

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT THURSDAY,
July 28, 2011**

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

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

MINUTES FOR ADOPTION

Log #100

Zoning Board Minutes for June 23, 2011.

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Bucceroni	Abstain
	Mr. Gunn	Abstain
	Mrs. Chiumento	Yes
	Mrs. Giusti	Yes
	Mr. Acevedo	Abstain

Chairman Richards
Minutes Approved.

Yes

RESOLUTIONS FOR MEMORIALIZATION

LOG # 250

#112019C
Deziree & Mark Madden
Block: 12902 Lot: 11
Bulk C Variance

#112024C
Steve & Sharon Leonardo
Block: 9906 Lot: 4
Bulk C Variance

#112022C
Gary McDermott
Block: 20903 Lot: 9
Bulk C Variance

#112017C
Michael & Joyce Edwards
Block: 11502 Lot: 6
Bulk C Variance

#112021C
Virginia Miller
Block: 11903 Lot: 8
Bulk C Variance

#112020C
Henry Larrea
Block: 17301 Lot: 29
Bulk C Variance

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Bucceroni	Abstain
	Mr. Gunn	Abstain
	Mrs. Chiuimento	Yes
	Mrs. Giusti	Yes
	Mr. Acevedo	Abstain
	Chairman Richards	Yes

Resolutions Approved.

APPLICATIONS FOR REVIEW

LOG #253

#112028C
Richard & Carmela Gemerek
Zoned: R3
Block: 4708 Lot: 23-24

Bulk C Variance
Location: Charter Ave., Blackwood, NJ

Mr. Costa swears in Mr. Richard & Paul Gemerek.

Mr. Addison Bradley is the applicant's planner and is accepted as an expert to the Gloucester Township Zoning Board of Adjustment.

Mr. Bradley explains the lot according to the tax map and points out most lots are 100 x 100 and the extra footage is not available in this particular case. Mr. Addison continues to explain the history of the lot as it pertains to the connecting lots and the reason for lack of access and the driveway being in the front of the home. There was a house on this lot from 1926 to 1992 which was removed, there is existing water and sewer to this lot.

Vice Chairman Simiriglia asks the applicant if any attempt has been made to purchase other lots.

Mr. Bradley states there has not been any attempt to the lot that fronts on Hollywood Ave.

Vice Chairman Simiriglia states to Mr. Addison that the street extends about 25ft on to the lot, are the applicants going to extend this to the house.

Mr. Addison states "no" there is no need to extend the driveway as there is plenty of room for emergency vehicles.

Vice Chairman Simiriglia asks Mr. Lechner about the paving in the front of the proposed house.

Professionals:

Mr. Lechner states the road isn't going anywhere else, the road ends at a lot with a house on it.

Mr. Mellett states the fire and police need to review the proposed house and plans.

Mr. Lechner states the fire department has approved the proposed house and lot and police have reviewed the proposed house and have no traffic problems.

Mr. Mellett asks if the applicant will be removing the masonry wall that is on the property.

Mr. Addison states it will be removed.

Mr. Lechner states there must be a variance for the driveway as it will be part of the street.

Open to the Public:

No Comments.

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

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Bucceroni	Yes
	Mr. Gunn	Yes
	Mrs. Chiuimento	Yes
	Mrs. Giusti	Yes
	Chairman Richards	Yes

Application Approved.

LOG #683

#061111PSPF/A

Megha RE Holding Co.

Zoned: Highway Commercial

Block: 18404 Lot: 2

Amended Prelim Site/Final Site

Location: 577 Cross Keys Rd.

Fast Food Restaurant w/Drive Thru Aisle & Retail Store.

Mr. Costa swears in Mr. Michael Albano (attorney), Mr. Brian Hall (PE), Mr. John Schultz (manager of site).

Mr. Albano reviews the history of the lot and previous zoning meetings. He reviews what has been done to alleviate the neighbors' complaints (Mr. Klimowitz). 1. Turned off the light on the building that was shining into the home 2. Turned off the security lights 3 will increase the fence height to 10ft. but will need a variance.

Mr. Albano states they are still looking for an amended site plan for the drive thru.

Mr. Schultz has met with Mr. Klimowitz and he had stated to Mr. Schultz that the back porch was getting a lot of light. They have moved the lights and turned off the security lights and will add a 10 ft. fence so the lights from cars in the drive thru won't shine into his home. There is an existing gap in the fence which will be connected to the rest of the fence so there is one continuous fence along the whole back of the property.

Mr. Brian Hall PE, reviews the most recent plan:

They are proposing removal of the speed bump, keep the island and offset the curb for drainage and the last 2 parking spaces removed. Mr. Mellett and Mr. Hall could discuss the issue and rectify any problems.

PROFESSIONALS:

Mr. Mellett states the 5/24/2011 engineers' letter pg .6, #8 stated the existing inlet would prevent a handicap ramp.

The engineers, Mr. Hall and Mr. Mellett discuss making the handicap ramp into the existing sidewalk.

Mr. Lechner wanted a second drive aisle for an escape.

Vice Chairman Simiriglia states the drive thru restrictions were put into place for a reason.

Mr. Albano states they can't get any new space as the lot is surrounded by houses.

Vice Chairman Simiriglia states the whole site is a mess because it was "piece meal" – built in phases. He also states he doesn't like the restaurant and retail in the same space and asks the applicant for any examples where he can find that combination.

Mr. Hall states that combination exists in the same lot with a Dunkin Donuts and retail next to the Dunkin Donuts.

Mr. Albano states the only change they are making to the plan is the drive thru addition; the other parts of the plan have already been approved.

Mr. Schultz states the only circulation problem was when they removed the island and more people starting cutting through.

Mr. Fuscellaro asks if the fence will all be matching.

Mr. Albano states “yes, the fence will be matching”.

Mr. Mellett states he can work on any issues with the applicant.

Mr. Schultz states the security lights can be disabled if requested.

Mr. Lechner states the applicant needs to check the turning radius for tractor trailers before making any changes to the parking lot, otherwise he may be creating a turning problem.

Mr. Albano states he can send the templates to Mr. Lechner and Mr. Lechner and they can fix any issues they see fit.

Mr. Lechner asks if the applicant has a survey.

Mr. Hall states “yes” they have a survey.

Mr. Lechner states the signs are smaller now, so they would only need a variance for the 10 ft. fence and the use variance for the drive thru.

Open to the Public:

No Comments.

A motion to approve the above mentioned application, use variance, was made by Mr. Bucceroni and seconded by Mrs. Chiuimento.

Roll Call:	Vice Chairman Simiriglia	No
	Mr. Fuscellaro	No
	Mr. Bucceroni	Yes
	Mr. Gunn	No
	Mrs. Chiuimento	Yes
	Mrs. Giusti	Yes
	Chairman Richards	Yes

Use Variance not approved.

A motion to deny the above mentioned use variance application was made by Vice Chairman Simiriglia and seconded by Mr. Fuscellaro.

Roll Call:	Vice Chairman Simiriglia	Yes to deny
	Mr. Fuscellaro	Yes to deny
	Mr. Bucceroni	No to deny
	Mr. Gunn	Yes to deny
	Mrs. Chiuimento	No to deny
	Mrs. Giusti	No to deny
	Chairman Richards	No to deny

Use Variance Application Denied.

LOG #31606

#112012CDMS

Dr. Benjamin Blank

Zoned: R4/CR

Block: 1101 Lot: 6-8

Bulk C/Use Variance/Minor Site

Location: 1300 Black Horse Pike, Glendora, NJ 08029

Doctor's office & office building for medical and related service.

***Vice Chairman Simiriglia steps down and Mr. Acevedo steps in. ***

Mr. Costa swears in Dr. Blank (owner), Mr. Ken Moninghoff (PE) and Mr. Dennis Riley (attorney).

Mr. Riley explains the surroundings of Dr. Blank's office, lots 6 & 7 being a CR zone except for the little house on the corner. Mr. Riley continues with the explanation for the need of a use variance. The small house will be demolished and the pink building will be renovated. There is a huge garage in the rear of the property which adds 2 parking spots which are sorely needed. Dr. Blank is the only doctor working on the premises. This is an extremely narrow sight and a parking waiver will be needed if the two spots in the garage are considered not sufficient and the ramp will be constructed. Lots 6 & 7 will be consolidated and the little house will be demolished.

Dr. Blank states he is the only full time doctor on the premises, the parking in the garage is fine,. And the fencing between himself and homes is OK with him. Dr. Blank is trying to expand his parking, states his office hours, states there is no adjacent land available and agrees with the engineers' reports and letters.

Mr. Moninghoff makes his points:

1. There is no wetland involved.
2. No adjacent property available
3. New survey will be made available.
4. Flood plan zone x 2/10 of a percent
5. Storm drains and sloping new parking area, drainage will be away from the pink building and towards the entrance and exit of the driveway, all site detention for the storm run-off.
6. The night lighting seems to be sufficient, adding more lights would just be a nuisance to the neighbors.
7. Landscaping will be added next to the existing residence as a buffer.
8. Fence would be 4ft. from the residence where planted area would be done nicely.
9. Site triangle at the exit there is no obstruction.
10. There will be some soil removal for drainage from the small yard.
11. The plan makes the current impact is positive.

Mr. Fuscellaro asks for some clarification on the entrance and exit from the lots.

Mr. Mellett states he needs appropriate triangle, landscaping and signage shown on paper.

Mr. Bucceroni asks Dr. Blank if he is expanding staff or adding staff.
Dr. Blank is not adding employees and is hoping to spread his staff out.
Chairman Richards ask Dr. Blank to repeat his hours of operation and asks the Mr. Moninghoff when he did the light check.
Mr. Moninghoff believes the lighting is sufficient.

PROFESSIONALS:

Mr. Mellett reviews his letter of 4/21/2011:

1. Parking: 13 spaces needed for 1390 sq. ft., 15 spaces needed where 9 exist, not proposing a curb around the lot.
 2. A Stop "R" should be added to the plans, the existing driveway near lot 5, more detail in the demolition.
 3. Fill in old cistern
 4. Variance for buffer widths, 25 ft. is required.
 5. The plan doesn't show landscaping, need quantities on the plan.
- Mr. Mellett would like to hear from the public about the fence vs. landscaping dilemma.
6. Proposed signage should be in the plan via site triangle.
 7. Soil removal plan needs to be submitted.
 8. Dry wells: test and remove
 9. Easements: need one on the front lot and could use one on the back lot.

Mr. Lechner wants to see a specific landscaping plan with table. The lighting question: too much lighting?, shadows?, glare too much for the residents, pole lights on timers may be preferred.
Mr. Lechner states the parking issue is complicated.

LOG # 32936

PUBLIC PORTION:

Mr. Costa swears in Mr. Edward Persichetti.

Mr. Persichetti states that Dr. Blank is not the only doctor there, there is a diet doctor working there too. He states the signage in the area is confusing; the lighting is on 24/7. UPS stops in the middle of the street to make deliveries because of access issues. Where is the snow going to go after its plowed? People visiting the doctor's office drop trash and empty ash trays in the street.

Mr. Lechner suggests calling the police when needed and One Way signs are needed from lot onto Maple Ave..

Mr. Bucceroni explains he knows the area and knocking down the other home would create "some" new parking.

Mr. Fuscellaro states removing 4 cars would make "some" difference on the street.

Mrs. Chiumento asks Dr. Blank how many staff he has.

Dr. Blank states he will keep the same amount, which are 5 full time and 3 part time employees.

Mr. Lechner states the fire plan was reviewed and approved.

Mr. Costa swears in Mr. Mike Pascal.

Mr. Pascal state the doctors' office is in the middle of the neighborhood and the little house was grandfathered in. He states the doctor says there was no available adjacent land, yet when the Shell station was up for sale he didn't buy the land. Mr. Pascal feels Dr. Blank was "crammed down their throats." He believes Dr. Blank is going to expand his business and that his patient list will grow along with his lab being a general public lab. Mr.Pascal believes this lab will turn into a LabCore or Quest lab 50ft. from his front door; it just isn't part of a neighborhood setting.

Mr. Costa states they could make the employee list of 5 full time and 3 part time employees a condition to approval of the variance.

Mr. Pascal feels there is no economic hardship to Dr. Blank and the board should let him know this isn't the way we do business in this town.

Mr. Bucceroni states he knows the area well and a lot of the lots along the Black Horse Pike have businesses on them that go all the way back to Central Ave. Therefore Dr. Blanks' office is consistent with the neighborhood. Mr. Bucceroni has stated the doctor is not expanding his business, how much more could he possibly expand his business in his current location.

Mr. Costa swears in Mr. Harry Revel:

People park in front of his driveway and he has to go to the doctors' office to find the person to get them to move the car. He states the doctor has 2 doctors in the office, one is a chiropractor. Mr. Revel is afraid Dr. Blank will add more doctors.

Mr. Riley states there will be 17parking spaces all together with the new lot.

Mr. Revel insists there will be more doctors hired.

*****5 minute recess*****

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

LOG # 34049 RESUME MEETING:

A motion to approve the above mentioned application with the following conditions: use variance, minor site plan, hours of operation: M T Th 8:30am to 9pm, Friday 8:30am to 4pm, Saturday 7am to 3:30 pm., 25 ft buffer, 2 employees in the garage, lot consolidation, 6 full time and 2 part time employees, was made by Mr. Fuscellaro and seconded by Mr. Bucceroni.

Roll Call:

Mr. Fuscellaro	Yes
Mr. Bucceroni	Yes
Mr. Gunn	Yes
Mrs. Chiumento	Yes
Mrs. Giusti	Yes
Mr. Acevedo	Yes
Chairman Richards	Yes

Application Approved.

LOG#34300

Chews Landing Equities, LLC

Zoned: OR

Block: 8201 Lot: 2

Bulk C/Use Variance & Minor Subdivision

Location: 1462 Chews Landing Rd. Gloucester Township, NJ

****Vice Chairman Simiriglia returns to his seat and Chairman Richards has to leave the meeting early, Mr. Acevedo will sit in for Chairman Richards.**

Mr. Costa swears in Mr. Addison Bradley (professional planner) and Mr. Eisner (attorney).

Duplex zoning is discussed by Mr. Eisner and how they will use the back of the lot as a conservation area instead of the 25ft. buffer. A Minor subdivision to divide the lot is needed and will be submitted to Mr. Lechner and Mr. Mellett for approval so the applicant does not have to come before the board again. A1 an aerial photo is presented to the board and Mr. Addison explains the surrounding zoning. A2 is a picture of the existing duplexes on Coles Rd. which is will be built on Chews Landing if approved.

Mr. Addison explains the applicant wants to make the back half of both lots conservation areas or deed restricted areas which will be left in its natural state. Mr. Addison sees no negatives in this situation, there is less impervious surfaces and less run off. The property fronts on a county road, yet a 50 foot setback leaves plenty of room. If it was used for a commercial use you would have more trash and lighting. If developed commercially there would be no “conservation” area in the rear of the property.

Mr. Fuscellaro states the two twin homes would create a lot less traffic then if an office building was put on the lot.

Mrs. Chiumento asks if both duplexes would be facing Chews Landing Rd.

Mr. Addison states “yes, duplexes will be facing Chews Landing Rd., they will be 94ft wide by 250 ft. long lots and the duplexes will be rentals.

Mrs. Giusti asks “just two duplexes”.

Mr. Addison states “yes, two duplexes, just like Coles Rd.”

Engineers’ letter: The curb and sidewalk would be replaced if deteriorated for a minor subdivision.

Vice Chairman Simiriglia wants to make sure there are off road turning capabilities for vehicles.

Mr. Mellett states there will be a variance for density, as there are 2 units per acre, not 1.

Mr. Mellett states his office did not review for a minor sub division. He wants to make sure the applicant is going to maintain trees and shrubs along the property line and that the applicant is agreeable to the engineers’ entire letter.

Mr. Lechner wants to make sure that the setback for the duplexes doesn’t create a problem with existing homes. Mr. Lechner doesn’t want the front yards butting up against someone else’s backyard.

Vice Chairman Simiriglia wants it clarified whether the 250 ft. is a conservatory or a restricted deed.

Mr. Mellett states it looks like 300 ft. on his plan.

Mr. Lechner states the 50ft. setback doesn’t require a variance.

LOG 3 35508 PUBLIC PORTION:

Mr. Costa swears in Mr. Richard Hollingshead:

Mr. Hollingshead states the zoning of OR is not useful and wants the space left s open space. He states originally 4 duplexes on Coles Rd. were supposed to be sold and now they are rentals. Mr. Hollingshead states senior complexes are being built and no one is buying them and there are plenty of unused rental properties in town and we don’t need any additional rental units. He’s afraid these units won’t be rented and they will stand vacant and look like “crap”, it doesn’t make sense to him. The “conservation area”; is that there forever? What assurance do they have this will remain a “conservation area” is that some kind of legal status?

Mr. Costa explains the property will be sold with that “conservation” restriction..

Mr. Hollingshead is afraid there will be a domino effect with other single family homes being sold, knocked down and rentals taking their place.

Mr. Costa explains zoning law to Mr. Hollingshead.

Mr. Costa swears in Mr. James Formosa:

Mr. Formosa states we have a rule in town about single family homes in one acre and they want to put 2 families on 1 acre. Mr. Formosa states he bought his home in 1985 because it was single family homes. Rentals will change the flow of the area. Mr. Formosa states he is a “lay” person and wanted to see how things work. He doesn’t want to live in this development with this rental behind him. “These guys are just investors and should buy my house 1st if this application is approved.” Mr. Formosa believes there has been enough building in town.

TAPE #2 37061

Mr. Costa swears in Jacqueline Yost: Ms. Yost lives on lot #8 and has kept all her mature trees on her property. Ms. Yost had some boundary questions about the Easterly side 50 ft. setbacks. Ms. Yost also states there are some beautiful black walnut trees and blue spruce trees on the lot unfortunately, they are in the front of the lot where the developer will have to clear some trees to build.

Mr. Costa explains that if there is a fire and these two duplexes are destroyed the property reverts back to its original commercial use; this is just a use variance for this particular use.

Vice Chairman Simiriglia states if the application is not passed the property reverts back to its original zoning. They (investors) would be permitted to build an office building with no conservation area.

Ms. Yost wanted to know if someone could claim a “hardship” and change the deed restriction. Mr. Costa explains zoning rules once again.

Mr. Eisner states they will preserve as many mature trees as possible as they are considered a commodity.

Vice Chairman Simiriglia states if an office building was built there would be no “conservation area”.

Ms. Yost wanted to double check where the entrance of the proposed shopping center would be next door.

Mr. Lechner seems to recollect the entrances are the Rite Aid entrances and are connected.

Ms. Yost wanted to know if each duplex would have 5 parking spaces.

Mr. Mellett states we don’t know how many bedrooms the duplexes are and that would determine parking.

Mr. Costa states a “formal deed restriction” will be part of the resolution.

Mr. Eisner states he will work with Mr. Costa.

Vice Chairman Simiriglia states “yes, it will be part of the resolution”.

A motion to approve the above mentioned application with the following conditions: 1. Use variance 2. Density 3. Deed restriction 4. Minor subdivision was made by Mr. Fuscellaro and seconded by Mr. Bucceroni.

Roll Call:	Vice Chairman Simiriglia	Yes
	Mr. Fuscellaro	Yes
	Mr. Bucceroni	Yes
	Mr. Gunn	Yes
	Mrs. Chimento	Yes
	Mrs. Giusti	Yes
	Mr. Acevedo	Yes

Application Approved.

A motion for adjournment was made by Mr. Gunn and seconded by Mr. Fuscellaro.

Respectfully submitted by Jean Gomez, recording secretary.