GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT THURSDAY, JANUARY 26, 2012

Chairman Richards called the meeting to order. Mr. Lechner read the commencement statement. Mr. Simiriglia **Roll Call:** Present Mr. Fuscellaro Present Mr. Bucceroni Present Mr. Gunn Present Mr. McMullin Present Mrs. Chiumento Present Mrs. Giusti Present Mr. Acevedo Present Mr. Treger 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

Annual Reorganization

Motion to approve Mr. Robert Richards as Chairman to zoning board was made by Mr. Simiriglia and seconded by Mrs.Giusti.

Roll Call:	
Mr. Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Mrs. Giusti	Yes
Mr. Acevedo	Yes
Mr. Treger	Yes

Motion approved.

Motion to approve Mr. Simiriglia as Vice-Chairman to the zoning board was made by Mr. Fuscellaro and seconded by Mrs. Giusti.

Roll Call:	
Mr. Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Mrs. Giusti	Yes
Mr. Acevedo	Yes
Mr. Treger	Yes
Chairman Richards	Yes

Motion approved.

Motion to approve Mr. Ken Lechner as secretary to the zoning board was made Vice Chairman Simiriglia and seconded by Mr. Fuscellaro.

Roll Call:	
Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Motion approved.

Motion to approve Mrs. Jean Gomez as recording secretary to the zoning board was made by Mrs. Giusti and seconded by Mr. Fuscellaro.

Roll Call:	
Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Motion approved.

Motion to approve appointment of Mr. Anthony Costa as solicitor was made by Vice Chairman Simiriglia and seconded by Mr. Fusceallro.

Roll Call:	
Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes

Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Motion approved.

Motion to approve appointment of Churchill engineering as engineer was made by Vice-Chairman Simiriglia and seconded by Mr. Fuscellaro.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Motion Approved.

A Motion to approve zoning board meeting dates, with the elimination of August 23, 2012, was made by Vice-Chairman Simiriglia and seconded by Mr. Fuscellaro.

Roll Call:	
Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Motion Approved.

Motion to approve The Courier Post and the Record Breeze as official newspapers was made by Vice-Chairman Simiriglia and seconded by Mr. Fuscellaro.

Roll Call:	
Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Motion Approved.

Motion to approve adoption of agenda procedures was made by Vice-Chairman Simiriglia and seconded by Mrs. Giusti.

Roll Call:	
Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Motion Approved.

MINUTES FOR ADOPTION

Zoning Board Minutes for December 8, 2011.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes

Chairman Richards

Yes

Minutes approved.

RESOLUTIONS FOR MEMORIALIZATION

LOG#372

#111047C Robert Jamison Bulk C Variance Block: 56701 Lot: 7

#112051C Joseph Trent Bulk C Variance Block: 15203 Lot: 9

#112042D Iron Gate, LLC Use Variance Block: 17499 Lot: 1 #112049C James R. Rivell, Jr. Bulk C Variance Block: 11803 Lot: 20

#112031D Louis & Betty Favieri Use Variance Block: 16301 Lot: 5

A motion to approve the above mentioned resolutions was made by Mr. Gunn and seconded by Mrs. Giusti.

Roll Call: Vice Chairman Simiriglia Mr. Fuscellaro Mr. Bucceroni Mr. Gunn Mr. McMullin Mrs. Chiumento Chairman Richards

Yes Yes Yes (abstain from Trent & Iron Gate) Yes Yes (abstain from Trent & Iron Gate) Yes Yes

Resolutions Approved.

Applications for Review

LOG#385 #112046C Glen Kennelly Zoned R3 Bulk C Variance Location: 7 Dorado Rd. Clementon Block: 8204 Lot: 11 Approx. 400 sq. ft. in-ground pool.

Mr. Kennelly is sworn in by Mr. Costa.

Mr. Kennelly explains it is difficult to get the setbacks for his pool because of an addition on the back of the home.

Vice Chairman Simiriglia asks the applicant if the old pool and shed will be eliminated and if that would achieve the 5ft. setback s for the side and rear.

Mr. Lechner asks the applicant if the setback measurements are from the apron of the concrete. Mr. Kennelly states "no" they are from the water line.

Open to the Public: No Comments.

Open to Professionals: No Comments.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved.

<u>LOG# 575</u> #112054C Brian & Dawn Leary

Zoned: R3 Bulk C Variance Location: 221 Orchard Ave., Somerdale Block: 9303 Lot: 16 Front Porch approx. 20 x 6'6" = 130 sq. ft.

Mr. Costa swears in Mr. Brian Leary. Vice Chairman Simirglia questions Mr. Lechner about the 2nd front yard setback. Mr. Lechner states "yes" the second setback is correct.

Open to the Public: No Comments.

Open to Professionals: No Comments.

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

LOG #664 #112053C Alida Toledo Zoned: R3 Bulk C Variance Location: 52 Fox Chase Dr., Blackwood Block: 14501 Lot: 6 Various issues: Lot coverage, pool roof/concrete/hot tub, etc..

Mr. Costa swears in Mrs. Toledo and her interpreter Mr. Carlos Mercado. Mr. Mercado went to all the zoning appointments with Mrs. Toledo.

The current zoning infractions were already in the yard 7 years ago when they purchased the home. The house had been abandoned before they took possession. They are in the process of trying to clean it up and make the house look good. The deck around the pool is a mess so they may just throw that out.

Mr. Lechner informs the board the applicant was cited by Mr. Sheppard for building without permits.

Mrs. Toledo states (through her interpreter) "yes, she was cited by Mr. Sheppard and that is why she is before the board."

Mr. Lechner states the applicant had to get the variances to get the permits.

Vice Chairman Simiriglia states the applicant needs variances for the pool: 0ft. setback on the sides and a 12ft. setback in the back.

Mrs. Giusti asks if the concrete and fence are staying.

Mrs. Toledo states "yes" they are all staying the same.

Mr. Treger asks the applicant the age of the pool.

Mrs. Toledo doesn't know the age of the pool.

Mr. Treger asks the applicant when they started to fix the pool. Mrs. Toledo states they started to fix the pool 6 years ago.

Open to the Public: No Comments.

Open to Professionals: No Comments.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved.

LOG #1101 #112059B Nicholson Land, LLC Zoned: BP Interpretation Location: 221 College Dr., Gloucester Township Block: 13108 Lot: 1 Planned Commercial Development including a hotel and nightclub.

Vice Chairman Simiriglia steps down and Mrs. Giusti steps in.

Mr. Costa swears in:
Mr. Nicolson- builder
Mr. Larry DiVitro – professional planner
Mr. DeVitro explains the overview plan. The tract of land that is BP zoned with a minimum of 10 acres. Once Bridge Street was developed it created 2 parcels. Independently they are not viable for commercial use. As long as the land is contiguous it would be combined.
Mr. Nicolson wants to build a hotel/nightclub.

Mr. Fuscellaro states the hotel should be by the interchange on the drawing – the drawing is wrong.

Mr. Lechner states the board is the only one that can interpret the ordinance.

Mr. Barons (applicants' lawyer) states the applicant must get the interpretation from the board for the deal to go through with the county.

Mr. Lechner states we have this same situation in the Target shopping center.

Chairman Richards asks how this can be called contiguous.

Mr. Barons explains the streets that are integrated so you don't go on public streets are considered contiguous. These streets are common in malls so you don't have to go out to the public streets.

Chairman Richards asks if there are any private homes.

Mr. Walter Nicholson states "virtually none, some by the college, and the present home will be removed."

Open to the Public: No Comments.

Open to Professionals: No Comments.

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

Roll Call:

Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Mrs. Giusti	Yes
Chairman Richards	Yes

Application Approved.

5 minute break

Roll Call:	Mr. Simiriglia	Present
	Mr. Fuscellaro	Present
	Mr. Bucceroni	Present
	Mr. Gunn	Present
	Mr. McMullin	Present
	Mrs. Chiumento	Present
	Mrs. Giusti	Present
	Mr. Acevedo	Present
	Mr. Treger	Present
	Mr. Richards	Present
	Mr. Costa	Present
	Mr. Mellett	Present

Mr. Lechner

Present

LOG #1680 #112055CMSD Anthony R. Alberto, Jr. Zoned: R3 Bulk C/Minor subdivision Location: 141 & 141A Coles Rd. Blackwood Block: 8010 Lot: 3 Residential Twin Units

Mrs. Chiumento steps down and Mrs. Giusti will sit in her place.

Mr. Costa swears in Mr. Addison Bradley (planner).

Mr. Bradley states one of the twin units will be going from a rental unit to a home owner.

- Mr. Alberto would like to buy one and give it to his daughter.
- Mr. Bradley continues, Benefits to ownership: There are no negatives since it is already existing unit they are just drawing a line down the middle.

Mr. Mellett's engineering letter: The subdivision line goes down the driveway with a cross assessment easement along with a site triangle easement.

Mr. Lechner states it is a GCR zone and R3 standards are used.

PUBLIC PORTION:

Ms. Sheryl Red: 806 Masters Dr.She is on the right of the twin homes, and would like to know in the footage on the right side is going to change.Mr. Bradley explains nothing will change.

Open to Professionals: No additional Comments.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Giusti	Yes

Chairman Richards Application Approved.

Mrs. Chiumento returns.

LOG #2062 #112057CDSPW Joseph Frederico Zoned: CR Bulk C, Use "D" Variance & Site Plan Waiver Location: 1000 Black Horse Pike, Blackwood Block: 6502 Lot: 8 2 sided multi message digital billboard.

Mr. Costa swears in: Mr. Mintz introduces: Ms. Deanna Drum – traffic engineer Ms. Barbara Dillon – planner Mr. Bruce McKenna – engineer

Mr. Mintz starts off with the explanation of the CR (commercial residential) zone. The property abutted rt. 42 and is an older lot in town and thus the CR zoning.

Mr. Frederico purchased the land in 2001 and has had a state permit for a billboard since then. The billboard will help him keep his business.

Mr. McKenna: A1 – aerial photo & wetlands A2 – variance plan and site plan waiver A3 – aerial w/billboard over rt. 42

Mr. McKenna continues: This property is a smaller lot w/an old right of way. When it was vacated years ago it allowed for a new look at the property. Rt. 42 is elevated about 25ft. above the property. An access way can be constructed and the lot is an island w/neighbors and roads. There are no wetlands as far as he knows.

Site plan waiver: Mr. McKenna states there will be little impact on grading and drainage. The signs are managed remotely w/little maintenance requiring vehicles. Mr. McKenna continues with an explanation of the sign: placement of the sign/fall zone/construction/elevation/proximity to the freeway/vegetation/v-shaped sign/construction of sign. The sign will be within 660ft of the right of way of rt. 42. The applicant has had a state permit which means it meets all state requirements. This is followed with a discussion about existing signs and newly approved signs.

Barbara Dillon: Planner -meets 9 of the positive criteria -public benefit -no impairment to master plan Yes

$12 \ ZB \ 1/26/2012$

-D variance for height

Use variance: -use not permitted -more than one principle use -maximum height of sign

A)	Public benefit
B)	Secure from fire/flood (safety)
C)	Adequate/light/air/spacewell below
D)	Development doesn't conflict.
E)	Promote established density
F)	Sufficient space for variety of uses
G)	Encourage location
H)	Promote desirability
I)	Promote conservation and open space

The applicant is trying to preserve the business in this location with the help of the added income from the billboard.

Negatives: -vehicle visit per month -billboard not permitted in this location -bulk variance The master plan needs to balance land growth.

5 minute break

Roll Call:	Mr. Simiriglia	Present
	Mr. Fuscellaro	Present
	Mr. Bucceroni	Present
	Mr. Gunn	Present
	Mr. McMullin	Present
	Mrs. Chiumento	Present
	Mrs. Giusti	Present
	Mr. Acevedo	Present
	Mr. Treger	Present
	Mr. Richards	Present
	Mr. Costa	Present
	Mr. Mellett	Present
	Mr. Lechner	Present

Ms. Deanna Drum: traffic engineer

1.

2.

billboards

16 x 60 digital bill board 2007 memorandum regarding digital 3.

Illumination/message speed on sign/NJ

standards/no flashing -As a driver you focus on the more important task. -much discussion about the traffic safety ad digital billboards -much discussion about what has been found distracting to drivers in studies.

Vice Chairman Simiriglia asks Mr. McKenna distances between the billboard and interchanges.

Mr. McKenna states Mr. Mellett gives approximate distances in his engineering letter.

Vice Chairman Simiriglia comments on the following:

-billboards vs. ramp distances

-comments from assessors' office'

-asks the applicant why they think GT put there billboard ordinance in place.

Ms. Drum states she thinks the ordinance was supposed to save the character of the town.

Vice Chairman Simiriglia asks Ms. Drum is the distance is safe.

Ms. Drum states "yes".

Vice Chairman Simiriglia states people who are travelling down the road can be diverted by the sign and not see someone on the ramp.

Ms. Drum states typically the sign would not be in your line of vision.

Chairman Richards asks Ms. Drum how large the pole is going to be.

Ms. Drum states the pole will be behind the tree line.

Vice Chairman Simiriglia states the ordinance was created to save lives and accidents, billboards are designed to attract the attention of the driver. Vice Chairman Simiriglia states the billboard needs 15 variances which suggests it may not be the best suited place for one.

Mr. Mintz states the CR zone is creating the multiple variances.

Mrs. Chiumento ask is if the sign is 2 sided/how often do the advertisements change/and why so large.

Ms. Drum states there is an 8 second minimum, but stagnant. She also states the 16×60 size of the sign is average.

Mr. Fuscellaro states he sees no benefit to the sign.

Mr. Bucceroni asks the applicant what kind of business does he own, and if this billboard would be a ratable.

Mr. Gunn asks Ms. Drum if there enhancement to the community through amber alert and the police department.

Mr. Acevedo asks if the height of the sign is 125ft, and if that is higher than the Coles Rd. billboard.

Vice Chairman Simiriglia states the ground is higher at Coles Rd., so the height would be different because the grade is different.

Mr. Treger asks Ms. Drum where the sign would be controlled from where??

Ms. Drum states it is a national company that configures the sign.

Mr. Treger asks if the sign is a supplement to the business.

Ms. Drum states "yes".

Chairman Richards is not comfortable with the traffic pattern.

Chairman Richards also asks Ms. Drum about the traffic studies. There is much discussion about the multiple traffic studies.

Mr. Mellett goes over his engineer's letter.

1.	Variances: height, size, setback
2.	A survey of this property is needed.
3.	Billboard separation, minimum distance,
N/D the ff = $\theta_{\rm r}$ is a set of	

N/B traffic & merging.

4. Billboard construction & distances to property line, with foundation shown. Mr. Mellett states the site plan waiver is not recommended by the engineer.

Mr. Lechner states the lack of applicant submission of materials.

- 1. Our engineer submitted the photos
- 2. Lack of exact measurements
- 3. Define "cone of vision" actual testimony could have been demonstrated better.

TAPE #2 Log 7176

Mr. Lechner asks who monitors public service announcements and who polices the billboard.

Mr. Mellett states the distances were discussed so much and their engineer needs to fill in the blanks with distances.

Mr. Mintz states the state DOT did issue a permit.

Open to the Public: No Comments.

Open to Professionals: No Additional Comments.

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

Roll Call:

Vice Chairman Simiriglia	No
Mr. Fuscellaro	No
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes

Mrs. Chiumento	No
Chairman Richards	No

Application Denied.

A motion to Adjourn was made by Mr. Gunn and seconded by Mr. Fuscellaro.

Respectfully Submitted, Jean Gomez, Recording Secretary.