Township of Gloucester
Planning Board Agenda
July 10, 2018

Salute to the Flag
Opening Statement
Roll Call
General Rules

Meeting will start at 7:00 P. M.
No new applications will be heard after 10:00 P. M.
All persons testifying before the Board must be sworn in.
The Board Chairperson reserves the right to hear applications in any order

MINUTES FOR MEMORIALIZATION

Minutes for Memorialization – June 12, 2018

RESOLUTIONS FOR MEMORIALIZATION

#181013CM **Henry & Janet Alfano**	**Block: 20601 Lot: 11** **Minor Subdivision/Bulk C**
#181015M **Michael Palcko**	**Block: 18051 Lot: 19 & 20** **Minor Subdivision**
#181022E **Crossroads Village, LLC**	**Block: 10801 Lot: 10** **Block: 10899, Lots: 1,2, & 3** **(1) Yr. Extension Request** **Formerly application #** **#051024RACPPSP**

#18101RZ Anthony Bentivegna Zoned: OR	Request for Zoning Change Change OR to HC Zone Block: 12204 Lots: 34 & 36 Location: Todays Plaza Shopping Center 1031 Little Gloucester Rd. 1057 Little Gloucester Rd.
R-18:06-200 South Winds (Crossroads)	Amending Resolution 07:03-080 Naming a Redeveloper for the Mingus Run Development with South Winds at Gloucester LLC Block: 10801 Lots: 6 & 10 Block: 10899 Lots 1-3
O-18-10 Dave & Busters	Amending Ordinance O-11-17 Commonly known as the Inter Change Redevelopment Plan To permit an indoor amusement Park as an accessory use.

Meeting Adjourned

TOWNSHIP OF GLOUCESTER
PLANNING BOARD

Tuesday June 12, 2018

Vice Chair Costa sat in for Chairman Reagan who was absent from the meeting.
Vice Chair Costa calls the meeting to order.
Salute to the Flag.
Opening Statement made by Mr. Lechner.
Vice Chair Costa requests a Roll Call.

Roll Call:

Mr. Dintino	Present
Mr. Guevara	Absent
Mr. Kricun	Absent
Mrs. Washington	Absent
Councilman Hutchison	Present
Mrs. Costa	Present
Mrs. Bradley	Present
Mrs. Rossi	Present
Mr. Thomas	Present
Chairman Reagan	Absent
Mr. Boraske	Present
Mr. Bach/Dirosa	Present
Mr. Lechner	Present

Vice Chairman Costa announces general rules of the meeting.
Vice Chair Costa ask that the Board Professionals to be Sworn in.
Mr. Bach & Mr. Lechner were Sworn in.
Vice Chair Costa ask Mrs. Rossi to sit in for Mr. Guevara who agreed.
Vice Chair Costa ask Mrs. Bradley to sit in for Mr. Kricun who agreed.

Minutes for Memorialization

Minutes from May 8, 2018.
Vice Chair Costa requested a motion to approve the minutes
Mr. Hutchinson made a motion seconded by Mrs. Rossi.

Roll Call:

Mr. Dintino	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mr. Thomas	Yes
Vice Chair Costa	Yes

Resolutions for Memorialization

#181008M
16 REM, LLC

Minor Subdivision
Block: 15202 Lot: 17

Vice Chair Costa asked for a motion to approve the Resolution.
Mr. Dintino made a motion seconded by Mrs. Bradley.

Roll Call:

Mr. Dintino	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mr. Thomas	Yes
Vice Chair Costa	Yes

#161060MSPW
Administrative
Amendment Proposal
To Site Plan PBR, NJ Inc.

Bock: 5001 Lot: 5
Minor Subdivision/Site Plan
Waiver

Vice Chair Costa asked for a motion to approve the Resolution.
Mr. Dintino made a motion seconded by Mrs. Bradley.

Roll Call:

Mr. Dintino	
Mrs. Costa	
Mrs. Bradley	
Mrs. Rossi	
Mr. Thomas	
Vice Chair Costa	

Applications for Review

#181013CM
Henry & Janet Alfano
Zoning: R1

Minor Subdivision/Bulk C
Block: 20601 Lot: 11
Location: 53 Kelly Drivers Lane
Laurel Springs, NJ

NOTES:
Addison Bradley approached the podium representing the Alfano's who requested to subdivide Block: 20601 Lot:11 into two lots. The lots would be .95 & .02 acres.
Mr. Bradley further described the division as to their size and the Varience needed. The Varience needed were to include the back lot right of way, access easements, utilities easement and side yard easement.
Mr. Bach addressed the concerns in the Boards letter indicating that the front lot would be considered a flag lot. All concerns in the Boards were agreed to be satisfied.

Vice Chair Costa asked if there were any questions from the Board?
None
Vice Chair Costa asked if there were any questions from the Public?
None
Vice Chair Costa asked for a motion to approve the application.
Councilman Hutchinson made a motion seconded by Mr. Thomas.

Roll Call:

Mr. Dintino	Yes
Councilman Hutchison	Yes
Mrs. Costa	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mr. Thomas	Yes
Vice Chair Costa	Yes

#181022E
Crossroads Village, LLC
c/o Land Dimensions
Zoned: MRD

Minor Subdivision
Block: 15202 Lot: 17
Location: 2408 Garwood Rd.
Sicklerville

NOTES:
Robert Menz approached the podium representing the applicant South Winds Project. The applicant is asking for another extension from the original 2017 application. The existing review time line will run out shortly thus the request for another extension. Mr. Menz stated that the delay of project start was hindered by governmental issues with the property ownership.
There were no objections or questions from the Board Officials.

Vice Chair Costa asked if there were any questions from the Board?
None
Vice Chair Costa asked if there were any questions from the Public?
None
Vice Chair Costa asked for a motion to approve the Minor Sub-Division application.
Councilman Hutchison made a motion seconded by Mrs. Rossi.

Roll Call:

Mr. Dintino	Yes
Councilman Hutchison	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mr. Thomas	Yes
Vice Chair Costa	Yes

#181015M
Michael Palcko

Zoned: R4

Minor Subdivision
Block: 1805 Lot: 19/20
Location: 300/306 E. Front St.
Glendora

NOTES:
Mike Palcko approached the podium who is property owner and occupies same. Mr. Palcko stated he was here to ask for a minor subdivision of his property. He is looking for a lot line adjustment. No Varience is needed and Board has no objection to Waivers.

Vice Chair Costa asked if there were any questions from the Board?
None
Vice Chair Costa asked if there were any questions from the Public?
None
Vice Chair Costa asked for a motion to approve the Application.
Councilman Hutchinson made a motion seconded by Mr. Thomas.

Roll Call:

Mr. Dintino	Yes
Councilman Hutchison	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mr. Thomas	Yes
Vice Chair Costa	Yes

Vice Chair Costa requested a motion to adjourn.
Motion to adjourn was made by Mr. Thomas seconded by Mr. Dintino.

Meeting Adjourned.

Recording Secretary,

Christopher Nowak

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING MINOR SUBDIVISION APPROVAL WITH BULK VARIANCES AND WAIVERS FOR HENRY & JANET ALFANO APPLICATION NO.: 181013CM

WHEREAS, on June 12, 2018, consideration was given to the application of Henry & Janet Alfano (hereinafter "Applicant") for the property located at 45 Kelly Driver Road, identified on the Tax Map for the Township of Gloucester as Block 20601, Lot 11 (hereinafter "Property"), for minor subdivision approval with bulk variance and waiver relief in accordance with the requirements of the Land Development Ordinance of the Township of Gloucester (hereinafter "LDO"); and

WHEREAS, the Applicant is seeking approval to subdivide the Property, which contains approximately 1.9 acres (83,898 sf) of land, into two (2) new residential lots in the R-1 Residential Zoning District, for which bulk variances and waivers are required; and

WHEREAS, John Wade, Esq., appeared on behalf of the Applicant, and Mr. Addison Bradley was sworn in and testified on behalf of the Applicant; and

WHEREAS, Mr. Wade introduced the Application, identified the location of the Property, requested relief, and summarized the proposed minor subdivision plan and necessary variances; and

WHEREAS, Mr. Bradley testified that the Applicant intends to subdivide the existing Property into two new lots, identified within the Application as "Lot A" and "Lot B", which will be approximately .926 and .953 acres whereas the minimum lot size in the R-1 Zoning District is 1 acre, necessitating the requested bulk variance relief; that the Applicant owns the neighboring property and that Alfano family members will occupy and use the surrounding property; that there are no freshwater wetlands on the Property; that proposed bulk variances will enhance property values and promote the efficient utilization of land by eliminating a currently vacant lot; that there will be no negative impact or detriment on the Township's Master Plan or zoning ordinance; that existing sewer and water will be brought from the front and rear of the Property; and

WHEREAS, the Board Engineer, Steven M. Bach, PE, RA, PP, CME of Bach Associates, PC, testified that it may be more appropriate to have the driveway go with the rear Property to create a flag lot instead of leaving the rear property land locked and only accessible by way of an easement; and

WHEREAS, Mr. Bradley initially responded that the Applicant prefers to allow access to the rear lot by way of an access easement due to the setback requirements in the R-1 Zoning District, and that the Applicant agrees as a condition of approval to: (1) submit the proposed access easement containing appropriate covenants to the Board Solicitor and Board Engineer for review and approval; and (2) to record the access easement along with the minor subdivision deed; and

WHEREAS, upon query from the Board and Board Solicitor, the Applicant clarified the required variances and requested waivers, including that the Applicant was requesting a waiver from the Township's concrete curbing/sidewalk requirement, existing non-conformities, and further testified as to the benefits and any possible detriment of the variances; and

WHEREAS, the Board Engineer and Board Planner, Kenneth D. Lechner, PP, AICP, further discussed the possibility of including the driveway with the rear lot to create a flag lot, discussing the required setbacks, variances and waivers, and Mr. Bradley and Mr. Wade agreed to the proposed "flag lot configuration" and requested an additional side yard setback variance for Lot A; and

WHEREAS, the Applicant agreed to all comments and conditions expressed within Board Engineer Stephen Bach's April 27, 2018 Review Letter, to the extent not already addressed by the testimony of the Applicant; and

WHEREAS, the Applicant agreed to all comments and conditions expressed within Board Planner Kenneth Lechner's April 16, 2018 Review Letter, to the extent not already addressed by the testimony of the Applicant; and

WHEREAS, the meeting was opened to the public, and no members of the public appeared to testify; and

WHEREAS, the Planning Board having received reports from professionals and other advisors to the Board including, without limitation, the Zoning Officer, Board Engineer, Board Planner, County Planning Board, Traffic Commander, Fire Marshall, Tax Assessor, Water Department and Municipal Utilities Authorities and having heard testimony from the Board Planner and Board Engineer, makes the following factual findings and conclusions of law in approving the subject application for minor subdivision approval:

1. The Applicant is Henry & Janet Alfano. The Property is located at 45 Kelly Driver Road, identified on the Township of Gloucester Tax Map as Block 20601, Lot 11. The Applicant is the owner of the Property, which is located in the R-1 Residential Zoning District.

2. Public notice of the hearing was provided in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40A:55D-12.

3. Requested Relief: minor subdivision approval to subdivide the Property, an existing residential lot, into two (2) new residential lots.

4. The proposed minor subdivision requires the following variances from the LDO:

LDO, Article IV, Section 4.03(F)
Lot Area (Lot A) – .953 acres proposed whereas 1 acre minimum is required.
Lot Area (Lot B) – .926 acres proposed whereas 1 acre minimum is required.
Lot Frontage (Lot B) – 0 ft proposed (initial configuration) or 30 ft proposed (flag lot configuration) whereas 125 ft is required.
Lot Coverage (Lot B) – 38% proposed (initial configuration) or approximately 40-50% proposed (flag lot configuration) whereas 30% is the maximum.
Side Yard Setback (Lot A) – 5 feet off the western property line (flag lot configuration) whereas 25 ft is required.

5. The Applicant has requested the following waivers:

LDO, Article V, Section 516
Concrete curb and sidewalk installation – no concrete curb and sidewalk installation provided whereas installation of concrete curb and sidewalk is required.

6. The Board Planner, Kenneth D. Lechner, PP, AICP, issued a report dated April 16, 2018, incorporated by reference as if set forth fully herein, recommending certain revisions, clarification and/or modifications to the plans with which the Applicant agreed to comply unless otherwise outlined or modified further herein, or to the extent that they had not been addressed through testimony.

7. The Board Engineer, Steven M. Bach, PE, RA, PP, CME of Bach Associates, PC, issued a report dated April 27, 2018, incorporated by reference as if set forth fully herein, recommending certain revisions, clarification and/or modifications to the plans with which the Applicant agreed to comply unless otherwise outlined or modified further herein, or to the extent that they had not been addressed through testimony.

8. The Applicant agreed, as a condition of approval, to: (1) submit the proposed access easement, to the extent it is still required, containing appropriate covenants to the Board Solicitor and Board Engineer for review and approval; and (2) to record the access easement along with the minor subdivision deed.

9. With regard to the requested bulk variance relief, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, the Board determined that the Applicant has sustained the burden of proof to support the requested variances in accordance with the statutory requirements set forth in the MLUL, N.J.S.A. 40:55D-70c(1); that is, due to the unique existing topographical conditions and

improvements at the Property that have been constructed over the years, including the existing driveway on Lot A, the strict application of the LDO requirements set forth at Article IV, § 4.03(F) identified in paragraph 4 herein would result in peculiar and exceptional practical difficulties to, and exceptional and undue hardship upon, the Applicant, thus bulk variance relief permitting the proposed minor subdivision in either the initial configuration or flag lot configuration is warranted.

10. In light of the testimony and other evidence presented, the Board further determined that the Applicant has sustained the burden of proof to support the requested variances in accordance with the statutory requirements set forth in the MLUL, N.J.S.A. 40:55D-70c(2); that is, the requested deviations from the LDO requirements set forth at Article IV, § 4.03(F) and identified in paragraph 4 herein advance several purposes of the MLUL, specifically: granting the variances will allow the Applicant to subdivide the Property as proposed, making appropriate use of open and available vacant land to allow for a permitted residential use, increasing property values, and improving the overall appearance and aesthetics of the Property and Township. N.J.S.A. 40:55D-2a; N.J.S.A. 40:55D-2c; N.J.S.A. 40:55D-2g; N.J.S.A. 40:55D-2i.

11. In light of the testimony and other evidence presented, the Board further determined that the Application can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the Master Plan and LDO in light of the Applicant's proposed residential use, relatively minor deviation from bulk requirements, and because the requested variances involve no inherent public dangers or substantial public burdens and provides no adverse impact on the neighborhood. N.J.S.A. 40:55D-70.

12. With regard to the requested waiver relief, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, the Board determined that the requested waiver from the LDO requirements set forth at Article V, Section 516 and identified in paragraph 5 herein is reasonable under the circumstances and the Application is otherwise satisfactory and meets the Township's requirements, thus granting the waiver is appropriate. Garofalo v. Burlington Tp., 212 N.J. Super. 458 (Law Div. 1985).

13. With regard to the requested minor subdivision approval, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, and in light of the Board's findings with respect to the requested bulk variance relief, the Board finds and concludes that the proposed minor subdivision complies with all minor subdivision and other standards, specifications, and requirements established by the LDO not addressed by variances and waivers as detailed herein, and that the Property is suitable for the proposed subdivision given the sufficient size of the Property and permitted residential uses in the R-1 Zone. See, e.g., Levin v.

Livingston Twp., 35 N.J. 500, 510–11 (1961); Pizzo Mantin Group v. Randolph Twp., 261 N.J. Super. 659 (App. Div. 1993), aff'd. as modified, 137 N.J. 216 (1994).

NOW, THEREFORE BE IT RESOLVED, after considering the foregoing facts, the Board further concludes that the Applicant has demonstrated that the Application will not have a deleterious effect upon the neighborhood, and has satisfied the standards necessary for approval and should therefore be approved subject to the specific and standard conditions stated herein and on the record; and

WHEREAS, a motion was duly made by Mr. Dintino and duly seconded by Mr. Thomas to **APPROVE** the Application as set forth above, and a roll call vote on the motion was recorded as follows:

Those Eligible to Vote	Those in Favor	Those Opposed
Ms. Costa	X	
Mr. Hutchinson	X	
Mr. Dintino	X	
Mr. Thomas	X	
Ms. Bradley	X	
Ms. Rossi	X	

IT IS FURTHER RESOLVED, the above relief is subject to the following standard conditions:

1. That the Application, all exhibits, testimony, map, and other documents submitted and relied on by the Applicant, are true and accurate representations of the facts relating to the Applicant's request for approval. In the event that it is determined by the Board, on non-arbitrary, non-capricious and reasonable grounds, that the Application, exhibits, testimony, maps, and other documents submitted are not accurate, are materially misleading, or are the result of mistake, and the same had been relied upon by the Board as they bear on facts which were essential in the granting of the relief sought by the Applicant, the Board may review its approval and rehear the Application, if circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice.

2. Upon discovery by the Board of clear and convincing evidence of a materially misleading submission, material misstatement, materially inaccurate information, or a material mistake made by the Applicant, the Board reserves the right to conduct a hearing with the Applicant present, for the purpose of fact-finding regarding the same. Should the facts at said hearing confirm that there had been a material fault in the Application, the Board shall take whatever action it deems appropriate at that time, consistent with the MLUL and case law, including but not limited to a reconsideration of its prior approval, a rehearing, a modification of its prior approval, or such other action as appropriate. In addition, at any time within 45 days after the adoption of this resolution, a party of

interest may appeal to the Superior Court for an order vacating or modifying any term or condition as set forth herein.

3. The Applicant shall indemnify and hold the Township harmless from any Claims whatsoever which may be made as a result of any deficiency in the Application, or as to any representations made by the Applicant, including but not limited to proper service and notice upon interested parties made in reliance upon the certified list of property owners and other parties entitled to notice, said list having been provided to the Applicant by the Township pursuant to N.J.S.A. 40:55D-12(c), and publication of the notice of public hearing in this matter in accordance with the law.

4. The relief as granted herein is subject to the discovery of any and all deed restrictions upon the Subject Property which had not been known or had not been disclosed to the Board, but which would have had a materially negative impact upon the Board's decision in this matter had they been so known, or so disclosed.

5. The Applicant must obtain approvals from any and all other governmental and/or public agencies as required, whether federal, state, county or local, over which the Board has no control but which are necessary in order to finalize and/or implement the relief being granted herein, as well as any construction that may be a part of said relief. The Applicant is solely responsible for determining which governmental and/or public agencies, if any, such approvals are required.

6. The Applicant is further required to submit a copy to the Board's Secretary of all approvals and/or denials received from such outside agencies, with a copy thereof to the Board's Solicitor, Engineer, and Planner.

7. The Applicant must pay the costs of all professional review and other fees required to act on the Application, pursuant to the applicable sections of the Township's land development ordinances, zone codes and any other applicable municipal codes, and the MLUL.

8. The Applicant assumes all risks should the Applicant fail to obtain any other construction or other municipal permits required with respect to the relief as granted herein during the statutory appeal period associated with the language of this resolution.

9. The Applicant must obtain any other construction or other municipal permits required with respect to the relief as granted herein.

10. The Applicant shall comply with all of the representations and stipulations as contained in the application and as represented through testimony in support of the application.

ATTEST:

GLOUCESTER TOWNSHIP
PLANNING BOARD:

KENNETH LECHNER, SECRETARY

BRIAN REAGAN, CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that this resolution of memorialization being adopted by action of the Board on this 10th day of July 2018 represents a true and correct copy of a resolution adopted by the Gloucester Township Planning Board consistent with its decision at a meeting held on the 12th day of June 2018.

KENNETH LECHNER, SECRETARY

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING MINOR SUBDIVISION APPROVAL FOR MICHAEL PALCKO APPLICATION NO.: 181015CM

WHEREAS, on June 12, 2018, consideration was given to the application of Michael Palcko (hereinafter "Applicant") for the property located at 300 & 306 East Front Street, identified on the Tax Map for the Township of Gloucester as Block 1805, Lots 19 & 20 (hereinafter "Property"), for minor subdivision approval in accordance with the requirements of the Land Development Ordinance of the Township of Gloucester (hereinafter "LDO"); and

WHEREAS, the Applicant is seeking approval to adjust the lot lines of the Property, which contains two (2) existing single family homes, with no new construction proposed in the R-4 Residential Zoning District; and

WHEREAS, the Applicant and Scott Brown, PE, PLS, appeared to testify in support of the Application; and

WHEREAS, Mr. Brown introduced the Application, identified the location of the Property, requested relief, and summarized the proposed minor subdivision plan; and

WHEREAS, Mr. Brown testified that the Applicant intends to adjust the lot lines of the Property to correct the overlap between the improvements on the Property; that there are existing non-conformities but that no variances are required; that no new lots are being created or eliminated; that the Applicant has requested several submission waivers; and that the Applicant be permitted to leave a small wooden wall at the Property for which the Applicant will dedicate an easement to the Township; and

WHEREAS, the Board Professionals indicated that the request to leave the small wall and submit an easement dedicated to the Township is subject to the approval of the Township Solicitor and Township Engineer; and

WHEREAS, the Applicant agreed to all comments and conditions expressed within Board Engineer Stephen Bach's May 5, 2018 Review Letter, to the extent not already addressed by the testimony of the Applicant; and

WHEREAS, the Applicant agreed to all comments and conditions expressed within Board Planner Kenneth Lechner's May 22, 2018 Review Letter, to the extent not already addressed by the testimony of the Applicant; and

WHEREAS, the meeting was opened to the public, and no members of the public appeared to testify; and

WHEREAS, the Planning Board having received reports from professionals and other advisors to the Board including, without limitation, the Zoning Officer, Board Engineer, Board Planner, County Planning Board, Traffic Commander, Fire Marshall, Tax Assessor, Water

Department and Municipal Utilities Authorities and having heard testimony from the Board Planner and Board Engineer, makes the following factual findings and conclusions of law in approving the subject application for minor subdivision approval:

1. The Applicant is Michael Palcko. The Property is located at 300 & 306 East Front Street, identified on the Township of Gloucester Tax Map as Block 1805, Lots 19 & 20. The Applicant is the owner of the Property, which is located in the R-4 Residential Zoning District.

2. To the extent required, public notice of the hearing was provided in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40A:55D-12.

3. Requested Relief: minor subdivision approval to adjust the lot lines of the Property in accordance with the plans submitted by the Applicant with the Application.

4. While there are existing non-conformities at the Property, the proposed minor subdivision does not require and the Applicant has not requested any bulk variances from the requirements set forth in the LDO.

5. The Board Planner, Kenneth D. Lechner, PP, AICP, issued a report dated May 22, 2018, incorporated by reference as if set forth fully herein, recommending certain revisions, clarification and/or modifications to the plans with which the Applicant agreed to comply unless otherwise outlined or modified further herein, or to the extent that they had not been addressed through testimony.

6. The Board Engineer, Steven M. Bach, PE, RA, PP, CME of Bach Associates, PC, issued a report dated May 5, 2018, incorporated by reference as if set forth fully herein, recommending certain revisions, clarification and/or modifications to the plans with which the Applicant agreed to comply unless otherwise outlined or modified further herein, or to the extent that they had not been addressed through testimony.

7. The Applicant agreed, as a condition of approval, to seek the approval of the Township Solicitor, Township Engineer, and Township Public Works to leave a small wooden wall at the Property and dedicate an easement to the Township as indicated on the record.

8. With regard to the requested minor subdivision approval, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, the Board finds and concludes that the proposed minor subdivision complies with all minor subdivision and other standards, specifications, and requirements established by the LDO not addressed by variances and waivers as detailed herein, and that the Property is suitable for the proposed subdivision given the sufficient size of the Property and permitted residential uses in the R-4 Zone. See, e.g., Levin v.

Livingston Twp., 35 N.J. 500, 510–11 (1961); Pizzo Mantin Group v. Randolph Twp., 261 N.J. Super. 659 (App. Div. 1993), aff'd. as modified, 137 N.J. 216 (1994).

NOW, THEREFORE BE IT RESOLVED, after considering the foregoing facts, the Board further concludes that the Applicant has demonstrated that the Application will not have a deleterious effect upon the neighborhood, and has satisfied the standards necessary for approval and should therefore be approved subject to the specific and standard conditions stated herein and on the record; and

WHEREAS, a motion was duly made by Mr. Hutchinson and duly seconded by Ms. Rossi to **APPROVE** the Application as set forth above, and a roll call vote on the motion was recorded as follows:

Those Eligible to Vote	Those in Favor	Those Opposed
Ms. Costa	X	
Mr. Hutchinson	X	
Mr. Dintino	X	
Mr. Thomas	X	
Ms. Bradley	X	
Ms. Rossi	X	

IT IS FURTHER RESOLVED, the above relief is subject to the following standard conditions:

1. That the Application, all exhibits, testimony, map, and other documents submitted and relied on by the Applicant, are true and accurate representations of the facts relating to the Applicant's request for approval. In the event that it is determined by the Board, on non-arbitrary, non-capricious and reasonable grounds, that the Application, exhibits, testimony, maps, and other documents submitted are not accurate, are materially misleading, or are the result of mistake, and the same had been relied upon by the Board as they bear on facts which were essential in the granting of the relief sought by the Applicant, the Board may review its approval and rehear the Application, if circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice.

2. Upon discovery by the Board of clear and convincing evidence of a materially misleading submission, material misstatement, materially inaccurate information, or a material mistake made by the Applicant, the Board reserves the right to conduct a hearing with the Applicant present, for the purpose of fact-finding regarding the same. Should the facts at said hearing confirm that there had been a material fault in the Application, the Board shall take whatever action it deems appropriate at that time, consistent with the MLUL and case law, including but not limited to a reconsideration of its prior approval, a rehearing, a modification of its prior approval, or such other action as appropriate. In addition, at any time within 45 days after the adoption of this resolution, a party of

interest may appeal to the Superior Court for an order vacating or modifying any term or condition as set forth herein.

3. The Applicant shall indemnify and hold the Township harmless from any Claims whatsoever which may be made as a result of any deficiency in the Application, or as to any representations made by the Applicant, including but not limited to proper service and notice upon interested parties made in reliance upon the certified list of property owners and other parties entitled to notice, said list having been provided to the Applicant by the Township pursuant to *N.J.S.A.* 40:55D-12(c), and publication of the notice of public hearing in this matter in accordance with the law.

4. The relief as granted herein is subject to the discovery of any and all deed restrictions upon the Subject Property which had not been known or had not been disclosed to the Board, but which would have had a materially negative impact upon the Board's decision in this matter had they been so known, or so disclosed.

5. The Applicant must obtain approvals from any and all other governmental and/or public agencies as required, whether federal, state, county or local, over which the Board has no control but which are necessary in order to finalize and/or implement the relief being granted herein, as well as any construction that may be a part of said relief. The Applicant is solely responsible for determining which governmental and/or public agencies, if any, such approvals are required.

6. The Applicant is further required to submit a copy to the Board's Secretary of all approvals and/or denials received from such outside agencies, with a copy thereof to the Board's Solicitor, Engineer, and Planner.

7. The Applicant must pay the costs of all professional review and other fees required to act on the Application, pursuant to the applicable sections of the Township's land development ordinances, zone codes and any other applicable municipal codes, and the MLUL.

8. The Applicant assumes all risks should the Applicant fail to obtain any other construction or other municipal permits required with respect to the relief as granted herein during the statutory appeal period associated with the language of this resolution.

9. The Applicant must obtain any other construction or other municipal permits required with respect to the relief as granted herein.

10. The Applicant shall comply with all of the representations and stipulations as contained in the application and as represented through testimony in support of the application.

ATTEST:

GLOUCESTER TOWNSHIP
PLANNING BOARD:

_____
KENNETH LECHNER, SECRETARY

_____
BRIAN REAGAN, CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that this resolution of memorialization being adopted by action of the Board on this 10th day of July 2018 represents a true and correct copy of a resolution adopted by the Gloucester Township Planning Board consistent with its decision at a meeting held on the 12th day of June 2018.

_____
KENNETH LECHNER, SECRETARY

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING EXTENSION OF MAJOR SITE PLAN APPROVAL FOR CROSSROADS VILLAGE, LLC APPLICATION NO.: 171031RENTITY

WHEREAS, on June 12, 2018, consideration was given to the application of CrossRoads Village, LLC (hereinafter "Applicant") for the property located at 553-557 N. Blackhorse Pike, identified on the Tax Map for the Township of Gloucester as Block 10801, Lot 10 and Block 10899, Lots 1-3 (hereinafter "Property"), for an extension of major site plan approval and protection in accordance with the requirements of the Land Development Ordinance of the Township of Gloucester (hereinafter "LDO"); and

WHEREAS, the Applicant proposes to develop in accordance with existing approvals and an existing Redevelopment Agreement, and seeks a one-year extension of its prior approval and protection pursuant to the Municipal Land Use Law ("MLUL"), N.J.S.A. 40A:55D-1 et seq.; and

WHEREAS, Robert Mintz, Esq., appeared on behalf of the Applicant; introduced the Application and identified the location of the Property and the requested relief; Mr. Mintz further explained the history of the Applicant's approvals, proposed minor changes to the plans, and the Applicant's appearance before the Township's Redevelopment Entity for amended preliminary and final site plan approval; and

WHEREAS, the Board Engineer, Steven M. Bach, PE, RA, PP, CME, indicated he had no objection to the Applicant's request for an extension of approval and protection; and

WHEREAS, the Board Planner, Kenneth D. Lechner, PP, AICP, indicated he had no objection to the Applicant's request for an extension of approval and protection; confirmed that the Applicant has appeared before the Township Council in its capacity as the Township's Redevelopment Entity; that the Applicant is moving forward diligently to develop the Property and has otherwise satisfied the standards and criteria prescribed for major site plan approval; and

WHEREAS, the meeting was opened to the public, and no members of the public appeared to testify; and

WHEREAS, the Planning Board having received reports from professionals and other advisors to the Board including, without limitation, the Zoning Officer, Board Engineer, Board Planner, County Planning Board, Traffic Commander, Fire Marshall, Tax Assessor, Water Department and Municipal Utilities Authorities and having heard testimony from the Board Planner and Board Engineer, makes the following factual findings and conclusions of law in approving the subject application for an extension of major site plan approval and protection:

1. The Applicant is CrossRoads Village, LLC. The Property is located at 553-557 N. Blackhorse Pike, identified on the Tax Map for the Township of Gloucester as Block 10801, Lot 10 and Block 10899, Lots 1-3. The Property is located in the BW-RD Zoning District.

2. To the extent required, public notice of the hearing was provided in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40A:55D-12.

3. Requested Relief: the Applicant requests an extension of major site plan approval. The Applicant has submitted to the Township's Redevelopment Entity for Amended Preliminary and Final Major Site Plan Approval, but seeks an extension of its original approval while working on the amended approval.

4. The Board Planner, Kenneth D. Lechner, PP, AICP, and Board Engineer, Steven M. Bach, PE, RA, PP, CME of Bach Associates, PC, indicated they agree the Applicant has been moving forward diligently to develop the Property in accordance with prior approvals and that they have no objection to granting the requested extension of approval and protection.

5. The Board finds and concludes that the Applicant has followed the standards prescribed for final approval and is entitled to a final one-year extension of approval and extension pursuant to N.J.S.A. 40:55D-52(a).

NOW, THEREFORE BE IT RESOLVED, after considering the foregoing facts, the Board further concludes that the Applicant has demonstrated that the Application will not have a deleterious effect upon the neighborhood, and has satisfied the standards necessary for approval and should therefore be approved subject to the specific and standard conditions stated herein and on the record; and

WHEREAS, a motion was duly made by Mr. Hutchinson and duly seconded by Ms. Rossi to **APPROVE** the Application as set forth above, and a roll call vote on the motion was recorded as follows:

Those Eligible to Vote	Those in Favor	Those Opposed
Ms. Costa	X	
Mr. Hutchinson	X	
Mr. Dintino	X	
Mr. Thomas	X	
Ms. Bradley	X	
Ms. Rossi	X	

IT IS FURTHER RESOLVED, the above relief is subject to the following standard conditions:

1. That the Application, all exhibits, testimony, map, and other documents submitted and relied on by the Applicant, are true and accurate representations of the facts relating to the Applicant's request for approval. In the event that it is determined by the Board, on non-arbitrary, non-capricious and reasonable grounds, that the Application, exhibits, testimony, maps, and other documents submitted are not accurate, are materially

misleading, or are the result of mistake, and the same had been relied upon by the Board as they bear on facts which were essential in the granting of the relief sought by the Applicant, the Board may review its approval and rehear the Application, if circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice.

2. Upon discovery by the Board of clear and convincing evidence of a materially misleading submission, material misstatement, materially inaccurate information, or a material mistake made by the Applicant, the Board reserves the right to conduct a hearing with the Applicant present, for the purpose of fact-finding regarding the same. Should the facts at said hearing confirm that there had been a material fault in the Application, the Board shall take whatever action it deems appropriate at that time, consistent with the MLUL and case law, including but not limited to a reconsideration of its prior approval, a rehearing, a modification of its prior approval, or such other action as appropriate. In addition, at any time within 45 days after the adoption of this resolution, a party of interest may appeal to the Superior Court for an order vacating or modifying any term or condition as set forth herein.

3. The Applicant shall indemnify and hold the Township harmless from any Claims whatsoever which may be made as a result of any deficiency in the Application, or as to any representations made by the Applicant, including but not limited to proper service and notice upon interested parties made in reliance upon the certified list of property owners and other parties entitled to notice, said list having been provided to the Applicant by the Township pursuant to N.J.S.A. 40:55D-12(c), and publication of the notice of public hearing in this matter in accordance with the law.

4. The relief as granted herein is subject to the discovery of any and all deed restrictions upon the Subject Property which had not been known or had not been disclosed to the Board, but which would have had a materially negative impact upon the Board's decision in this matter had they been so known, or so disclosed.

5. The Applicant must obtain approvals from any and all other governmental and/or public agencies as required, whether federal, state, county or local, over which the Board has no control but which are necessary in order to finalize and/or implement the relief being granted herein, as well as any construction that may be a part of said relief. The Applicant is solely responsible for determining which governmental and/or public agencies, if any, such approvals are required.

6. The Applicant is further required to submit a copy to the Board's Secretary of all approvals and/or denials received from such outside agencies, with a copy thereof to the Board's Solicitor, Engineer, and Planner.

7. The Applicant must pay the costs of all professional review and other fees required to act on the Application, pursuant to the applicable sections of the Township's land development ordinances, zone codes and any other applicable municipal codes, and the MLUL.

8. The Applicant assumes all risks should the Applicant fail to obtain any other construction or other municipal permits required with respect to the relief as granted herein during the statutory appeal period associated with the language of this resolution.

9. The Applicant must obtain any other construction or other municipal permits required with respect to the relief as granted herein.

10. The Applicant shall comply with all of the representations and stipulations as contained in the application and as represented through testimony in support of the application.

ATTEST:

GLOUCESTER TOWNSHIP
PLANNING BOARD:

KENNETH LECHNER, SECRETARY

BRIAN REAGAN, CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that this resolution of memorialization being adopted by action of the Board on this 10th day of July 2018 represents a true and correct copy of a resolution adopted by the Gloucester Township Planning Board consistent with its decision at a meeting held on the 12th day of June 2018.

KENNETH LECHNER, SECRETARY

TOWNSHIP OF GLOUCESTER

Chews-Landing Clementon Road at Hider Lane
P.O. Box 8 Blackwood, NJ 08012
(856) 374-3511 Planning (856) 374-3512 Zoning (856) 232-6229

RECEIVED MAR 27 2018 BY:

For Office Use Only

Submission Date[1] _____ Application №.: 18/010RZ

☑ Planning Board ☐ Zoning Board of Adjustment

Taxes Paid Yes/No ____ (Initial)

Fees $120.00 Project # 12124

Escr. $1,000.00 Escr.# 12124

[1] Upon receipt of all fees, documents, plans, etc.

LAND DEVELOPMENT APPLICATION

1. Applicant	2. Owner(s) (List all Owners)
Name: Anthony Bentivegna	Name(s): No Other Owners
Address: 776 Devonshire Drive	Address:
City: Williamstown	City:
State, Zip: NJ 08094	State, Zip:
Phone: (856) 885-3665 Fax: ( ) -	Phone: ( ) - Fax: ( ) -
Email: kingdevonshire@aol.com	

3. Type of Application. Check as many as apply:

- ☐ Informal Review [2]
- ☐ Minor Subdivision
- ☐ Preliminary Major Subdivision [2]
- ☐ Final Major Subdivision
- ☐ Minor Site Plan
- ☐ Preliminary Major Site Plan [2]
- ☐ Final Major Site Plan
- ☐ Conditional Use Approval [2]
- ☐ General Development Plan [2]
- ☐ Planned Development [2]
- ☐ Interpretation [2]
- ☐ Appeal of Administrative Officer's Decision
- ☐ Bulk "C" Variance [2]
- ☐ Use "D" Variance [2]
- ☐ Site Plan Waiver
- ☒ Rezoning Request
- ☐ Redevelopment Agreement
- ☐ _____

[2] Legal advertisement and notice is required to all property owners within 200 feet.

4. Zoning Districts (Circle all Zones that apply)

ER	R4	GCR	CR	BP	G-RD	LP-1
R1	RA	BWD	NC	IN	M-RD	NVBP
R2	APT	OR	HC	PR	BW-RD	SCR-HC Overlay
R3	SCR	OF	GI	FP	L-RD	NVSCR Overlay
						IR

5. The following applicants are required to be represented by a New Jersey Attorney: Corporation, Partnership, Limited Liability Corporation and Limited Liability Partnership

Name of Attorney: MAURY K. CUTLER, ESQ.	Firm: same
Address: 1510 Blackwood-Clementon Rd.	State, Zip: NJ 08012
City: Blackwood	Phone: (856) 227-2225 Fax: (856) 228 8295
	Email: mkcutler@mkcutlerlaw.com

6. Name of Persons Preparing Plans and Reports:

Name: James A. Miller, AICP, PP	Name:
Address: 227 Nicholson Drive	Address:
Profession: Planner	Profession:
City: Moorestown	City:
State, Zip: NJ 08057	State, Zip:
Phone: 856 778 9799 Fax: ( ) -	Phone: ( ) - Fax: ( ) -
Email: jam-plan@comcast.net	Email:

7. Location of Property:

Street Address: 1031 Little Gloucester Road Block(s): 12204

Tract Area: Tax Map Plate 122 Lot(s): 34 and 35

8. Land Use:

Existing Land Use: commercial -- retail shopping plaza

Proposed Land Use (Describe Application): same

9. Property:

Number of Existing Lots: 2

Number of Proposed Lots: same

Proposed Form of Ownership:

☒ Fee Simple ☐ Cooperative

☐ Condominium ☐ Rental

Are there *existing* deed restrictions? ☒ No ☐ Yes **(If yes, attach copies)**

Are there *proposed* deed restrictions? ☒ No ☐ Yes

10. Utilities: (Check those that apply.)

☒ Public Water ☒ Public Sewer ☐ Private Well ☐ Private Septic System

11. List of Application Submission Materials: attached report of James A. Miller

List all additional materials on an additional sheet.

12. List Previous or Pending Applications for this Parcel: prior confirmation of pre-existing nonconforming use.

List all applications on a separate sheet.

13. Zoning see attached survey in report of James A. Miller

All Applications	Proposed	Fence Application	Proposed
Front setback 1		Setback from E.O.P.*1	
Front setback 2		Setback from E.O.P.*2	
Rear setback		Fence type	
Side setback 1		Fence height	
Side setback 2		*E.O.P. = Edge Of Pavement.	
Lot frontage		**Pool Requirements**	
Lot depth		Setback from R.O.W.1	
Lot area		Setback from R.O.W.2	
Building height		Setback from property line 1	
		Setback from property line 2	
		Distance from dwelling	
		Distance = measured from edge of water.	
		R.O.W. = Right-of-way.	
		Setback = Measured from edge of pool apron.	
Garage Application		**Shed Requirements**	
Garage Area		Shed area	
Garage height		Shed height	
Number of garages		Setback from R.O.W.1	
(Include attached garage if applicable)		Setback from R.O.W.2	
Number of stories		Setback from property line 1	
		Setback from property line 2	

14. Parking and Loading Requirements: see attached report of James A. Miller

Number of parking spaces required: _____ Number of parking spaces provided: _____

Number of loading spaces required: _____ Number of loading spaces provided: _____

15. Relief Requested: Applicant seeks rezoning from OR to HC

☐ Check here if zoning variances are required.

☐ Check here if exceptions to the application or municipal requirements are requested (N.J.S.A. 40:55D-51).

☐ Check here if exceptions to the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.1) are requested.

☐ Check here if waivers from the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21-3.2) are requested. [Such waivers require application to, and approval of the N.J. Site Improvement Advisory Board].

NOTE: If any of above are required, attach hereto separate exhibit(s) for each category of relief sought, stating the factual basis, legal theory, and whether they have been previously granted.

16. Signature of Applicant

Maury K Cutler — 3/20/18

Signature of Applicant — Date

MAURY K. CUTLER, ESQUIRE
Attorney for Applicant

_____ — _____

Signature of Co-applicant — Date

17. Consent of Owner(s):

I, the undersigned, being the owner(s) of the lot or tract described in this application, hereby consent to the making of this application and the approval of the plans submitted herewith. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency. **(If owned by a corporation, attach a resolution authorizing application and officer signature).**

3/22/18
Date

Anthony Bentivegna
Signature Anthony Bentivegna

Print Name

Sworn and Subscribed to before me this
22 day of March
2018 (Year).

COLLEEN M. McWILLIAMS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/3/2022

Colleen M. McWilliams
Signature

Colleen M. McWilliams
Print Name

18. Disclosure Statement (Pursuant to N.J.S.A. 40:55D-48.1 and 48.2):

Complete each of the following sections:

A. Is this application to subdivide a parcel of land into six or more lots?	☒ No	☐ Yes
B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?	☒ No	☐ Yes
C. Is this application for approval on a site or sites for commercial purposes?	☐ No	☒ Yes
D. Is the applicant a corporation?	☒ No	☐ Yes
E. Is the applicant a limited liability corporation?	☒ No	☐ Yes
F. Is the applicant a partnership?	☒ No	☐ Yes

IF YES TO ANY OF THE ABOVE:

1. List the names and addresses of all stockholders or individual partners owning at least 10 percent of it's stock of any class or at least 10 percent of the interest in partnership, as the case may be. (Use additional sheets as necessary). ☒ No ☐ Yes
2. Does a corporation or partnership own 10 percent or more of the stock in this corporation or partnership?

IF YES:

List the names and addresses of the stockholders of that corporation holding 10 percent or more of the stock or 10 percent or greater interest in that partnership, as the case may be. This requirement is to be followed by every corporate stockholder or partnership, until the names and addresses of the non-corporate stockholder and individual partners with 10 percent or more ownership have been listed. (Use additional sheets as necessary). ☐ No ☐ Yes

Anthony Bentivegna
Signature of Applicant

3/22/18
Date

ANTHONY BENTIVEGNA
Print Name

19. Survey waiver certification:

As of the date of this application, I hereby certify that the survey submitted with this application, under the date of 3/16/18, shows and discloses the premises in its entirety, described as Block 12202 Lot 34 & 35 and I further certify that no buildings, fences or other facilities have been constructed, installed or otherwise located on the premises after the date of the survey with the exception of the structures shown.

State of New Jersey,
County of Camden:
Anthony Bentivegna of full age, being duly sworn to law, on oath and says that all of the above statement herein is true.

ANTHONY BENTIVEGNA
Name of property owner or applicant

Sworn and subscribed to
On this 22 day of March,
20 18 before the following authority.

Colleen M. McWilliams
Notary public

COLLEEN M. McWILLIAMS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/3/2022

#181010RZ

Proposed Rezoning
The Today's Plaza Parcel
1031 Little Gloucester Road
Gloucester Township, NJ

Prepared by:

J. A. Miller

James A. Miller, AICP, PP
NJ Planners License #1755
March 16, 2018

Introduction:

The subject of this report is the Today's Plaza shopping center, a retail complex located on the southwest corner of the intersection of Little Gloucester Road and Blackwood-Clementon Road in Gloucester Township, New Jersey. The parcel on which Today's Plaza is situated is zoned OR Office Residential. The OR zone does not permit retail uses and the OR classification means that the retail center is a nonconforming use.

The zoning analysis that follows, will examine the factors that determine appropriateness of the OR Office Residential zoning for this parcel. Based on this evaluation it will recommend that the zoning of the Today's Plaza tract be changed from OR Office Residential to HC Highway Commercial.

Documents examined in conjunction with this report include:

- As-Built Survey 279 Blackwood Clementon Road, James T. Sapio Land Surveyor, June 4, 1991.
- Proposed Minor Subdivision, 279 Blackwood Clementon Road, James T. Sapio Land Surveyor, June 4, 1991, revised to October 18, 1991.
- Survey of Premises 1031 Little Gloucester Road, JTS Engineers and Land Surveyors, Inc., March 6, 2018.
- Gloucester Township Master Plan, 1999, prepared by Clark Caton Hintz, adopted by the Planning Board on June 29, 1999.
- The 2005 Reexamination Report of the Master Plan of the Township of Gloucester prepared by the Gloucester Township Department of Community Development.
- The 2015 Reexamination Report of the Master Plan of the Township of Gloucester prepared by the Gloucester Township Department of Community Development, adopted by the Planning Board on June 9, 2015.
- Gloucester Township Tax Office records.
- The Gloucester Township Zoning Ordinance.
- Google aerial photography for the period between 1991 and the present.

The preparation of this report also relied on information obtained during a field visit to the site and the surrounding area on February 8, 2018.

The Today's Plaza Parcel:

Today's Plaza is located on a roughly trapezoidal parcel measuring between 70.17 feet and 166.60 feet in width and 303.79 between 310.27 feet in length. The parcel has been listed as Block 12202, Lots 34 and 35 in the Gloucester Township tax records and appears on Tax Map Plate 122. Although Lots 34 and 35 are listed separately they appear as a consolidated line item in the Township's tax records.

The property is currently owned by Anthony Bentivenga. The owner's records show that the existing retail center was constructed in 1984. Documents in the owner's files include a survey dating from 1991and a current survey dated March 3, 2018. A comparison of the two surveys shows that the existing improvements were in place by 1991 and were in their current configuration. Both surveys state that the parcels contain 1.05 acres. The 2018 survey also shows an easement along the western boundary of the tract which appears to have been created to accommodate an encroachment of sidewalk segments onto Lot 33, the Lot that adjoins the site to the west. The Township tax maps include the area of this easement as part of Lot 34.

The survey from 2018 showing current conditions is reproduced on the following page as figure 1.

A minor subdivision plat dating from 1991 which was drafted but not filed lists the 1991 zoning of the property as GB General Business, a designation that would have made the retail center a conforming use at that time.

The structure containing the retail space is located on the northern half of the parcel and a parking area containing 38 parking spaces occupies its southern half. Tenants include Antonino's Pizza, Today's Salon and Spa, Cash for Gold, Millenium Hobbies, Next Level Video Games, African American Braidings, and A & B Beauty Supplies. All of these are retail and service uses. There are no vacancies. Today's Plaza contains an approximate floor area of 6,800 square feet. These yield a parking ratio of 5.58 spaces per 1,000 square feet of floor area, an off-street parking supply more than sufficient to meet current standards and provide adequate parking for the uses within this retail center.

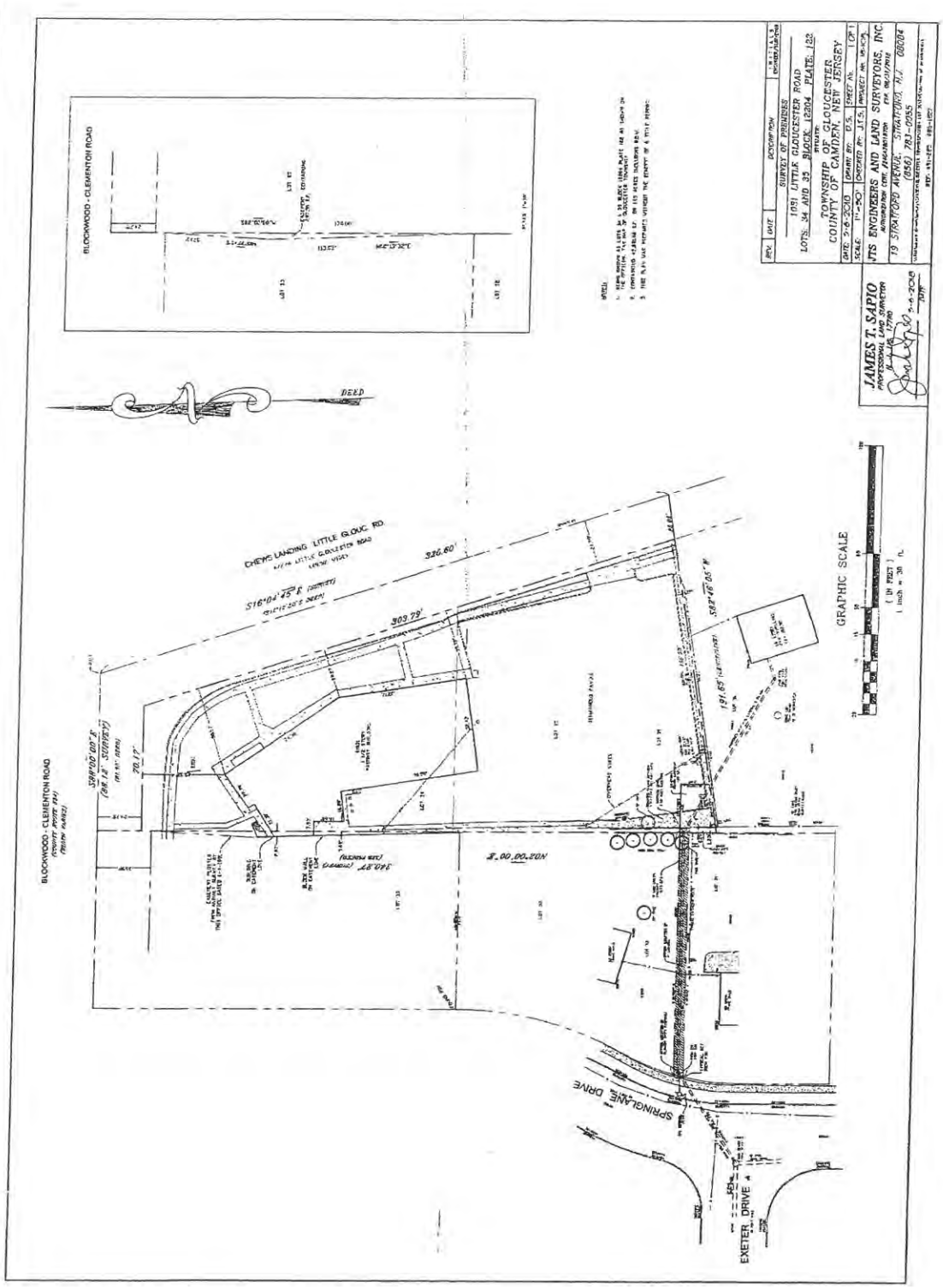

Figure 1 – 2018 Property Survey

Surrounding Properties and Land Use Patterns:

An aerial photograph downloaded from Google Earth and reproduced below shows that current land use patterns in the area surrounding Today's Plaza.

Figure 2 – Aerial View of Today's Plaza

The intersection of Little Gloucester Road and Blackwood-Clementon Road appears in the center of the photograph with north at the top of the picture. Little Gloucester Road runs from the top to the bottom of the frame on a slight diagonal; Blackwood-Clementon Road east to west just above the middle of the frame.

Today's Plaza is located on the southwest corner of the intersection. It adjoins a series of professional office uses including a chiropractor's office on the neighboring lot and the building to its west containing professional offices. The uses to the south of Today's Plaza on Little Gloucester Road and in the subdivision to west are residential.

The uses on the northwest corner include a Taco Bell Restaurant, a McDonalds restaurant and a Pep Boys Auto and Tire store. The northeast corner is occupied by a PNC Bank and a Burger King Restaurant. The southeast corner is the location of Cherrywood Plaza, a large shopping

center containing a Planet Fitness outlet, a Dollar Tree store and number of other retail uses.

The zoning for these parcels is shown below.

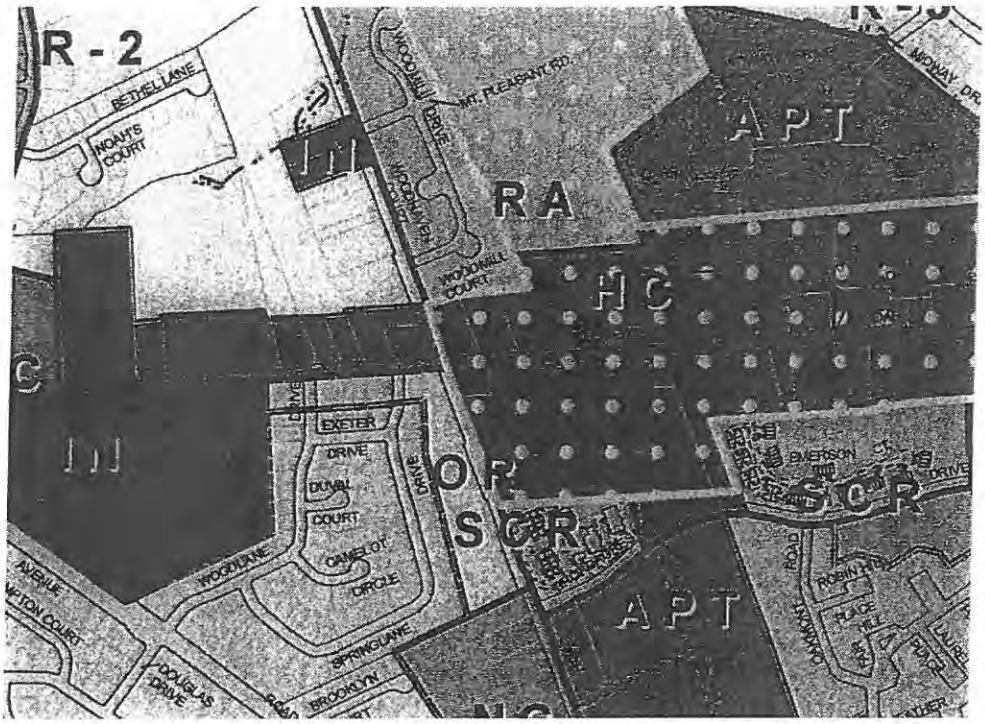

Figure 3 – Current Zoning

The business uses on the northwest, northeast and southeast corners of the intersection of Little Gloucester Road and Blackwood-Clementon Road are zoned HC Highway Commercial as indicated by the red shading. Those in the HC zone east of Little Gloucester Road also fall within the BC-RD Blackwood-Clementon Road Rehabilitation District indicated by the area overlain with yellow dots.

While the northeast, northwest and southeast corners of the Little Gloucester Road and Blackwood-Clementon Road intersection are all zoned HC Highway Commercial, the lots along the frontage of the southwest corner have been zoned OR Office Residential. These lots include the Today's Plaza parcel that is the subject of this report.

The OR Office Residential zoning dates to the Gloucester Township Master Plan, June 29, 1999. The 1999 Master Plan called for a "Professional

R-18:06-200

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY, AMENDING RESOLUTION R-07:03-080 NAMING A REDEVELOPER FOR THE MINGUS RUN REDEVELOPMENT ZONE AREA AND AUTHORIZING THE SIGNING OF A REDEVELOPMENT AGREEMENT (MEMORANDUM OF AGREEMENT) WITH SOUTH WINDS AT GLOUCESTER LLC

WHEREAS, pursuant to provision of the Redevelopment and Housing Law of the State of New Jersey, N.J.S.A. 40A:12A-1, et seq., the Township Council of the Township of Gloucester did previously direct the Planning Board of the Township of Gloucester to conduct a preliminary investigation to determine an area in need of redevelopment in accordance with the Redevelopment and Housing Law of the State of New Jersey; and

WHEREAS, the Planning Board did conduct a preliminary investigation in accordance with the guidelines set forth N.J.S.A. 40A:12A-6, held public hearings, and determined that the designated area is an area in need of redevelopment, and

WHEREAS, the Township Council of the Township of Gloucester did adopt the Redevelopment Area of the Township of Gloucester by Ordinance, and in accordance with the provisions of the Local redevelopment and Housing Law of the State of New Jersey, did designate itself as the Redevelopment Entity, and

WHEREAS, The Redevelopment and Housing Law authorizes the Township Council, as the Redevelopment Entity, to name a Redeveloper and to contract with a Redeveloper for any area of planning, construction or the undertaking of any project within the designated redevelopment area; and

WHEREAS, Hill Creek LLC did previously submit a proposal for designation as Redeveloper for the Redevelopment Area, and was designated as Redeveloper for the Mingus Run Redevelopment Zone area; and

WHEREAS, the Southwinds at Gloucester LLC is the successor intended developer for the project and desires the Township Council to amend their authorizing resolution to name Southwinds at Gloucester LLC for the development project; and

WHEREAS, the Redeveloper does agree to redevelop parcels within the Mingus Run Redevelopment Zone area as indicated.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester as follows,

1. Southwinds at Gloucester LLC is hereby designated Redeveloper for the area known and described as Mingus Run Redevelopment Zone area, all within the designated Redevelopment Area.

2. The Mayor of the Township of Gloucester, or other Official of the Township of Gloucester as may be designated, is hereby authorized to enter into a Redevelopment Agreement with Southwinds at Gloucester LLC, for the planning, construction, development or the undertaking of the project

ADOPTED: June 25, 2018

PRESIENT OF COUNCIL

ATTEST:

MUNCIPAL CLERK, RMC

0-18-10

ORDINANCE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ADOPTING AMENDMENT NO. 1 AMENDING ORDINANCE O-11-17 COMMONLY KNOWN AS THE INTERCHANGE REDEVELOPMENT PLAN TO PERMIT AN INDOOR AMUSEMENT PARK AS AN ACCESSORY USE.

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Ordinance O-11-17, known as the "Interchange Redevelopment Plan" be hereby amended, as follows:

SECTION 1. That Section 3.1, titled "Interchange Redevelopment District," Subparagraph G, Accessory Uses and Structures be and is hereby amended to add the following:

16. Recognized Amusement Park as defined by Township Code Chapter 27, titled "Amusement Devices, Coin Operated" within a restaurant or other eating establishment.
17. Other accessory uses which are customary, subordinate and incidental to a permitted use.

SECTION 2. All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 4. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced:

Adopted:

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK, RMC

MAYOR