

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
THURSDAY, October 28, 2010**

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

Roll Call:	Vice Chairman Simiriglia	Present
	Mr. Fuscellaro	Present
	Mr. Bucceroni	Absent
	Mr. Domiano	Present
	Mr. Gunn	Absent
	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**

****Mrs. Chiumento will sit in for Mr. Bucceroni and Mr. Mellace will sit in for Mr. Gunn.**

MINUTES FOR ADOPTION

Zoning Board Minutes for September 23, 2010.

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Minutes Approved.

RESOLUTIONS FOR MEMORIALIZATION

August 12, 2010

#102038D

**Every Lyons & Mark Caplan
Block: 15305 Lot: 32.01
Location: 8 Willow Ct.**

#102045C

**Dominic Porto
Block: 8703 Lot: 2
Location: 7 Orchard Ave.**

#102049C

**Evan C. Freas III
Block: 7602 Lot: 5.14
Location: 30 Crestwood Ave.**

#102048C

**Daniel R. Robinson
Block: 204 Lot: 1
Location: 820 W. Evesham Rd.**

#102046C

**Michael Erwin
Block: 3004 Lot: 7
Location: 32 Albert Rd.**

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Resolutions Approved

September 23, 2010

#102158C

Bob Henderson

#102039C

Joseph W. Smith

Block: 1105 Lot: 2
Location: 108 13th Ave.

Block: 11906 Lot: 6
Location: 318 Carol Ave.

#102056C
Anthony R. Venuto
Block: 15821 Lot: 59
Location: 17 King Arthur Ct.

#102067C
Douglas W. Hess
Block: 11607 Lot: 6
Location: 273 Marshall Ave.

#102054C
Kelly L. Rivera
Block: 1303 Lot: 7
Location: 1001 San Jose Dr.

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Resolutions Approved

APPLICATIONS FOR REVIEW

102050CDM (Log 270)
James & Linda Chando
Zoned: R3
Block: 7815 Lot: 2
Use/ Bulk Variance , Minor Subdivision
Location: 1107 Old Black Horse Pike
Use Variance for lot with Existing Business
Minor Subdivision/Variiances

Mr. Costa swears in Mr. Chando, Mr. Steven Pasarella (attorney), and Addison Bradley (Planner).

Mr. Bradley explains Mr. Lechner's letter and the need for 4 variances. Mr. Bradley further explains "other uses" for a R3 zone, and elaborates on the "Blackhorse Pike" being residential/commercial. He explains the lot would comply in every other way; size, frontage, rear yard all comply. The property was intended for lower level commercial uses. The old use variance didn't require as much parking. This business doesn't require a lot of parking as he goes to the vehicle for installation. Mr. Bradley states even though this property isn't zoned commercial/residential. The Aerial photo and sidewalk and curb requirements are discussed. Mr. Bradley suggests a driveway off Richmond Ave. and block the other driveway. He suggests there is no need for a curb or sidewalk off Richmond as the sidewalk and curb wouldn't go anywhere (yet). Mr. Bradley suggests adding the curb and sidewalk if the lot is subdivided and eliminate the access driveway off the Old Black Horse Pike.

- A1. Letter from the tax accessor
- A2. New wetlands certification
- A3. Comparisons of district
- A4. Photos

Vice Chairman Simiriglia states the owner was originally asked to do some landscaping, so the board didn't require a full blown site plan. The old real estate sign was painted over and used which is NOT ok; in addition the 4 signs on the building are not allowed. Vice Chairman Simiriglia wants all of this fixed ASAP, the owners will follow the ordinances in regards to signage immediately. Vice Chairman states the neighbors have a problem with the 2 sheds and container body on the property.

Mr. Bradley states the 2 sheds are on Pine St. not the client's property.

Vice Chairman Simiriglia inquires about the container.

Mr. Bradley states the container is outside the property line but he could inquire who they belong to.

Mr. Lechner states they are in the Pine St. right of way.

Vice Chairman Simiriglia states they are in the buffer area.

Mr. Fuscellaro asks if the driveway will be paved.

Mr. Bradley states "yes" the driveway will be paved.

Mr. Domiano states the board was afraid of that becoming a driveway.

Mr. Mc Mullin additionally requests the sign be removed.

Mr. Bradley states all the signage will be according to the ordinance.

Mr. Costa states it's a condition; take the frame down.

Mr. Mellett: Page 3 of the land use section compliance with the zoning chart needs to be updated; commercial lot 1.01 only. The new driveway needs to be added to the plans, repair any damage to the curb. In addition the plan indicates off street parking.

Mr. Bradley states the owner goes to the vehicle (job) and doesn't need much parking.

Mr. Mellett suggests they clean up the revise and clean up the plan. Mr. Mellett continues; the tax map states the minor subdivision on Harrison Ave. is vacated, the site plan needs to be cleaned up, and the sheds have to be addressed and removed. Additional buffering between residential and commercial uses is needed.

Mr. Pasarella states there will be small buffering.

Mr. Mellett suggests arborvitaes or a line of trees.

Mr. Pasarella states they are willing to do that.

Mr. Mellett states they need to clean up and pave the driveway along with the buffering.

Mr. Bradley states they will plant arborvitaes along the property line and the existing driveway will be removed and cleaned up. The new driveway will go on the residential side.

Mr. Lechner approves of the additional landscaping and removal and cleanup of the old driveway. He continues with a discussion about the curb and sidewalk waiver with Mr. Bradley.

Mr. Bradley states that's a lot to ask of the property owner when he's not even building anything.

Vice Chairman Simiriglia states the curb is important even if it's just for drainage.

Mr. Bradley states he was worried that installing a curb would actually create a drainage problem. He continues with a suggestion: install a curb and pay the sidewalk fund.

Mr. Lechner states the property isn't a commercial/residential zone.

Mr. Bradley states everything else on the Blackhorse Pike is.

Mr. Lechner states the Old Black Horse Pike isn't the Blackhorse Pike.

Mr. Bradley believed the board was going along with the comparison because they are so close.

Mr. Lechner asks Mr. Bradley why he thinks the town hasn't changed the zoning for the Old Blackhorse Pike.

Mr. Bradley states "because it's too small".

Mr. Lechner states all the improvements are going to be done prior to the deed being signed and the Performance Bond has to be signed.

Open to the Professionals:

No Comment:

Open to the Public:

No Comment:

A motion was made to approve expansion of non-conforming use for the above application with the following conditions: 1. Expansion of rear non-conforming 2. Signage conforms to ordinances 3. Shrubs added 4. New driveway 5. Buffering on residential side 6. Plant grass and remove old driveway was made by Vice Chairman Simiriglia and seconded by Mr. Fuscellaro.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Non-conforming use expansion for application approved.

A motion to approve the curb and sidewalk waiver with a \$2,000 contribution for the above application was made by Mr. Mellace and seconded by Mrs. Chiumento.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Application approved.

#102052C (recorder log 1797)

Pyramid Financial

Zoned: CR

Bulk C Variance

Block: 6606 Lot: 1

**Location: 1223 N. Black Horse Pike, Blackwood.
Free Standing Sign With Changeable Electric Message.**

Mr. Costa swears in Mr. Mike Sonlin and Mr. George Frank.

Mr. Sonlin states they have revised the sign to comply with the 33sq. ft. ordinance; it was revised from 15.2 ft. to 14.9ft. which is the same size as the sign that is already there. Mr. Sonlin states the 6ft sign would block the Black Horse Pike view. Setback: 10' 10" so they will be withdrawing from that variance. The measurement was taken from the curb.

Mr. Lechner states the measurement should have been taken from the property line.

Mr. Sonlin states he has seen electronic message signs around town and would like to use one. The banners and little cigarette signs would be removed.

Mr. Fuscellaro states he thinks the bottom of the sign looks wide

Mr. Sonlin says the sign is 5ft high with the base 2 1/2 feet wide.

Mr. Domiano addresses the issues with the hanging signs.

Vice Chairman Simiriglia states the sign will not be operational while store is closed.

Mr. Mellace has issues with the new sign. He asks if the sign could flare out more towards the top.

Mr. Mellett states the sign will be 2 ft. off the property line according to the survey.

Vice Chairman Simiriglia asks if the same pole will be used.

Mr. Sonlin states "yes, same pole."

Mr. Lechner states it will be less non-conforming.

Mr. Mellett asks if the existing foundation will be remaining.

Mr. Sonlin states "no".

Mr. Mellett suggests they move the sign back further then.

Mr. Sonlin states they don't have the room.

Mr. Domiano states the design of the sign is a hindrance.

Mr. Mellett states "yes" it would be less of an obstruction if the design was just a pole.

Vice Chairman Simiriglia suggests removing the façade on the sign.

Mr. Domiano suggests doing something on top of the sign.

Vice Chairman Simiriglia suggests keeping the first 8 ft. of the pole ...just pole.

Open to the Professionals:

No Comment:

Open to the Public:

No Comment:

**A motion to approve the above application with the following conditions:
1. keep the design on top of the pole 2. A yellow band 3. No operations of sign when store is closed 3. Removal of all banners and cigarette signs was made by Mr. Domiano and seconded by Vice Chairman Simiriglia.**

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Application Approved.

#102259C (recorder log 2517)

John Morgan

Zoned: R3

Bulk C Variance

Block: 3202 Lot: 8

Location: 1282 E. Trace Dr., Glendora

Erect Dutch Barn

Mr. Costa swears in Mr. Morgan.

Mr. Morgan states he has a lot of stuff and has 2 storage units which are getting expensive.

Mr. Lechner states Mr. Morgan has 41,000 sq. ft., almost an acre.

Vice Chairman Simiriglia asks what will happen with the current shed.

Mr. Morgan states it will be removed.

Mr. Domiano asks if Mr. Morgan intends to add electric to the shed.

Mr. Morgan states he would like to... "yes"

Mrs. Chiumento asks what types of doors are being used.

Mr. Morgan states he will be using 2 metal doors.

Open to the Professionals:
No Comment:

Open to the Public:
No Comment:

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Application approved.

*******5 MINUTE RECESS*******

RECESS ATTENDANCE:

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

All present

#102061C

Mario DiVento

Zoned: R3

Bulk C Variance

Block: 5303 Lot: 15

**Location: 1342 Old Black Horse Pike, Blackwood
6ft. high stockade fence.**

****The above application was cancelled due to defective advertisement****

#102062C

Thomas Tattersdill

Zoned: R3

Bulk C Variance

Block: 11602 Lot: 24

**Location: 232 Morris Ave., Blackwood
Single Family Dwelling**

Mr. Costa swears in Mr. Kennedy and Mr. Tattersdill.

Mr. Kennedy states this is a pre-existing, non-conforming lot size. A variance for the square footage of the lot and lot frontage is needed. They will be building a 2 story house that will not exceed 35ft. It is critical to put a single family R3 back on the lot and there is NO negative criteria.

Mr. Costa asks if there is any more ground.

Mr. Kennedy states no there is no more ground.

Mr. Mellett asks about the drainage.

Mr. Lechner mentions a grading plan and discussed cost.

Open to the Professionals:

No Comment:

Open to the Public:

No Comment:

Roll Call:

Vice Chairman Simiriglia Yes

Mr. Fuscellaro	Yes
Mr. Domiano	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Mr. Mellace	Yes
Chairman Richards	Yes

Application approved.

#092073D

The Gardens at Marksmen

Zoned: R1

Preliminary & Final Major Site Plan/Bulk

Block: 13901 Lot: 11.01

Location: 1975 Erial Rd. ,Blackwood

Landscaping Business Expansion

******The above application was cancelled to 12/9/2010 ******

#092063B

LaVigna, Inc.

Zone: NC

Interpretation

Block: 14807 Lot: 6

Location: 2375 Sicklerville Rd.

Ground Mount Solar Array

Mr. Costa swears in Mr. Dennis Riley (attorney), Mr. Tom Gillis, and Mr. Sal Kartilis and Nichola Abbete.

Mr. Riley gives a description of the solar panels and the reason for installation being to offset the electric cost for Villari's. Villari's will also receive SRC solar reg. credits. Other businesses in town have taken advantage of solar such as: GTHA and Valley Brook Golf Club. The Federal Grants end 12/31/10 and no small business will be able to do this again. The project must be 5% complete by 12/31/10 or you

won't be eligible for the credits. Mr. Riley points out the major points to the application are accessory use and waiver of formal site plan. The solar panels will not be visible to anyone in the woods.

Vice Chairman Simiriglia asks if the solar panels production of energy will only serve Villari's and it's needs or more?

Mr. Gillis explains the system is designed for Villari's use but sometimes there will be extra power.

Mr. Mellett would not recommend a site plan waiver as these are all big site plan issues.

Mr. Lechner asks if approved we grant jurisdiction to waive the site plan?

Mr. Costa suggests a use variance **only, not the site plan waiver.**

Mr. Lechner wanted to know if the plan was done by a surveyor.

Mr. Kartilis states it is an overlay sketch over the existing survey.

Mr. Lechner states he needs the title block.

Open to the Professionals:

No Comment:

Open to the Public:

No Comment:

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Domiano	Yes
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Mr. Mellace	Yes
	Chairman Richards	Yes

Application approved.

A motion to adjourn was made by Vice Chairman Simiriglia and seconded by Mr. Fuscellaro.

Respectfully submitted by Jean Gomez, recording secretary.