

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT**  
**WEDNESDAY, APRIL 25, 2018**

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

**Roll Call:**

Vice Chairman Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mrs. Chiumento	Present
Mr. Rosati	Present
Mr. Acevedo	Absent
Mr. Treger	Present
Ms. Scully	Present
Mr. Rosetti	Present
Mrs. Kelly	Present
Chairman McMullin	Present

Chairman McMullin had the professionals sworn in:  
Also, Present: Mr. Anthony Costa, Zoning Board Solicitor  
Mr. Ken Lechner, Township Planner

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Ms. Scully is seated for Mr. Acevedo.

**RESOLUTIONS FOR MEMORIALIZATION**

#172012CDMPMSFMSa  
Group Four Prop., LLC (Royal Farms)  
Amend Site Plan  
Block: 20303 Lot: 4 & 4.03

A motion to approve the above-mentioned resolutions was made by Vice Chairman Simiriglia and seconded by Mrs. Chiumento.

<b>Roll Call:</b>	Vice Chairman Simiriglia	Yes
	Mr. Bucceroni	Yes
	Mr. Scarduzio	Yes
	Mrs. Chiumento	Yes
	Mr. Rosati	Yes

**Chairman McMullin**

**Yes**

**Resolution Approved.**

### **APPLICATIONS FOR REVIEW**

**Postponed TBA:**

**#172045DPMSFMS**

**Lance's Tavern, LLC**

**Zoned: NC**

**Use D Variance, Prelim & Final Major Site**

**Block: 8301 Lot: 7**

**Location: 7 Coles Rd., Blackwood**

**Overlay of existing parking lot & expansion of non-conforming use parking lot to provide 177 parking spots & curbing for restaurant, liquor store, tavern w/outside raised patio; replacement of 6' fence.**

Mr. Costa announces to the public that the above-mentioned application will not be heard tonight. But, the applicant will have to re-advertise for the new date.

**#182009D**

**88 Equities, LLC**

**Zoned: SCR**

**Use "D" Variance**

**Block: 19405 Lot: 1**

**Proposed development will consist of 12 non-age-restricted townhouse building w/total of 69 fee simple.**

Mr. Costa swears in: Mr. Jim McKenna (principle 88 equities), Chris Dochney (planner PP, AICP), Mr. Richard Clemson (engineer).

Mr. Marmaro ESQ. explains the application: The applicant is before the board for the Use Variance only. The applicant would like to build fee simple townhomes with no age restriction. He states the NJ Legislation has recognized loss of a need for age restriction zoning. Mr. McKenna states the applicant would like to build 12 buildings. The applicant already has a real estate connection in town because they are currently finishing up a project in Gloucester Township at Highland Estates. There is a market study that shows there isn't a need for 55 & over housing. The units will be fee simple, for sale units priced in the low 200's with no upgrades. The applicant would like to remove the requirement of the club house because it just drives up HOA fees. There will be no affordable housing units in this project.

Mr. Mellett asks if the ground maintenance will be per unit or group.

Mr. McKenna states a HOA will handle the grass.

Mr. Bucceroni asks if they own the lot yet.

Mr. McKenna states no.

Mr. Bucceroni states the Highland Estates project was already up.

Mrs. Chiumento asks how many bedrooms will be in the units.

Mr. McKenna states 2 and 3 bedrooms.

Mrs. Chiumento asks if there will be any main floor bedrooms.

Mr. McKenna states he's not sure.

Mrs. Chiumento asks if there will be a pool.

Mr. McKenna states, No.

Mr. Dochney PP, AICP:

Mr. Dochney explains his qualifications and documents he has reviewed.

Mr. Dochney discusses the size of the property being 22.7 acres in total (including the lake) and is being used as farm land. The location of the project being close to a house of worship, preschool, apartments, single family homes, and other small commercial uses along Hider Lane.

Project description: the property proposed to be developed with 12 townhouse buildings which will include 69 fee simple, non-age-related townhouse dwellings. The applicant is seeking a bifurcated use variance and site plan approval. Right now, only the use variance is being requested and if approved the applicant will return before the board and present a full site plan review.

Zoning Review:

- The site is within the SCR- senior citizen residential district.
- Mr. Dochney reads the township ordinance and what is permitted.
- Townhomes are permitted but are required to 80% 55 and over.
- Variances the applicant is looking for tonight are 1. Variance to permit non-age-restricted townhouses 2. Variance to permit a townhouse community that will not include a community clubhouse.

Master Plan review:

- Overall goals to achieve harmonious and efficient allocation of land uses and the protection of property values in Gloucester Township and surrounding municipalities. Foster a well-balanced, diverse community and a mix of residential housing types. To preserve the housing stock, promote individual ownership, direct new development.

Planning Analysis:

- D-1 use variance requires enhanced standard proof and the applicant must provide special reasons for the granting of the variance. Also satisfy the negative criteria and that the granting of the variance will not substantially impair the public good or will not substantially impair the intent and purpose of the master plan. You can't turn down the request for the variance because you don't like the development.

Positive Criteria:

Special reasons:

- the development is appropriate for residential development because of its location among an established suburban community.
- Density- the proposal for 69 units is generally consistent with the surrounding residential density.
- Nearly 2/3 of existing homes in GT are detached single homes
- 1/3 are mixed duplexes, twins, townhomes.
- As noted this board has previously granted similar variances.

Particular Suitability:

- The lot is already approved for age-restricted townhomes thus townhomes are already appropriate for the site.
- Site is convenient to Philadelphia, Rt 42, I-76, I-676, Walt Whitman Bridge, Ben Franklin Bridge and is approximately 25 minutes to Center City.
- Help existing businesses and facilities,
- The location is more suited to all ages because the amenities surrounding the property are not solely for an elderly population.

Negative Criteria:

- The negative impact is you'll lose a green field, additional traffic, but you would feel those impacts even if it was kept age-restricted.
- Impacts are minimal

Townhouses are already permitted and this development is just removing the age restriction.

Mr. Costa asks how many acres are buildable.

Mr. Dochney states about 1/3 of the property is buildable

Mr. Costa asks if there was any survey done to establish that a 55 & over community was or wasn't needed in Gloucester Township.

Mr. Dochney "no".

Mr. Costa states a townhouse would be less expensive than a single home.

Mr. Dochney states they have not done a market study.

Mr. Costa asks if the traffic pattern would be different.

Mr. Dochney states "yes, at different times".

Mr. Costa states deferring a site plan is not a good idea. There is a lot of information on the site plan that the board can use to help make a decision for a use variance.

Mr. Marmora states the variances could be lessened at site plan.

Mr. Costa states other uses that would satisfy.

Mr. Marmora states it would have to be age restricted.

Mr. Costa suggests congregate care.

Mr. Bucceroni discusses the number of cars that will be in this neighborhood in 15 years due to families natural age progression and kids getting licenses and extra cars. He states the roadway is his problem and the townhomes have multiple

cars and he has nowhere to put the snow. Mr. Bucceroni explains he has to use loaders not plows and it becomes a nightmare.

Mr. Bucceroni also states there is no hardship here as the applicant doesn't own the property. You have to prove a burden here since nothing is built. The lake could become a township problem and reiterates the 55 & over market study not being done. He also states there are waiting lists to get into our senior housing in town.

Mr. McKenna states Highland Estates still has age restricted units that started at 165,000 to 250,000 dollars. The most recent units were pulled off the market at 72,000 dollars because they won't sell. You can find tenants but not buyers. Mr. McKenna states if the 55 & over would sell they would build it, it makes no difference to them.

Mr. Bucceroni doesn't like the proposed entrance and exit on a dangerous curve.

Mr. McKenna states they are not asking for a full site plan approval.

Mr. Costa state there is no study that proves that 55 & over townhomes wouldn't sell. Gloucester Township has no 55 & over townhomes with a 1<sup>st</sup> floor master suite. Mr. Costa also stated that the applicant could have gone to the planning board first to build the 55 & over townhomes. If the townhomes didn't work out then they could have come to the zoning board to lift the 55 & over age restriction.

Vice Chairman Simiriglia states he visited the Colony Apartments and they only have 3 apartments open. Forrest Meadows, 55 & over homes, has no vacant homes and 1 for sale sign. Vice Chairman continues; this specific location is particularly suited because there are 3 churches, the town hall, the best shopping center close by, the senior center practically across the street. The traffic pattern would be much different too.

Mr. Lechner:

The applicant is asking for an age restriction and club house use variance.

- The variances for the plan lot depth; less than 100 deep, side wall, S/B for roads. In Mr. Lechner's opinion this plan could have been revised and the applicant could have eliminated all the variances.
- check list requirements not provided,
- rendering not provided with size, height, elevation or any necessary waivers for floor plans,
- No sidewalks on Hider Lane and that would be required,
- Concern with the open space plan, it's not just grass,
- Proximity of the storm water management on top of the lake.

Mr. Clemson (PE):

- Storm water will be in the rear of the property by the lake,
- Plateau is probably 15' to 20' higher than the surface of the lake,
- the lake is part of the Pine Run Corridor

- no flood hazards and the NJDEP will have to be notified

Mr. Lechner asks if the lake is part of the open space plan.

Mr. Clemson states: as it stands now the lake will be part of the Open Space. The dam, lake and care taking.

Mr. Mellett discusses Dams being rated 1 to 5 (5 being least) This dam is probably a 5, but the maintenance will have to be taken over by somebody.

- April 24<sup>th</sup> letter had high level engineering issues.
- the applicant meets the parking ordinance by using the garage and as we know they don't always get used for parking.
- Deed restrictions on the garages so they can't be converted to living space will be needed.
- Prohibit parking on one side of the roadway,
- Perpendicular spaces extend beyond R of W.
- Configuration of the roadway and a 90 degree turn in the NE section of the development will have to be reconsidered. Snow removal would be a nightmare.
- Full traffic study, storm water plan, approval from DEP and Dam safety.

#### **PUBLIC PORTION:**

Dwaine Little: 1070 Chews Landing Rd.

Mr. Little is a 27yr. police vet and a certified traffic reconstructionist.

The 1999 the original master plan was reexamined in 2015. Hider lane will be owned and maintained by Gloucester Township. The lake and dam have caused flooding and closed Hider Lane. Right now, it stands as a farm and home. The site plan is for a proposed 55 & over.

Mr. Lechner states the applicant has submitted a variance plan.

Mr. Little asks why we are changing the existing ordinance.

Mr. Costa explains we are not changing the ordinance.

Mr. Little asks why we are changing anything.

Mr. Costa explains any applicant has the right to come before the board and ask for relief from something that is not permitted; we are not changing zoning.

Mr. Little states no studies were done to see if the 55 & over townhouse development was needed or not. The entrance and exit on the curve would be a nightmare. Mr. Little continues with worries about the town inheriting a lake and dam to maintain. He is also worried about what's going to happen to the lake and the run off from the development.

Mr. Joseph Barbutl: 6 Cameron Ct.

Mr. Barbutl states he received a 3-page notice with schematics. Hider lane closed off is fine. The entrance and exit of Little Gloucester Rd will be awful, they need a police officer now when mass gets out from the church across the street.

Mr. Mellett states the entrance will be on Hider Lane.

Mr. Marmor states the schematic was NOT distributed by the applicant or the board.

Mr. Costa states there are certain rules that must be followed with these plans.

Mr. Joe Collins: 1530 Hider Lane:

Mr. Collins has lived in Gloucester Township for 69 years and was in the military for 39 years. He bought this house about a year and a half ago. At that time, he asked the previous owner about the land next door; where the proposed townhouses are; and he was told that land was deeded farm land for 100 years. The traffic is horrendous now with the daycare, church and light. Parking spots don't sound like they will be enough for the project. He thinks the fire trucks will have a hard time servicing the townhouses with the current road configuration. There will be a unit built directly in front of my home and he is trying to buy that land. Mr. Collins is the man taking care of the lake and dam along with all the wildlife; eagles, fox, heron, deer etc.... He feels environmentally it will be destroyed. There is a large public presence and they aren't here for no reason.

Mr. Joseph Verna: 43 La Costa Valley Brook:

The development is detrimental and the price point is too low. Blackwood Clementon Rd is dead because there aren't enough people to keep it going. I'm 70 years old and have to keep working to stay in NJ.

Mr. Costa states the board can listen to the testimony but can't take home prices under consideration without expert opinion.

Mr. Bill Berks: La Costa Valley Brook:

Mr. Berks states he is retired military and asks how large Gloucester Township is in area.

Mr. Bucceroni states 24 sq. miles.

Mr. Berk states this development is in direct contrast to what is good for Gloucester Township. We need to care for our senior because they deserve it and, in his opinion, we don't do enough for them. He is worried about the traffic and overcrowding the schools. Also, we need our farm land. Mr. Berk isn't sure this is helping our community.

Ms. Terri Fratz:

Ms. Fratz understands they just want to change from 55 & over because it is now age restricted. Worries about the school district with 3-bedroom townhomes there will be children. Loring Flemming is the lowest ranking school because it's the largest and overcrowded.

Mr. Costa states legally the board is not allowed to consider schools and children.

Ms. Donna Christafoley: Pristine Farms:

Ms. Christafoley states the area is over crowded and the schools will be too. Our open space is disappearing.

Mr. Costa states when someone owns land they have the right to do something with it.

Mr. Frank Pullella: 120 Maurer Ave.

Is Involved in land development himself. He believes people will be looking at the politicians in the Fall. He states you have to wait for 6 or 7 lights to get through that intersection now. Adding 60 to 70 homes with 140 to 150 people that are 55 & over is different than adding fee simple homes; you'll have 300 people. 20% low income? He believes 40 homes should be the maximum on that property. Building up on 15 acres will create a lot of water run-off and where will it all go? Mr. Pullella represents 9 families that wanted to be here.

Mr. Mike Dorris: 35 Tall Oaks dr.

Mr. Dorris has a petition with 500 signatures on it.

Mr. Costa emphatically states the board can NOT accept that.

Mr. Dorris asks if this lot is uniquely suited for this development and asks if there are other lots.

Mr. Costa states just this piece of property.

Mr. Dorris states a special reason is needed and profitability isn't a reason. If 55 & over is unprofitable and it won't sell doesn't mean we have to change the use. He feels they have not satisfied the proof needed to change the use.

Ms. Denise Coin: 1060 Chews Landing Rd.

Ms. Coin discusses the current demographics in Gloucester Township and believes there are a lot of seniors. She pays 10,000 dollars in taxes with 48% of that being schools. She feels the burden will be greater if the 55 & over is lifted. Vice Chairman Simiriglia states the board cannot consider the schools or revenue in its decision.

Ms. Coin states the master plan zoned the property that way and believes it should stay that way: age restricted.

Ms. Kelly Ann Bond: 1077 Chews Landing Rd.

Ms. Bond believes this is a terrible idea that will bring a lot of traffic. She is 27 years old and still living with my Mom because she can't afford a house in NJ. Younger people will be buying these townhomes who will have multiple cars and children. Ms. Bond discusses the traffic issues on Hider Lane. She also discusses the foot traffic to the stores and churches. She does not feel this development is helpful to the community and believes the 55 & over population deserve this space for development.

Mr. Eric Keslike: 35 Meadowyck Ct.

Mr. Keslike states this will be many more homes and the traffic pattern will be much worse. It takes him 40 minutes to get to Runnemede now and it should be a 10-minute ride. He feels it should stay 55 & over/age restricted.

Mr. Costa states: the contract purchaser has a right to be here. They could have gone to the planning board and just built 55 & over townhomes.

Mr. Keslike states he doesn't feel he's a serious developer. He just wants to make the town overcrowded and then leave. He believes homes will be left because no one will buy them with cheap new townhomes available.

Mr. Fred Blumstein:

Mr. Blumstein has been a resident since 1982 and simply states he has no more traffic jams left in him.

Mr. Jim Griganello: 4 Dorado Ct.

Mr. Griganello states the arguments should have proof behind them. It's just their opinion that there is no 55 & over market. Without proof there should be no reason to change the age restriction.

Mr. Warren Stout: 1513 Hider Lane:

Works at Camden County Corrections:

Mr. Stout is afraid the townhomes won't sell and in 10 years they'll be low income housing.

Mr. Robert Harob: 1807 Hider Lane:

Mr. Harob states the farm was 2 pieces in front of him – 32acres. He is 80 years and has to work 4 days a week to stay here and feels this development will add to his school taxes. The traffic is horrendous now. There will be an increase of traffic flow. He believes the variance should only be granted for a hardship.

Mr. Costa states that variances have special reasons a C Variance may have a hardship: such as your house is on a corner lot and is irregularly shaped.

Mr. Marmora states some of the concerns could be applied to the 55 & over development too. He suggests doing a market study for proof and changing the street layout for easier snow removal.

Mr. Costa states it was not requested information, you just don't have it.

Mr. Rosati makes a statement that the zoning board tries to make decisions that are fair to everybody.

Mr. Marmora asks for a postponement.

**A motion to deny the above-mentioned application was made by Mr. Rosati and seconded by Mr. Scarduzio.**

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Yes to Deny</b>
	<b>Mr. Bucceroni</b>	<b>Yes to Deny</b>

Mr. Scarduzio	Yes to Deny
Mrs. Chiumento	Yes to Deny
Mr. Rosati	Yes to Deny
Ms. Scully	Yes to Deny
Chairman McMullin	Yes to Deny

**Application Denied.**

**A motion to make Mr. Lechner the recording secretary for the April 11<sup>th</sup> Zoning Board meeting.**

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

**Motion is approved.**

**A motion to Adjourn was made by Mrs. Chiumento and seconded by Mr. Rosati.**

**Respectfully Submitted, Jean Gomez, Recording Secretary.**