

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT THURSDAY,
April 22, 2010**

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

Roll Call:	Vice Chairman Simiriglia	Present
	Mr. Marks	Present
	Mr. Fabricius	Absent
	Mr. Fuscellaro	Present
	Mr. Bucceroni	Absent
	Mr. Domiano	Absent
	Mr. McMullin	Present
	Mr. Gunn	Present
	Mrs. Chiumento	Present
	Mrs. Giusti	Present
	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: Mr. McMullin will sit in for Mr. Bucceroni and Mr. Gunn will sit in for Mr. Fabricius. *******

MINUTES FOR ADOPTION

Zoning Board Minutes for March 25, 2010.

Motion to approve the above-mentioned minutes was made by Mrs. Chiumento seconded by Mr. Fuscellaro.

Roll Call:	Vice-Chairman Simiriglia	Yes
	Mr. Marks	Yes
	Mr. Fuscellaro	Yes
	Mr. Gunn	Abstain
	Mr. McMullin	Yes
	Mrs. Chiumento	Yes
	Chairman Richards	Yes

Minutes approved.

RESOLUTIONS FOR MEMORIALIZATION

#102008

McNeece, Reenee

Block: 19803 Lot: 7

Bulk C Variance

#102011C

Kossar, John P

Block: 11605 Lot: 19

Bulk C Variance

#102009C

Boudreau, Paul & Dorothy

Block: 15821 Lot: 49

Bulk C Variance

#102004CDMSP

Blackwood Chicken, LLC

Block: 11402 Lot: 66

Bulk C, Use Variance & Minor Site Plan

A motion to approve the above mentioned resolutions was made by Mr. Marks and seconded by Mr. Fuscellaro.

Roll Call:

Vice-Chairman Simiriglia	Yes
Mr. Marks	Yes
Mr. Fuscellaro	Yes
Mr. Gunn	Abstain
Mr. McMullin	Yes
Mrs. Chiuimento	Yes
Chairman Richards	Yes

Resolutions Approved.

APPLICATIONS FOR REVIEW**#092076C****Boyer, Kenneth****Zoned: R3****Block: 15810 Lot: 12****Bulk C Variance****Location: One Arlington Rd. Erial, NJ 08081****Construct 12' x 16' deck 21' From the Side Property Line.**

Mr. Costa swears in Mr. Kenneth Boyer.

Mr. Boyer explains the deck he intends to build as open, 12' x 16' , with no steps.

Vice-Chairman Simiriglia asks Mr. Boyer if the deck will be in line with the side of the house.

Mr. Boyer states "yes".

Open to the Public:

No Comments

Open to the Professionals:

No Comments

A motion to approve the above – mentioned application was made by Vice-Chairman Simiriglia and seconded by Mr. Gunn.**Roll Call:**

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

Application Approved.**#092070C****Pursel, Lillian****Zoned: RA****Block: 13605 Lot: 10****Bulk C Variance****Location: 25 Blue Jay Drive Clementon, NJ 08021****Install 5 ½' Wood Fence 10' From Property Line On Corner Lot.*********The above-mentioned application was postponed until May 13, 2010******

#102014C

Gallagher, William M

Zoned: R3

Block: 9404 Lot: 4

Bulk C Variance

Location: 316 Downing Rd. Somerdale, NJ 08083

Construct 24' x 32' 2 Car 2nd Garage

Mr. Costa Swears in Mr. Gallagher.

Mr. Costa questions Mr. Gallagher about the garage, it will match the house, and be used to store cars and lawn maintenance equipment.

Vice-Chairman Simiriglia questions Mr. Gallagher about the height of the garage and if the garage should have 2 doors.

Mrs. Chiumento questions Mr. Gallagher about the height of the garage.

Open to the Public:

No Comments

Open to the Professionals:

No Comments

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

Roll Call:

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

Application Approved.

#102016C

Rizzo/Velenti, Inc.

Zoned: R3

Block: 1703 Lot: 26

Bulk C Variance

Location: 436 Price Ave.

Single Family Dwelling.

Mr. Costa swears in Mr. David Thatcher, attorney, Mr. Stephen Rizzo, Builder, and Mr. David Crack, Engineer along with the applicant Mr. Valenti.

Mr. Thatcher explains the need for 3 variances: 1. lot size 2. lot frontage and 3. set back. Mr. Thatcher questions Mr. Rizzo about not being able to purchase additional land for the lot.

Vice-Chairman Simiriglia questions Mr. Crack about the property draining towards the street.

Mr. Crack states "yes" it will drain towards the street with swales.

Vice-Chairman Simiriglia asks Mr. Crack if the down spouts will run down the front of the house.

Mr. Crack states "yes".

Mr. Fuscellaro questions Mr. Crack about the existing fence.

Mr. Crack states the fence is on the other side of the property line.

Mrs. Chiumento asks Mr. Crack if the home will be in line with the other homes in the neighborhood.

Mr. Crack states "yes" the home will be similar to the homes in the neighborhood.

Mr. Mellett questioned Mr. Valenti about public sewer and water.

Mr. Valenti answers "yes"

Open to the Public:

No Comments

Open to the Professionals:

No Additional Comments

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

Roll Call:

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

Application Approved.

#092073D

The Gardens at Marksmen

Zoned: R1

Block: 13901 Lot: 11.01

Use D Variance

Location: 1975 Erial Rd. Blackwood, NJ 08012

Landscaping Business Expansion.

*******The above-mentioned application was rescheduled to May 27, 2010, no re-notice necessary.*******

#102112A

Bentivegna, Anthony

Zoned: OR

Block: 12204 Lot: 34

Appeal of Zoning Officer's Decision

Location: 1301 Little Gloucester Rd. Blackwood, NJ 08012

Appeal of Zoning Officer's Decision.

Mr. Costa swears in Mr. Cutter, Attorney, Mr. Anthony Bentivena, and Ms. Mia Eylon. Mr. Cutter goes into great detail about who rented space from the applicant from 1/27/2003 to present along with exhibits to prove who was renting retail space.

Ms. Eylon testifies with Mr. Cutter questioning her. Ms. Eylon operates Cash for Gold and stated she asked for permits from Mr. Shepard for store #5. Ms. Ortiz did not give her the permits when she returned 1 week later. Ms. Eylon buys and sells gold and silver in small quantities.

Vice-Chairman Simiriglia asks Mr. Lechner if this is a permitted use.

Mr. Lechner states the property is zoned office residential.

Mr. Cutter states it is a pre-existing non-conforming use.

Vice-Chairman Simiriglia states that is only true when the business is there before the zoning change.

Vice-Chairman Simiriglia asks when the zoning change occurred.

Mr. Lechner states January 27, 2003 is when the ordinance changed.

Vice-Chairman Simiriglia states anyone there prior to that date is allowed.

Mr. Cutter states the previous tenants were approved and they were retail not residential office.

Mr. Lecher states he requested an explanation of the business "Cash 4 Gold" in writing and he hasn't received one to date.

Mr. Cutter states that Mr. Shepard is a construction official not a zoning official which was an honest misunderstanding by Ms. Eylon.

Vice-Chairman Simiriglia states it's a zone that does not permit the use, thus you may need a variance.

Mr. Cutter states when the zoning officer disagrees that it is a permitted use the owner would have to get a variance for every new business.

Mr. Costa states that the law provides an interpretation.

Mr. Cutter states Ms. Ortiz didn't seem to be able to get a clear idea of what "Cash 4 Gold" was.

Vice-Chairman Simiriglia states the zoning officer stated retail is not a permitted use it is zoned office.

Mr. Lechner asked for a formal business plan and explains restaurants, beauty salons are not all considered "retail" there are more specific explanations.

Mr. Cutter states this is retail commercial.

Mr. Costa states the strip centers' "use" is under interpretation: under the impression this was a retail business which conforms with the other businesses.

Mr. Costa reads Ms. Ortiz's decision.

Mr. Cutter states it's not the tenant it's the use in question.

Mr. Costa states the board would be voting on the interpretation and the certificate of non-conforming use.

Open to the Public:

No Comments

Open to the Professionals:

Mr. Lechner asked for more specifics as to what was going to be considered "retail".

A motion to approve the above – mentioned application (on the interpretation and non-conforming use) was made by Mr. Marks and seconded by Mr. Gunn.

Roll Call:

Vice-Chairman Simiriglia	No
Mr. Marks	Yes
Mr. Fuscellaro	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved For "RETAIL USE."

+++++10 minute recess+++++

Attendance after Break:

Roll Call:	Vice Chairman Simiriglia	Present
	Mr. Marks	Present
	Mr. Fabricius	Absent
	Mr. Fuscellaro	Present
	Mr. Bucceroni	Absent
	Mr. Domiano	Absent
	Mr. McMullin	Present
	Mr. Gunn	Present

Mrs. Chimento	Present
Mrs. Giusti	Present
Chairman Richards	Present

All Present.

#102003D

Henry, Derrreck, Sr.

Zoned: NC

Block: 15302 Lot: 35.01

Use Variance

Location: 2897, 2899 & 2901 Erial/New Brooklyn Rd. Erial, NJ 08081.

House of Worship

Mr. Costa swears in Mr. Paul, Mr. Henry, Mr. Charles Adams, and Ms. Linda Scialabia.

Mr. Paul questions Mr. Henry about operating hours of the church.

Mr. Henry services are 2 hours on Sunday starting at 11am, on Thursday nights 7pm to 10pm for youth and adult classes, with about 40 people at all events. They are currently working out of The Wyngate Hotel in Voorhees.

Mr. Paul explains exhibit 1 as a description of facility (current) and they don't interfere with operations.

Mr. Adams states the signs will be 10 sq.ft. each under ordinance requirements and they will be box signs. Mr. Adams states he drew up the plans the board is looking at, they seem to be 14 parking spaces short as they go over the engineers' letter. They are also seeking a waiver of the site plan.

Mr. Henry states they will offer tutoring services at the location along with volunteering many hours within the community.

Ms. Linda Scialabia states the property has been empty for 5 to 6 years and they would be or than happy to do the landscaping , fix the parking lot and whatever else is needed to get these tenants in the empty location.

Mr. Paul questions Ms. Scialabia about parking and storm water management.

Vice-Chairman questions Ms. Scialabia about the dumpsters on site.

Mr. Mellett states there are 70 parking spaces on the plan and Mr. Paul agrees with that statement.

Mr. Adams states they need 88 according to his calculations.

Mr. Mellett covers the engineer's letter and fire marshal inspection.

Ms. Scialabia agrees to ALL fixes.

Mr. Lechner states to get a CO Ms. Scialabia will have to add handicap spaces if the application is approved. There is a one way driveway that doesn't meet the 18 ft. ordinance, but it is pre-existing. Mr. Lechner requests a time line for the repairs to the property. Time limit 90 days.

1. fix parking lot
2. fix sign on parking lot
3. handicap spaces

Open to the Public:
No Comments

Open to the Professionals:
No Additional Comments

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

Roll Call:

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

Application Approved.

#102027CDMS

Reliable Tire Distribution, Inc.

Zoned: GI

Block: 8301 Lot: 3

Bulk and Use Variance – Site Plan Waiver

Second Floor Office addition, first floor warehouse addition, and single family dwelling with 5 car garage.

Mr. Costa swears in Mr. Wade (attorney), Mr. Jack Smith (architect), Mr. Mike Betts (Owner), and Mr. Addison Bradley (planner).

Mr. Wade explains the site plan waiver and use variance along with the single family residence with 5 car garage in a GI zone.

Mr. Bradley explains the tire business and additions along with residential improvements. Mr. Bradley hands out to the board Exhibit A1 and A2 plans and aerial view, A3 and A4 architect rendering & elevations. The second floor in the tire business building will be offices. Mr. Bradley continues to explain shipping schedules, use of tires (which the owner sells wholesale), hours trucks use the facility, parking at the facility being 91 spaces.

Mr. Wade reviews the Churchill engineering report and site plan waiver one by one.

Mr. Lechner's letter is reviewed: floor area ratio, building coverage, building height (under 35ft.), and the private residence is 2600 sq. ft.. There is a variance needed for the 800 sq. ft. garage.

Vice – Chairman Simiriglia asks Mr. Bradley if the applicant is going to petition council to change the zone.

Mr. Bradley states “no”.

Mr. Fuscellaro stated the fire department would be able to drive through the back gates if need be.

Mr. Mellett suggests checking the turning radius by the back bays of the tire building, and to call the fire marshal.

Mr. Bradley states they will do that.

Mr. Lechner states it’s easier to re-zone the property at the re-examination report , it’s simpler.

Open to the Public:

No Comments

Open to the Professionals:

No Additional Comments

A motion to approve the above-mentioned application was made by Mr. Marks and seconded by Mr. Gunn.

Roll Call:

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

Application Approved.

***Mr. Lechner states there was a problem with children from the local Howard Johnsons attending the school system according to Mr. Seddon, the local school superintendant. Mr. Lechner states Howard Johnsons accepted their certification of compliance with the boards resolutions with children (from Camden County Social Services) NOT attending the local school district. They can now be cited by the zoning officer. ***

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

Respectfully submitted by Jean Gomez, recording secretary.

