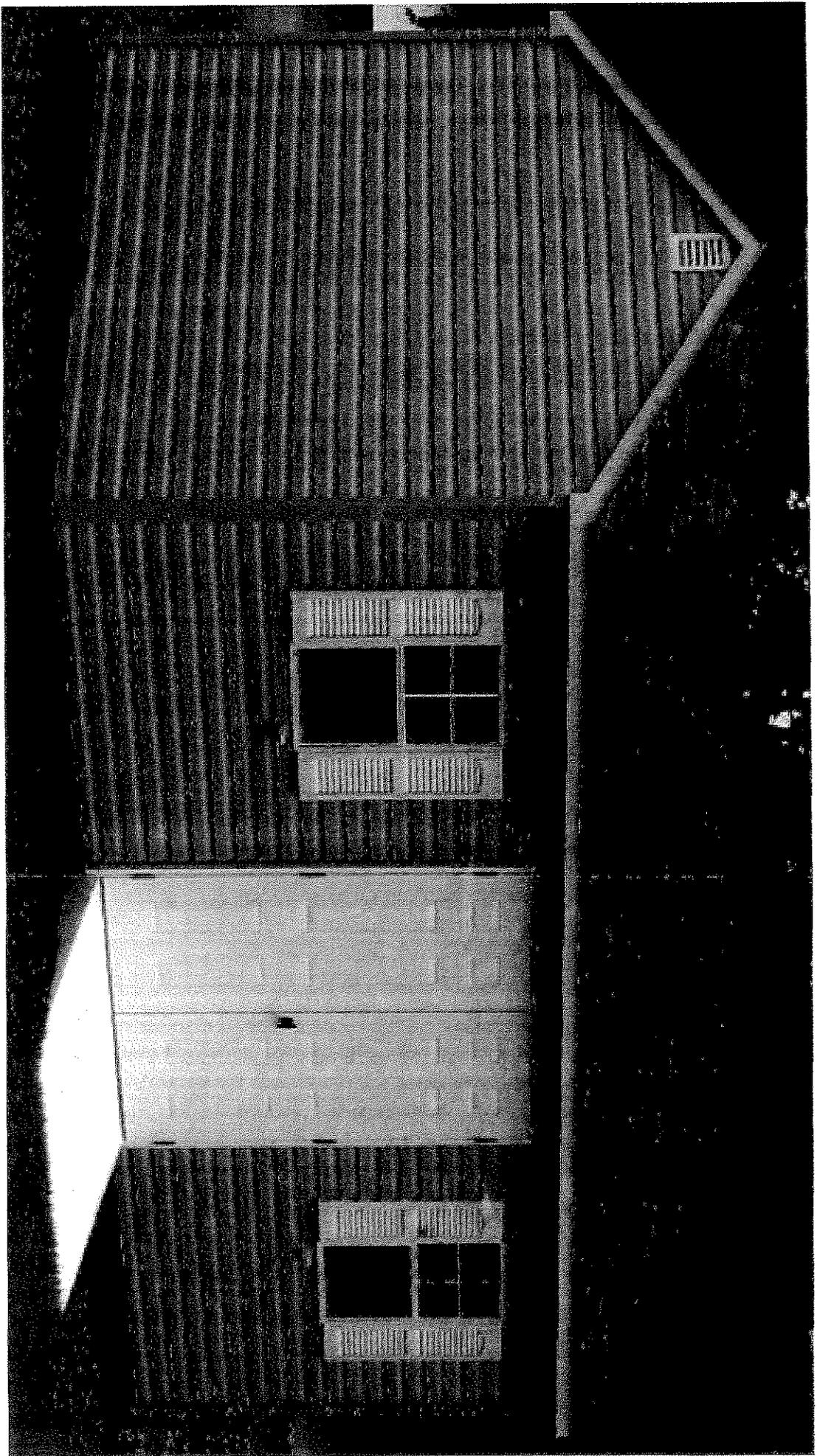
PROPOSED DECK

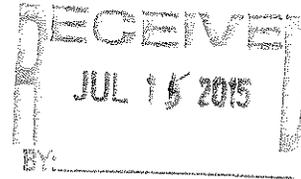
ROOF

EXISTING WINDOW

EXISTING SLIDING DOOR

EXISTING FENCE





Township Of Gloucester
1261 Chews Landing -Clementon Rd., at Hider Lane
P. O. Box 8
Blackwood, New Jersey 08012
(856) 228-4000

TAXES PAID CERTIFICATION

***FORM MUST BE COMPLETED BY THE GLOUCESTER TWP. TAX OFFICE
AND RETURNED WITH COMPLETED APPLICATION**

DATE: 6/23/15

APPLICATION#: 152040C

APPLICANT: Michael Galante

PROPERTY LOCATION: 76 Regyle Ave

BLOCK(S): 12802 LOT(S): 1 QUALIFIER: _____

Our records indicate that the above referenced property is current with taxes and there are no outstanding liens.

_____ Our records indicate the above property is delinquent on taxes (see attached).

_____ Our records indicate the above property has liens (see attached).

If you have any questions, please feel free to contact the Tax Office at 856-228-4000.


SANDRA L. FERGUSON
GLOUCESTER TWP. TAX COLLECTOR

**TOWNSHIP OF GLOUCESTER
ZONING BOARD TRANSMITTAL**

DATE: July 15, 2015

APPLICATION No. #152040C

APPLICANT: Michael Galante

PROJECT No. 9678

BLOCK(S): 12802 Lot(S): 1

LOCATION: 76 Argyle 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 Revision to Prior Application

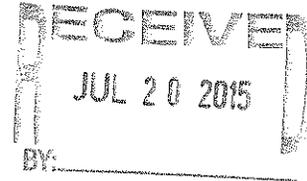
PURPOSE OF TRANSMITTAL:

- For Your Review. ***Please Forward Report by July 25, 2015***
 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



Signature

Michael Galante
7/15/15

No problem

Commissioners
RICHARD P. CALABRESE
Chairman

FRANK SIMIRIGLIA
Vice Chairman

Board Members
AMY TARVES
DORA M. GUEVARA
JOSEPH PILLO
DOROTHY BRADLEY
KEN GARBOWSKI



RAYMOND J. CARR
Executive Director

MARLENE HRYNIO
Administrative Secretary

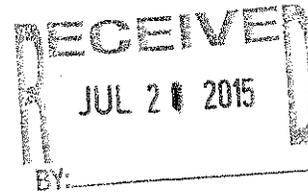
HOWARD C. LONG JR, ESQ.
Solicitor

THOMAS LEISSE, PE, CME
Consulting Engineer

**THE 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
July 20, 2015

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



Re: Application #152040C
Michael Galante
76 Argyle Avenue, Blackwood, NJ 08012
Block 12802, 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 black ink, appearing to read "Raymond J. Carr".

Raymond J. Carr
Executive Director

RJC:mh

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: #152040C Taxes Paid Yes/No _____ (Initial)
 Planning Board Zoning Board of Adjustment Fees: 160⁰⁰ Project # 9678
 Escr. 160⁰⁰ Escr. # 9678

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

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>Michael Galante</u> Address: <u>76 Argyle Avenue</u> City: <u>Blackwood</u> State, Zip: <u>N.J. 08012</u> Phone: <u>(856) 745-0316</u> Fax: () Email: <u>michael.galante@rve.com</u>	2. Owner(s) (List all Owners) Name(s): <u>Michael Galante</u> <u>Kaitlyn Galante</u> Address: <u>76 Argyle Avenue</u> City: <u>Blackwood</u> State, Zip: <u>N.J. 08012</u> Phone: <u>(856) 745-0316</u> Fax: () <u>N/A</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 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: _____

6. Name of Persons Preparing Plans and Reports:

Name: Michael Galante
Address: 76 Argyle Avenue
Profession: Engineer
City: Blackwood
State, Zip: N.J. 08012
Phone: (856) 745-0316 Fax: () -
Email: Michael.galante@rve.com

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

7. Location of Property:

Street Address: 76 Argyle Avenue Block(s): 12802
Tract Area: 9,876.65F± Lot(s): 1

8. Land Use:

Existing Land Use: Residential Home

Proposed Land Use (Describe Application): Construction of a Deck (wood Frame)

The deck will be 1675F± and constructed of ~~either cedar~~
~~planking with cedar railings or composite planks with vinyl~~
~~railings. (21' x 25') with Hot-Tub, Replace Wood Fence with 6' High~~
~~28' Form Storage Aie Fence. Remove and~~
~~Property line. Replace shed with 12' x 20' Shed.~~

9. Property:

Number of Existing Lots: _____
Number of Proposed Lots: _____

Proposed Form of Ownership:

- Fee Simple Cooperative
 Condominium Rental

Are there *existing* deed restrictions?

No Yes

(If yes, attach copies)

Are there *proposed* deed restrictions?

No Yes

10. Utilities: (Check those that apply.)

- Public Water Public Sewer Private Well Private Septic System

11. List of Application Submission Materials:

List all additional materials on an additional sheet.

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet.

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).

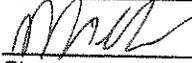
July 15, 2015

Date

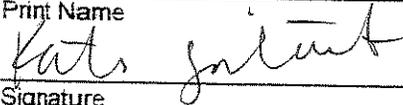
Sworn and Subscribed to before me this

15 day of July

2015 (Year).


Signature

Michael Galante
Print Name


Signature

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

- No Yes

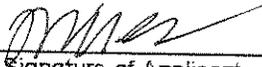
IF YES TO ANY OF THE ABOVE:

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

IF YES:

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

- No Yes


Signature of Applicant

Michael Galante
Print Name

7/15/15
Date

19. Survey waiver certification:

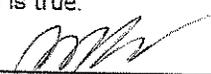
As of the date of this application, I hereby certify that the survey submitted with this application, under the date of Michael Galante shows and discloses the premises in its entirety, described as Block 12802 Lot 1 and I further certify that no buildings, fences or other facilities have been constructed, 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:

Michael Galante 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 15 day of July
20 15 before the following authority.

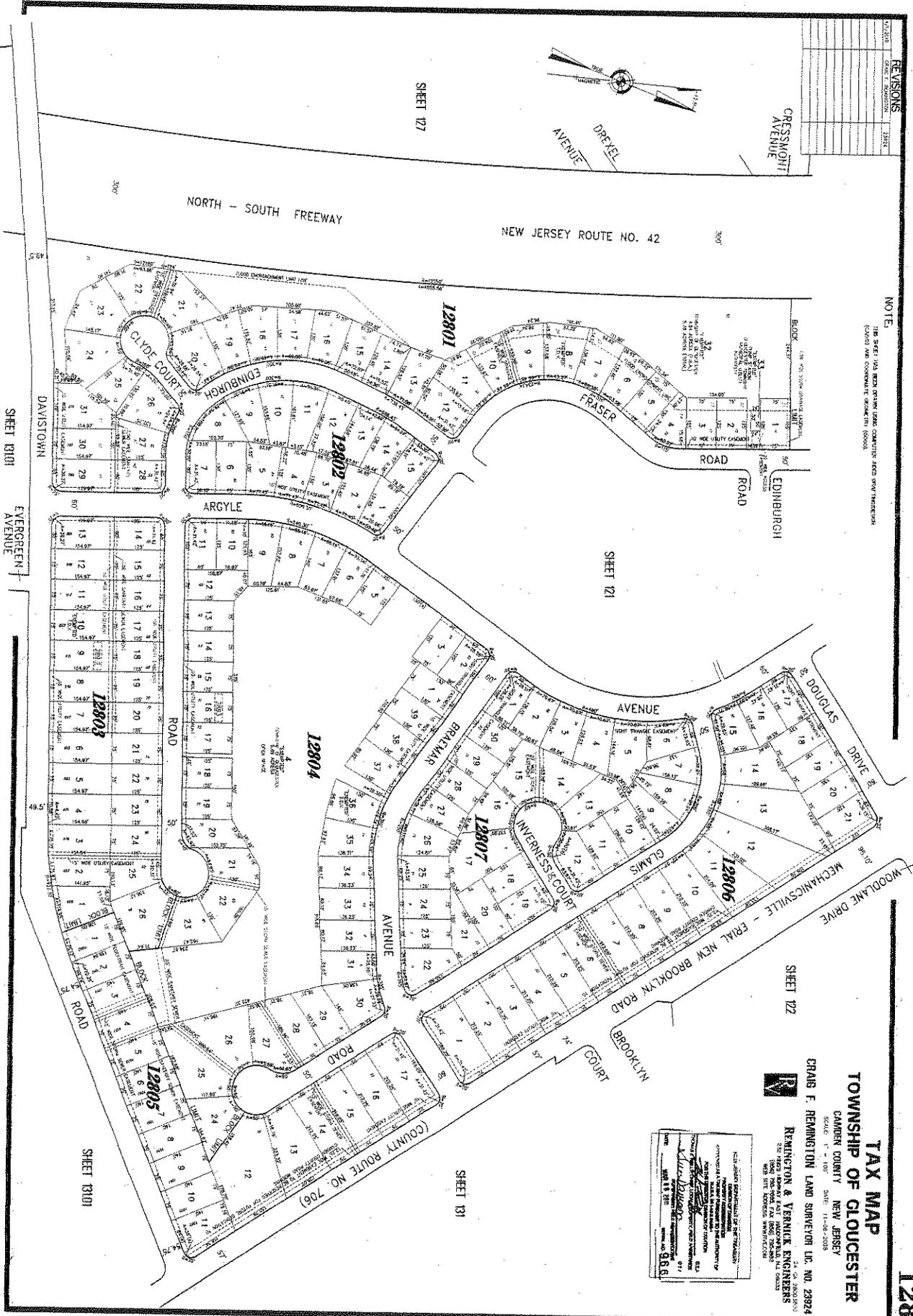

Name of property owner or applicant


Notary public

REVISIONS

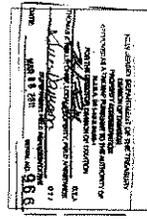
NO.	DATE	DESCRIPTION

NOTE:
 THIS MAP WAS PREPARED USING COMPASS AND PHOTOGRAPHIC
 SURVEYING METHODS AND CONFORMS TO THE REQUIREMENTS OF THE
 ENGINEERING AND SURVEYING ACT, 1968.



TAX MAP
TOWNSHIP OF GLOUCESTER
 CAMDEN COUNTY
 NEW JERSEY

CRANF. REMINGTON LAND SURVEYOR INC. NO. 23924
 REMINGTON & YERNICK ENGINEERS
 225 NORTH BROADWAY, SUITE 200
 CAMDEN, NEW JERSEY 08102
 DATE: 11-28-2018
 SCALE: 1" = 100'



TOWNSHIP OF GLOUCESTER
INTER-OFFICE CORRESPONDENCE



TO: Zoning Board of Adjustment
FROM: Kenneth D. Lechner, PP, AICP, Director/Planner
 Department of Community Development & Planning
RE: APPLICATION #142042C
 Brian & Maria Stubbs
 1 Northgate Drive
 BLOCK 20503, LOT 57

DATE: July 28, 2015

The Applicant requests approval to install a 15' x 30' oval above ground swimming pool 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	±10,485 sf	yes
Minimum lot frontage. Northgate Drive Meadowcyck Drive	75 ft. 75 ft.	75 ft.	yes
Minimum lot depth	125 ft.	125 ft.	yes
Maximum building coverage	20%	±13.7% ¹	yes
Maximum lot coverage	40%	±30.3% ¹	yes
Principal Building Minimum Yard Depths and Height Limitations			
Front yard (dwelling) Northgate Drive Meadowcyck Drive	30 ft. 30 ft.	34.35 ft. 26.03 ft.	yes enc
Side yard	10 ft.	10.74 ft.	yes
Rear yard	30 ft.	±42 ft.	yes
Minimum Useable Yard Area	25%	> 25%	yes
Maximum Height	35 ft.	n/a	n/a
RESIDENTIAL SWIMMING POOL REQUIREMENTS			
Front yard	30 ft.	20 ft.	no
Side yard	10 ft.	±19 ft.	yes
Rear yard ²	10 ft.	±19 ft.	yes
Distance from dwelling	10 ft.	±25 ft.	yes

- ¹ = Scaled data.
- enc = Existing nonconformance.
- 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 variances from the Land Development Ordinance based on scaled data from the sketch (survey) provided by the Applicant.

§422.K, Residential Swimming Pools and Cabana

1. Front Yard: (20 ft. provided v. 30 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 422.K to permit an above ground swimming pool twenty (20) feet from the front property line along Meadowyck Drive (30 ft. minimum required).

IV. RECOMMENDATIONS

I 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: Brain & Maria Stubbs
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. #152042C Taxes Paid Yes/No _____ (Initial)
 Planning Board Zoning Board of Adjustment Fees: 160⁰⁰ Project # 9742
 Escr: 150⁰⁰ Escr.# 9742

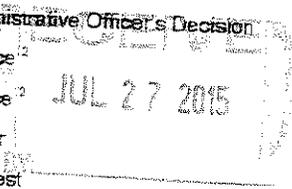
¹ Upon receipt of all fees, documents, plans, etc.

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>Brian + Maria Stubbs</u> Address: <u>1 North Gate Drive</u> City: <u>Laurel Springs</u> State, Zip: <u>New Jersey 08021</u> Phone: <u>(856) 435-0677</u> Fax: () Email: <u>mstubbs2@comcast.net</u>	2. Owner(s) (List all Owners) Name(s): <u>Same</u> Address: _____ City: _____ 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: _____

6. Name of Persons Preparing Plans and Reports:

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

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

7. Location of Property:

Street Address: 1 North Gate Drive Block(s): 20503
Tract Area: _____ Lot(s): 57

8. Land Use:

Existing Land Use: RESIDENTIAL
Proposed Land Use (Describe Application): above ground pool
15 x 30 oval 20 feet from 2nd R.O.W
Coral Pool

9. Property:

Number of Existing Lots: _____ 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
Front setback 1	34.35
Front setback 2	26.03
Rear setback	48
Side setback 1	10.74
Side setback 2	NA
Lot frontage	100 Ft.
Lot depth	127
Lot area	12,796 13,070
Building height	35

Fence Application

	Proposed
Setback from E.O.P.*1	_____
Setback from E.O.P.*2	_____
Fence type	_____
Fence height	_____

*E.O.P. = Edge Of Pavement.

Pool Requirements

Setback from R.O.W.1	_____
Setback from R.O.W.2	20 feet
Setback from property line 1	_____
Setback from property line 2	13 feet
Distance from dwelling	15 feet

Distance = measured from edge of water.

R.O.W. = Right-of-way.

Setback = Measured from edge of pool apron.

Garage Application

Garage Area	_____
Garage height	_____
Number of garages	_____
(Include attached garage if applicable)	_____
Number of stories	_____

Shed Requirements

Shed area	_____
Shed height	_____
Setback from R.O.W.1	_____
Setback from R.O.W.2	_____
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

Maria Stubbs

Signature of Applicant

7/23/15

Date

Brian K. Dull

Signature of Co-applicant

7/23/15

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).

7/23/15
Date

Maria Stubbs
Signature

Maria Stubbs
Print Name

Sworn and Subscribed to before me this 23 day of July

Marilyn Brabazon
Signature

2015 Year
 MY COMMISSION EXPIRES MARCH 14, 2018
 MARYLYN R. BRABAZON
 NOTARY PUBLIC OF NEW JERSEY

Marilyn Brabazon
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).

No Yes

Maria Stubbs
Signature of Applicant

7/23/15
Date

Maria Stubbs
Print Name

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 _____, shows and discloses the premises in its entirety, described as Block 20503 Lot 57 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:

Sworn and subscribed to
On this 23 day of July
2015 before the following authority.

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

Maria Stubbs
Name of property owner or applicant

Marilyn Brabazon
Notary Public

Zoning Permit Denial

1 NORTHGATE DR
Block/Lot 20503/57

Applicant

STUBBS BRIAN R & MARIA R
1 NORTHGATE DRIVE
LAUREL SPRINGS NJ 08021

Real Estate Owner

STUBBS BRIAN R & MARIA R
1 NORTHGATE DRIVE
LAUREL SPRINGS NJ 08021

*This is to certify that the above-named applied for a permit to/authorization for
a proposed 30'X15' oval above ground pool. This application for approval is hereby denied.*

Zone

R3

Application is

Denied

Comments on Decision:

Pool must be setback a minimum of 30' from property line along Meadowyck Dr. A Variance approval is required by the Zoning Board of Adjustment prior to issuance of permit.

Additional permits must be obtained through the Construction Office

Gloucester Township

P O Box 8
Blackwood, NJ 08012
(856)228-4000 FAX(856)232-6229

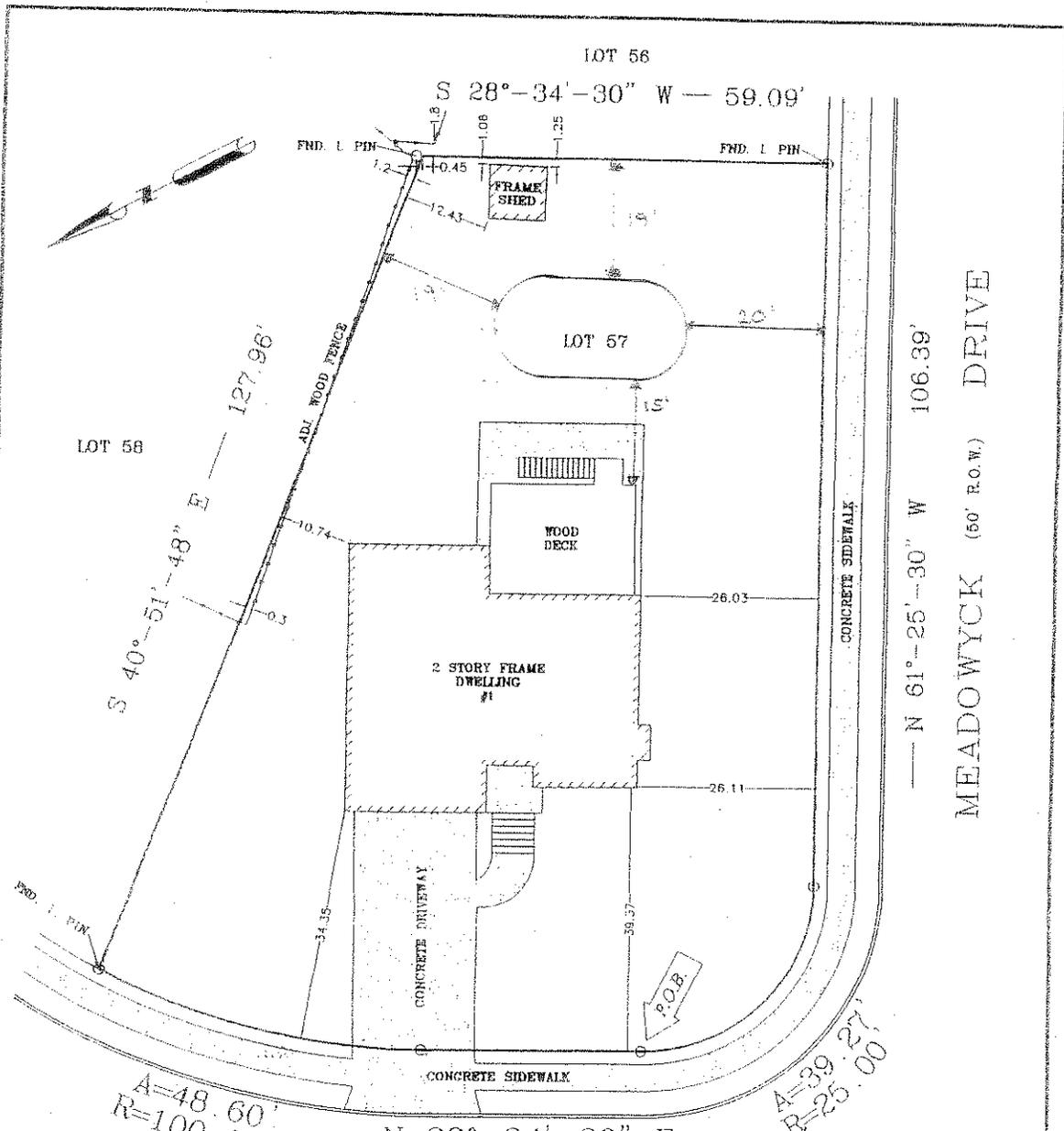

Alisa Ortiz
Zoning Officer
July 14, 2015

Applic No. 9670

Cut Here

Deliver to...

STUBBS BRIAN R & MARIA R
1 NORTHGATE DRIVE
LAUREL SPRINGS NJ 08021



RECEIVED
 JUL 27 2015

NORTHGATE (50' R.O.W.) DRIVE

CERTIFIED TO:
 BRIAN R. STUBBS & MARIA R. STUBBS
 INDEPENDENCE ABSTRACT & TITLE AGENCY
 COUNTRYWIDE HOME LOANS, INC., ITS
 SUCCESSORS AND/OR ASSIGNS AS THEIR
 INTEREST MAY APPEAR.

"IN CONSIDERATION OF THE FEE PAID FOR MAKING THIS SURVEY, I HEREBY CERTIFY TO ITS 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. 08, 2004 I MADE A SURVEY OF THE LANDS AND PREMISES SHOWN HEREON, AND THAT THIS PLAT IS IN ACCORDANCE WITH THE FIELD NOTES OF SAID SURVEY.

BRUCE A. EWING
 LAND SURVEYOR

29757

Bruce A. Ewing

N.J. LICENSE NO. 35855

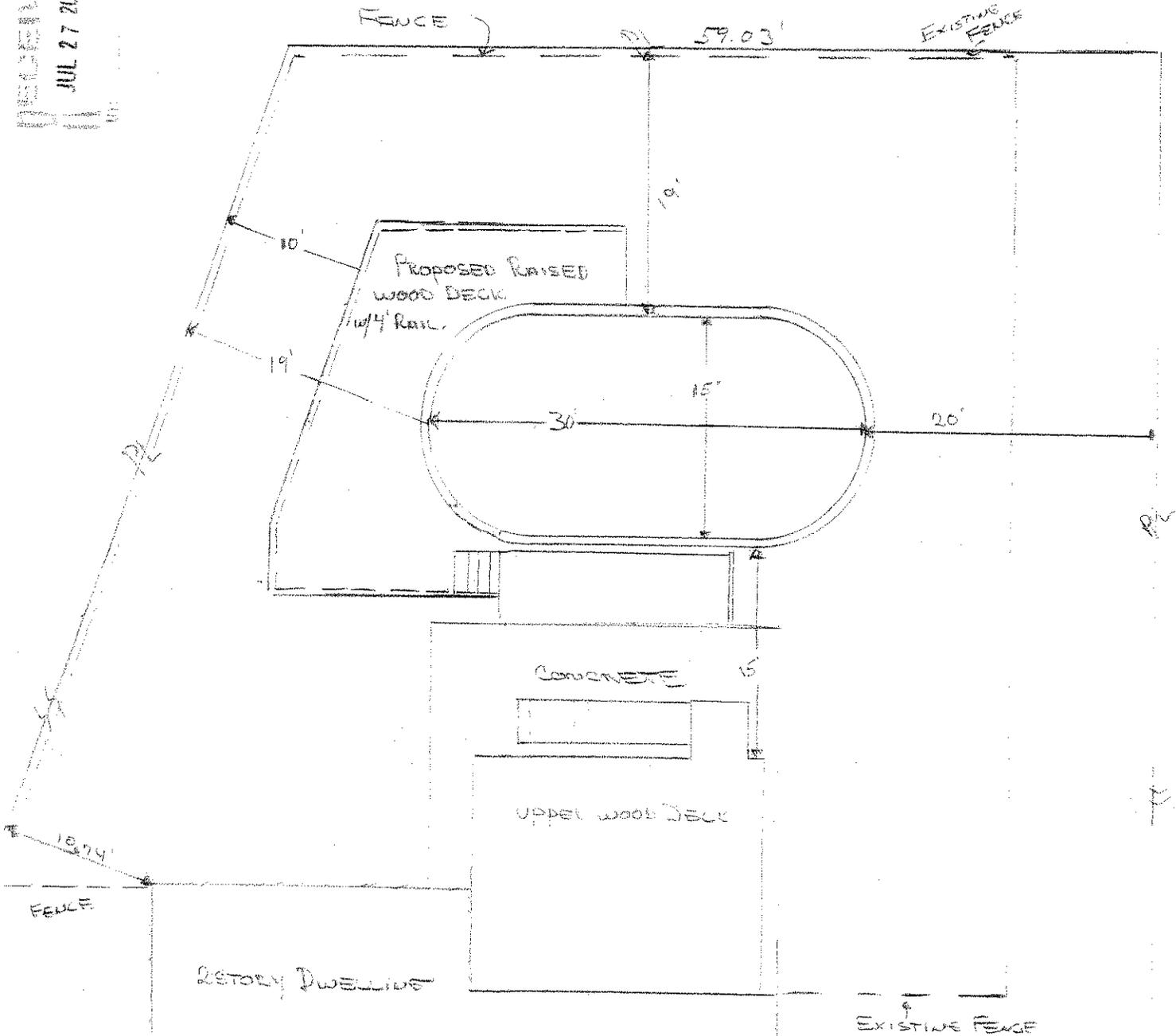
NOTES:
 LOT NUMBERS REFER TO BLOCK 20503 ON FINAL PLAN OF LOTS, "ROSEGALE SECTION 1", LAST REVISED 8/05/91, FILED 8/21/91 AS MAP #783-2. A.K.A. BLOCK 20503 ON THE TOWNSHIP OF GLOUCESTER TAX MAPS.

SURVEY OF PREMISES
 1 NORTHGATE DRIVE
 SITUATED IN
 TOWNSHIP OF GLOUCESTER
 COUNTY OF CAMDEN, NEW JERSEY

DRAWN BY: M.C.D. DATE: 10/08/04 SCALE: 1"=20'

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

RECEIVED
JUL 27 2015



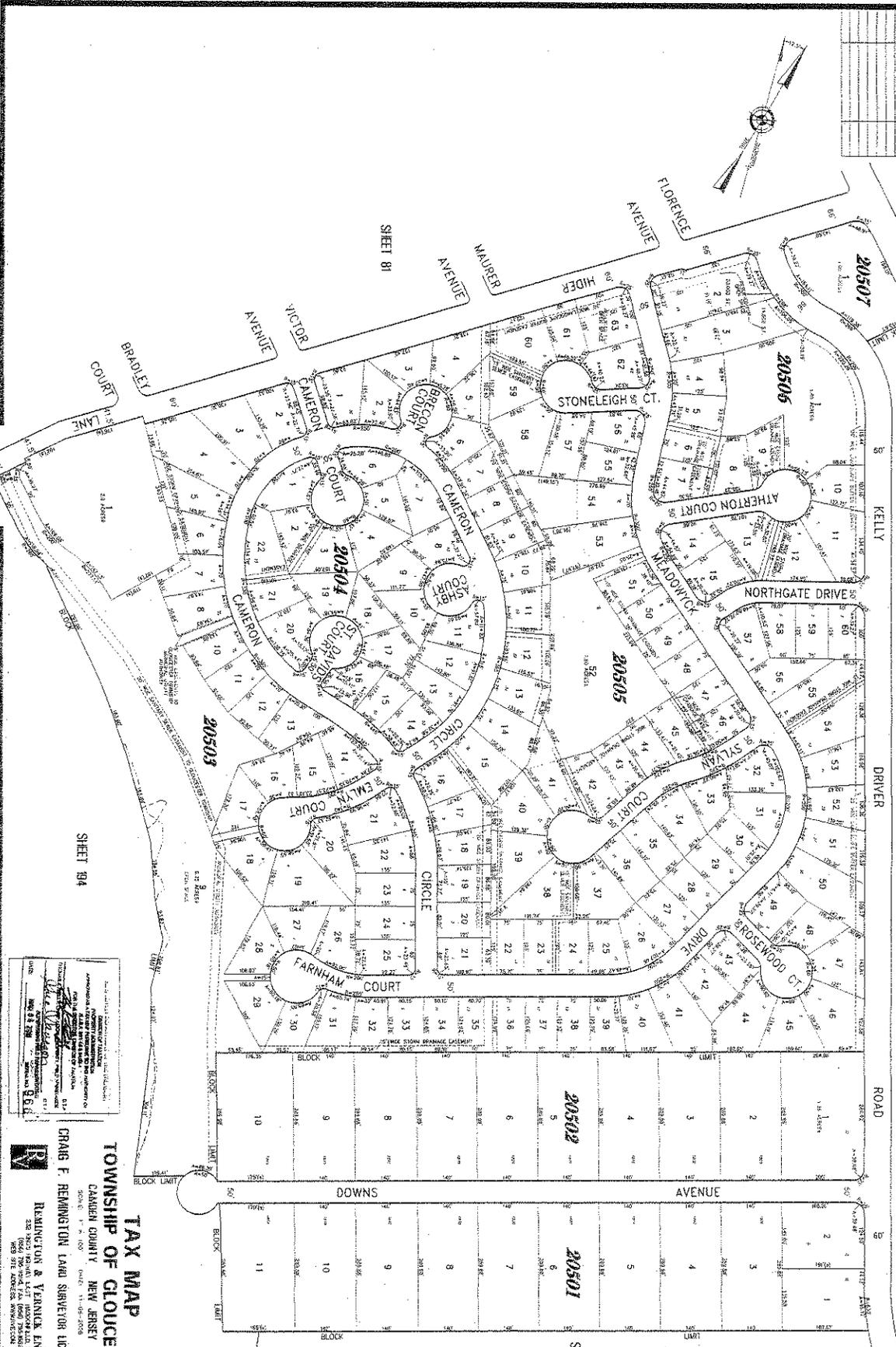
NOT APPROVED FOR CONSTRUCTION

NO.	DATE	REVISIONS

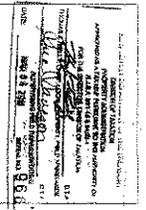
CHENS LANDING - CLEMENTON ROAD
(COUNTY ROUTE NO. 683)

SHEET 206

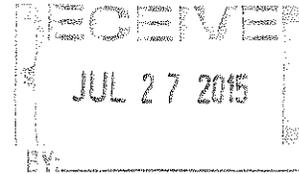
NOTE:
This sheet and data herein used, compiled, and published
under the authority of the Board of Taxation.



SHEET 194



TAX MAP
TOWNSHIP OF GLOUCESTER
CAMDEN COUNTY NEW JERSEY
CHANG F. REMINGTON, LAND SURVEYOR LIC. NO. 23924
REMINGTON & VERNICK ENGINEERS
200 SOUTH 10TH STREET, SUITE 200
NEW JERSEY 08102



Township Of Gloucester
1261 Chews Landing -Clementon Rd., at Hider Lane
P. O. Box 8
Blackwood, New Jersey 08012
(856) 228-4000

TAXES PAID CERTIFICATION

***FORM MUST BE COMPLETED BY THE GLOUCESTER TWP. TAX OFFICE
AND RETURNED WITH COMPLETED APPLICATION**

DATE:

7/24/15

APPLICATION#:

152033C

APPLICANT:

Brian & Maria Stubbs

PROPERTY LOCATION:

1 North Gate Drive

BLOCK(S):

20503

LOT(S):

57

QUALIFIER:

Our records indicate that the above referenced property is current with taxes and there are no outstanding liens.

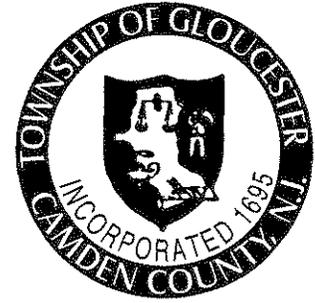
Our records indicate the above property is delinquent on taxes (see attached).

Our records indicate the above property has liens (see attached).

If you have any questions, please feel free to contact the Tax Office at 856-228-4000.


SANDRA L. FERGUSON
GLOUCESTER TWP. TAX COLLECTOR

Inter-office Correspondence



TO: Zoning Board of Adjustment

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

RE: **APPLICATION #152032CDSPWDM** Escrow #9470
Bernie Wilson
BLOCK 5403, LOT 11

DATE: August 18, 2015

The Applicant requests minor site plan waiver approval for an "Auto Repair & Towing" business within the CR – Commercial Residential District. The project is located on the northwest corner of the Black Horse Pike and Landing Road.

The Zoning Board of Adjustment granted a use variance for Auto Repair & Towing by Resolution #152032CDSPW.

Applicant: Bernie Wilson, 990 Lower Landing Road, Blackwood, NJ 08012
(telephone #609-332-5881).

Owner: Raymond Mackay Jr., 600 Landing Road, Blackwood, NJ 08012.

Engineer: Bruce McKenna, PE, PLS, Monarch Surveying & Engineering, P.O.
Box 177, Pitman, NJ 08071 (856-572-8200).

Planner: Addison G. Bradley, CLA, PP, 1585 Hider Lane, Blackwood, NJ 08012
(telephone #856-228-4848).

I. INFORMATION SUBMITTED

1. Land Development Application Form and checklist dated 7/22/15.
2. Existing Conditions Plan, as prepared by Donovan Surveyors comprising one (1) sheet dated 6/29/15.
3. Minor Site Plan, as prepared by Monarch Surveying & Engineering comprising one (1) sheet dated 7/13/15.

II. ZONING REVIEW

1. Auto repair and towing is not a listed permitted use in the CR – Commercial Residential District [§414].

2. The following variances are approved by Zoning Board of Adjustment Resolution #152032CDSPW.

Section 414.F. CR – Commercial Residential District

Description	Other Use	Proposed	Complies
Lot size (min.)	1 acre	0.494 acres	no*
Lot frontage (min.)			
Black Horse Pike	100 ft.	210.49 ft.	yes
Landing Road	100 ft.	180.20 ft.	yes
Lot depth (min.)	300 ft.	140 ft.	no*
Building coverage (max.)	15%	±8.1%	yes
Lot Coverage (max.)	50%	±71.2	no*
Buffer (min.)	25 ft.	0 ft.	no*
Principal Building Minimum Yard Depths and Height Limitations			
Front yard (min.)			
Black Horse Pike	20 ft.	71.78 ft.	yes
Landing Road	20 ft.	20.67 ft.	yes
Side yard (min.)	10 ft.	42.06 ft.	yes
Rear yard (min.)	25 ft.	±40 ft. ¹	yes
Building Height (max.)	35 ft.	< 35 ft.	yes
Floor Area Ratio (max.)	0.25	±0.081	yes
Parking spaces (5 spaces/service bay)	15 spaces	15 spaces	yes
Parking Area Setback			
In front of the building line			
Black Horse Pike	N. P.	yes	no*
Landing Road	N.P.	yes	enc
From side property line (min.)	15 ft.	3.1 ft.	enc
From rear property line (min.)	15 ft.	±46 ft.	yes

¹ = Scaled data.

enc = Existing nonconformance.

* 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 or has requested a waiver.

The Applicant must provide the following checklist requirement or request a waiver.

1. The names, addresses, block and lot numbers of all property owners within 200 feet of the development [Checklist #33].
2. Appropriate places for the signature of the Chairperson and Secretary of the approving authority, the dates of the official approving authority actions, and dates of signatures [Checklist #55].
3. Proposed grades in sufficient numbers to illustrate the proposed grading scheme [Checklist #58].
 - a. Defer to the Board engineer.
4. Fire lanes [Checklist #77].

IV. WAIVER COMMENTS

1. Four (4) copies of the Recycling Report. [Checklist #8].
2. No application for development shall be considered complete until the applicant has calculated and delineated the area of wetlands based upon the methodology established by the New Jersey Department of Environmental Protection regulations (See §519) [Checklist #9].
3. Locations of all existing structures and their uses within 200 feet of the tract. [Checklist #34].
4. Sidewalks and bike routes [Checklist #83].
5. Any related facility for the movements and storage of goods, vehicles and persons [Checklist #84].
6. Directional signs with scaled drawings [Checklist #85].
7. Radii at curblines [Checklist #87].
8. Site lighting in accordance with Article V of the Land Development Ordinance (i.e., photometric patterns and construction details [Checklist #91].
9. Fencing, railroad ties, bollards and parking bumpers [Checklist #92].
10. Expansion plans for the proposed use shall show feasible parking and loading expansion plans to accompany building expansion [Checklist #93].
11. Proposed grades [Checklist #95].
 - a. Defer to the Board engineer.
12. Standard details for curbing, sidewalks, bike paths, paving, stoned or graveled surfaces, bollards, railroad ties and fences [Checklist #97].
13. Size and types of pipes and mains [Checklist #98].
14. For any storm drainage system, show the computations and any connection by the development to the existing storm drainage system [Checklist #104].
 - a. Defer to the Board engineer.
15. If private utilities are proposed, they shall fully comply fully with all township, county and state regulations. [Checklist #105].
16. If service is to be provided by an existing water or sewer utility company, a letter from that company shall be submitted, indicating that service shall be available before occupancy of any proposed structures. [Checklist #106].

17. When on-lot water or sewerage disposal, the concept for such system shall be reviewed by the appropriate township, county and state agencies. [Checklist #107].
18. Environmental Constraints Map (See §519). [Checklist #108].

V. VARIANCE COMMENTS

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

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

1. Lot size: (0.49 ac. provided v. 1 ac. minimum required).
2. Lot depth: (140 ft. provided v. 300 ft. minimum required).
3. Lot coverage: (71.2% provided v. 50% minimum required).
4. Buffer: (< 25 ft. provided v. 25 ft. minimum required).
5. Parking (In front of building): (8 spaces provided v. Not Permitted).

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 bulk variances:

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” use variance)

The Applicant must address and the Board consider the following in satisfying the positive criteria for the requested “D1” variance:

- a. Uses determined as not “inherently beneficial.”
 - i. 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)*).
 1. The Applicant must identify and provide an analysis of the special reasons of zoning that is applicable to the application.
 2. 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.
 3. 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 40:55D-70).

Balancing Test (*basis Sica v. Board of Adjustment Tp. of Wall, 127 NJ 152, 162 – 166 (1992)*).

1. Identify the public interest at stake.
2. Identify the detrimental effects that would result by the grant of a variance.
3. Determine if the detrimental effects may be mitigated by imposing reasonable conditions.
4. Weigh the benefits against the mitigated negative effects to determine if on balance the grant of a variance would cause substantial detriment to the public good.

VI. MINOR SITE PLAN COMMENTS

1. The plan should be revised to provide at least a single row of Leyland Cypress trees ten (10) feet on center within the rear yard to screen/buffer the rear building wall from the residential properties on Landing Road and enhance the aesthetics of the Township as per §507.A, Landscaping.
2. It's recommended the plan be revised to remove asphalt and provide landscaping comprising a mixture of trees and shrubs to reduce the amount of lot coverage and enhance the aesthetics of the Township in the following areas as per §507.C, Off-street parking and loading areas.
 - a. Landscape Island along the Black Horse Pike shall be at least eight feet (8) wide.
 - b. Landscape Island at the intersection of the Black Horse Pike and Landing Road shall be approximately seven (7) feet wide in-line with the existing curbline.
 - c. Increase the landscape island at the westerly drive-opening on the Black Horse Pike to approximately ten (10) feet wide.
 - i. This revision would reduce the drive-opening width to a maximum width of thirty six (36) feet as per §510.K(5), Entrance/Exit Drives.
 - d. Create a landscaped area between the existing building and Landing Road ±1,200 sf, which should include evergreen screen trees.
 - i. This revision would reduce the lot coverage and serve as a buffer to the residential properties on Landing Road as per §507.B, Buffering; and,
 - ii. Reduce the drive-opening width to a maximum width of thirty six (36) feet as per §510.K(5), Entrance/Exit Drives.
3. The plans must be revised to provide the isolux lines to confirm adequate lighting as per §508, Lighting.
4. The plans must be revised to address loading and unloading as per §509, Off-Street Loading.
5. The plans must be revised to expand the areas of "proposed pavement overlay and resurfacing" to include the damaged pavement eastwardly including the existing six (6) parking spaces with details as per §510.H, Pavement.

6. The plan must be revised to provide a trash enclosure as per §510.L.fuse/Recyclable Storage Areas.
 - a. The require trash enclosure shall be screened with evergreen trees and shrubs on three sides as per §507.A, Landscaping
7. The plans must be revised to provide concrete curb and sidewalks along Landing Road as per §516, Sidewalks, Curbs, Gutters and Pedestrian Ways.

VII. LAND DEVELOPMENT ORDINANCE COMMENTS

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

1. *A soil removal plan if soil is to be removed from the site for use or sale other than the premises subject to this application as per §801.C, Soil Removal.*
2. *A grading plan prepared and sealed by licensed professional engineer as per §814, Grading Approval.*
3. *Affordable housing requirement as per §902, Affordable Housing Fees and Procedures.*
4. *Before recording final subdivision plats or as condition of final site plan approval or as a condition to the issuance of a zoning permit pursuant to N.J.S.A. 40:50D-65d the furnishing of a performance guarantee, maintenance guarantee, and inspection fees as per §903, Guarantees and Inspections and §904, Certification or Guarantee Required; Estimate of Guarantee.*
5. *Requirements precedent to construction as per §905, Pre-conditions to Commencement of Construction.*
6. *Construction of off-tract improvements as per §906, Off-Tract Improvements Recapture.*
7. *A zoning permit is required prior to the issuance of any construction permits and prior to the issuance of a Certificate of Occupancy by the Construction Official the Applicant must acquire a Certificate of Zoning Conformity from the Zoning Officer as per §1102, Permits, General, §1103, Zoning Permit and §1104, Certificate of Zoning Conformity.*

VIII. RECOMMENDATIONS

1. The applicant must address the underlined items listed above on the site plan.
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.

cc: Bernie Wilson
Addison G. Bradley, CLA, PP
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.: # 15203205PWMS Taxes Paid Yes/No _____ (Initial)

Planning Board Zoning Board of Adjustment

Fees: 350⁰⁰ Project # 9470

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

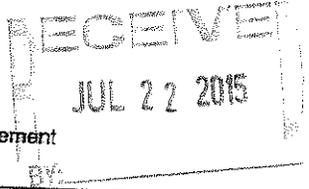
Escr. 1600⁰⁰ Escr.# 9470

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>Bernie Wilson</u> Address: <u>990 Lower Landing Rd</u> City: <u>Blackwood</u> State, Zip: <u>N.J. 08012</u> Phone: <u>(609) 332-5881</u> Fax: () - - Email: _____	2. Owner(s) (List all Owners) Name(s): <u>Raymond MacKey Jr.</u> Address: <u>600 Lower Landing Rd</u> City: <u>Blackwood</u> State, Zip: <u>N.J. 08012</u> Phone: () - - Fax: () - -
---	--

3. Type of Application. Check as many as apply:

<input type="checkbox"/> Informal Review ² <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Preliminary Major Subdivision ² <input type="checkbox"/> Final Major Subdivision <input checked="" type="checkbox"/> Minor Site Plan <input type="checkbox"/> Preliminary Major Site Plan ² <input type="checkbox"/> Final Major Site Plan <input type="checkbox"/> Conditional Use Approval ² <input type="checkbox"/> General Development Plan ²	<input type="checkbox"/> Planned Development ² <input type="checkbox"/> Interpretation ² <input type="checkbox"/> Appeal of Administrative Officer's Decision Bulk "C" Variance ² <input type="checkbox"/> Use "D" Variance ² Site Plan Waiver <input type="checkbox"/> Rezoning Request <input type="checkbox"/> Redevelopment Agreement <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>N/A</u> Address: _____ City: _____	Firm: _____ State, Zip: _____ Phone: () - - Fax: () - - Email: _____
---	---

6. Name of Persons Preparing Plans and Reports:

Name: Adrian G. Bradley
 Address: 1585 Hider Lane
 Profession: Landscape Architect
 City: Gloucester Twp.
 State, Zip: N.J. 08021
 Phone: 228-4848 Fax: 228-8705
 Email: _____

Name: Bruce Mc Kernz P.E.
 Address: P.O. Box 177
 Profession: Engineer
 City: Pitman
 State, Zip: N.J. 08071
 Phone: 592-8200 Fax: 592-8204
 Email: _____

7. Location of Property:

Street Address: 1414 N Black Horse Pike Block(s): 5403
 Tract Area: 21, 296 sq ft Lot(s): 11

8. Land Use:

Existing Land Use: Vacant Gas Station
 Proposed Land Use (Describe Application): Auto repair and towing

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. Plan of Existing Conditions
Landscape Plan

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet. Use offered for Auto
Repair and Towing.

13. Zoning

All Applications	Proposed	Fence Application	Proposed
Front setback 1	_____	Setback from E.O.P. *1	_____
Front setback 2	_____	Setback from E.O.P. *2	_____
Rear setback	_____	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	_____	Shed area	_____
Garage height	_____	Shed height	_____
Number of garages (include attached garage if applicable)	_____	Setback from R.O.W.1	_____
Number of stories	_____	Setback from R.O.W.2	_____
		Setback from property line 1	_____
		Setback from property line 2	_____

14. Parking and Loading Requirements:

Number of parking spaces required: 15 Number of parking spaces provided: 16
 Number of loading spaces required: n/a 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

7/22/15

 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).

JULY 22 2015
Date

Signature

Print Name

Signature

Print Name

Sworn and Subscribed to before me this

JULY day of 22
2015 (Year).

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

Complete each of the following sections:

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

- No Yes

IF YES TO ANY OF THE ABOVE:

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

IF YES:

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

- No Yes

Signature of Applicant

Bernie Wilson
Print Name

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 _____, shows and discloses the premises in its entirety, described as Block _____ Lot _____ 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:

Michelle Lyn Tregger 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 JULY day of 22
2015 before the following authority.

Name of property owner or applicant

Notary public

MICHELE LYN TREGGER 4 of 4

ID # 2439109

NOTARY PUBLIC

STATE OF NEW JERSEY

My Commission Expires October 1, 2018

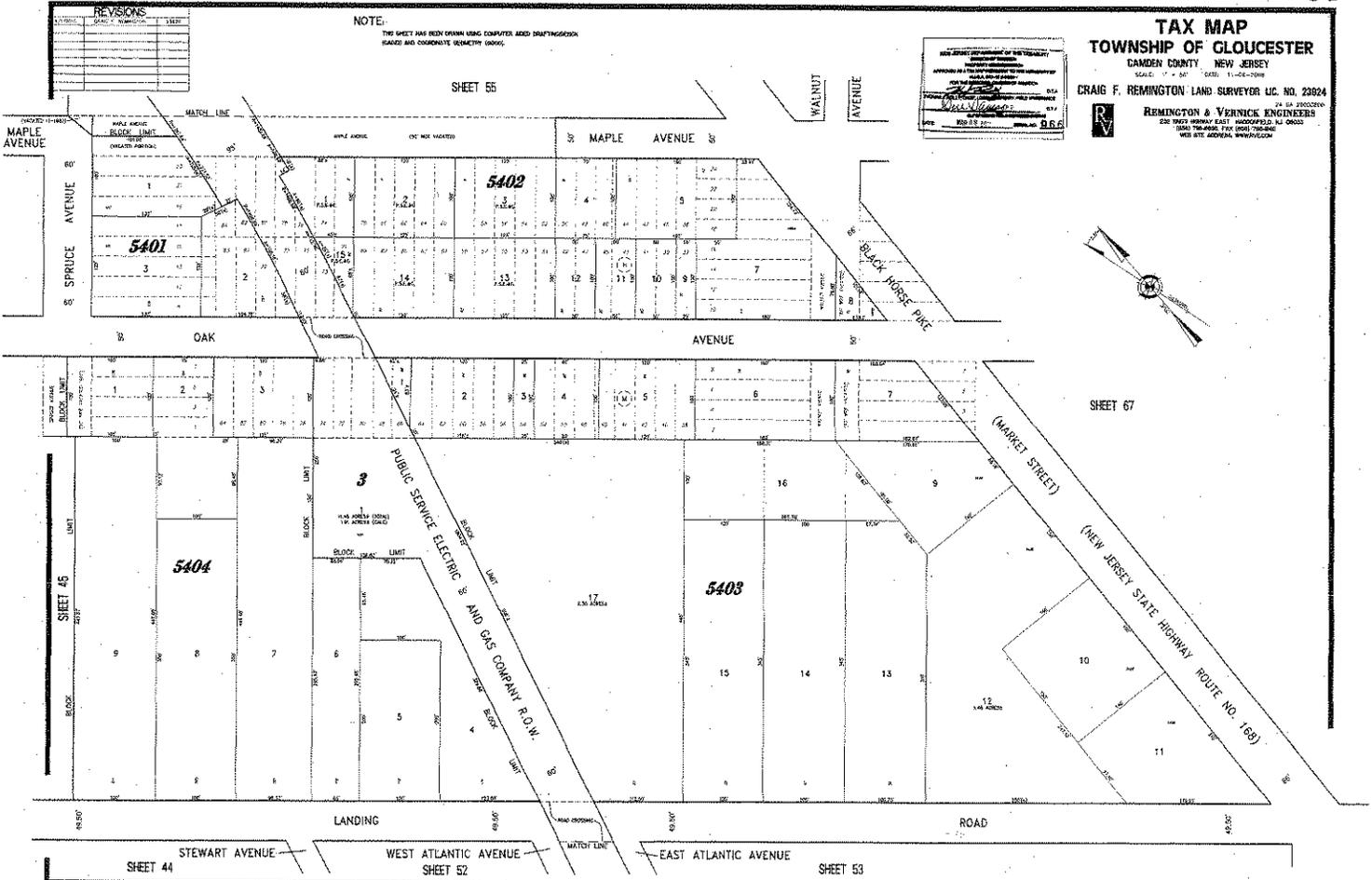
NO.	DATE	DESCRIPTION

NOTE:
THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/DESIGN
SOFTWARE AND COORDINATE GEOMETRY (CARTESIAN).

SHEET 55



TAX MAP
TOWNSHIP OF GLOUCESTER
CAMDEN COUNTY NEW JERSEY
SCALE: 1" = 50' DATE: 11-02-2009
CRAIG F. REMINGTON LAND SURVEYOR LIC. NO. 23824
REMINGTON & VERNICK ENGINEERS
230 PINE HURRAY EAST HADDONFIELD, NJ 08033
TEL: 856-788-4444 FAX: 856-788-5555
WEB SITE: ADDRESS: WWW.RVCO.COM



SHEET 67

SHEET 44

SHEET 52

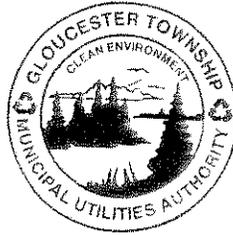
SHEET 53

Commissioners
RICHARD P. CALABRESE
Chairman

FRANK SIMIRIGLIA
Vice Chairman

Board Members

AMY TARVES
DORA M. GUEVARA
JOSEPH PILLO
DOROTHY BRADLEY
KEN GARBOWSKI



RAYMOND J. CARR
Executive Director

MARLENE HRYNIO
Administrative Secretary

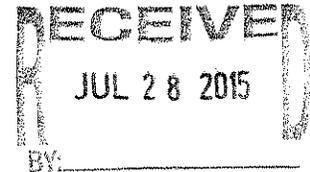
HOWARD C. LONG JR, ESQ.
Solicitor

THOMAS LEISSE, PE, CME
Consulting Engineer

**THE 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
July 28, 2015

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



Re: Application #152031CDSPWMS
Bernie Wilson
1000 Black Horse Pike, Blackwood, NJ 08012
Block 5403, Lot 11

Gentlemen:

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

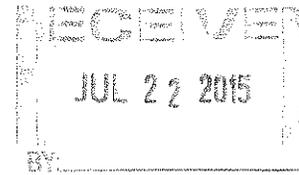
Should you have any further questions, please feel free to contact me.

Very truly yours,

**THE GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

Raymond J. Carr
Executive Director

RJC:mh



Township Of Gloucester
1261 Chews Landing -Clementon Rd., at Hider Lane
P. O. Box 8
Blackwood, New Jersey 08012
(856) 228-4000

TAXES PAID CERTIFICATION

***FORM MUST BE COMPLETED BY THE GLOUCESTER TWP. TAX OFFICE
AND RETURNED WITH COMPLETED APPLICATION**

DATE: 7/22/15
APPLICATION#: 152032CDSPWMS
APPLICANT: Bernie Wilson
PROPERTY LOCATION: 1414 N. Black Horse Pike
BLOCK(S): 5403 LOT(S): 11 QUALIFIER: _____

Our records indicate that the above referenced property is current with taxes and there are no outstanding liens.

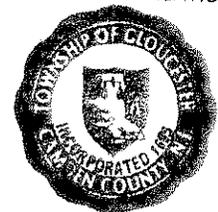
_____ Our records indicate the above property is delinquent on taxes (see attached).

_____ Our records indicate the above property has liens (see attached).

If you have any questions, please feel free to contact the Tax Office at 856-228-4000.


SANDRA L. FERGUSON
GLOUCESTER TWP. TAX COLLECTOR

OFFICIAL VERIFICATION



Tax Collector
Gloucester Township
Camden County

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: July 23, 2015

APPLICATION No. #152032CDSPWMS

APPLICANT: Bernie Wilson

PROJECT No. 9470

BLOCK(S): 5403 Lot(s): 11

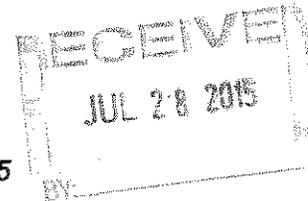
LOCATION: 1414 Black Horse Pike, Blackwood

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 - Minor Site Plan
- Revision to Prior Application



PURPOSE OF TRANSMITTAL:

- For Your Review. **Please Forward Report by August 1, 2015**
- 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

- Bulk C Variance Use "D" Variance Minor Site Plan

Signature

[Handwritten Signature]
Assessor
7/23/15

No issues. Will clean up vacant old gas station. Need to monitor town for his repairs only + not hold vehicles there, as per Zoning Resolution.



GLEN V. BIANCHINI
Council President

ORLANDO MERCADO
Council Vice President

Council Members
DAN HUTCHISON
FRANKLIN T. SCHMIDT
SAMUEL L. SILER
TRACEY TROTTO
MICHELLE L. WINTERS

TOWNSHIP OF GLOUCESTER

1261 Chews Landing-Clementon Rd., at Hider Lane
P.O. Box 8, Blackwood, New Jersey 08012

(856) 228-4000 • FAX: (856) 374-3527 (Clerk)
FAX: (856) 374-3528 (Finance)

DAVID MAYER
Mayor

THOMAS C. CARDIS
Business Administrator

DAVID F. CARLAMERE, ESQ.
Solicitor

ROSEMARY DIJOSIE
Township Clerk

August 04, 2015

Jack Plackter, Esq.
Fox Rothschild
Midtown Bldg., Ste. 400
1301 Atlantic Avenue
Atlantic City, NJ 08401

Re: #152041PMSFMS
1840 P. Cheeseman Road, LLC

Dear Mr. Plackter:

I am in receipt of your letter dated July 29, 2015 including a Land Development Application for an "A" type variance, namely, Appeal of Administrative Officer's Decision (the "Appeal"). It's my understanding what's in question is whether or not the above referenced application requires a use variance, which is the Township's position as clearly noted in our letter dated July 27, 2015. If so, the application must be heard by the Zoning Board of Adjustment, and, alternatively, if not, the application would be heard by the Planning Board.

The Appeal requires a filing fee in the amount of \$150.00 [\$100.00 filing fee + \$50.00 Publication of Decision] as per §901, Application and Escrow Fees of the Gloucester Township Land Development Ordinance.

In a different letter from you, also dated July 29, 2015, you request a special meeting of the Zoning Board of Adjustment. The filing fee for a Special Meeting is \$500.00 as per §901, Application and Escrow Fees of the Gloucester Township Land Development Ordinance. I will inquire with the Board on their availability to meet for a special meeting but this is predicated on the Council Room being available and a confirmed quorum.

However, the next scheduled meeting of the Zoning Board of Adjustment is August 26, 2015. At your earliest convenience please advise me if this meeting date is acceptable to you and upon receipt of the aforementioned \$150.00 filing fee I will place you on this agenda.

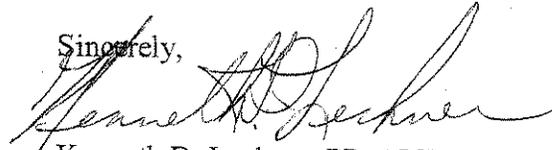
I included herein a copy of §901, Application and Escrow Fees of the Gloucester Township Land Development Ordinance.



I have copied the Planning Board and Zoning Board of Adjustment solicitors on your letters and this correspondence.

Should you have any questions do not hesitate to contact me.

Sincerely,



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

cc: Richard Wells, Planning Board Solicitor
Anthony Costa, Zoning Board of Adjustment Solicitor



Fox Rothschild LLP
ATTORNEYS AT LAW

Midtown Building, Suite 400
1301 Atlantic Avenue
Atlantic City, NJ 08401-7212
Tel 609.348.4515 Fax 609.348.6834
www.foxrothschild.com

JACK PLACKTER
Direct Dial: 609-572-2200
Email Address: JPlackter@FoxRothschild.com

July 29, 2015

VIA FEDEX

Gloucester Township Land Use Boards
Chews-Landing Clementon Road at Hider Lane
P.O. Box 8
Blackwood, NJ 08012

AUG 03 2015

Re: 1840 P. Cheeseman Road, LLC
Block 14003, Lot 13 (the "Property")

Dear Sir or Madam:

Our office represents 1840 P. Cheeseman Road, LLC in the above-captioned matter. On July 29, 2015 we filed an Appeal of Ken Lechner's decision of July 27, 2015. We hereby demand that you immediately schedule a special meeting of the Zoning Board of Adjustment to hear our Appeal.

The issue raised by Mr. Lechner's July 27, 2015 letter is frivolous and is directly contrary to the Interpretation of the Zoning Board of Adjustment that was memorialized on March 11, 2015. A treatment center, cyber café and gym are all integral parts of a Residential Treatment Facility, which was approved by the Board in its' March 11, 2015 Interpretation.

The Property is located within the Institutional District under the Gloucester Township Zoning Ordinance. The Institutional (IN) district is intended for governmental, educational, charitable, health care and religious uses presently existing within the municipality. Buildings within the IN district are often in a complex or campus form integrating residential, office, recreational, health care, houses of worship, and other ancillary uses with its primary function.

The Board ruled that the Residential Treatment Facility is a permitted use in the Institutional Zone. Gloucester Township and its constituent Land Use Boards are using politics, and unlawfully attempting to delay this matter until after the election.

All of the project components shown on the currently filed site plan application are an integral part of the Residential Treatment Facility and are a permitted use in the IN zone.

A Pennsylvania Limited Liability Partnership

California Colorado Connecticut Delaware District of Columbia
Florida Nevada New Jersey New York Pennsylvania



Fox Rothschild LLP
ATTORNEYS AT LAW

Gloucester Township Land Use Boards
Page 2

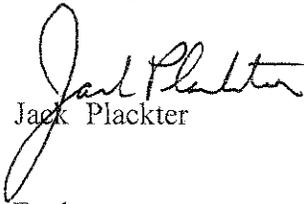
Our client is suffering damages that exceed several hundred thousand dollars per day as a result of the Township's wrongful conduct which, among other things, has included unreasonable delays and conscience-shocking conduct. Our client intends to hold Gloucester Township, its public officials and the Land Use Boards accountable for these damages.

Even more appalling is depriving protected individuals, those being individuals that desperately need treatment for addiction for alcohol, drugs and mental health disorders, from needed treatment. The Township, by depriving these individuals of this needed treatment should be prepared for the consequences of its actions if this protected class of individuals suffers any injury or harm.

Accordingly, we hereby demand that the Gloucester Township Land Use Boards immediately schedule this matter, our By-Right Site Plan and allow our client to immediately proceed with this important project.

This letter is written without prejudice to our client's rights in this matter, all of which are hereby reserved.

Very truly yours,



Jack Plackter

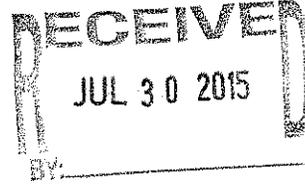
Encl.



Fox Rothschild LLP
ATTORNEYS AT LAW

Midtown Building, Suite 400
1301 Atlantic Avenue
Atlantic City, NJ 08401-7212
Tel 609.348.4515 Fax 609.348.6834
www.foxrothschild.com

JACK PLACKTER
Direct Dial: 609-572-2200
Email Address: JPlackter@Foxrothschild.com



July 29, 2015

VIA UPS NEXT DAY AIR

Gloucester Township Land Use Boards
Chews-Landing Clementon Road at Hider Lane
P.O. Box 8
Blackwood, NJ 08012

**Re: 1840 P. Cheeseman Road, LLC
Block 14003, Lot 13 (the "Property")
Land Development Application**

Dear Sir or Madam:

Our office represents 1840 P. Cheeseman Road, LLC in the above-captioned matter. Attached to this letter is an Application appealing the Administrative Officer's decision of July 27, 2015, which requires us to apply for a Use Variance in this matter.

1840 P. Cheeseman Road, LLC hereby demands that the Land Use Boards timely process 1840 P. Cheeseman Road, LLC's By-Right Site Plan Application dated July 15, 2015.

In addition, the purpose of this letter is to put the Township of Gloucester and its Land Use Boards on notice that it has irreparably damaged the Applicant in this matter. In reliance on the Zoning Interpretation of March 11, 2015, our client purchased and closed on the property. Since that time, the wrongful actions of the Township of Gloucester and its constituent Land Use Boards have caused 1840 P. Cheeseman Road, LLC irreparable harm and significant damages.

By way of example, but by no means by way of limitation, the wrongful actions of the Township of Gloucester and its Land Use Boards have been in direct violation of the Municipal Land Use Law, the Americans With Disabilities Act, the Rehabilitation Act and the Fair Housing Act. This wrongful conduct has cost 1840 P. Cheeseman Road, LLC: substantial damages, costs and expense in the use of its staff, professionals and outside consultants; has directly interfered with 1840 P. Cheeseman Road, LLC's distinct, investment-backed expectations; has wrongfully deprived potential protected users of the facility from obtaining needed treatment; is conscience-

A Pennsylvania Limited Liability Partnership

California Colorado Connecticut Delaware District of Columbia
Florida Nevada New Jersey New York Pennsylvania

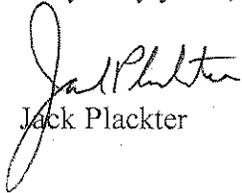
Gloucester Township Land Use Boards
July 29, 2015
Page 2

shocking and in direct disregard of the existing laws of the State of New Jersey and United States of America.

Our client intends to hold the Township of Gloucester and its constituent Land Use Boards and any responsible officials for this inappropriate, malicious and damaging conduct.

This letter is written without prejudice to our client's rights in this matter, all of which are hereby reserved.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jack Plackter". The signature is written in a cursive style with a large initial "J".

Jack Plackter

Encl.

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.: #152041A Taxes Paid Yes/No _____ (Initial)
 Fees \$150⁰⁰ Project # _____
 Planning Board Zoning Board of Adjustment
 Escr. _____ Escr.# _____

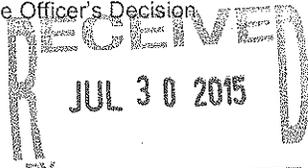
¹ Upon receipt of all fees, documents, plans, etc.

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>1840 P. Cheeseman Road, LLC</u> Address: <u>2701 Renaissance Boulevard - 4th Fl.</u> _____ City: <u>King of Prussia</u> State, Zip: <u>PA 19406</u> Phone: <u>(610) 992-5862</u> Fax: <u>(610) 337-5599</u> Email: <u>JOconnor@oneillproperties.com</u>	2. Owner(s) (List all Owners) Name(s): <u>Same as Applicant</u> _____ Address: _____ _____ City: _____ State, Zip: _____ Phone: <u>(610) _____</u> - _____ Fax: <u>(610) _____</u> - _____
---	--

3. Type of Application. Check as many as apply:

<input type="checkbox"/> Informal Review ² <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> Preliminary Major Subdivision ² <input type="checkbox"/> Final Major Subdivision <input type="checkbox"/> Minor Site Plan <input type="checkbox"/> Preliminary Major Site Plan ² <input type="checkbox"/> Final Major Site Plan <input type="checkbox"/> Conditional Use Approval ² <input type="checkbox"/> General Development Plan ²	<input type="checkbox"/> Planned Development ² <input type="checkbox"/> Interpretation ² <input checked="" type="checkbox"/> Appeal of Administrative Officer's Decision <input type="checkbox"/> Bulk "C" Variance ² <input type="checkbox"/> Use "D" Variance ² <input type="checkbox"/> Site Plan Waiver <input type="checkbox"/> Rezoning Request <input type="checkbox"/> Redevelopment Agreement <input type="checkbox"/> _____
---	---


 BY: _____

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	<u>(IN)</u>	M-RD	NVBP
<u>(R2)</u>	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>Jack Plackter, Esq.</u> Address: <u>1301 Atlantic Avenue, Suite 400</u> City: <u>Atlantic City</u>	Firm: <u>Fox Rothschild LLP, 1301 Atlantic Ave., Suite 400, Atlantic City, NJ 08401</u> State, Zip: <u>NJ 08401</u> Phone: <u>(609) 572-2200</u> Fax: <u>(609) 348-4515</u> Email: <u>jplackter@foxrothschild.com</u>
---	--

6. Name of Persons Preparing Plans and Reports:

Name: Theodore Wilkinson, PE - ARH
Address: 850 South White Horse Pike
Profession: Engineer
City: Hammonton
State, Zip: NJ 08036
Phone: (610) 561-0482 Fax: (610) 567-8909
Email: twilk@arh-us.com

Name: _____
Address: _____
Profession: _____
City: _____
State, Zip: _____
Phone: (610) - _____ Fax: (610) - _____
Email: _____

7. Location of Property:

Street Address: 1840 P. Cheeseman Road Block(s): 14003
Tract Area: 26.67 acres Lot(s): 13

8. Land Use:

Existing Land Use: Vacant Building - Former Retreat Center for Diocese of Camden
Proposed Land Use (Describe Application): Residential Substance Abuse Treatment Facility

9. Property:

Number of Existing Lots: One (1)
Number of Proposed Lots: One (1)
Proposed Form of Ownership:
 Fee Simple Cooperative
 Condominium Rental
Are there *existing* deed restrictions? No Yes **(If yes, attach copies)**
Are there *proposed* deed restrictions? No Yes

10. Utilities: (Check those that apply.)

Public Water Public Sewer Private Well Private Septic System

11. List of Application Submission Materials:

List all additional materials on an additional sheet.

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	100 ft.	Setback from E.O.P.*1	_____
Front setback 2	149 ft.	Setback from E.O.P.*2	_____
Rear setback	493 ft.	Fence type	_____
Side setback 1	100 ft.	Fence height	_____
Side setback 2	481 ft.	*E.O.P. = Edge Of Pavement.	_____
Lot frontage	1402 ft.	Pool Requirements	
Lot depth	921 ft.	Setback from R.O.W.1	_____
Lot area	+/- 27.9 ac	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	N/A	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:

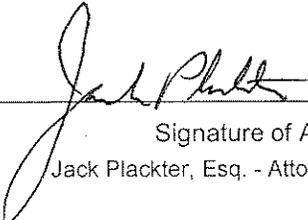
Number of parking spaces required: 97 spaces Number of parking spaces provided: 130 spaces
 Number of loading spaces required: 4.23 spaces Number of loading spaces provided: 1 space

15. Relief Requested: ** This is an appeal of the Administrative Officer's decision on July 27, 2015 for, among other things, the reasons set forth in our July 27, 2015 letter, attached hereto and made a part hereof as Exhibit "A".

- 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 Jack Plackter, Esq. - Attorney for 1840 P. Cheeseman Road, LLC	<u>7/29/15</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).**

_____	_____
Date	Signature
Sworn and Subscribed to before me this	_____
_____ day of _____,	Print Name
_____ (Year).	_____
	Signature

	Print Name

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

<p>Complete each of the following sections:</p> <p>A. Is this application to subdivide a parcel of land into six or more lots?</p> <p>B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?</p> <p>C. Is this application for approval on a site or sites for commercial purposes?</p> <p>D. Is the applicant a corporation?</p> <p>E. Is the applicant a limited liability corporation?</p> <p>F. Is the applicant a partnership?</p> <p>IF YES TO ANY OF THE ABOVE:</p> <p>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).</p> <p>2. Does a corporation or partnership own 10 percent or more of the stock in this corporation or partnership? ** See Disclosure Statement, attached as Exhibit "B".</p> <p>IF YES:</p> <p>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).</p>	<table border="0"> <tr><td><input checked="" type="checkbox"/> No</td><td><input type="checkbox"/> Yes</td></tr> <tr><td><input checked="" type="checkbox"/> No</td><td><input type="checkbox"/> Yes</td></tr> <tr><td><input checked="" type="checkbox"/> No</td><td><input type="checkbox"/> Yes</td></tr> <tr><td><input type="checkbox"/> No</td><td><input checked="" type="checkbox"/> Yes</td></tr> <tr><td><input checked="" type="checkbox"/> No</td><td><input type="checkbox"/> Yes</td></tr> <tr><td><input type="checkbox"/> No</td><td><input type="checkbox"/> Yes</td></tr> <tr><td colspan="2"> </td></tr> <tr><td><input type="checkbox"/> No</td><td><input type="checkbox"/> Yes</td></tr> </table>	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes			<input type="checkbox"/> No	<input type="checkbox"/> Yes
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_____	_____																
Signature of Applicant	Date																

Print Name																	

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 _____, shows and discloses the premises in its entirety, described as Block _____ Lot _____; 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.

<p>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.</p>	<p>Sworn and subscribed to On this _____ day of _____, 20____ before the following authority.</p>
_____	_____
Name of property owner or applicant	Notary public

EXHIBIT “A”



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July 27, 2015

**VIA FACSIMILE [856-374-3527]
VIA UPS NEXT DAY AIR**

Kenneth D. Lechner, PP, AICP
Director of Community Development
Township of Gloucester
1261 Chews Landing-Clementon Rd
P.O. Box 8
Blackwood, NJ 08012

**Re: 1840 P. Cheeseman Road, LLC – Preliminary and Final Major Site Plan
Application for a Residential Treatment Facility
Block 14003, Lot 13
Recovery Centers of America**

Mr. Lechner:

Our office is counsel to 1840 P. Cheeseman Road, LLC. On July 15, 2015, Theodore Wilkinson, PE filed a Major Site Plan Application (the "Application") for a residential treatment center that includes the expansion of an existing 31,548 sq. ft. building to include three building additions, plus 6 new buildings for use as residential treatment centers, a new parking lot, relocated entrance driveway and storm collection system (the "Development").

Upon receipt of the Application, you had some conversations with Mr. Wilkinson and a subsequent conversation with the undersigned. In that conversation, you questioned whether the Applicant should return to the Zoning Board of Adjustment for an interpretation. You questioned whether an additional interpretation was necessary because the Zoning Board of Adjustment did not have the site plan before them when they issued the March 15, 2015 Interpretation that, among other things, approved a residential treatment that included detox services, residential inpatient treatment and outpatient treatment, treating addiction for alcohol,

A Pennsylvania Limited Liability Partnership

California Colorado Connecticut Delaware District of Columbia Florida
Illinois Nevada New Jersey New York Pennsylvania Texas



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ATTORNEYS AT LAW

Kenneth D. Lechner, PP, AICP

July 27, 2015

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drugs and mental health disorders (the "Interpretation"). A copy of the Interpretation is attached hereto as Exhibit "A".

The Interpretation decided whether the Development and the uses identified at the hearing were permitted uses in the Institutional Zone. The Interpretation found that the Development was permitted in the IN Zone.

No site plan or improvement plan was presented to the Board of Adjustment. This was unnecessary, as no site plan approval was sought, only an Interpretation as to whether a Residential Treatment Facility is a permitted use in the IN Zone. The July 15, 2015 Application is a site plan, which shows and demonstrates how the permitted use and the Development is to be implemented in compliance with the bulk requirements of the Gloucester Township Ordinance.

The Applicant does not seek an interpretation under N.J.S.A. 40:55D-70(b) that provides that: "The Zoning Board of Adjustment shall have the power to . . . (b) hear and decide requests for an interpretation of the zoning map or ordinance or for decisions upon other special questions upon which such Board is authorized to pass by any zoning or official map ordinance, in accordance with this Act."

1840 P. Cheeseman Road, LLC does not request an interpretation and the Gloucester Township land use boards are bound by the Interpretation issued by the Zoning Board of Adjustment. The purpose of the Application filed on July 15, 2015 is to obtain preliminary and final major site plan approval for a residential treatment facility. The Applicant asserts that the Residential Treatment Facility is in compliance with the permitted uses in the Institutional Zone, as set forth in the Interpretation.

In addition, you have raised questions about the number of buildings. Those six (6) additional buildings are an integral part of the residential treatment facility and serve as inpatient treatment, as will be testified to and demonstrated at the hearing and, accordingly, are consistent with the Interpretation. The number of buildings was never restricted in connection with the Interpretation because that is a site plan element.

At the hearing, as set forth on the Plan, the Applicant will demonstrate that the buildings on the property meet the bulk requirements as contained in the Gloucester Township Zoning Ordinance. This is the purpose of a Site Plan hearing.

You have suggested that this matter should go before the Zoning Board of Adjustment.



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While I repeat, we are not seeking an Interpretation, we have no objection to having the Zoning Board of Adjustment hear our Preliminary And Final Major Site Plan Application. In the alternative, we will be happy to prosecute the Application before the Planning Board.

We request that you process this Application as soon as practicable, and put us on the next available Agenda for a public hearing.

Finally, you have suggested that this matter may be *res judicata* as a result of the recent Planning Board denial of the 37-bed Minor Site Plan Application. While we reserve all rights with respect to that Application, we assert that *res judicata* does not apply to this Application. For *res judicata* to apply, the following elements are required:

1. The second application is substantially similar to the first;
2. The same parties, or their privies, are involved;
3. There must be no substantial change in the application itself or the conditions surrounding the property;
4. There must have been an adjudication on the merits in the first case; and
5. Both applications must involve the same cause of action.

In the instant matter, *res judicata* does not apply because the instant Preliminary and Major Site Plan Application does not meet three of the five required elements. First, the second application is not substantially similar to the first – the first application was a Minor Site Plan Approval for an interior renovation of the existing building on the site, creating a 37-bed residential treatment facility.

The second application is for Major Site Plan Approval to expand the existing building to include three building additions, plus six additional new buildings for use as a residential treatment facility. The second application contains a greater number of patient beds and increased parking. There is a substantial change in the application because the major site plan is depicting the development of the entire residential treatment facility, not just interior renovations.

Finally, the second application is a different application. The first application was for Minor Site Plan Approval, whereas this application is for preliminary and final major site plan approval.

Accordingly, *res judicata* does not apply.



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Kenneth D. Lechner, PP, AICP

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Should you have any questions, do not hesitate to contact the undersigned. This letter is written without prejudice to our client's rights in this matter, all of which are hereby reserved.

Very truly yours,

A handwritten signature in cursive script that reads "Jack Plackter".

Jack Plackter

JP:kg

EXHIBIT “B”

1840 P. CHEESEMAN ROAD, LLC
A Delaware limited liability company

JULY, 2015

DISCLOSURE STATEMENT

LISTS OF NAMES AND ADDRESSES OF STOCKHOLDERS
OR INDIVIDUALS OWNING 10% OF THE CORPORATION
STOCK OR 10% INTEREST IN THE PARTNERSHIP
(N.J.S.A. 40:55D-48.1 AND 48.2)

The following entity is the owner of 100% of the beneficial interests in **1840 P. Cheeseman Road, LLC**, a Delaware limited liability company, with an address at 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406:

TRE-RE, LLC.
A Delaware limited liability company
2701 Renaissance Boulevard
4th Floor
King of Prussia, PA 19406

The sole shareholder and 100% owner of TRE-RE, LLC is:

Recovery Center of America Holdings, LLC,
A Delaware limited liability company
2701 Renaissance Boulevard
4th Floor
King of Prussia, PA 19406

The sole shareholder and 100% owner of Recovery Center of America Holdings, LLC is:

Recovery, LLC,
A Delaware limited liability company
2701 Renaissance Boulevard
4th Floor
King of Prussia, PA 19406

The following individual owns a greater than 10% interest in Recovery, LLC.:

J. Brian O'Neill, an individual
2701 Renaissance Boulevard
4th Floor
King of Prussia, PA 19406