

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

---

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

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

**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:**

<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
<b>Mr. Bucceroni</b>	<b>Yes</b>
<b>Mr. Scarduzio</b>	<b>Yes</b>
<b>Mr. McMullin</b>	<b>Yes</b>
<b>Mrs. Giusti</b>	<b>Yes</b>
<b>Mr. Acevedo</b>	<b>Abstain</b>
<b>Mr. Treger</b>	<b>Yes</b>
<b>Chairman Richards</b>	<b>Yes</b>

**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:**

<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
<b>Mr. Bucceroni</b>	<b>Yes</b>
<b>Mr. Scarduzio</b>	<b>Yes</b>
<b>Mr. McMullin</b>	<b>Yes</b>
<b>Mrs. Giusti</b>	<b>Abstain</b>
<b>Mr. Acevedo</b>	<b>Yes</b>
<b>Mr. Treger</b>	<b>Yes</b>
<b>Chairman Richards</b>	<b>Yes</b>

**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:**

<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
<b>Mr. Bucceroni</b>	<b>Yes</b>
<b>Mr. Scarduzio</b>	<b>Yes</b>
<b>Mr. McMullin</b>	<b>Yes</b>
<b>Mrs. Giusti</b>	<b>Yes</b>
<b>Mr. Acevedo</b>	<b>Abstain</b>
<b>Mr. Treger</b>	<b>Yes</b>
<b>Chairman Richards</b>	<b>Abstain</b>

**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 Simirglia 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 Simirglia and seconded by Mr. Bucceroni.**

**Roll Call:**

<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
<b>Mr. Bucceroni</b>	<b>Yes</b>
<b>Mr. Scarduzio</b>	<b>Yes</b>
<b>Mr. McMullin</b>	<b>Yes</b>
<b>Mrs. Giusti</b>	<b>Yes</b>
<b>Mr. Acevedo</b>	<b>Yes</b>
<b>Chairman Richards</b>	<b>Yes</b>

**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:**

<b>Mr. Bucceroni</b>	<b>Present</b>
<b>Mr. Scarduzio</b>	<b>Present</b>
<b>Mr. McMullin</b>	<b>Present</b>
<b>Mrs. Giusti</b>	<b>Present</b>
<b>Mr. Acevedo</b>	<b>Present</b>
<b>Mr. Treger</b>	<b>Present</b>
<b>Chairman Simiriglia</b>	<b>Present</b>
<b>Mr. Costa</b>	<b>Present</b>
<b>Mr. Lechner</b>	<b>Present</b>
<b>Mr. Mellett</b>	<b>Present</b>

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 A 7

- 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 6<sup>th</sup> 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:**

<b>Mr. Bucceroni</b>	<b>Yes to deny</b>
<b>Mr. Scarduzio</b>	<b>Yes to deny</b>
<b>Mr. McMullin</b>	<b>Yes to deny</b>
<b>Mrs. Giusti</b>	<b>Yes to deny</b>
<b>Mr. Acevedo</b>	<b>Yes to deny</b>
<b>Mr. Treger</b>	<b>Yes to deny</b>
<b>Chairman Simiriglia</b>	<b>No to deny</b>

**Density denied.**

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

**Roll Call:**

<b>Mr. Bucceroni</b>	<b>Yes</b>
<b>Mr. Scarduzio</b>	<b>Yes</b>
<b>Mr. McMullin</b>	<b>Yes</b>
<b>Mrs. Giusti</b>	<b>Yes</b>
<b>Mr. Acevedo</b>	<b>No</b>
<b>Mr. Treger</b>	<b>No</b>
<b>Chairman Simiriglia</b>	<b>Yes</b>

**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.**