

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
WEDNESDAY, JANUARY 13, 2016**

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

Roll Call:

Mr. Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mrs. Chimento	Present
Mr. Rosati	Present
Mr. Acevedo	Absent
Mr. Treger	Absent
Ms. Scully	Absent
Mr. 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

REORGANIZATION

A motion to elect Mr. McMullin as Zoning Board of Adjustment Chairman was made by Vice Chairman Simiriglia and seconded by Mr. Rosati.

Roll Call:	Mr. Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chimento	Yes
	Mr. Rosati	Yes
	Mr. McMullin	Yes

Motion Approved.

A motion to elect Frank Simiriglia as Vice Chairman of The Zoning Board of Adjustment was made by Mr. Rosati and seconded by Mrs. Chimento.

Roll Call:	Mr. Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chimento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Motion Approved.

A motion to elect Ken Lechner as Secretary of The Zoning Board of Adjustment was made by Vice Chairman Simiriglia and seconded by Mr. Scarduzio.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chimento	Yes
	Mr. Rosati	Yes

Chairman McMullin **Yes**

Motion Approved.

A motion to elect Mrs. Jean Gomez as the recording secretary of the Zoning Board of Adjustment was made by Mr. Bucceroni and seconded by Mrs. Chiumento.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Motion Approved.

A motion to elect Mr. Anthony Costa as Solicitor of the Zoning Board of Adjustment was made by Vice Chairman Simiriglia and seconded by Mr. Scarduzio.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Motion Approved.

A motion to elect Churchill Engineering (Mr. James Mellett) as engineering firm for The Zoning Board of Adjustment was made by Mr. Rosati and seconded by Mr. Scarduzio.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Motion Approved.

A motion to choose meeting dates (every 2nd and 4th **Wednesday**) for the Zoning Board of Adjustment was made by Mr. Bucceroni and seconded by Vice Chairman Simiriglia.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Motion Approved.

A motion to approve The Courier Post and The Philadelphia Inquirer/South Jersey Addition as advertising newspapers was made by Vice Chairman Simiriglia and seconded by Mrs. Chiumento.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes

Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosati	Yes
Chairman McMullin	Yes

Motion Approved.

A motion to approve the agenda procedures was made by Vice Chairman Simiriglia and seconded by Mr. Scarduzio.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Motion Approved.

Application #152064; McCloskey will be continued to the next Zoning Board of Adjustment meeting on January 27, 2016.

MINUTES FOR ADOPTION

Zoning Board Minutes for Wednesday December 09, 2015.

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Minutes Approved.**APPLICATIONS FOR REVIEW**

#152060C

Loren Dale Anderson

Zoned: R4

Bulk C Variance

Block: 1307 Lot: 5

Location: 905 St. Mark Dr., Glendora

75' x 60' overhang (new roof over new front door) w/3' front setback.

Mr. Costa swears in Mr. Loren Dalen Anderson.

Mr. Anderson explains the front wall is 36.6' from the line and he would like a deeper porch so you don't get wet standing at his front door in the rain/snow. Mr. Anderson presented a sketch of the proposed porch.

Open to Professionals:

No Comments.

Open to the Public:

No Comments.

A motion to approve the above mentioned application 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
	Chairman McMullin	Yes

Application Approved.

#152061C

Pamela and William Farrell

Zoned: R3

Bulk C Variance

Block: 8201 Lot: 7

Location: 1 E. Brookline Dr., Laurel Springs

6' vinyl fence w/2nd front setback 23' & rear setback 26'.

Mr. Costa swears in Mr. William Farrell.

Mr. Farrell states if he followed the ordinance he would lose his whole yard and the shed would be on the outside of the fence.

Mr. Mellett states there is no site impact as long as Mr. Farrell is placing the fence in the same location. Mr. Mellett points out the fence will be within the 2' wide buffer easement. He's not sure the easement allows fences or sure of the intent of the easement; but it may have prohibited structures or fences.

Mr. Farrell states the fence will be in the same location it has been for all this time.

Mr. Lechner states that if someone shows up later and says you have to move the fence Mr. Farrell will: consider himself "on notice".

Open to Professionals:

No Additional Comments.

Open to the Public:

No Comments.

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Application Approved.

#152063C

Ronald Green. Jr.

Zoned: RA

Bulk: C Variance

Block: 11402 Lot: 29

Location: 140 Corte DiCantania

6' vinyl fence w/setbacks F1 = 1', F2=7, R=7

Mr. Costa swears in Mr. Green.

Mr. Green states if he followed the ordinance the fence would be inside his home and it is replacing an existing fence.

Mr. Lechner explains the road is actually a access easement for La Cascata.

Mr. Mellett questions if the fence will be in the same location.

Mr. Green states he would like to come out a few feet to get around some bushes along with a few feet on Kelly Drivers Lane too.

Mr. Mellett states that is a very busy intersection: it includes 3 businesses/& a large intersection for Blackwood-Clementon Rd.. He doesn't recommend putting the fence out further. Mr. Mellett states the fence should be a minimum of 15' off the curb line on Kelly Drivers lane for a site line issue.

Mr. Green admits the trees don't help either.

Mr. Mellett agrees.

Mr. Lechner suggests changing the angle of the fence as an option.

Mr. Mellett asks for a copy of the survey.

Mr. Lechner asks if the fence will be 7' from the property line not the curb line.

Mr. Green states yes.

Mr. Mellett states without a survey he can't tell where the property line is located and the approval is according to the curb line (15').

Mr. Costa asks Mr. Green if he would like to come back with a survey and the board will table the application until after he returns.

Mr. Mellett states the fence still has to be 15' from the curb no matter where the property line is located.

A motion to table the above mentioned application until Mr. Brown returns with survey was made by Mr. Bucceroni and seconded by Mr. Scarduzio.

All in favor.

#152065C

Al Belmont

Zoned: R3

Bulk C Variance

Block: 8302 Lot: 7

Location: 125 Coles Rd. Blackwood

Shed (336 sq. ft.) w/setbacks 10'

Mr. Costa swears in Mr. Belmont.

Mr. Belmont would like to install a garden and do some hobbies in the shed. He owns 2 acres which includes 3 lots.

Mr. Mellett states make sure the roof leaders are directed onto his property.

PUBLIC PORTION:

Mr. Leon Rosen lives 200' from Mr. Belmont's property.

Mr. Rosen thought the shed was going to be visible from Coles Rd. in the front of the property.

Mr. Bucceroni explains the shed will be 150' to 200' off the road and in addition it will be in a wooded lot. The likely hood of Mr. Leon seeing this shed is nearly impossible.

Mr. Leon asks if the shed will be on Valley Brook Community property.

Mr. Bucceroni states No, it will be on private property.

Mr. Leon was just concerned it was going to be an eye sore.

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. Rosati	Yes
	Chairman McMullin	Yes

Application Approved.

#152041A

1840 Peter Cheeseman Rd. L.L.C.

Zoned: IN/R2

Appeal

Block: 14003 Lot: 13**Location: 1840 Peter Cheeseman Rd. Blackwood
Appeal of Administrative Office's Decision.**

Mr. Platner (Esq.) reviews the reason for the above appeal.

- a hospital is a permissible use,
- 37 bed hospital turned down by the planning board,
- in August the Zoning Board declares res judicata.
- Mr. Lechner states a Use Variance is needed.
- Later the 37 bed treatment facility is approved by the planning board,
- res judicata went away,
- the applicant will dismiss the law suit against the zoning board.

Mr. Platner reviews the application:

- 1840 Peter Cheeseman Rd. Lot 14,
- July 2015 told a use variance was needed,
- they feel every use even residential is permitted in a IZ,
- the application was before the Planning Board,
- Residential treatment center doesn't change the use because it is an integral part of the treatment center,
- section 419 of the ordinance states religious or education complex/campus in a residential form is permitted,
- another permitted use is: a residential healthcare facility such as a medical or health services organization or a rehab center.
- the proposed addiction center is totally regulated by social services
- patients are all receiving treatment in the townhouses too, they aren't set up for long term apartments: shared bedrooms and baths with a common area.

Mr. Costa swears in Mr. Ted Wilkenson (engineer), Mr. Terrence Combs (Planner) & Mr. JP Christen (CEO Recovery Centers).

Mr. Wilkenson explains the major site plan:

A1- major site plan: depicts: coloring rendering, 26 acre lot, 30,000 sq. ft. existing building with parking, expand the existing building to 50,000 sq. ft (total).

- 250 patient beds, gym, therapy center,
- 4 treatment center with 48 beds per building, 3 or 5 days of treatment (step down) and outpatient services,
- parking 196 stalls which is plenty of parking for 94 employees and visitors,
- all the patients stay in the facility, no outside renters allowed,
- Institutional Use across from a campus setting,
- licensed by the state,

A2 - 4 detached centers and floor plans, each 3 stories, 4 quads, independent front doors,

- 12 patients in each unit plus a supervisor,
- 6 bedrooms in each unit like a nursing home or hospital,
- using the townhouses as a step down for patients, 30 to 120 days,
- kitchen on main floor.

Mr. Lechner asks if this is the first time we are seeing this floor plan.

Mr. Wilkenson states this floor plan is from the last proposal.

Mr. Bucceroni asks if in this step down facility if patients will be able to come and go, for example go to work and come back.

What is the length of the treatment and how long is this available to the patient.

Mr. Wilkenson states the patients are allowed to stay for as long as they choose.

Mr. Bucceroni asks if patients are allowed to have guests.

Mr. Wilkenson states "no".

Mr. Costa asks if the patients will be getting 8 hours of treatment in the long term apartments,

Mr. Rosati asks if those four buildings are used as a holding facility.

Mr. Wilkenson states there are meeting areas for treatment.

Mr. Rosati asks if the patients are there 24 hours.

Mr. Wilkenson states, "no, they can come and go".

Vice Chairman Simiriglia asks if they can go to class or work during the day and get treatment at night.

Mr. Wilkenson states "yes".

Mr. Wilkenson states the patients can't leave without permission.

Vice Chairman Simiriglia wants to hear Mr. Lechner's reasoning for the interpretation.

Mr. Combs (planner):

- believes the proposed plan is an allowed use.
- ordinance intent states: government use, healthcare, education, campus settings allowed: intent covers all uses being proposed here.
- specific uses allowed: hospital, sanitarium, residential healthcare facility, state licensed facility.
- these four buildings are part of the treatment facility, Mr. Combs believes the ordinance covers that.

Chairman McMullin asks Mr. Combs if this is a long term residence for these people.
 Mr. Combs states "no" it is part of the program and receiving treatment.

Mr. Costa asks for an explanation of the difference between the 50,000 sq. ft. treatment center and these proposed 4 buildings.
 Mr. Combs states the 4 buildings are part of the step down process and give the patients a more independent living experience.
 Mr. Costa states the biggest difference between these two buildings is that the patients can come and go from the step down buildings.

Mr. Combs states he sees the difference but the patients are still under treatment in the long term housing.
 Mr. Combs and Mr. Costa discuss the therapy in the long term care buildings vs. the 50,000 sq. ft. building and the relevance to the ordinance.

5 minute break**

Roll Call:

Mr. Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mrs. Chiumento	Present
Mr. Rosati	Present
Mr. McMullin	Present
Mr. Costa	Present
Mr. Lechner	Present
Mr. Mellett	Present

All present.

Mr. Costa clarifies: 4 additional "step down" buildings will have 3 bedrooms with 4 beds in each room: 12 x 4 = 48 and 48 beds x 4 buildings = 192 beds, along with 150 beds in the main building with the addition.

Mr. JP Christen (CEO Recover Centers):

- occupants of the additional step down buildings will pay rent.
- no insurance payments,
- patients can get treatments in either the stop down townhouse or the main building,
- most treatments will be in the 5th (main) building, which is the central outpatient building,
- outpatients will also use the main building for treatments (patients not staying at the facility),
- patients in the quads (townhouse/step down living) will be clinically managed,
- recoveries are poor because the patients don't stay in treatment,
- meet criteria to step down because of the access to services,
- treatment primary with large group counseling sessions and medical care,
- no drug testing will be administered unless the patient exhibits signs,

Mr. Costa asks if the outpatient facility is being utilized by the quads.
 Mr. Christen states it is more convenient to stay on premises to continue treatment.

Mr. McMullin asks for a "typical" patient stay.
 Mr. Christen states he is more worried about "outcomes" but partial hospitalization for 1 to 12 weeks initially, 12 to 15 weeks long term,
 - patients could pay out of pocket to stay and a family program will be involved.
 Mr. Rosati asks how many bed in the 4 buildings.
 Mr. Christen states 192 beds in a stage like recovery with all residents together.
 Mr. Rosati asks if there will be any kind of security fencing or other structure.
 Mrs. Chiumento asks if there will be any restrictions on the patients.
 Mr. Christen states it is a voluntary program with security.

Mrs. Chiumento asks if they will be accepting court mandated patients.
 Mr. Christen states it depends on the patient.
 Mr. Costa states the last time the answer was "no" to that question.
 Mr. Christen states it will be a "case by case" bases and he can't answer that question right now.
 Mr. Bucceroni asks if they have had any dialogue with insurance companies.
 Mr. Christen states "out comes" are poor when patients are pulled out too soon and they will talk to insurance companies to help in better "outcomes".
 Mr. Bucceroni states he isn't opposed to the plan but there seems to be a lot of questions and "ifs" still.
 Mr. Christen states the facility is licensed.
 Mr. Bucceroni asks if the insurance company won't pay for the treatment can they pay themselves.
 Mr. Christen states they can pay for their own treatment.
 Mr. Bucceroni states "similar to a hotel" and poses the question if a hotel is permitted in this zone.
 Mr. McMullin asks for specifics on treatment.
 Mr. Christen states there will be group sessions, continued education on substance abuse, and 1 on 1 sessions.
 Mr. Costa asks if these sessions will be available on weekends.
 Mr. Christen states they can come on Saturdays.
 Mr. Costa asks if its possible that everyone in those 4 buildings will be getting 5 day a week treatment sessions or can it be 1 or 2 days a week for an hour.
 Mr. Christen states therapy and an overnight stay will amount to about 200.00 dollars a night.
 Mr. Costa states that would be about 12,000 dollar a month.
 Mr. Christen states he's not sure how much that would be a month.
 Mr. Costa asks if they can pay 200.00 for a couple of nights and then leave? Do they know how many people will take advantage of the extended stay?
 Mr. Christen states the insurance companies have to see enough value in the longer stay,
 Mr. Costa asks if the main building is more structured 7 days a week and the other 4 buildings could be 1 day a week?
 Mr. Christen states doubts anyone would stay and get treatment for 1 day.
 Mr. Costa asks if the 4 buildings are just for convenience then and would there be a curfew for those 4 buildings.

Mr. Christen states there won't be any curfews for the 4 buildings because most people would remain on campus, otherwise they would move home.
 Mr. Costa asks if this is a new concept.
 Mr. Christen states they don't have any operating facilities right now. They do believe that 90 days is the magic number for a successful recovery.
 Mr. Simiriglia questions if this step down vs. go home business model is going to be successful or are they going to end up with 4 empty buildings.
 Mr. Christen states this is a new innovative model.
 Mr. Rosati states recovery centers are needed but there are no guarantees with this model and whether or not it will be successful.
 Mr. Lechner asks if any of these centers are operating in New Jersey.
 Mr. Christen states not that he's aware of.
 Mr. Lechner states the statute covers other types of facilities or is this use specified.
 Mr. Christen states it is broader then just this use.
 Mr. Lechner poses the question: is it possible the people who wrote the ordinance were thinking of something totally different since this model doesn't exist yet??
 Vice Chairman Simiriglia states the residence part of the application blows their argument. Mr. Simiriglia got the impression this was going to be like a hospital.
 Mr. Combs states this is definitely a residential treatment facility/a facility that treats disease with a living area.
 Mr. Costa states if you have a hospital you aren't allowed to come and go as you please.
 Vice Chairman Simiriglia states this isn't a bad thing. It's just a question of whether the interpretation was right or wrong.
 Mr. Combs states it's just what is needed for proper treatment of their patients.
 Mr. Scarduzio states the insurance company only pays for a small amount of this.
 Mr. Christen states they will negotiate rates for plans so they have better "outcomes".

Mr. Bucceroni asks if the horse is before the carriage since the discussions with insurance companies haven't brought any commitments to help pay for this new extended treatment. He feels it could go either way and recovery centers could get stuck with something they can't use.

Mr. Christen states he is hoping this facility will lower costs.

Mr. Bucceroni questions whether the facility will be used to capacity.

Mr. Wilkenson states the 4 outbuildings will be phased in over time and they would start with 1 outbuilding (townhouse).

Mr. Lechner asks Mr. Wilkenson if this outpatient plan has a density component. How many units will be maximum for 26 acres?

Mr. Lechner continues: The zoning office does not interpret ordinance they enforce them, the zoning board interprets the ordinance.

- the boards resolution had 4 interpretations which excludes residential uses.
- feels a residential healthcare facility wasn't part of the picture when the ordinance was written,
- Use: doubt comes in from zoning board, IZ doesn't address density on beds, no basis to figure when a project is excessive or not excessive.
- master plan use is public quasi/public no residential uses,
- this ordinance was meant for staying long term (i.e.: rehab center) not where patients are allowed to come and go.

Mr. Lechner read the zoning ordinance in question based on the master plan where the definition of quasi public is given. The ordinance states it includes existing uses presently in the municipality: IE: schools, Lakeland, CCC, churches are existing, Not the applicants use.

- residential component is consistent or exceeds the ordinance and doesn't exist anywhere.

Mr. Platner asks Mr. Lechner if he disagrees with the planning board decision.

Mr. Costa states the planning board approved the main building with 37 beds not the 4 extra quad buildings.

There is much discussion about the applicants residential use.

Mr. Platner asks Mr. Lechner multiple questions on the ordinance and summarizes.

Mr. Costa decision to be made by the board:

- motion to use the variance required and the application stays with the zoning board,
- permitted use and over turn Mr. Lechner's decision and the applicant will go to the planning board,
- integrated package permissible or the 4 buildings too residential of a component,

Vice Chairman Simiriglia believes the application doesn't meet the definition of an IZ and the use is just not clear enough.

Open to the Public:

No Comments.

A motion for the applicant to return for a use variance and site plan (2/10/2016 meeting) was made by Mr. Bucceroni and seconded by Mr. Scarduzio.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chimento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Applicant will return on 2/10/2016 for above mentioned use variance and site plan.

#152063C

Ronald E. Green, Jr.

Zoned: RA

Bulk C Variance

Block: 11402 Lot: 29

Location: 140 Corte DiCantania

6' vinyl fence w/setbacks F1 = 1' , F2 = 7' , R = 7'

CONTINUED:

Mr. Green returns with his survey and asks if the cutaway is still permissible.

Mr. Mellett states: no, where the fence is now is still too close.

Mr. Lechner states people can't see around that fence.

Mr. Lechner and Mr. Mellett discuss getting the yard maximized and the limiting the fence site issues.

A motion to approve the above application with the following : at access road the fence has to be 15' from the curb then taper back 10' from curb line at the house, was made by Mr. Scarduzio and seconded by Mr. Rosati.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes
	Chairman McMullin	Yes

Application Approved.

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

Respectfully Submitted, Jean Gomez, Recording Secretary.