

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT THURSDAY,  
December 8, 2011**

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

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Present</b>
	<b>Mr. Fuscellaro</b>	<b>Present</b>
	<b>Mr. Bucceroni</b>	<b>Late Arrival 7:48 pm</b>
	<b>Mr. Domiano</b>	<b>Absent</b>
	<b>Mr. Gunn</b>	<b>Present</b>
	<b>Mr. McMullin</b>	<b>Late Arrival 7:48 pm</b>
	<b>Mrs. Chiumento</b>	<b>Present</b>
	<b>Mrs. Giusti</b>	<b>Present</b>
	<b>Mr. Acevedo</b>	<b>Absent</b>
	<b>Chairman Richards</b>	<b>Present</b>

**Chairman Richards had the professionals sworn in:  
Also Present: Mr. Anthony Costa, Zoning Board Solicitor (late arrival 7:50pm)  
Mr. James Mellett PE, Churchill Engineering  
Mr. Ken Lechner, Township Planner**

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**Mrs. Chiumento will sit in for Mr. Domiano and Mrs. Giusti will sit in for Mr. Bucceroni.**

**MINUTES FOR ADOPTION**

**LOG # 138**

Zoning Board Minutes for October 27, 2011.

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

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
	<b>Mr. Fuscellaro</b>	<b>Yes</b>
	<b>Mr. Gunn</b>	<b>Abstain</b>
	<b>Mrs. Chiumento</b>	<b>Yes</b>
	<b>Mrs. Giusti</b>	<b>Yes</b>
	<b>Chairman Richards</b>	<b>Yes</b>

**Minutes Approved.**

**LOG#150**

**RESOLUTIONS FOR MEMORIALIZATION**

**#112040C**  
**David Bielli**  
**Block: 14503 Lot: 7**  
**Bulk C Variance**

**#112041C**  
**Jean Maslanik**  
**Block: 15202 Lot: 1**  
**Bulk C Variance**

**#112044C**  
**Richard & Marlene DeBella**  
**Bulk C Variance**

**#112039CDM**  
**Edward Pine**  
**Bulk C & Use Variance: Minor Site**

**A motion to approve the above resolutions was made by Mrs. Chiumento and seconded by Mrs. Giusti.**

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Abstain</b>
	<b>Mr. Fuscellaro</b>	<b>Abstain</b>
	<b>Mr. Gunn</b>	<b>Abstain</b>
	<b>Mrs. Chiumento</b>	<b>Yes</b>
	<b>Mrs. Giusti</b>	<b>Yes</b>
	<b>Chairman Richards</b>	<b>Yes</b>

**Resolutions Approved.**

**APPLICATIONS FOR REVIEW**

**LOG#211**  
**#112051C**  
**Joseph Trent**  
**Zoned: R3**  
**Block: 15203 Lot: 9**  
**Bulk C Variance**  
**Location: 2280 Garwood Rd. Erial NJ 08081**  
**Front yard 3 car garage 23' x 33' detached**

Mr. Costa swears in Mr. Bradley and Mr. Trent.  
Mr. Bradley explains the aerial photo and the site plan. He continues with the frontage of the property on Garwood Rd and Britt Lea dr. being "L" shaped and having two frontages. The garage will be erected and accessed from Garwood Rd.. By ordinance that is a front yard but is actually used as his backyard and it has a white vinyl fence around it, there is no access from Britt Lea Dr.  
A1- aerial photo of property with vinyl fence in photo.  
Vice Chairman Simiriglia asks why 16 ft. instead of 30ft.

Mr. Bradley explains they didn't want to lose the space behind the garage; they were trying to make less of an impact.

Vice Chairman Simiriglia questions Mr. Bradley about the cross easement and if it is shared with the neighbor.

Mr. Bradley states yes it is shared with the neighbor.

Vice Chairman Simiriglia asks the applicant the height of the garage.

Mr. Bradley states the garage will be 20ft. high.

Mr. Fuscellaro questions Mr. Bradley about water run-off from the new garage.

Mr. Bradley states the water draws from Britt Lea Dr. and runs onto the back of the applicant's property.

Mr. Fuscellaro states the garage is facing the wrong way on the drawing.

Mr. Bradley states the setbacks are the same even with the error.

**\*\*Mr. Bucceroni and Mr. McMullin arrive late at 7:48pm\*\***

Open to Professionals:

No Additional Comments.

Open to the Public:

No Comments.

**A motion to approve the above mentioned application was made by Mr. Gunn and seconded by Mrs. Chimento.**

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
	<b>Mr. Fuscellaro</b>	<b>Yes</b>
	<b>Mr. Gunn</b>	<b>Yes</b>
	<b>Mrs. Chimento</b>	<b>Yes</b>
	<b>Mrs. Giusti</b>	<b>Yes</b>
	<b>Chairman Richards</b>	<b>Yes</b>

**Application Approved.**

**LOG#525**

**#112031D**

**Louis & Betty Favieri**

**Zoned: R3**

**Block: 16301 Lot: 5**

**Use Variance**

**Location: 1867 New Brooklyn Rd. Erial NJ 08081**

**40' x 60' ft. pole barn**

Mr. Costa swears in Mr. Bradley (Planner), Mr. Githens (contract purchaser), Mr. Marmone (realtor), Mr. & Mrs. Favieri (owners).

Mr. Leonard Wood (attorney) speaks: Mr. Githens purchased the property and wants to construct a pole barn.

A1 – pole barn pictures

Mr. Githens states the building will look nicer and he understands he'll be back before the board for a site plan approval. He currently has his business 20 ft. away in a concrete building. His hours of operation are 10am to 7pm Monday thru Friday and 11am to 5pm on Saturday, closed on Sunday. He is also buying the adjacent lot to build his home.

Mr. Bradley explains the nature of Mr. Githens business as a motorcycle repair shop. Mr. Githens currently has his shop next door to a home and there haven't been any complaints because the work is done inside the shop.

Mr. Addison further explains the business is already around the corner so there will be no new additional traffic. Mr. Addison understands that the buffering and access must be handled correctly. Mr. Githens is a local businessman trying to stay in town and he'll be building a home across the street where a pole barn already exists.

Vice Chairman Simiriglia states the key is having a building that is going to blend with the area.

Mr. Wood states that would make it attractive but not cost effective at this stage.

Vice Chairman Simiriglia states they must make it part of the use variance since site plans don't deal with the buildings appearance. Vice Chairman Simiriglia states NO outside storage will be allowed.

Mr. Wood states that Mr. Githens will drive the repaired motorcycles on the street to test drive them.

Mr. Bucceroni asks Mr. Githens how any feet he is moving from the current location of his business.

Mr. Githens states he is moving one block over.

Mrs. Chiumento asks Mr. Githens if he will be selling parts to customers so they can repair their own motorcycles (small retail).

Mr. Githens states if a customer wants a part he will order it for him/her.

Mrs. Giusti asks about the parking and which way it will face.

Mr. Wood states parking for customers will be on the side of the building facing the curve.

Mr. Mellett states his engineers' report did bring up site plan issues if the use variance is granted.

Mr. Lechner asks if the picture of the pole barn was a true depiction.

Mrs. Githens states the pole barn is 14ft. high with a 3 to 12 roof ratio.

Vice Chairman Simiriglia asks if the height is necessary.

Mr. Githens states it has to be that high for the lifts and storage.

Mr. Wood states the height is 17.3 ft. to the peak of the building.

Vice Chairman Simiriglia states he is concerned about the height.

Mr. Addison states they will work on that at site plan approval.

Mr. Githens states the main reason for the move is that he is looking for more room.

Mr. Lechner asks if any fabrication of motorcycles will be taking place.

Mr. Githens states “no, just warranty work and repairs”.

Mr. Lechner requests a floor plan for the interior of the building.

Mr. Wood states “no problem”.

Mr. Githens states there will be no underground tanks.

Mr. Lechner tells the applicant that a variance is needed for the lot area which is .73 acres not the 2 acres needed in addition to the use variance and both are subject to site plan application and approval.

Mr. Fuscellaro asks the applicant if he repairs strictly motorcycles and ATV’s.

Mr. Githens answers “yes”.

Open to the Public:

No Comments.

**A motion to approve the above mentioned application, subject to site plan approval, use variance approval of building (appearance) and lot size: was made by Mr. Bucceroni and seconded by Mr. McMullin.**

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
	<b>Mr. Fuscellaro</b>	<b>Yes</b>
	<b>Mr. Bucceroni</b>	<b>Yes</b>
	<b>Mr. Gunn</b>	<b>Yes</b>
	<b>Mr. McMullin</b>	<b>Yea</b>
	<b>Mrs. Chimento</b>	<b>Yes</b>
	<b>Chairman Richards</b>	<b>Yes</b>

**Application Approved.**

**LOG#1523 TAPE 2**

**#112047C**

**Robert Jamison**

**Zoned: R2**

**Block: 5701 Lot: 7**

**Bulk C Variance**

**Location: 243 Coles Landing Rd. Blackwood, NJ 08012**

**Reconstruction of Single Family Dwelling**

Mr. Costa swears in Mr. Jamison.

Mr. Jamison explains that his walls caved in during reconstruction, he needs to square off the building which will be 46’x 35’.

Vice Chairman Simiriglia asks the applicant if it’s a 50ft. lot.

Mr. Jamison replies “yes” and the retaining wall is still there and will be retained.

Vice Chairman Simiriglia asks the applicant if the tree line is staying.

Mr. Jamison replies "yes, the tree line is staying".

Mr. Fuscellaro inquires if the home will be on the same footprint.

Mr. Jamison states "yes, the house will be on the same footprint".

Mr. Bucceroni sees the new home as a significant improvement to the area.

Mr. Lechner states the applicant qualifies for a hardship. The side yard setback and undersize lot are part of the variance.

Open to Professionals:

No Additional Comments.

Open to the Public:

No Comments.

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

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
	<b>Mr. Fuscellaro</b>	<b>Yes</b>
	<b>Mr. Bucceroni</b>	<b>Yes</b>
	<b>Mr. Gunn</b>	<b>Yes</b>
	<b>Mr. McMullin</b>	<b>Yea</b>
	<b>Mrs. Chimento</b>	<b>Yes</b>
	<b>Chairman Richards</b>	<b>Yes</b>

**Application Approved.**

**LOG# 1875 (TAPE 2)**

**#112049C**

**James R. Rivell, Jr.**

**Zoned: R3**

**Block: 11803 Lot: 20**

**Bulk C Variance**

**Location: 24 Trinity Lane, Blackwood, NJ 08012**

**Replacing aluminum awning w/shed style wood roof 9'x 19.167'**

Mr. Costa swears in Mr. Rivell.

Mr. Rivell explains the replacement of the existing aluminum awning. He just replaced the roof, siding and windows and would like to finish the renovation with a new awning.

Mr. Rivell states the snow tends to make the aluminum awnings collapse.

Vice Chairman Simiriglia asks if the awning will follow the roof line.

Mr. Rivell states "yes".

Vice Chairman Simiriglia inquires if there will be gutters on the new roof.

Mr. Rivell states "yes".

Open to Professionals:

No Comments.

Open to the Public:

No Comments.

**A motion to approve the above mentioned application was made by Mr. Bucceroni and seconded by Mr. Fuscellaro.**

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
	<b>Mr. Fuscellaro</b>	<b>Yes</b>
	<b>Mr. Bucceroni</b>	<b>Yes</b>
	<b>Mr. Gunn</b>	<b>Yes</b>
	<b>Mr. McMullin</b>	<b>Yea</b>
	<b>Mrs. Chiumento</b>	<b>Yes</b>
	<b>Chairman Richards</b>	<b>Yes</b>

**Application Approved.**

**\*\*5 minute break\*\***

**LOG# 1983**

**#112042D**

**Iron Gate, LLC**

**Zoned: R3-HC**

**Block: 17499 Lot: 1**

**Use Variance**

**Location: Williamstown-Chews Landing & Jarvis Rd.**

**Proposed Fee Simple Residential Townhouse Development**

Mr. Costa swears in Mr. Larry Divitro (Planner), Mr. George Matteo, Mr. Greg Lingo (builder, Cornell Homes), & Mr. Al Litwornia (traffic engineer).

Mr. DiVitro (planner) begins with the renderings to be covered.

A1- Aerial photo, Google map October 2011 picture.

A2- Current Zoning Map, The property is split between 2 zones, HC & R3. The Cross Keys/AC Expressway connection has been connected since this plan was written.

A3- If developed H/C as planned they future could be 4.8 acres of impervious coverage of the property, which seems to be in conflict with the pattern that currently exists of residential development.

RA Proposal:

A4- a plan submitted with the application and colored rendition of the townhomes. There would be 42 townhomes with a 6.54 density for the tract. A RA zone would be residential attached/semi attached/low density. This would be a transitional type use which is less intense than a Highway Commercial (H/C) use.

-enhanced quality & aesthetically more pleasing than a commercial use or worse, vacant commercial like across the street.

-the goal of the master plan is affordable housing throughout the community.

- negative criteria: outside the zoning plan.
- positive criteria: benefits outweigh negatives.

Mr. Litwornia (traffic engineer):

- This project vs. Buy Rite (example of commercial use).
- 2% per year increase
- residential proposed: 20 a.m. and 20 p.m. vehicle trips. There will be no changes in the level of service. The level of service going out is a "B" and coming in is an "A" level of service.
- A commercial use would have 400 trips an hour vs. the townhomes that would add 40 trips.
- There would be a better buffer and less traffic impact.

Mr. Linger (builder)

A5- replica of home:

- this is the right location for the new townhomes
- He is an "in fill" builder
- the townhomes will sell at market rate

Vice Chairman Simiriglia inquires about the market price for the townhomes.

Mr. Linger suggests \$199,000 to \$235,000 is the average price.

Vice Chairman Simiriglia asks if there will be a one car garage.

Mr. Linger states "yes, there will be a one car garage".

Mr. Fuscellaro asks about a community center.

Mr. Linger 1 to A will be in place.

Mr. Gunn confirms that these are the models that are going to be built that are shown in exhibit A4.

Mr. Linger states "yes, those are the homes that are going to be built, 2 or 3 bedroom"

Mrs. Chimento asks about parking.

Mr. DiVitto states there are going to be 1 car garages and a 2 car driveway along with some street parking.

Mr. Mellett covers his 11/3/2011 engineers' letter:

- Mr. Mellett suggests a 25ft. buffer.

Mr. DiVitto talks about the natural tree row, landscaping to go around the perimeter and the coordination of the deed restrictions.

Mr. Mellett covers fencing/common line/uniform look to the open space, also the access to the development being moved due to the residence across from the street.

Mr. DiVitto states he can address the landscaping by "jockeying" the road.

Mr. Mellett asks if there will be a HOA fee to cover the maintenance of the basin.

Mr. DiVitto states "yes".

Mr. Lechner states the density of this development is 3 units per acre and this neighborhood is twice that.

Mr. DiVitto suggests 10 units per acre and 8 units are more typical for townhouses.

**\*\*5 minute tape break\*\*\***

**LOG # 4218 TAPE #3**

Mr. DiVitto states 40 to 42 units fit well on this site with an HOA for support.

Mr. Lechner restates it is twice the density and suggests they reduce the number of lots. There is much discussion between Mr. Lechner and Mr. DiVitto about lot size/depth of lots/number of lots to reduce the density.

Mr. DiVitto states they could revisit the lot lines and appearance of townhouses if the variance is approved by the board.

Mr. Lechner disagrees: eliminating Lots #1, #42, and #36 and move down to keep more buffer AND keep the 25ft. buffer.

Mr. DiVitto states they can work on the buffer and specifics, right now they were concentrating on the Use Variance.

Mr. Lechner states a 3 story building will have to be fire suppressed and sprinklers have to be added. Mr. Lechner also states that the traffic scenario is “worse case” and would question the community impact of the townhouses and a ratable analysis vs. H/C.

Mr. DiVitto suggests there is no ratable analysis because the drug store across the street has been empty for years.

Mr. Lechner states if the board decides to approve this application they must include an architectural design at the time of site plan approval, as the backs of the townhouses are 3 stories high and make conditions part of the approval. Mr. Lechner wants to make sure that what is being presented is exactly what is going to be built.

Mr. Matteo stated what is being presented is going to be built.

Vice Chairman Simiriglia wants a guarantee with what is going there, he doesn't want it to diminish in any way.

Mr. Lechner wants to reconcile with the resolution in case this property gets sold, he wants assurances about what is going to get built, even if someone else builds there.

Mr. Costa suggests the board can approve the “use” of townhouses but not the density, so the question will remain “how many?”.

Vice Chairman Simiriglia suggests the lots along Williamstown Rd. be moved or eliminated to help lot size.

Mr. DiVitto:

-states the lot depth 125ft., and they have 135ft. and 110ft. etc....each dwelling is 2500 sq. ft. this isn't consistent with the current design.

-RA is the only zone that allows townhouses

-can drop 2 or 3 units to slide thing around

-39 units in the minimum to keep the project economically viable.

**PUBLIC PORTION:**

Mr. Costa swears in Mr. David Kerstein (realtor) who owns rental properties and feels this density is absurd for this area. He considers this a light commercial area. In his professional opinion it will take 2 years to absorb the current inventory of distressed homes. The price point of \$235,000 is absurd considering Cherrywood townhouses are selling for 72,000 dollars for an end unit. He states a 20ft. frontage is a parking nightmare, Cherrywood is 32ft. wide and it's a parking nightmare. This will also bring more students to our schools and his taxes will go up. He is against the height issue, parking, and school issue. HOA takes away from what someone can pay for the home. You can buy a 3 bdrm./2bath walkout , free standing home for \$235,000. Mr. revisits the unfinished senior homes off of Blackwood – Clementon Rd. and how they couldn't be sold.

Mr. Bucceroni asks where Mr. Kerstein's "several rentals are located.

Mr. Kerstein states he has duplexes in the area.

Mr. Bucceroni asks Mr. Kerstein if he lives in the area.

Mr. Kerstein states he lives in Blackwood Estates.

Mr. Costa swears in Ms. Sharp who lives on Jarvis Rd. and states she has lived there for 52 years and looking at the vacant drug store. She also states the property in question has been for sale for 30 years. She states if it stays commercial make sure it's viable. In her opinion this property isn't viable for commercial development.

Mr. Costa swears in Mr. Lee Levicoff of Edgemere Ct... He has been staring at this lot for 20 years. He doesn't want commercial development there with commercial trash; he wants it to stay residential. Rite Aid failed across the street and in his opinion anything commercial will fail in this area. Also, if there are more businesses there are more parking lots.

Mr. Bucceroni asks Mr. Levicoff if he owns his property.

Mr. Levicoff states: yes, he owns his property and wants something there or it will become a nuisance property.

**PUBLIC PORTION CLOSED:**

Mr. Lechner wants the density reduced to get close to minimum RA requirements.

Mr. DiVito states they feel townhouses are appropriate and will come back with better lot sizes and reduce the density to 40 units. They can work with the board from that starting point with configuration, footpaths etc....

Mr. Fuscellaro wants the traffic study that was done in May 2011.

**A motion to approve the above mentioned application with conditions: subject to site density and architectural standards, was made by Mr. Bucceroni and seconded by Mr. Fuscellaro.**

<b>Roll Call:</b>	<b>Vice Chairman Simiriglia</b>	<b>Yes</b>
	<b>Mr. Fuscellaro</b>	<b>Yes</b>
	<b>Mr. Bucceroni</b>	<b>Yes</b>
	<b>Mr. Gunn</b>	<b>Yes</b>
	<b>Mr. McMullin</b>	<b>Yea</b>
	<b>Mrs. Chiumento</b>	<b>Yes</b>
	<b>Chairman Richards</b>	<b>Yes</b>

**(Use portion with conditions) Application Approved.**

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

**Respectfully submitted by Jean Gomez, recording secretary.**