

**Township of Gloucester
Zoning Board of Adjustment
Thursday, November 8, 2012
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 - *Thursday, October 25, 2012*

RESOLUTIONS FOR MEMORIALIZATION

#122046D
James Milazzo

Use "D" Variance
Block: 19101 Lot: 8

#122049D
Ville 2, LLC

Use D Variance
Block: 18501 Lot: 2/11

APPLICATIONS FOR REVIEW

#122052D
Garden Develop c/o Paparone Homes
Zoned: OF

Use D Variance
Block: 18103 Lot: 7.01
Location: 810 New Brooklyn Road

Seeking approval for Use Variance for "one or a combination" of various permitted uses of the NC within the OF.

Meeting Adjourned

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
THURSDAY, OCTOBER 25, 2012**

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

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

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

MINUTES FOR ADOPTION

Zoning Board Minutes for September 27, 2012.

Motion to approve the above-mentioned minutes was made by Mr. McMullin and seconded by Mrs. Giusti.

Roll Call:

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

Minutes approved.

RESOLUTIONS FOR MEMORIALIZATION

September 13, 2012

#122034C
Joseph R. Pomianek
Bulk C
Block: 2906 Lot: 11

#122040C
Patricia Ulrich
Bulk C
Block: 4703 Lot: 6

#122041C
Jacqueline & Stephen Ortiz
Bulk C
Block: 9901 Lot: 50

#122042C
Victoria & Dominic DeVone
Bulk C
Block: 16406 Lot: 5

#122045C
Anthony Trombetta
Bulk C
Block: 15402 Lot: 7

#122043C
Michael J. Cyliax
Bulk C
Block: 9201 Lot: 10

#102006CPFSS Amended
Revere Housing Assoc., LLC
Bulk C, PMSP, PMSB, FMSP, FMSB
Block: 14102 Lot: 17

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

Roll Call:

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

Resolutions Approved.

September 27, 2012

#122036C
Eric D. Githens
Bulk C & Minor Site Plan
Block: 16301 Lot: 5

#122044C
Musa K. Mayyan
Bulk C
Block: 1902 Lot: 16-17-18

#122047C
Mary Migliaccio
Bulk C
Block: 17802 Lot: 7

#122048C
Robert & Penny Melaragni
Bulk C
Block: 13701 Lot: 12

#122050C
Eddie & Annette Jones
Bulk C
Block: 13605 Lot: 5

#122051CDSPW
Robert Belins
Bulk C/Use D Variance/Site Plan
Waiver
Block: 1207 Lot: 10

A motion to approve the above mentioned resolutions was made by Mr. McMullin and seconded by Mr. Scarduzio.

Roll Call:

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

Resolutions Approved.

APPLICATIONS FOR REVIEW

#122046D
James Milazzo
Zoned: NC
Use "D" Variance
Block: 19101 Lot: 8
Location: 310 S. Black Horse Pike, Blackwood
Residential Apt. over existing commercial space

Mr. Costa swears in Mr. James Milazzo and Mr. Norman Rogers (PE).

Mr. Rogers give the board pictures of similar uses (residential over commercial business) of other properties up and down the Black Horse Pike. Mr. Rogers also give an overview of the property, size, location, previous site waiver approval (2008 neighborhood commercial).

Mr. Milazzo explains his reasoning for the apartment request. He has lived in the area for more than 30 years and would like to stay in the same area. He currently lives in a large home across the street and would like to downsize to the new apartment, if it is approved by the board.

Mr. Rogers explains the apartment access will be in the rear of the building. All of the construction will be on the east side of the building. The roof line will modified to achieve a better roof height and will match the current building in color and materials. Mr. Rogers also reviews the aerial view of the property and addresses the parking spaces and parking variances from the previous approval. The applicant is willing to stripe all the parking spaces even though there is not a big demand. There is 27 ft. next to the building for access. Mr. Rogers states the applicant will be replacing some commercial use with residential use thus the parking spaces should be a wash. Mr. Rogers states the map identifies 10 other locations that have the same common residential/commercial uses. The use is consistent with the surrounding neighborhood and the design of the building will be consistent while enhancing the neighborhood. Mr. Rogers sees no negative criteria.

Vice Chairman Simiriglia questions the applicant if the commercial space will actually be reduced because they are converting existing space or are they building new space.

Mr. Milazzo states the office on the second story will become his apartment. But, they will have to raise the roof and it will match the existing building with brick and stucco.

Mr. Treger asks the applicant if the only access to the apartment will be in the rear of the building.

Mr. Milazzo states "yes".

Mr. Treger asks Mr. Milazzo if there will be a dormer and which side of the roof will it be located.

Mr. Milazzo states: Yes, there will be a dormer on the left side.

Mr. Mellett states questions the applicant about the fact that the parking lot will go from 34 to 36 parking spaces, and the condition of the current asphalt.

Mr. Rogers states the current parking lot is stone and asphalt.

Mr. Mellett asks Mr. Rogers if the current parking lot is 1/3 stone and the rest is asphalt.

Mr. Rogers states there are wheel stops along the fence line where the crushed stone is located.

Mr. Mellett states they should clean up all the asphalt if they are going to consider it parking.

Mr. Mellett questions the applicant about the absence of handicap parking.

Mr. Milazzo states the buildings were built in the 40's when handicap parking wasn't an issue.

Mr. Rogers states there is plenty of area for handicap parking.

Mr. Mellett states he will leave the decision of where to put the handicap parking up to the building inspector. Mr. Mellett tells the applicant there is currently an advertising sign in the site triangle.

Mr. Milazzo states the sign can be removed now, it was for the tailor from down the street.

Mr. Mellett questions the Mr. Rogers about adequate rear lighting in the parking lot for the back spaces.

Mr. Rogers states if there is a need to increase wattage or voltage it will be done.

Mr. Lechner asks the applicant if the rear parking lot is used by both customers and office people adequate.

Mr. Milazzo states: "Yes, it is adequate."

Mr. Lechner discusses land use, handicap parking, new construction of building going up only and less than 35 feet in height, along w/all previously approved setback variances from 2008 are being followed.

PUBLIC PORTION:

Mr. Costa swears in Mr. Dennis Smith, owner of Niagra Pools next door.

Mr. Smith states parking is an issue along w/ 90% impervious cover of the property with the parking lot. Mr. Smith thought parking between the buildings wasn't supposed to be permitted. He is worried someone else will live in the apartment besides the owner and then the parking lot becomes a "backyard" to a tenant, especially if there are children. Mr. Smith states there drainage between the buildings that isn't good. Also; it is a heavily used facility and permitting this use won't make it any better. Across the street is a mess and it is a residential/commercial combination too.

Mr. Milazzo doesn't see the big issue with parking. His residents were too lazy to park out back instead they parked in front of Mr. Smith's business. Mr. Milazzo spoke to his residents and the issue was remedied within a month. Mr. Milazzo states Mr. Smith uses his back lot as a staging area every morning and he doesn't have a problem with that.

Mr. Rogers (Mr. Milazzo's engineer) states the wheel stops don't occupy all the spaces in the back. He thinks proper identification of each spot would help. The applicant is willing to add more wheel stops.

Mr. Lechner and Mr. Rogers discuss minimum lot size requirements along w/ frontage and depth requirements.

Vice Chairman Simiriglia asks Mr. Costa if the board could limit the apartment resident to be owner occupied exclusively.

Mr. Costa states "yes".

A motion to approve the above mentioned application with the following conditions: no parking in the drive aisle & no parking signs must be installed on side of building, additional wheel stops, stripe and fix asphalt, fix lighting in rear, was made by Vice Chairman Simiriglia and seconded by Mr. Bucceroni.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. McMullin	Yes
Mrs. Giusti	Yes
Mr. Acevedo	Yes
Chairman Richards	Yes

Application Approved.

#122052D

Garden Develop c/o Paparone Homes

Zoned: OF

Use D Variance

Block: 18103 Lot: 7.01

Location: 810 New Brooklyn Rd.

Seeking approval for Use Variance for "on or a combination" of various permitted uses of the NC within the OF.

****The above application will be postponed until the November 8, 2012 Zoning Board of Adjustment meeting. No re-advertisement will be necessary.**

#122049D

Ville 2, LLC

Zoned: BP & SCR-HC Overlay

Use D Variance

Block: 18501 Lot: 2/11

Location: 1035 Sicklerville Rd., Sicklerville

Residential component of integrated commercial/retail/residential project proposing a 176 townhouses & 1 open space lot with basin for drainage on 25.32 acres, waiver of on-site community recreation.

Mr. Costa swears in Mr. Kevin Somerville (Ryan Homes), Robert Mintz (esquire), Harvey Sternberg (applicant), Leah Furey Bruder (planner), Steven Bach (planner), and Deanna Drumm (traffic PE).

Mr. Mintz give the board an overview of the property , paths, overlay zone, senior housing debate, previous approvals, commercial plans, ratable feasibility, request to remove 55 & over, age restriction. Mr. Mintz uses

Broadacres Village in Gloucester Township as an example of 55 & over not being feasible any longer.

Mr. Bach (planner) gives an overview:

A1 – color aerial conceptual plan with location, behind Cross Keys Shoppes.

A2 – conceptual plan – color rendered

-informs the board of improvements/traffic lights/amount of townhouses in area.

A3 – concept 2 - 3 parking spaces per unit, this concept addresses 2 to 4 parking spaces, depth, frontage, side variances will be eliminated, storm water addressed. The green area will be in the middle of the development and is about 1 acre in size.

- 3 buildings w/ 4 units
- 4 buildings w/ 5 units
- 24 buildings w/ 6 units
- RSIS explanation
- 25ft buffer around the entire property
- Wetlands line will stay wooded

****10 Minute Break*****

--- Mr. Treger will sit in for Chairman Richards who left at the break. ----

Roll Call:

Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mr. McMullin	Present
Mrs. Giusti	Present
Mr. Acevedo	Present
Mr. Treger	Present
Chairman Simiriglia	Present
Mr. Costa	Present
Mr. Lechner	Present
Mr. Mellett	Present

Mr. Bach continues:

A4 – rendering and building elevation

- HOA will maintain front yards, backyards, and open space
- Relief of density restriction (5 units per acre)
- Street- scaping
- Handicap walks
- Belgium block curbs
- Benches in “green area”

- Pedestrian path w/lights into Cross Keys Shoppes.

Mr. Sternberg (developer) – states he will stay involved with the development. He promises to keep the high standards, landscaping, and make these townhouses a show case development.

- He will like to keep his good relationship with Gloucester Township.
- Aesthetics are important and should be taken as a whole
- Ryan Homes will build all the homes, they won't be contracted out or sold to another developer.
- They have been making significant improvements in the area such as: installing a water line under the AC Expressway and pump station, along with being involved in the Cross Keys bridge expansion.
- The use and density variances are needed with the price point to make it all work.

Mr. Somerville (Ryan Homes) states:

- The house inventory in Camden County & Gloucester Township is stagnant and has aged.
- There is a significant reduction in energy needs in newer homes.
 - Prices will be: \$179,000 – \$189,000 (1300 sq. ft.)
\$199,000 and up (1700 sq. ft.)
\$209,000 and up (2200 sq. ft.)
- Exceptional highway access, Rt. 42, AC Expressway
- Reduction of housing inventory in recent years.

A5 – A6 Landscape Plans

A7 traffic conceptual improvement plan:

Ms. Deanna Drumm explains ingress and egress of Sicklerville Rd. with a signal.

Ms. Deanna Drumm explains A7

- Widen Sicklerville Rd. with a signal, shoulder and left turn lane
- Compared traffic from 176 townhomes to senior housing traffic, mostly peak hour traffic.
- Peak hour traffic will increase 20 to 30 more trips vs. senior housing.
- Age restricted vs. senior housing traffic impact was not substantial as it will increase volume about 20 vehicles per hour.
- The traffic signal will lead to a more stable traffic condition.
- Existing right of way is fine or on property.

Mr. McMullin asks how long it will take to get the approval of the signal on Sicklerville Rd.

Ms. Drumm states the board could make that part of the application approval.

Mr. Bach suggests the traffic light application and site plan approval is simultaneous.

Ms. Leah Furey Bruder (PP, AICP):

D5 - density variance

D1 – use variance

- Positive criteria: the plan will expand the master plan for the township.
- Explanation of municipal land use laws
- Zoning overlay
- Off street parking
- Shoppes of Cross Keys built with the Cross Keys Village in mind.
- Buffering between the new developments and existing development.
- Over supply of active adult housing (55 & over).
- Since 2005 the housing market changed significantly and maybe permanently.
- Reminds the board of the Conversion Law that permits 55 & over housing to market housing. Because the current zoning has stopped development of the site.
- Economic changes have to be taken into consideration.
- Access to Cross Keys Shoppes through a pedestrian path.
- Commercial existing along Sicklerville Rd.
- Students added to school system (using Rutgers model) will be approximately 43 for grades K – 12. Using the Valleybrook development as an example: there are 1,076 homes and 134 students go to the local schools. Thus, maybe there will be only 22 new students from the Cross Keys Village using the Valleybrook as a model.
- Enrollment in schools is dropping in general.

Mr. Mintz states the 55 & over housing isn't going to be a good investment since the baby boomer generation isn't followed by a larger aging group.

Mr. Lechner reminds the board of the "Developers Agreement". This agreement requires the town council approval as a requirement. Thus the Zoning Board approval is conditioned upon council approval.

Mr. Mellett talks about the alternative concept plan.

Mr. Bach states the alternative plan increases parking from 519 spaces to 547spaces.

Mr. Mellett states the light on Sicklerville Rd. isn't a done deal. "What if" it doesn't get approved by Camden County?

Mr. Bach states the traffic signal won't be installed only if a "higher approval" says there is not enough new volume to add the light.

Mr. Mintz states the developer wants the light (traffic signal) and will pay for the light (traffic signal).

Mr. Bach states the maintenance of the water basin will be done by the HOA.

Vice Chairman Simiriglia asks Mr. Bach if the original concept is off the board. Are they ready to move forward with the second concept?

Mr. Bach states the second concept is only an exhibit and can be adjusted by the town professionals.

PUBLIC PORTION:

Mr. Costa swears in Mr. Brian Voigt – 50 Huckleberry Ave.

Mr. Costa explains council approval of the above application.

Mr. Lechner explains the SCR zone and developers agreement to Mr. Voigt.

Mr. Voigt states the noise level will be higher when the trees are removed for the development. Mr. Voigt has a decibel level discussion with Mr. Bach. They discuss readings and where the tests were conducted on the property.

Mr. Bach explains to Mr. Voigt that the readings cannot be more than .65 decibels.

Mr. Voigt states there will be no basketball or soccer sites except in Mulberry Station. Mr. Voigt also questions the added students figure and thinks it's too low and also discusses the need for additional firefighters and police with this added development.

Vice Chairman Simiriglia explains the town designs growth and all responsibilities that go with that growth will be assumed by the town.

Mr. Voigt asks where exactly this new left turn lane will be located.

Mr. Bach states all the lanes will be on the county right of way and not on private property.

Mr. Voigt and Mr. Bach discuss the traffic light and the increase of 20 cars per hour.

Mr. Costa swears in Ms. Juanita Hawkins:

Ms. Hawkins discusses lights and how they aren't synchronized, thus she's worried about her ability to get in and out of her development.

Mr. Costa swears in Mr. Lenny Frederick 9 Mulberry Station:

Mr. Frederick states that Sicklerville Rd. backs up at 7am so he's worried about those extra 20 cars. He's also worried about the prices of these new townhomes vs. his home. He's afraid they will drive the price of his home down. Other points made by Mr. Frederick: schools population will be going up, thus the taxes will be going up, accidents on Sicklerville Rd. will be going up, worried about only one road to get in and out of this new development.

Mr. Bucceroni explains to Mr. Frederick that the Zoning Board of Adjustment cannot take the schools into consideration when making a zoning decision.

Mr. Bach explains the driveway into Cross Keys Village will be double wide, 4 lanes. That way an emergency vehicle can always use the exit as and entrance or vice versa.

Mr. Costa swears in Mr. Ron Kurczewski:

Mr. Kurcaewski states he stands on the corner waiting for the school bus with his 6th grader and there are 22 kids on that corner. Also: the development did a survey recently and discovered that 75% of the people using the basketball courts don't live in their development. They have developed a drug presence in that basketball area and it is now being remedied. He disagrees with the decibel count because he has a reading of .82 in the summer when the AC expressway is busy. Because of this he is requesting a sound barrier. His house has recently dropped 63,000 dollars in value. He also disagrees with the school count and sights his daughters' classes being overcrowded. Mr. Kurczewski goes to council meetings and sights 5 xs's the accidents on Sicklerville Rd.. He is against the low price of the new townhomes, in his opinion they are low income housing.

Mr. Costa swears in Mr. William Stewart, Hampton Rd., and Ms. Maryann Breslin, Sicklerville Rd:

Both are concerned about what will happen with a traffic light, Bryces Ct, and cars coming in and out onto Sicklerville Rd. Ms. Breslin's home is 13ft. off the road and is worried about more accidents so close to her home.

Mr. Costa swears in Mr. Robert Hock: Mr. Hock states he has problems with vandalism and drug addicts. He's worried they (Mulberry Station) will become a throughway. Also worried about the extra traffic and opposes the light, he thinks it will make his exiting worse.

Mr. Costa swears in Mr. John Zorzi 19 Mulberry Station: He was able to purchase his house cheaper recently. He thinks the new homes are too cheap and will attract low income housing. He believes it would be better to keep it 55 and over housing.

Mr. Costa swears in Mr. Fred Good 5 Mulberry Station: He feels 7 units per acre is wrong and too high. Also, that kids going to private schools aren't included in the school counts. He points out that the board can disagree and vote the application down.

Mr. Costa swears in Ms. Gloria Lane 957 Sicklerville Rd. and Mr. James Spaulding 112 Aberdeen: Their main concern is traffic and everyone trying to get onto Sicklerville Rd. at the same time. They feel the density is too high for the new townhomes and doesn't think "making the numbers work" should be a reason to up the density.

Mr. Costa explains the board cannot consider whether or not they will make money as part of their decision.

Mr. Voigt returns: He states the schools may not be maxed out but they have crowded classrooms and need more teachers.

Mr. Bucceroni explains the zoning board cannot take the schools into consideration when making a zoning decision.

Mr. Voigt also considers these townhomes low income.

Mr. Costa swears in Ms. Lori DiMartinez who wants to know if any of the developers live in town.

Mr. Fred Good still believes that one road is not enough access for the development.

Mr. Mintz (esq.) states since the economy has changed 55 and over just isn't viable anymore.

Mr. Mellett states the traffic report was an incremental analysis which compares the traffic impact of changing from a senior citizen development to market rate housing. They will be required to do a full traffic study addressing the impact of the overall project should the Board approve the Use Variance.

Mr. Lechner explains senior citizen residential (55 & over) developers can't finish their projects and the projects have been abandoned by the developers.

A motion to deny density increase was made by Mr. Bucceroni and seconded by Mr. McMullin.

Roll Call:

Mr. Bucceroni	Yes to deny
Mr. Scarduzio	Yes to deny
Mr. McMullin	Yes to deny
Mrs. Giusti	Yes to deny
Mr. Acevedo	Yes to deny
Mr. Treger	Yes to deny
Chairman Simiriglia	No to deny

Density denied.

A motion to approve the use variance (remove age restriction) was made by Mr. Bucceroni and seconded by Mr. McMullin.

Roll Call:

Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. McMullin	Yes
Mrs. Giusti	Yes
Mr. Acevedo	No
Mr. Treger	No
Chairman Simiriglia	Yes

Use Variance Approved (age restriction removed)

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

Respectfully Submitted, Jean Gomez, Recording Secretary.

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION # 122046D

JAMES MILAZZO

Block 19101, Lot 8

WHEREAS, James Milazzo, is the record owner of the property located at 310 Black Horse Pike in the Blackwood section of the Township of Gloucester, New Jersey having made application to the Zoning Board of Adjustment of the Township of Gloucester, Camden County, for a "Use" variance to allow an apartment on the 2nd floor of his commercial building for the property located upon Block 19101, Lot 8, as shown on the Official Map of the Township of Gloucester, located in a NC Zone, said application being presented pro-se; and

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

1. The applicant, James Milazzo, is the record owner of the property located at 310 So. Black Horse Pike, in the Blackwood section of Gloucester Township, New Jersey, as shown on Block 19101, Lot 8, on the Official Tax Map of the Township of Gloucester, located in a NC 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 James Milazzo testified that he is a 30 year resident of Gloucester Township, that he currently lives across the street from the property. He indicated that he wished to have the two bedroom apartment for his own use and that in 2008 the Planning Board granted him an addition of 2700 square feet for the 2nd floor commercial use. He indicated he would be reducing the commercial use for the apartment.

Norman Rodgers, a Professional Engineer, introduced into evidence (A1) a tax map; (A2) an aerial photo; (A3) a photography of the existing building; (A4) other uses in the area; and (A5) a building elevation. Mr. Rodgers, stated that the existing stairway in the back would be used for access. He went on to say that the spot has approximately 34 spaces and there would be no problem with parking. He indicated that the purpose of the Zoning would be advanced by promoting population density and would be consistent with other uses in the area. He also indicated this would present a desirable visual environment and the applicant agreed with Ken Lechner's letter of 8-22-2012 and also the Board Engineer's letter of 8-27-2012.

After discussion with the Board as a condition of approval, the applicant agreed to clean up and fix the asphalt, stripe the parking and put wheel stops, fix the lighting, agreed that there would be no parking in the drive aisle, and would post no parking signs on the side of the building.

5. Ken Smith, owner of the Niagara Pools adjacent to the property spoke in opposition. He indicated that the tenants use his lot for parking. Mr. Milazzo stated that he has talked to the tenants and this problem has been corrected. Mr. Milazzo also agreed as a condition of approval that he would be the only one who would live in the apartment.

UPON MOTION duly made and seconded to grant the applicant a variance to allow part of the 2nd floor to be used for a two bedroom apartment, the Board voted seven (7) in favor, zero (0) against and zero (0) abstentions, thus granting the relief requested; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Gloucester on this 25th Day of October, 2012 that the applicant James Milazzo, is hereby granted the aforesaid variance for the property located upon, Block 19101, 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 and made a part hereof and conditioned upon the applicant posting no parking signs in the derive aisle and no parking signs on the building, additional wheel stops, stripping and fixing the asphalt, and fix the lighting in the rear, and further conditioned upon the applicant residing on the property.

ROLL CALL:

LIST NAMES

Frank Simiriglia	Yes
Kevin Bucceroni	Yes
Carmen Scarduzio	Yes
Jay McMullin	Yes
Phyllis Giusti	Yes
Michael Acevedo	Yes
Robert Richards	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Robert Richards

Chairperson

I, Ken Lechner, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on 8th Day of November, 2012.

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 # 122049D

VILLE 2, LLC

Block 18501, Lot 2/11

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

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

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

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

3. All property taxes were paid to date.

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

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

Introduced into evidence were the following;

A1- aerial conceptual plan.

A2- conceptual plan for 176 units.

A3- a second conceptual plan

A4- a Townhouse rendering.

A5- a landscape plan.

A6- a landscape plan

A7 -an approval plan for the traffic light.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ROLL CALL:

AS TO THE USE VARIANCE DENSITY

LIST NAMES

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

AS TO THE REMOVAL OF SENIOR CITIZEN RESTRICTION

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

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Frank Simiriglia **Chairperson**

I, Ken Lechner, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on 8th Day of November, 2012.

Ken Lechner, Secretary

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

CHURCHILL
Consulting Engineers
A Professional Corporation

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

October 22, 2012

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

Re: Garden Develop c/o Paparone Homes
Use Variance
Block 18103, Lot 7.01
810 New Brooklyn Road
Gloucester Township, Camden County, NJ
Gloucester File No. 122052D
Our File No. GX12012-ME

Dear Mr. Lechner:

We have received the following information for the referenced project:

- A. Copy of Township of Gloucester Zoning Board Transmittal;
- B. Copy of a Township of Gloucester Tax Map Sheet No. 108;
- C. Copy of a completed Township of Gloucester Land Development Application for the referenced project;
- D. A plan entitled "Concept Plan for Use Variance," prepared by Land Dimensions Engineering, dated July 2012.

We offer the following comments with regard to the above information:

I. Project Description

1. The project site is located at the intersection of New Brooklyn-Blackwood Road (C.R. 706) and Cross Keys Road (C.R. 689).
2. The site is known as Block 18103, Lot 7.01 as per the tax map of the Township of Gloucester.
3. The referenced tract consists of approximately 3.5 acres with frontage on C.R. 706 and C.R. 689.
4. The lot is located in the OF Office District.
5. The site is currently vacant. A portion of the site is wooded and contains freshwater wetlands.
6. The site is bordered by residential properties located to the north. A stormwater management basin is located to the northeast along Cross Keys Road. A doctor's office is located across New Brooklyn-Blackwood Road. Behind the doctor's office is a residential subdivision. Across Cross Keys Road, within Winslow Township, there is a stormwater management basin, a residential subdivision and a professional office within the Wilton's Corner development.
7. The applicant is proposing to utilize the site to construct a twelve thousand square feet (12,000 ft²) building.
8. It appears that the applicant is proposing a variety of uses in order to be consistent with the Neighborhood Commercial District:
 - a. Appliance, electronic sales and service shop, video and multi-media sales and rentals, recorded music and computer software sales;
 - b. Clothing and clothing accessory stores;
 - c. Grocery, bakery, ice cream, convenience, drug, liquor and dry goods;
 - d. Card, gift and flower shops;
 - e. Hardware, paint, plumbing and electrical supply stores;
 - f. Health and fitness centers;
 - g. Lighting, carpet and furniture stores;
 - h. Personal sales and services;
 - i. Restaurants, luncheonettes, coffee shops, take-out shops and other eating establishments, excepting fast food restaurants;
 - j. Banks and other financial uses.

9. The applicant is proposing two accesses for the project, one along New Brooklyn-Blackwood Road and one along Cross Keys Road.
10. Sixty parking spaces are proposed along with the project.

II. Zoning/Land Use

1. The project site is located in the OF Office District.
2. The Office district is intended for both professional and general business offices and business services in areas not suited for retail development. The purpose of the district is also to provide support services to other commercial uses within the Township and region.
3. The proposed uses listed above are not permitted uses within the OF district.
4. The applicant is therefore seeking a use variance.
5. The applicant should demonstrate special reasons in accordance with Municipal Land Use Law Section 40:55D-70 in order for the Board to consider the Use Variance.
6. The applicant must demonstrate that the variance relief can be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance of Gloucester Township.
7. We defer review of conformance with the area yard and bulk requirements of the Ordinance to your office.

III. Miscellaneous

1. The submitted Concept Plan depicts sixty (60) parking spaces. However, we recommend some changes to the proposed design based on our review of the plan and the Township Ordinance.
 - a. We recommend that the four parking spaces located along the entrance drive from Cross Keys be removed due to their distance from Cross Keys Road. We are concerned that the spaces could potentially create a conflict at the entrance.

- b. All parking aisles should be a minimum width of twenty-four (24) feet.
 - c. The access drive along New Brooklyn-Blackwood Road should be a minimum of 24 feet wide.
2. Parking requirements for the project vary dependent upon the proposed use. It appears that some uses may have adequate parking with the proposed layout. However, other uses may require a downsizing of the building. Furthermore, additional information is required to assess the parking requirements of some of the uses, such as restaurants and personal services.
3. Due to wide range of proposed uses and specific requirements of each, specifically parking and layout, we recommend that the Board condition any Use Variance approval upon the applicant submitting a Site Plan which meets the parking and layout requirements of the proposed use.
4. Stormwater management will be required for the project.
5. A loading area will be required.
6. A trash enclosure area will be required.
7. There are wetlands located on site. Based on the approximate location of the wetlands shown, the wetlands buffer will encroach upon the proposed development. A NJDEP freshwater wetlands Letter of Interpretation will be required.
8. Based on mapping information obtained from the NJDEP, it appears that there may be a regulated waterway located on site. Consequently, there may be a regulated flood hazard area and/or riparian zone located on site. A NJDEP Flood Hazard Area permit will be required.
9. The applicant should indicate if additional right-of-way will be required to be dedicated to the County, which would affect setbacks and layout of the site.
10. An up to date survey would be required should the Board grant the Use Variance.

Mr. Kenneth D. Lechner, P.P., A.I.C.P.
Gloucester Township Department of Community Planning and Development
Garden Develop c/o Paparone Homes
October 22, 2012
Page 5 of 5

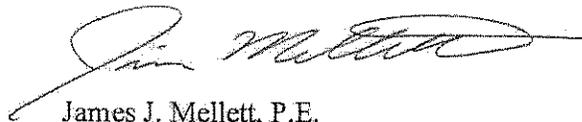
It should be noted that this review is of the Use Variance only. The site has not been reviewed for stormwater or other Site Plan related issues. If a Use Variance is granted, a Site Plan application would be required.

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

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

Very truly yours,

Churchill Consulting Engineers

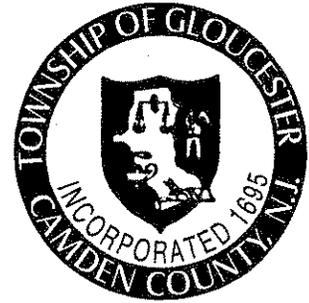


James J. Mellett, P.E.
Project Manager

JJM:jm

cc: Gloucester Township Zoning Board Chairman and Members (via email)
Mr. Anthony Costa, Esq., Zoning Board Solicitor
Ms. Alisa Ortiz, Gloucester Township Zoning Officer
Garden Develop c/o Paparone Homes, applicant (via mail & email)
Mr. Albert K. Marmero, Esq. (via email)
Mr. Lawrence M. DiVietro, PP, PLS (via email)

Inter-office Correspondence



TO: Zoning Board of Adjustment

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

RE: **APPLICATION #122052D**
Garden Devel c/o Paparaone Homes
BLOCK 18103, LOT 7.01

DATE: September 24, 2012

The Applicant requests use variance approval for "one or a combination" of various permitted uses of the NC – Neighborhood Commercial District within the OF – Office District. The project is located on the northeast corner of East Blenheim and Fairview Avenues.

Applicant/Owner: Garden Devel c/o/ Paparone Homes, 10989 State Road A1A, N. Palm Beach, FL 33408 (telephone #561-644-9452).

Planner: Lawrence DiVietro, PP, PLS, Land Dimensions Engineering, 6 East High Street, Glassboro, NJ 08028 (telephone #856-307-7800).

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

I. INFORMATION SUBMITTED

1. Land Development Application Form, checklist, and attachment dated 8/13/12.
2. Concept Plan for Use Variance, as prepared by Land Dimensions Engineering comprising one (1) sheet dated 8/06/12.

II. ZONING REVIEW

ZONE: OF – Office [§413].

Section 413.D. OF – Office District

Description	All Uses	Proposed ¹	Complies
Lot size (min.)	20,000 sf	±3.5 acres	yes
Lot frontage (min.)			
Berlin – Cross Keys Road	125 ft.	±315 ft. ²	yes
New Brooklyn Road	150 ft.	±572 ft. ²	yes
Minimum lot depth (min.)	150 ft.	±325 ft.	yes
Building coverage (max.)	20%	≤ 20%	yes
Lot Coverage (max.)	65%	≤ 65%	yes

¹ = As proposed on submitted Concept Plan for Use Variance.
² = Tax map data.

Principal Building Minimum Yard Depths and Height Limitations			
Front yard (min.) Berlin – Cross Keys Road New Brooklyn Road	50 ft. 50 ft.	≥ 50 ft. ≥ 50 ft.	yes yes
Side yard (min.)	10 ft. one side. 25 ft. aggregate	10 ft. one side. 25 ft. aggregate	yes
Rear yard (min.)	30 ft.	≥ 30 ft.	yes
Building Height (max.)	35 ft.	≤ 35 ft.	yes
Parking Area Setbacks			
From building	10 ft.	≥ 10 ft.	yes
From arterial or collector street	35 ft.	≥ 35 ft. ¹	yes
From residential access street	25 ft.	n/a	n/a
From side or rear property line	10 ft.	≥ 10 ft.	yes

¹ = As proposed on submitted Concept Plan for Use Variance.

² = Tax map data.

III. VARIANCE COMMENTS

The Application requires use variance approval for “one or a combination” of following uses within the OF – Office District that are permitted uses in the NC – Neighborhood Commercial District [§415.B] as noted:

1. Appliance, electronics sales and service shops, video and multi-media sales and rentals, recorded music and computer software sales [§415.B(1)].
2. Banks and other financial offices, including drive-thru facilities [§415.B(3)].
3. Clothing and clothing accessory stores [§415.B(4)].
4. Grocery, bakery, ice cream, convenience, drug, liquor, and dry goods stores; card, gift and flower shops [§415.B(6)].
5. Hardware, paint, plumbing, and electrical supply stores [§415.B(7)].
6. Health and fitness centers [§415.B(8)].
7. Lighting, carpet, and furniture stores [§415.B(10)].
8. Personal sales and services [§415.B(12)].
9. Restaurants, luncheonettes, coffee shops, take-out shops and other eating establishments, excepting fast food restaurants [§415.B(14)].

POSITIVE CRITERIA ("D1" use variance)

The Applicant must address and the Zoning Board of Adjustment consider the following in satisfying the positive criteria for the requested "D4" variance:

2. The Board has the power to grant a variance for an increase in the permitted floor area ratio (basis N.J.S.A. 40:55-70d(4)).
 - a. A use variance must meet the statutory "special reasons" standards; the zoning purpose most amplifying the meaning of special reasons is, the promotion of the general welfare (basis *Medici v. BPR Co.*, 107 N.J. 1 (1987)).
 - i. The Applicant must identify and provide an analysis of those special reasons of zoning that are applicable to the application.
 - ii. Additionally, *Medici* requires an "enhanced quality of proof and clear specific findings" that the variance sought is not inconsistent with the Master Plan and Zoning ordinance.
 - iii. Furthermore, "such prods and findings must satisfactorily reconcile the grant of the uses variance with the ordinance's continued omission of the proposed use form those permitted in the zone."

NEGATIVE CRITERIA

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

IV. ZONING HISTORY AND MASTER PLAN CLASSIFICATION

1. The following table provides a history of the zoning districts that are applicable to the property-in-question.

YEAR	ZONING DISTRICT
September 1955	A – Residential – 75' x 125'
June 17, 1957	A – Residential – 75' x 125'
April 07, 1961	A – Residential – 75' x 125'
August 25, 1967	A – Residential – 75' x 125'
June 01, 1969	B – Residential – 1 acre
January 1978	B – Residential – 1 acre
August 1984 – April 1995	R-1 - Residential
September 1999	RB – Resitricted Business
December 10, 2002	OF - Office

2. The following is a description of the Small Scale Business (B-2) Land Use Classification with the Master Plan, adopted June 29, 1999.

PROFESSIONAL OFFICE (PO)

The Professional Office land use category is for the development or conversion of existing buildings to residentially scaled office buildings. This class of land use is intended for mixed districts with buildings devoted to either residential or business uses, such as is presently the case along Chews Landing- Clementon Road. Here, the process is one of converting existing single family detached dwellings to professional office uses. Over time, it is expected that the district would become entirely office oriented. On vacant or underutilized sites, purpose built professional office campuses would be appropriate. The fundamental factor in this category is the residential scale of the buildings, generally less than 5,000 sf. The low intensity of the business uses would be compatible with the existing residential uses but would also serve as a transition between roads with high volumes of traffic and adjacent neighborhoods. Since this land use category encompasses a number of different concepts, it is anticipated that more than one zoning districts would be needed for implementation. A floor area ratio for business uses of between .10 and .15 is proposed.

V. GENERAL REVIEW COMMENTS AND SPECIAL CONCERNS

1. Use

- a. The Applicant must provide testimony addressing consistency of the proposed use with the Professional Office (PO2) Land Use Classification with the Master Plan and the OF – Office District.
- b. The Applicant must provide testimony addressing the proposed business operation and consistency with the built environment.
- c. We recommend the Applicant provide professional testimony as to the ability of the site to accommodate the proposed business uses including but not necessarily limited to parking, turning movements of proposed business uses and delivery vehicles, access management, stormwater management, and other considerations of site plan development.

VI. RECOMMENDATIONS

1. The Applicant must address the above underlined comments.

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

cc: Garden Devel c/o/ Paparone Homes
Albert K. Marmero, Esq.
Lawrence DiVietro, PP, PLS
Anthony Costa, Esq.
James Mellett, PE, Churchill Consulting Engineers

TOWNSHIP OF GLOUCESTER

Chews-Landing Clementon Road at Hider Lane
 P.O. Box 8 Blackwood, NJ 08012
 (856) 374-3511 Planning (856) 374-3512 Zoning (856) 232-6229

For Office Use Only

Submission Date¹: _____ Application No.: 122052D Taxes Paid Yes/No _____ (Initial)
 Fees 260⁰⁰ Project # 7319
 Planning Board Zoning Board of Adjustment
 Escr. 1200⁰⁰ Escr.# 7319

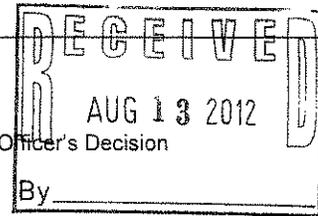
¹ Upon receipt of all fees, documents, plans, etc.

LAND DEVELOPMENT APPLICATION

1. Applicant Name: <u>Garden Devel c/o Paparone Homes</u> Address: <u>10989 State Road A1A</u> City: <u>N. Palm Beach</u> State, Zip: <u>Florida 33408</u> Phone: <u>(561) 644-9452</u> Fax: <u>(561) _____</u> Email: <u>paparonehomes@gmail.com</u>	2. Owner(s) (List all Owners) Name(s): <u>Garden Devel c/o Paparone Homes</u> Address: <u>10989 State Road A1A</u> City: <u>N. Palm Beach</u> State, Zip: <u>Florida, 33408</u> Phone: <u>(561) _____</u> Fax: <u>(561) _____</u>
--	---

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

- | | |
|---|--|
| <input type="checkbox"/> Informal Review ² | <input type="checkbox"/> Planned Development ² |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Interpretation ² |
| <input type="checkbox"/> Preliminary Major Subdivision ² | <input type="checkbox"/> Appeal of Administrative Officer's Decision |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Bulk "C" Variance ² |
| <input type="checkbox"/> Minor Site Plan | <input checked="" type="checkbox"/> Use "D" Variance ² |
| <input type="checkbox"/> Preliminary Major Site Plan ² | <input 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.

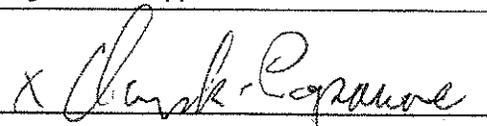
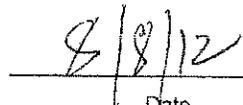
4. Zoning Districts (Circle all Zones that apply)

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
R3	SCR	OP	GI	FP	L-RD	NVSCR Overlay
						IR

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

Name of Attorney: <u>Albert K. Marmero</u> Address: <u>44 Euclid Street</u> City: <u>Woodbury</u>	Firm: <u>Long, Marmero, & Associates, LLP</u> State, Zip: <u>NJ, 08096</u> Phone: <u>(856) 848-6440</u> Fax: <u>(856) 848-5002</u> Email: <u>amarmero@longmarmero.com</u>
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6. Name of Persons Preparing Plans and Reports:	
Name: <u>Lawrence M. DiVietro, PP, PLS</u> Address: <u>6 East High Street</u> Profession: <u>Planner, Surveyor</u> City: <u>Glassboro</u> State, Zip: <u>NJ 08028</u> Phone: <u>(856) 307-7800</u> Fax: <u>(856) 307-7805</u> Email: <u>larry@landdimensions.com</u>	Name: _____ Address: _____ Profession: _____ City: _____ State, Zip: _____ Phone: <u>(856)</u> - _____ Fax: <u>(856)</u> - _____ Email: _____
7. Location of Property:	
Street Address: <u>810 New Brooklyn Road</u> Tract Area: <u>3.53</u>	Block(s): <u>18103</u> Lot(s): <u>7.01</u>
8. Land Use:	
Existing Land Use: <u>Vacant</u>	
Proposed Land Use (Describe Application): <u>See attachment for description of proposal</u>	
9. Property:	
Number of Existing Lots: <u>1</u> Number of Proposed Lots: <u>1</u>	Proposed Form of Ownership: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Cooperative <input type="checkbox"/> Condominium <input type="checkbox"/> Rental
Are there <i>existing</i> deed restrictions?	<input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, attach copies)
Are there <i>proposed</i> deed restrictions?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
10. Utilities: (Check those that apply.)	
<input checked="" type="checkbox"/> Public Water <input checked="" type="checkbox"/> Public Sewer <input type="checkbox"/> Private Well <input type="checkbox"/> Private Septic System	
11. List of Application Submission Materials:	
List all additional materials on an additional sheet.	
12. List Previous or Pending Applications for this Parcel:	
List all applications on a separate sheet.	

13. Zoning			
All Applications	Proposed	Fence Application	Proposed
Front setback 1	<u>50'</u>	Setback from E.O.P. #1	<u>N/A</u>
Front setback 2	<u>N/A</u>	Setback from E.O.P. #2	<u>N/A</u>
Rear setback	<u>30'</u>	Fence type	<u>N/A</u>
Side setback 1	<u>10' ind / 25' app</u>	Fence height	<u>N/A</u>
Side setback 2	<u>10' ind / 25' app</u>	*E.O.P. = Edge Of Pavement.	
Lot frontage	<u>257'</u>	Pool Requirements	
Lot depth	<u>326'</u>	Setback from R.O.W.1	<u>N/A</u>
Lot area	<u>3.53</u>	Setback from R.O.W.2	<u>N/A</u>
Building height	<u>35' max</u>	Setback from property line 1	<u>N/A</u>
		Setback from property line 2	<u>N/A</u>
		Distance from dwelling	<u>N/A</u>
		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	<u>N/A</u>	Shed area	<u>N/A</u>
Garage height	<u>N/A</u>	Shed height	<u>N/A</u>
Number of garages	<u>N/A</u>	Setback from R.O.W.1	<u>N/A</u>
(Include attached garage if applicable)		Setback from R.O.W.2	<u>N/A</u>
Number of stories	<u>N/A</u>	Setback from property line 1	<u>N/A</u>
		Setback from property line 2	<u>N/A</u>
14. Parking and Loading Requirements:			
Number of parking spaces required:	<u>N/A</u>	Number of parking spaces provided:	<u>60</u>
Number of loading spaces required:	<u>N/A</u>	Number of loading spaces provided:	<u>N/A</u>
15. Relief Requested:			
<input checked="" type="checkbox"/> Check here if zoning variances are required. <input type="checkbox"/> Check here if exceptions to the application or municipal requirements are requested (N.J.S.A. 40:55D-51). <input type="checkbox"/> Check here if exceptions to the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.1) are requested. <input type="checkbox"/> Check here if waivers from the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.2) are requested. [Such waivers require application to, and approval of the N.J. Site Improvement Advisory Board].			
NOTE: If any of above are required, attach hereto separate exhibit(s) for each category of relief sought, stating the factual basis, legal theory, and whether they have been previously granted.			
16. Signature of Applicant			
 Signature of Applicant		 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).

8/8/12
Date

Domenick Paparone
Signature

Domenick Paparone
Print Name

Sworn and Subscribed to before me this

8th day of August

Signature

2012 (Year).

Albert K Marmo NJ Attorney _____
Print Name

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

Complete each of the following sections:

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

IF YES TO ANY OF THE ABOVE:

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

IF YES:

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

Domenick Paparone
Signature of Applicant

8/8/12
Date

Domenick Paparone
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.

State of New Jersey,
County of Camden:

Sworn and subscribed to
On this 8th day of August,
2012 before the following authority.

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

Domenick Paparone
Name of property owner or applicant

Albert K Marmo, NJ Licensed Attorney
Notary public

Attachment for Use Variance Application
Garden Devel Inc.
Block 18103, Lot 7.01

Proposal

The Applicant is seeking a use variance for the above referenced property. The property is located in the Office (OF) Zoning District. The Applicant is seeking a use variance to allow one, or a combination, of the following uses:

- Appliance, electronics sales and service shops, video and multi-media sales and rentals, recorded music and software sales.
- Clothing and clothing accessory stores.
- Grocery, bakery, ice cream, convenience, drug, liquor, and dry goods stores; card gift and flower shops.
- Hardware, paint, plumbing, and electrical supply stores.
- Health and fitness centers.
- Lighting, carpet, and furniture stores.
- Personal sales and services.
- Restaurants, luncheonettes, coffee shops, take-out shops and other eating establishments, excepting fast food restaurants.
- Banks and other financial uses.

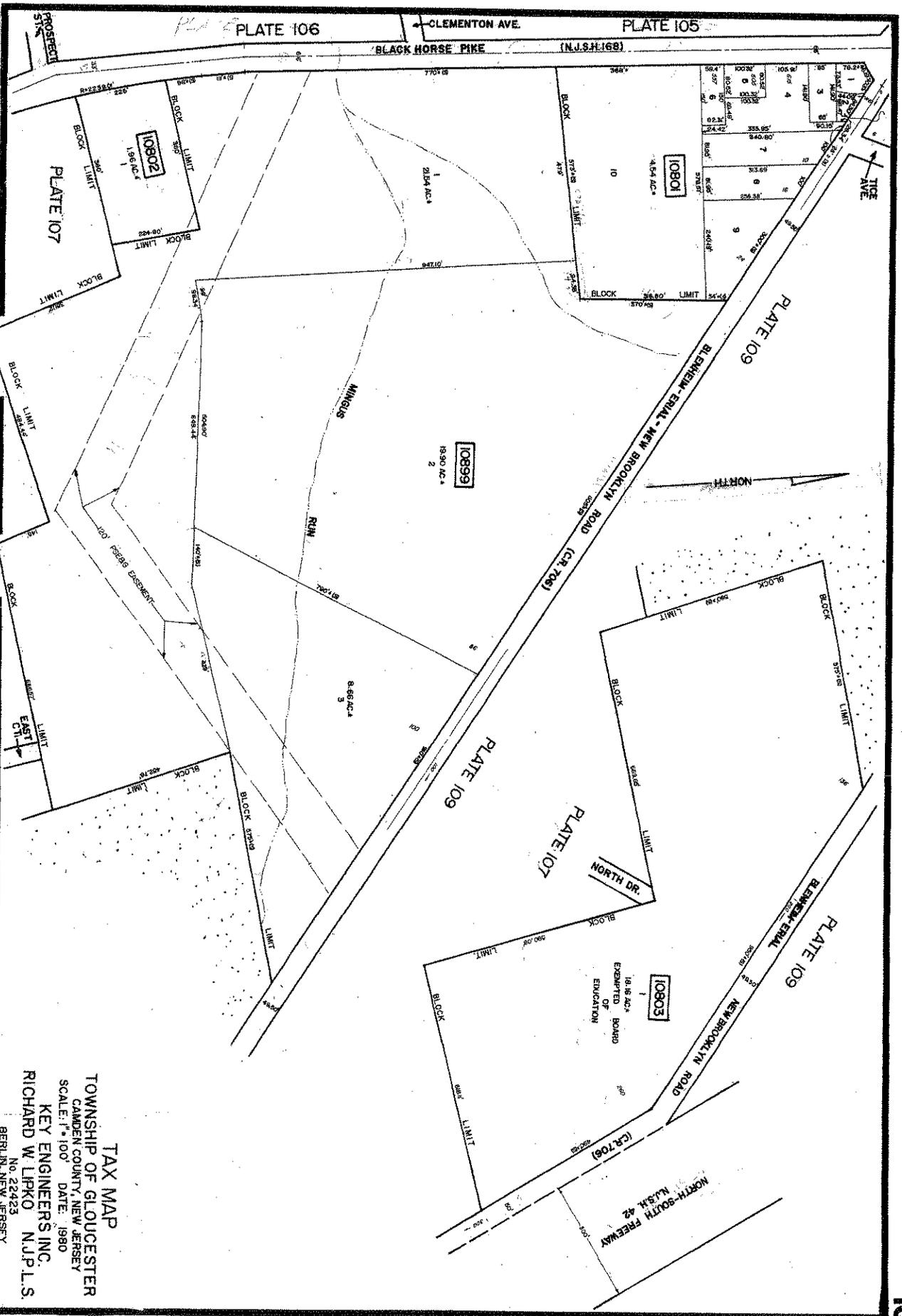
The Applicant proposes to meet all area and bulk requirements of the Office (OF) Zoning District.

Disclosure Statement

Domenick Paparone is the sole shareholder in Garden Devel Inc.

THIS MAP IS A REPRODUCTION OF THE ORIGINAL MAP AS SUBMITTED TO THE TOWNSHIP ENGINEER AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE TOWNSHIP ENGINEER HAS REVIEWED THIS MAP AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWNSHIP ENGINEERING ACT, N.J.A.C. 17:27. THE TOWNSHIP ENGINEER HAS REVIEWED THIS MAP AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWNSHIP ENGINEERING ACT, N.J.A.C. 17:27.

NO. 22423
 BERRIN, NEW JERSEY



TAX MAP
 TOWNSHIP OF GLOUCESTER
 CAMDEN COUNTY, NEW JERSEY
 SCALE: 1" = 100' DATE: 1980
 KEY ENGINEERS, INC.
 RICHARD W LIPKO N.J.P.L.S.
 No. 22423
 BERRIN, NEW JERSEY

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: August 14, 2012

APPLICATION No. #122052D

APPLICANT: Garden Develop c/o Papparone Home

PROJECT No. #7319

BLOCK(S): 18103 Lot(S): 7.01

LOCATION: 810 New Brooklyn Rd., Sicklerville, NJ 08081

TRANSMITTAL TO:

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

STATUS OF APPLICATION:

- New Application – Use “D” Variance
- Revision to Prior Application

PURPOSE OF TRANSMITTAL:

- For Your Review. **Please Forward Report by August 25, 2012**
- For Your Files.

ENCLOSED:

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

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

*Would hate to see more strip stores -
Twp loaded with vacant units.*

Signature  8/16/12

Commissioners
RICHARD P. CALABRESE
Chairman

FRANK SIMIRIGLIA
Vice Chairman

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



**GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

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

August 21, 2012

ROBERT C. BENSON
Executive Director

CAROLINE M. TARVES
Administrative Secretary

MARLENE HRYNIO
Recording Secretary

HOWARD C. LONG JR, ESQ.
Solicitor

THOMAS LEISSE, PE, CME
Consulting Engineer

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

Re: Application #122052D
Garden Develop c/o Paparone Home
810 New Brooklyn Road, Sicklerville, NJ 08081
Block 18103, Lot 7.01

AUG 22 2012

Gentlemen:

In response to your transmittal regarding the above application, sewer is available
– there are no capacity issues.

**However, this project would require a sewer extension, which is the
responsibility of the developer.**

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

Very truly yours,

**THE GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

Robert C. Benson
Robert C. Benson
Executive Director

RCB:mh



GLOUCESTER TOWNSHIP POLICE TRAFFIC SAFETY UNIT SITE PLAN REVIEW

Application #122052D

810 New Brooklyn Rd Sickleville

Block 18103 Lot 7.01

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

Other:

-81-35 application to allow parking enforcement on property.

-Prohibited left turns from parking lot onto Berlin-Cross Keys Road

-Designate access at rear of building as "one way only" for eastbound to prevent vehicles from using rear parking lot as a cut through from Berlin-cross Keys Road to Erial-New Brooklyn Road to avoid signal at intersection.

AUG 22 2012

Reviewed By: Lt. Brian McKendry Cpl. Richard Worst

Signature: _____

Date Submitted: 8/21/12

Tax Account Maintenance

Block: 18103
 Lot: 7.01
 Qualifier:

Owner: **GARDEN DEVELOPMENT INC C/O PARSONS HOMES** Prop Loc: 810 NEW BROOKLYN ROAD

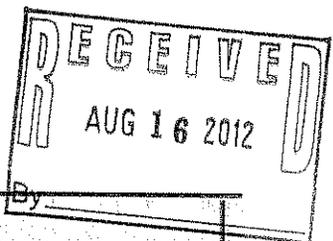
Year	Qtr	Type	Billed	Assessed Values	Additional	Billing	Deductions	Balance	All Charges	Addr/Omit	Total Balance
2013	2		880.00					880.00	.00		880.00
2013	1		880.00					880.00	.00		880.00
2013		Total	1,760.00					1,760.00	.00		1,760.00
2012	4		894.02					894.02	.00		894.02
2012	3		894.03					.00	.00		.00
2012	2		865.97					.00	.00		.00

Other Delinquent Balances: .00 Interest Date: 08/16/12

Other APR2 Threshold Amt: .00 Per Diem: .0000 Last Payment Date: 07/23/12

TOTAL TAX BALANCE DUE

Principal:	<input type="text"/> .00	Penalty:	<input type="text"/> .00
Misc. Charges:	<input type="text"/> .00	Interest:	<input type="text"/> .00
Total:		<input type="text"/> .00	



Current

Bin# 68

~~B~~

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: August 14, 2012

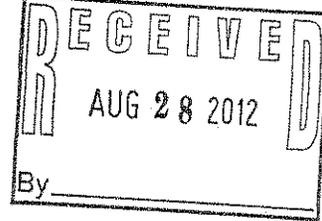
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BLOCK(S): 18103 Lot(S): 7.01

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TRANSMITTAL TO:

- | | | |
|---|--|--|
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| <input type="checkbox"/> Camden County Planning Board | <input type="checkbox"/> Traffic Officer | <input type="checkbox"/> G.T.M.U.A. |
| <input type="checkbox"/> N.J. American Water Co. | <input type="checkbox"/> Aqua N.J. Water Co. | <input type="checkbox"/> Fire District 1 2 3 4 5 6 |
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- Variance Plan Bulk (C) Variance Use (D) Variance

OK 8-27-12 JK

Signature