

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT THURSDAY,
January 27, 2011**

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

Roll Call:	Vice Chairman Simiriglia	Present
	Mr. Fuscellaro	Absent
	Mr. Bucceroni	Present
	Mr. Domiano	Present
	Mr. Gunn	Present
	Mr. McMullin	Present
	Mr. Acevedo	Present
	Mr. Mellace	Present
	Mrs. Chiumento	Present
	Mrs. Giusti	Absent
	Chairman Richards	Present

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

Substitutions: Mrs. Chiumento will sit in for Mr. Fuscellaro.

MINUTES FOR ADOPTION

Zoning Board Minutes for January 13, 2011.

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

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

Minutes Approved.

APPLICATIONS FOR REVIEW

Log # 244

#11001C
William Gallagher
Zoned: R3
Bulk C Variance
Block: 5802 Lot: 7
Location: 9 Banyon Dr. Blackwood

#102072C
Keith Rudderow
Zoned: R3
Bulk C Variance
Block: 15906 Lot: 16
Location: 14 Tiffany Place.

The above applications are postponed to February 24, 2011 meeting. There is no need to re-advertise if advertisement was done.

Log # 250

#102067C
Theresa Asbury-Bartlett
Zoned: R3
Bulk C Variance
Block: 9108 Lot: 10
Location: 1000 Surrey Rd., Somerdale
Shed

Mr. Costa swears in Theresa Asbury-Bartlett and Doug Bartlett.

Mr. Bartlett states the shed is partially constructed where it is on the property as that is the only level spot in his backyard.

Vice Chairman Simiriglia asks if the shed is 10.5 x 13 ft.

Mr. Bartlett states "yes".

Vice Chairman Simiriglia asks if the shed is 4 foot on the diagonal from the house.

Mr. Bartlett states the shed is 4 or 5 ft. from the garage and 2 or 3 ft. from the property line.

Vice Chairman Simiriglia asks Mr. Bartlett if the enclose patio is still there.

Mr. Bartlett states "yes, it is."

Vice Chairman Simiriglia asks if Mr. Bartlett has plans to put gutters on the shed.

Mr. Bartlett states "yes, he is going to put gutters on the shed."

A motion to approve the above mentioned with the condition to put gutters on the shed, was made by Vice Chairman Simiriglia and seconded by Mr. Bucceroni.

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

Application Approved.

Log # 447

#102067CDSPW

Mark Cipparone

Zoned: CR

Use Variance/Site Plan Waiver

Block: 5403 Lot: 9

Location: 1446 Black Horse Pike, Blackwood

Tow Cars/Store Cars/Offices

****Mr. Mellace sits in for Mr. Domiano who has stepped down. *****

Mr. Costa swears in Mr. Addison Bradley (planner) and Mr. Mark Cipparone (applicant).

Mr. Addison Bradley explains the details of the RC zone which also backs to a residential zone.

A1 a survey of the property is presented to the board.

Mr. Bradley explains the details of the property and the square footage. Next to lot 7 a 10 ft. buffer and screen, along the back there will be a 15ft buffer with a double row of evergreens. Next to the Piccolo realty building there will be a 10ft. buffer along with a double row of evergreens. There will be no parking in front of the building on Lot 9. All the cars will be parked behind the 6ft. fence, including the employees. The existing building will be used for office space only. No work will be done on the premises. Auto insurance adjusters will be allowed to view the vehicles on the property. The residents will see less of the Blackhorse Pike due to the increased screening that will be added to the property. Mr. Bradley states there are 11 vehicle shops up and down the Black Horse Pike on either side plus a car wash. There will be significant aesthetic improvements to the existing house and property. No retail/sales/destruction of vehicles will be involved on the property, only storage and inspection of vehicles. The neighbors have no complaints and Mr. Bradley feels the businesses don't have any complaints. The hours of the business will be 8am to 6pm and there will be no lighting in the evening as they feel the area will be secure enough with the fence.

Mr. Bradley addresses Mr. Lechners' report on the 3 aspects for a CR zone.

1. Lot size
2. Frontage
3. Depth of the lot

The property is a non-conforming use with existing conditions as they cannot buy any additional property. Mr. Lechner asks Mr. Addison about the NJDEP determination and absence thereof. Mr. Addison states Monarch engineering has done an inspection and there are no wetlands, he has it in his file and will make sure Mr. Lechner has a copy on Monday.

Mr. Addison continues with the need for a variance for the 25 ft. landscape buffer in the back of the lot. The parking is more than sufficient and will be graveled, and the frontage is 1/3 the size of the back of the lot and a use variance will be needed.

Mr. Addison addresses the Churchill report: A use variance for a commercial/residential district. Uses with low customer traffic are encouraged in this zone and this use is a perfect fit. This property will NOT to be used as a junkyard.

-Mr. Addison states, if the vehicle is drivable it will be inspected at the body shop first and if it's leaking any fluids it will be drained in an environmentally safe way and towed across the street to the proposed property.

-All employees will park at the building they work at with no need for crossing the Blackhorse Pike.

-The property if is capable of holding 18 to 19 vehicles.

-There will be no parking in front of the building.

-A handicap ramp will be added in front of the building (this is later revised to the back for the handicap parking space)

-Mr. Addison requests a waiver for the "in and out" of the driveway as it is only 15 ft. wide and there will only be one way traffic.

-installation of sidewalks.

-4ft. chain-link will stay and leave it as the barrier.

-A 6ft. fence will black vinyl.

-The landscaping pan can be made and given to the board for approval.

-This property seems to be the low land on the block and they don't foresee any storm water problems.

Mr. McMullin asks Mr. Cipparone how long "temporary" is for holding the cars on the property.

Mr. Cipparone states "about a week".

Mrs. Chiumento asks Mr. Cipparone how many parking spaces already exist.

Mr. Cipparone states "about 31".

Mr. Costa asks if 18 to 19 cars will be the maximum and how they would control the number of vehicles on the lot and the configuration they will be parked.

Mr. Addison states the cars will be parked across the back and by the house.

Mr. Costa suggests making it a condition that no more than 18 cars be parked on the lot.

Mr. Addison states that would be "fine".

Mr. Costa requests what kind of sign would be put up.

Mr. Addison states a monument sign.

Mr. Costa requests how Rocco's Collision will keep the parking at the site "temporary".

Mr. Addison states insurance companies and their customers won't want to pay the storage fees they would incur to keep the car in the lot. Their customers tend to want the vehicle quickly.

Vice Chairman Simiriglia requests a some sort of site/landscaping plan.

Mr. Addison states they will submit a landscaping plan.

Vice Chairman Simiriglia asks how far apart the trees will be in the buffer zone.

Mr. Addison states the trees will be 5ft. apart in a double row and 8ft. apart in a single row.

Vice Chairman Simiriglia requests a row of trees in front of the fence to help buffer it, maybe something like an arborvitae on the right hand side.

Vice Chairman Simiriglia requests a stop sign exiting the property.

Mr. Addison states they will install a stop sign.

Mr. Lechner informs the applicant that a cyclone fence would be another variance.

Vice Chairman Simiriglia states buffering the cyclone fence is fine. Vice Chairman asks Mr. Addison if he's seen the new "living fence", to use on the front fence.

Mr. Lechner suggests an opaque fence.

Mr. Addison suggests a fence that is architecturally pleasing that is solid, something you can't see through.

Mr. Gunn asks the applicant what stops the property from becoming a "junk yard". Mr. Gunn is afraid the property won't stand up to the test of time and will slowly become a storage facility/junkyard.

Mr. Addison states the nature of the business is to keep moving the vehicles; no one will want to pay the storage fee.

Mr. Mellace concurs with the board members that the property will be a vast improvement over what is currently there and suggests a vinyl fence.

Chairman Richards asks the applicant why they are eliminating the lighting.

Mr. Addison states the applicant thinks the 6ft. fence is sufficient.

The applicant addresses Mr. Mellett's letter:

-existing vegetation being kept?

Mr. Addison states they will run evergreens along the fence and leave the existing vegetation.

-existing fencing side and rear?

Mr. Addison states the sequence will be existing fence/shrubs/fence, with the removal of the front fence.

Mr. Mellett asks if anything larger than a passenger vehicle will be kept in the lot.

Mr. Addison states only pickup trucks, Suv's and passenger vehicles.

Mr. Mellett asks if concrete curb stops will be used for each parking space.

Mr. Addison states "no".

Mr. Mellett asks that the applicant delineate the parking spots, buffer, storm water trends (as they seem to go to the west), along with a swale and berm on the property when the plan is submitted.

Mr. Lechner states the 4ft. fence is conforming now as it is an existing fence, but they will need a variance to replace it to another 4ft. fence, we need to make sure we get that variance on record. 3ft. is the maximum height for a fence when you're not 40ft. back and 30ft. inches high on a corner. Therefore the applicant would need a variance for the 3ft. and the 40ft. ordinances.

Mr. Addison now asks to keep the existing fence and a variance.

Mr. Lechner asks if the handicap ramp is going to be in the back.

Mr. Addison states they will put the handicap ramp and parking space in the back.

Mr. Addison asks if the applicant can make a contribution to the sidewalk fund if the application to the NJDOT is not approved as the sidewalk may be in the Blackhorse Pike right of way.

Mr. Lechner states the applicant can make a contribution to the sidewalk fund if the DOT denies the opening.

Mr. Lecher states the sign ordinance is 20 sq. ft. or the applicant would need another variance.

Mr. Addison states the applicant will conform to the ordinance & tie the buildings together with the signage.

Log # 2646 Public Portion

Ms. Dawn Water owns the hair salon next door and is in full support of the project.

Mr. Tim Hughes owns the car wash across from the property and is “all for it.” He states the previous project has already enhanced traffic flow and is a plus to the area.

Open to Professionals:

No Additional Comments.

To re-cap conditions:

- use variance
- variances in Mr. Lechner and Mr. Mellett’s letters.
- no plans that negatively affect the site triangle.
- 18 car limit
- chain link fence
- remove front fence and replace with a new one
- sidewalks or contribution to fund
- staggered row of evergreens
- stop sign/no parking sign
- submit landscape plan

A motion to approve the site plan waiver for the above mentioned application was by Mr. Gunn and seconded by Mrs. Chimento.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Gunn	Yes
	Mr. McMullin	Yes
	Mrs. Chimento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Site Plan Waiver Approved.

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

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

Application Approved.

*****5 minute break*****

Roll Call:	Vice Chairman Simiriglia	Present
	Mr. Bucceroni	Present
	Mr. Domiano	Present
	Mr. Gunn	Present
	Mr. McMullin	Present
	Mr. Acevedo	Present
	Mr. Mellace	Present
	Mrs. Chiumento	Present
	Chairman Richards	Present

**Also Present: Mr. Anthony Costa, Zoning Board Solicitor
Mr. James Mellett PE, Churchill Engineering
Mr. Ken Lechner, Township Planner**

****NOTE: Mr. Domiano has returned to his seat on the board.****

Log # 2880

#092073D

**The Gardens at Marksmen
Preliminary & Final Major Site Plan/Bulk
Block: 13901 Lot: 11.01
Location: 1975 Erial Rd. Blackwood
Landscaping Business Expansion**

Mr. Barons revisits the use variance granted in 2010. Mr. Barons continues with details from the past variance and explains the difficulties of the long and narrow lot.

Mr. Costa swears in Mr. John Pettit (planner) and Mr. Frank Marks (applicant),

Mr. Pettit states the new site plan incorporates the submitted changes.

1. Buffering of the neighbors' properties.
2. 125ft of 6ft. vinyl fencing would go up to match the current white vinyl fence and it will be angled out to be 1ft. from the property line.
3. The refuse bin is not in the appropriate location as it stands now. The suggestion for a new location would be to move it to the other side where the house is closer to Erial Rd. and closer to the building on the applicants' property. Trash disposal will be inside the fence line.
4. Lot 12 will be re-graded and re-seeded.
5. 17 trucks and 34 employees as per the zoning boards' limit, 60 parking spaces available that will be delineated on the plan where exactly they will be.
6. Concrete bollards will be installed to prevent trucks from crossing the property line, drainage for the drive will be accomplished through crushed stone.
7. The drainage from the applicants' building onto lot 12 will be corrected by redirecting the pipe from the existing head wall to where the stone is located. This will drain towards lot 10 and be redirected into an inlet that will run towards a scour hole that will drain onto Holly Run.
8. The basin discharge onto to lot 10 will be corrected with a yard drain to the inlet and piped towards the rear that will discharge onto Holly Run when the basin overflows.
9. Signage: the variance for two signs of the same size is an existing condition since 2005, will be relocated outside the site triangle (3ft. x 4ft. signs).
10. Gravel vs. Blacktop driveway. Blacktop would demand a lot more drainage.
11. Lighting: a survey with a light meter will be done to make sure the lighting isn't leaking on to the other properties. The lights will be shielded on the residents' side.

Vice Chairman Simiriglia asks what the concrete enclosure will be used for.

Mr. Barons states the enclosure will be used for salt and mulch.

Vice Chairman Simiriglia asks if the enclosure will have a concrete bottom.

Mr. Barons states "yes, it will have a concrete bottom. The dumpster pad will also be concrete."

Vice Chairman Simiriglia asks if the accessibility to the bin will be limited because of the traffic flow.

Mr. Marks states the trucks would not be parked in that spot in front of the bin as the trucks will be out working all day. The trailer is in the middle of the lot so there wasn't any room for the enclosure. The trailer is used for storage and there are no wheels on it.

Vice Chairman Simiriglia asks why the fencing is stopping short of the parking spaces, since the house is forward you should fence it up higher.

Mr. Barons states his client would fence the property on both sides if required by the board.

Mr. Bucceroni suggests a 6ft. vinyl fence on both sides as the back porch next door can see over the fence. He suggests a 6ft. fence plus shrubs if that is what is needed so the neighbor can't see inside Mark's property.

Mr. Gunn proposed a trash enclosure in a better location than is proposed by the applicant.

Mr. Pettit explains the placement of the storage bin.

Mr. Barons suggests moving it to the back corner.

Mr. Mellace asks if the opportunity to purchase the property next door has been proposed.

Mr. Barons states "yes" but the owner wants too much money.

Mr. Mellace asks if the owner is asking market value.

Mr. Barons states the difference between the two parties is about 100,000 dollars. Mr. Barons states that blacktopping the driveway is cost prohibitive.

Mr. Mellace states the "we were there first" argument isn't valid as the law was there first.

Mr. Barons states they have no control over what the neighbors will do.

Mr. Pettit states the property is 1300 ft. deep and the wetlands are in the back of the property towards Holly Run.

Chairman Richards asks if the porta potty is still on the property.

Mr. Marks states there wasn't ever a porta potty on the property.

Chairman Richards asks if there are facilities available for the employees.

Mr. Marks states "yes".

Mr. Mellett goes over the engineers report and states what needs to be considered.

1. Traffic & parking, a waiver of the traffic report or to make it a condition of the approval.
2. Gravel parking lot and the storm run-off, will the board depend on Mr. Pettit's testimony.
3. There won't be any curbing the applicant will need a waiver.
4. The parking lot has adequate spaces for 20 employees and 15 vehicles.
5. Is there enough room for the maneuvering of trucks while cars are parked? Mr. Pettit states "yes" there is adequate room.
6. Grading/drainage – storm water analysis and design waiver needed. Mr. Mellett recommends making the drainage pipe 100 ft. long and attaches it to the basin. Mr. Barons states the elevation will have to change too.
7. Additional on and off site grading, south to north 225ft. (drainage). Also not adequately addressed, is the asphalt grade to prevent it from "jumping".
8. A calculation for scour and proposal piping.
9. Buffering landscaping: previous site plan had a 10ft. setback approval.
10. Lighting: foot candles. Mr. Barons states the applicant will do a light study for light spillage.
11. Soil conservation.
12. Dumpster: NJDWQ- solid floor for fertilizer and salt required also a lip and cover on the bin is required.

Mr. Lechner's check list:

1. If or when the wetlands delineation is done, Mr. Lechner needs a copy.

2. He needs a copy of the NEW survey.
3. The previous plan appeared to have moved the utility pole in the front of the property. Mr. Barons states the utility company would not allow the pole to be moved.
4. Light meter reading needed.
5. Pavement and curbing waiver
6. Sidewalk waiver.
7. Site plan doesn't show whole property. Mr. Barons states they aren't changing a thing back there.
8. Encroachment of the building on the south east side. Mr. Barons states the fence will be on their side and the parking lot is showing over the property line, this needs to be fixed.
9. The existing trailer is over the property line on lot #10, and a variance will be needed wherever it is. Mr. Barons states they will move the trailer off lot #10, because it is over the property line.

Vice Chairman Simiriglia states he agrees with the 10 ft. buffer.
Mr. Lechner agrees with Mr. Bucceroni that an 8ft. fence with a berm to provide screening.
Mr. Barons states the applicant will do whatever the board tells them to do.

Mr. Mellett asked what is proposed for the storage area.
Mr. Barons states they will store snow plows and similar equipment in the back behind the trailer.
Vice Chairman Simiriglia asks if the fence will go back that far.
Mr. Barons states "yes".
Mr. Mellett suggests gravel in the back of the lot and adding a 10 ft. buffer.
Mr. Pettit states "yes" that can be done.

PUBLIC PORTION: LOG #6000

Mr. Clyde Walker represents Mr. Tarantino

Mr. Mario Tarantino is sworn in by Mr. Costa.
Mr. Walker reviews Mr. Tarantino's issues with the applicant's lot, such as: drainage, number of vehicles, and light leakage in the evening that leaves one side of his house unusable.
Mr. Tarantino and Mr. Walker discuss T-37 picture.
Mr. Tarantino reviews issues with the trash from the employees, drainage issues, grading issue, T-29, T-30 pictures of lighting, requests the entire property be fenced in, fencing across the front, loss of use issue because of night lighting of applicants property, sees trailer as an eyesore and doesn't see the need for it with the building there. Mr. Tarantino continues with is displeasure of what he sees as dumping in the wetlands. He also voices is displeasure with the lack of notice to this latest zoning application.,
Mr. Barons cross examines Mr. Tarantino: Mr. Barons suggests to Mr. Tarantino the applicant turning the light that is shining into his house off at night. Mr. Tarantino would like a fence in the front of the applicants property (refers to T-37, 38 & 39).
Mr. Lechner states a variance would be needed for the fence.

Mr. Barons goes item by item to fix all issues with Mr. Tarantino.

Tape #2 Log #7354

Ms. Barbara Ashton (1930 Erial Rd.) is sworn in by Mr. Costa:

Ms. Ashton states she has been coming to these meetings for 6 years about this property. The traffic on Erial Rd. is horrible and it has no shoulder. She also has a problem with this business and where it is located.

Close Public Portion Log #7742

Mr. Barons states the county road approval was granted, they would like to fix the dumpster and questions if the 10ft. variance is acceptable.

Mr. Lechner started to discuss how the 10ft buffer was part of the original approval when the recorder malfunctioned and couldn't be restarted. Considering the late hour the board decided to table the Marks application to the March 24, 2011 zoning meeting.

A motion to table the Marks application to March 24, 2011, with no need to be first on the agenda, was made by Mr. Mellace and seconded by Mrs. Chiumento.

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

Application Tabled.

A motion to adjourn was made by Mr. Domiano and seconded by Mr. Gunn.

Respectfully submitted by Jean Gomez, recording secretary.