Township of Gloucester
Planning Board Agenda
September 11, 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 – August 28, 2018

RESOLUTIONS FOR MEMORIALIZATION

#181023IRDPFSa **Dave & Busters, Inc.**	**Block: 13105 Lot: 1** **Amending Preliminary & Final Site**

APPLICATIONS

#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.**

#171062RDMPFSe Aqua New Jersey Spring Hollow/Blackwood Well No. 20 Treatment System	Extension/Minor Subdivision expire 10/03/18 -120 day to 01/31/19 Block: 18403 Lots: 19 & 20 Location: 567 Berlin-Cross Keys Rd., combining existing water utility facility located on the adjoining Block: 18403 Lot: 19

Meeting Adjourned

TOWNSHIP OF GLOUCESTER
PLANNING BOARD

Tuesday August 28, 2018

Chairman Reagan calls the meeting to order.
Salute to the Flag.
Opening Statement made by Mr. Lechner.
Chairman Reagan requests a Roll Call.

Roll Call:

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

Chairman Reagan announces general rules of the meeting.
Chairman Reagan ask that the Board Professionals to be Sworn in.
Mr. Bach & Mr. Lechner were Sworn in.
Chairman Reagan asked Mr. Thomas to sit in for Mrs. Rossi who agreed.

Minutes for Memorialization

Minutes from July 10, 2018.
Chairman Reagan requested a motion to approve the minutes
Mrs. Washington made a motion seconded by Mrs. Bradley.

Roll Call:

Mrs. Washington	Yes
Mrs. Bradley	Yes
Mr. Thomas	Yes
Chairman Reagan	Yes

Resolutions for Memorialization

#0-18-10
Dave & Busters Inc.

Amending Ordinance 0-11-17 Commonly Known as the Inter-Change Redevelopment Plan To Permit an Indoor Amusement Park as an accessory use

Chairman Reagan asked for a motion to approve the Resolution.
Mrs. Washington made a motion seconded by Mrs. Bradley.

Roll Call:

Mrs. Washington	Yes
Mrs. Bradley	Yes
Mr. Thomas	Yes
Chairman Reagan	Yes

Application for Review

#181023IRDPFSa
Dave & Busters Inc.
Zoned: IR

Block: 13105 Lot: 1
Location: 400-600 Premium Outlets
Amended Preliminary/Final Site to Construct & Operate 40,000 sq.ft. Full Service Restaurant with an accessory indoor amusement area that will occupy the previous approved 6.01 acre outparcel w/ 435 parking spaces, new driveway & installation of new landscaping & site Lighting.

NOTES:
Mr. Louis D'Arminio, Esq. approached the podium of the law firm Price, Meese, Shulman & D'Arminio who is representing the applicant for the amended preliminary & final site plan for Dave & Busters. This company will be occupying the outparcel across from the Gloucester Premium Outlets. Its located in an IR zone.
A proposed 40,000 sq.ft. full service restaurant & accessory indoor amusement area will be constructed with proposed operational necessities. He introduced his accompanying team who will testify on key elements of the application.

Jill Valachovic Senior Paralegal approached the podium - sworn in.
Mrs. Valachovic proceeded to give an overview of the company.
-In operation since 1982 formed from two separate companies merging into one originating in Dallas.
- Currently operating for 35 years with over 15,000 employees in 117 locations with half the restaurants in malls and the other half are standalone. This restaurant will be the third (3rd) in New Jersey of 40,000 sq.ft., employing 140-160 employees.
-Hours of operation: 11am till Midnight Weekdays and till 2am Fri/Sat.
-Displayed pictures of proposed building labeled Exhibit 1A.
-Full service Menu with dedicated space for special occasions/events.
-NJ License needed to operate Amusements.
Mrs. Valachovic finished her testimony.

Dan Disario Traffic Engineer approached the podium – sworn in.
Recognized as a professional.
Mr. Disario described the establishment in more detail including the outside.
Mr. Disario described the establishment as a one-story building of 4,489 sq.ft. The lot parcel is 6.1 acres across from the Premium Outlets. It will house a 569 seat restaurant and arcades with parking for 420 vehicles & 2 driveways separate from the outlets parking. Its noted that the parking exceeds ordinance requirements.
Trash is compacted and put in roll out receptacles that are enclosed and located to the north east side corner of the building. Trash pickup will be twice weekly before opening hours. There are no formal loading docks but two loading spaces to service each entity receiving deliveries during non-operational hours.
There is a proposed landscape plan to fit appropriately within the space.
Perimeter lighting will be installed to assist in snow removal while the drainage will be tied into the existing basin which is designed appropriately to accommodate this parcel's development.
Traffic will be slightly increased than previously estimated and approved which is determined by the trip generation based on square footage of the restaurant.
In further discussion items in the letter from Bach Assoc. were addressed:

- Loading Areas
- Roll out trash bins
- Clarification of pedestrian guard rails
- Retaining walls & timber guard rails
- Trip generation calculation – Square footage vs. Turnover occupancy.

It was confirmed by Mr. Disario that all concerns would be complied with in the Bach Associates letter.

Mr. Chris Hamer Architect approached the podium, sworn in and acknowledged as a professional. He set up a display of the building floor plan entered as Exhibit A5.
Mr. Hamer proceeded with his testimony explaining the displayed exhibits that contained the different areas of the floor plan along with outside lighting and building entrances.
He expressed that there are No pylon signs and the Entrances will contain monument signs on Outlet Way, which are sized appropriately.

Chairman Reagan asked if there were any questions from the Board?
None
Chairman Reagan asked if there were any questions from the Public?
None
Chairman Reagan asked for a motion to approve the application.
Mr. Thomas made a motion seconded by Mrs. Bradley.

Roll Call:

Mrs. Washington	Yes
Councilman Hutchison	Yes
Mrs. Costa	Yes
Mrs. Bradley	Yes
Mr. Thomas	Yes
Chairman Reagan	Yes

#181022E-PFSPFSPa
Southwinds @ Gloucester Twp.
Southwinds @ Gloucester, LLC.
Zoned: MRD

Final Major Subdivision
Revised Preliminary & Final Major Site Plan, (Amended)
Block: 10801 Lot: 10
Block: 10899 Lot: 1, 2 & 3
Location: 553-557 N. BH Pike
220 Multi-family Apartments
-158 Townhomes
-100 Unit Apartments for Affordable Family COAH
-Rental Housing

NOTES:

Robert Mints, Esq. approached the podium representing the applicant: Southwinds @ Gloucester, LLC. with respect to the agenda items for Southwinds of Gloucester Township. Mr. Mintz stated that the application is that of a preliminary that has already been granted, which is in place and in the process of resolving the conditions of the approvals before coming back to the board for final.
The reports have been received from the Board and the applicant feels it is appropriate to respond to the reports accurately. As a result, the applicant is asking if the matter can be carried to the October 9th agenda? Mr. Mintz also stated: the plans would be very closely consistent with the preliminary one that were approved.
Chairman Regan asked Mr. Lechner if that date was acceptable who agreed.
Chairman Regan asked for a vote to postpone this application till October 9th.
Mr. Lechner announced to the Public audience that if the motion carried, this agenda would be rescheduled to the October 9th meeting and this announcement would serve as formal notice for that meeting.

Chairman Reagan asked for a motion to approve a Continuance.
Mr. Thomas made a motion seconded by Mrs. Bradley.

Roll Call:

Mrs. Washington	Yes
Councilman Hutchison	Yes
Mrs. Costa	Yes
Mrs. Bradley	Yes
Mr. Thomas	Yes
Chairman Reagan	Yes

Mr. Mintz announced that he appreciated the community members coming out to hear the testimony and that he would be available immediately after this meeting to answer any questions.
Mr. Boraske announced the purpose of the vote was to approve the continuance at the request of the applicant who has every right to do so under the zoning land use law.
He Stated: The application will be carried over until October 9th, 2018 and the applicant will not have to publish a notice to the surrounding property owners.
In response, a few residents loudly voiced their disdain for the postponement but moved to the hallway to meet with Mr. Mintz.

Correspondence

NONE

Chairman Reagan requested a motion to adjourn.
Motion to adjourn was made by Mrs. Bradley seconded by Mrs. Washington.

Meeting Adjourned.

Recording Secretary,

Christopher Nowak

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING AMENDED PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL FOR DAVE & BUSTER'S, INC. APPLICATION NO.: 181023IRDPFSa

WHEREAS, on July 28, 2018, consideration was given to the Application of Dave & Buster's, Inc. (hereinafter the "Applicant") for the property located at 400-600 Premium Outlets Way, identified on the Tax Map for the Township of Gloucester as Block 13105, Lot 1 (hereinafter the "Subject Property"), for Amended Preliminary and Final Major Site Plan Approval; and

WHEREAS, the Applicant seeks Amended Preliminary and Final Major Site Plan Approval to construct and operate a 40,000 sf full service restaurant with an accessory indoor amusement area/arcade to occupy the previously approved 6.01 acre outparcel of the Subject Property; and

WHEREAS, the Subject Property is located in the Interchange Redevelopment ("IR") Zoning District, and the Applicant previously appeared before the Township of Gloucester Redevelopment Committee and the Township of Gloucester Township Committee, and has been designated as a Redeveloper for the IR Zone; and

WHEREAS, Mr. Louis L. D'Arminio, Esq., appeared on behalf of the Applicant and presented the Application; Mr. Dan Disario, PE, was sworn in, qualified as the Applicant's engineering expert, and testified in support of the Application; Mr. Chris Hamer, AIA, was sworn in, qualified as the Applicant's architectural expert, and testified in support of the Application; and Ms. Jill Valachovick, employee of the Applicant, was sworn in and testified in support of the Application; and

WHEREAS, Mr. D'Arminio introduced and provided an overview of the Application, explained the Applicant's requested relief and the development history of the Subject Property, and further explained that the proposed Dave & Buster's restaurant had already been reviewed by the Township's Redevelopment Entity, and the Applicant has been designated a redeveloper for the IR Zone; and

WHEREAS, throughout the Applicant's hearing, Mr. D'Arminio introduced Exhibit A1: Dave & Buster's Background Booklet with Pictures; Exhibit A2: Miniature Site Plans; Exhibit A3: Colorized Aerial of Site Plan; Exhibit A4: Traffic Impact Statement; Exhibit A5: Elevation Package; Exhibit A6: Sign Package; and Exhibit A7: Proposed Monument Signage; and

WHEREAS, referencing Exhibit A1, Ms. Valachovick testified that her job is to handle property acquisitions, development, and other entitlements for the Applicant, and provided background information and history regarding the Applicant, explaining that Dave & Buster's has over 35 years of experience in the restaurant and arcade business and has thousands of employees nationwide; Ms. Valachovick further testified there will be approximately 140-160

employees at the Gloucester Township location, which will be located in an outdoor mall area; that the hours for the proposed Dave & Buster's will be 11 AM to 12:00 AM Sunday to Thursday and 11 AM to 2 AM Friday and Saturday, and that the restaurant and arcade area will sometimes be open earlier during the summer or for special events, holidays, and occasions; and

WHEREAS, referencing Exhibits A2–A4, Mr. Disario testified as to the site details of the Subject Property and proposed improvements, explaining that the particular parcel is 6.1 acres and relates to several past approvals from the Township; that the Subject Property was previously approved for restaurants and commercial use; and Mr. Disario further described the site layout, including the proposed driveways, parking, landscaping, impervious coverage, and the Dave & Buster's restaurant itself, which will be an approximately 40,089 sf one-story building with 569 seats inside the building; and

WHEREAS, Mr. Disario further testified as to the amount of parking proposed with the Application, explaining that there are 435 proposed parking spaces, which exceeds the Township ordinance requirement; and also testified as to the lighting at the Subject Property, which will be 1.7 footcandles across the site and comply with the Township ordinance; and

WHEREAS, Mr. Disario further testified as to trash storage and pickup at the Subject Property, explaining the trash enclosure will be located towards the northeast corner of the building with compactors inside the building for cardboard and trash, thereby reducing the need for exterior dumpsters; and further testified the dumpsters will be rollout dumpsters to allow for trash pick-up trucks to have easier access; that there are no proposed loading docks but proposed loading spaces; that all deliveries will be off-hours; and that while there will be a slight increase in traffic resulting from the Application, the increase is not significant and the area surrounding the Subject Property is suitable to handle the anticipated increase in traffic; and

WHEREAS, referencing Exhibit A7, Mr. Disario further testified and described the location and detail of the monument signs and responded to questions from the Board about the signage; and

WHEREAS, referencing Exhibits A5–A6, Mr. Hammer described the architectural features of the proposed Dave & Buster's, the lighting effects, monument signage, adjacent properties and woodlands, and additional site improvements; and

WHEREAS, the Board Planner and Board Engineer reviewed their review letters and testified that the Applicant has provided sufficient testimony to address their concerns, and recommended the Board condition any approval on the Applicant providing additional information regarding the size, location, and appearance of the proposed monument signage, to which the Applicant agreed; and

WHEREAS, the meeting was open 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 Marshal, 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 addition to those contained in the preceding "WHEREAS" paragraphs, which are incorporated by reference herein as further findings of fact and conclusions of law, as appropriate, in approving the requested Amended Preliminary and Final Major Site Plan:

1. The Applicant is Dave & Buster's, Inc. The Subject Property is located at 400-600 Premium Outlets Way, identified on the Tax Map for the Township of Gloucester as Block 13105, Lot 1.

2. The Subject Property is located in the IR (Interchange Redevelopment) Zoning District.

3. 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.

4. Intended Use: construct and operate a 40,000 sf full service restaurant with an accessory indoor amusement area/arcade. The proposed principle restaurant use and proposed accessory indoor amusement park use are permitted uses within the Interchange Redevelopment Zoning District.

5. The typical bulk and setback variances are not part of applications within the Interchange Redevelopment District. The Applicant has demonstrated compliance with the goals and objectives of the redevelopment plan regarding land uses and architectural considerations to the satisfaction of the Board and its professionals, which were also previously considered and reviewed by the Township's Redevelopment Entity.

6. The Board Planner, Kenneth D. Lechner, P.P., A.I.C.P., issued a report dated August 23, 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 as a condition of approval.

7. The Board Engineer, Steven M. Bach, P.E., R.A., P.P., C.M.E., of Bach Associates, PC, issued a report dated August 24, 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 as a condition of approval.

8. 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 amended major site plan complies with all site plan and other standards, specifications, and requirements established by Township Code, advances the purposes of the IR Redevelopment Zone, and that the Subject Property is suitable for the proposed development given the size of the Subject Property and the goals, objectives, and permitted

uses of the IR Redevelopment 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 concludes that the Application for Amended Preliminary and Final Major Site Plan Approval has demonstrated that the proposed improvements 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 following conditions and any others contained herein or agreed to by the Applicant on the record during the Applicant's August 28, 2018 hearing:

1. The Applicant shall comply with all the comments and conditions set forth in the Board Professionals' review letters. The Applicant will work with the Board Professionals to address any outstanding concerns with the Application, including specifically obtaining the approval of the Board Professionals for the size, location, and appearance of the proposed monument signage. The Applicant will return to the Board if any outstanding matters cannot be resolved between the Applicant and the Board Professionals through post-resolution compliance.

WHEREAS, a motion was duly made by Councilman Hutchinson, and duly seconded by Ms. Bradley 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. Bradley	X	
Ms. Costa	X	
Ms. Washington	X	
Councilman Hutchinson	X	
Chairman Reagan	X	
Mr. Thomas	X	

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 11th day of September 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 28th day of August 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

For Office Use Only

Submission Date[1] _____ Application №.: 181010RZ

☑ 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
Front setback 1	
Front setback 2	
Rear setback	
Side setback 1	
Side setback 2	
Lot frontage	
Lot depth	
Lot area	
Building height	

Fence Application	Proposed
Setback from E.O.P.*1	
Setback from E.O.P.*2	
Fence type	
Fence height	

*E.O.P. = Edge Of Pavement.

Pool Requirements	
Setback from R.O.W.1	
Setback from R.O.W.2	
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	
Garage Area	
Garage height	
Number of garages	
(Include attached garage if applicable)	
Number of stories	

Shed Requirements	
Shed area	
Shed height	
Setback from R.O.W.1	
Setback from R.O.W.2	
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? ☐ No ☐ Yes

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).

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

#181010R2

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

Prepared by:

J. A. M.

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.

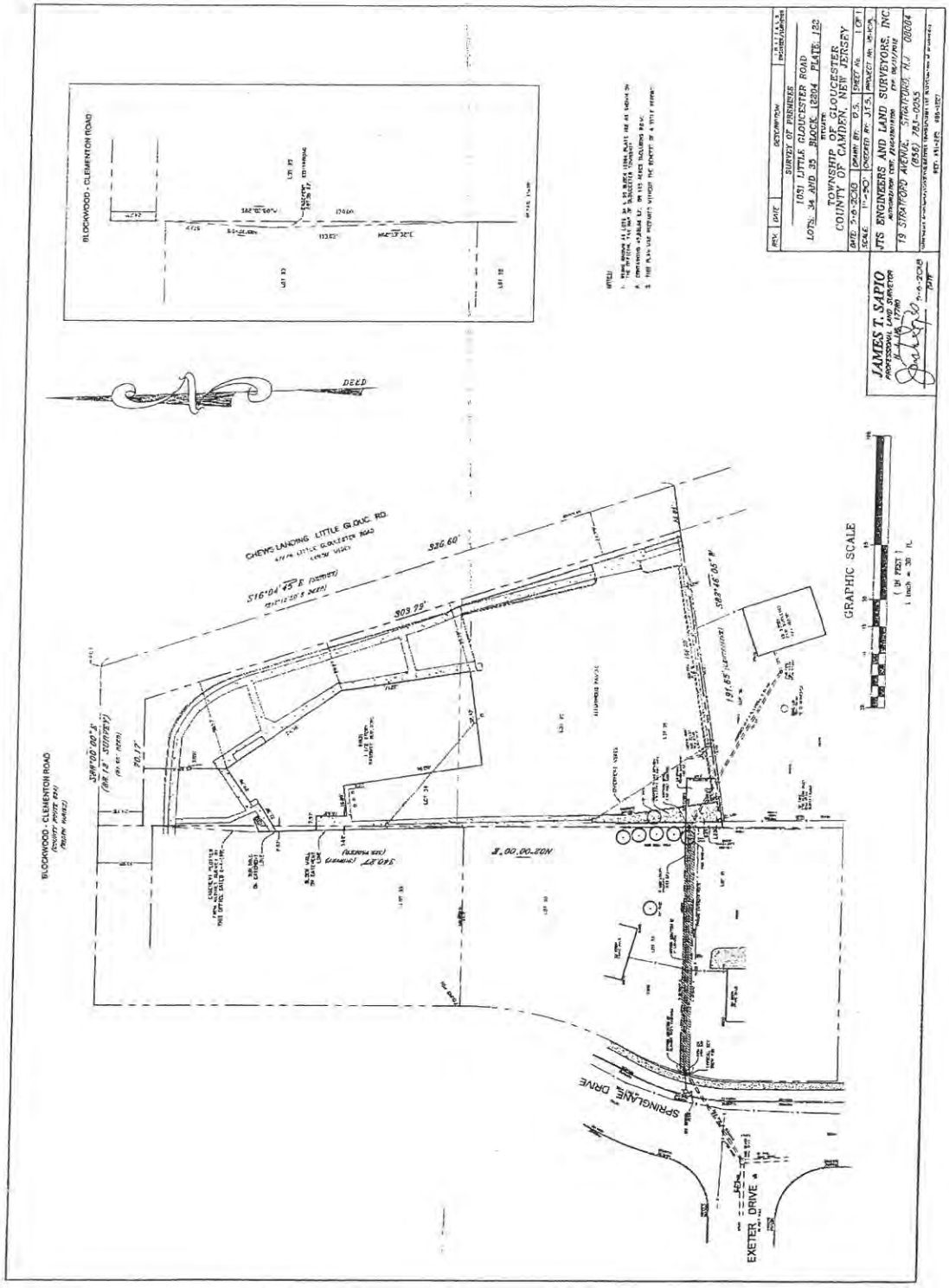

Figure 1 – 2018 Property Survey

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.

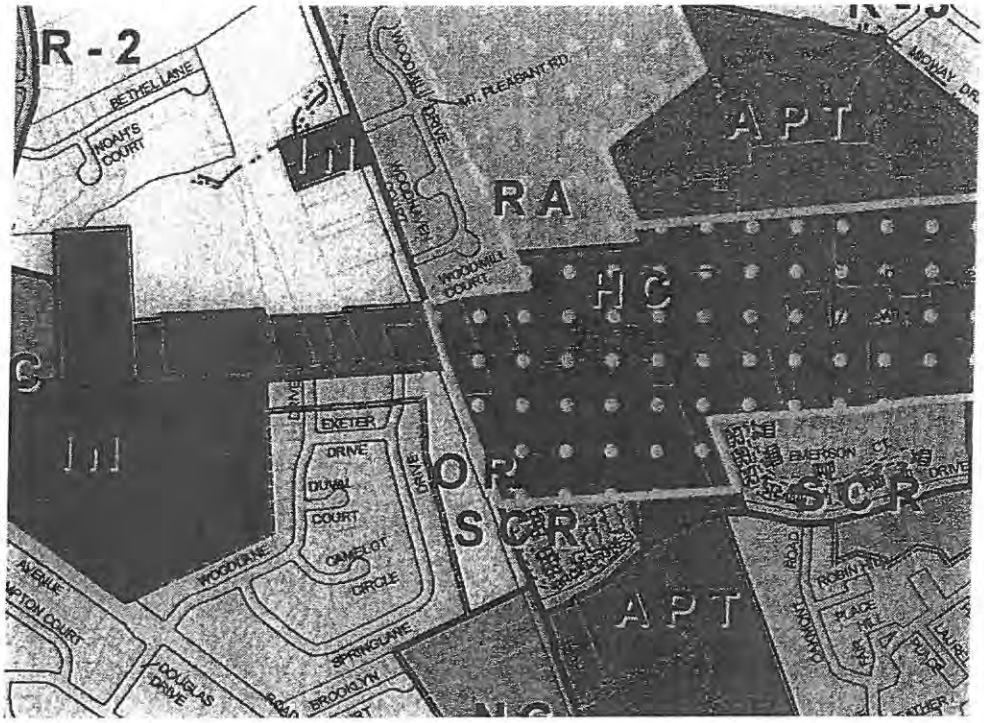

Figure 3 – Current Zoning

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

TOWNSHIP OF GLOUCESTER
PLANNING BOARD

Tuesday July 10, 2018

Chairman Reagan calls the meeting to order.
Salute to the Flag.
Opening Statement made by Mr. Lechner.
Chairman Reagan requests a Roll Call.

Roll Call:

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

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

Minutes for Memorialization

Minutes from June 12, 2018.
Chairman Reagan requested a motion to approve the minutes
Mr. Dintino made a motion seconded by Mrs. Rossi.

Roll Call:

Mr. Dintino	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mr. Thomas	Yes

Resolutions for Memorialization

#181013CM
Henry & Janet Alfano

Minor Subdivision Bulk C
Block: 20601 Lot: 11

Chairman Reagan 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

#181015M
Michael Palcko

Minor Subdivision
Bock: 18051 Lot: 19/20

Chairman Reagan 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

#181022E
Crossroads Village, LLC

1 Yr. Extension Request
Former Application #051024RACPPSP
Block: 10801 Lot: 10
Block: 10899 Lots: 1-3

Chairman Reagan asked for a motion to approve the Resolution.
Mr. Dintino made a motion seconded by Mr. Thomas.

Roll Call:

Mr. Dintino	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mr. Thomas	Yes

Application for Review

#18101RZ
Anthony Bentivegna
Zoned: OR

Request Zoning Change
Chang OR to HC Zone
Location: Todays Plaza Shopping Cntr.
Block: 12204 Lot: 34/36

NOTES:
Mory Cutler Esq. representing Mr. Bentivegna who is owner operator of Todays Plaza for almost 20 years, is asking for the zoning change from Office (OR) to Highway Commercial (HC). When he first purchased the property it was zoned HC but in 1999 the property was rezoned to OR.
Mr. Cutler introduced James Miller who was sworn in as a Qualified Planner to testify why this rezone should happen even though it is nonconforming.
Mr. Cutler goes on to discuss the two different zones of OR & HC to establish a base underlining the difference and then stating that the property in question does not meet in it entirety either zone as current standards apply.
MR. Cutler continues to discuss the property making valid arguments in relation to changing the properties current zoning.

Chairman Reagan asked if there were any questions from the Board?
None
Chairman Reagan asked if there were any questions from the Public?
Several Residents within the surrounding development boarding the property approached the podium were sworn in. All of the residents who spoke had an opinion on the zoning change most of which was against such action.
The residents' concerns were but not inclusive:

- the change would allow the property owner at any time to upgrade the property to a more commercial type. The residents' like the current non-conforming home store look that is not overly commercialized as it could be with the zone change.
- the residences bordering the property would be adversely affected if different businesses occupy the structure possibly causing more traffic and noise.
- the owner tried to sell the property in previous years but because of the current zoning has been unsuccessful. The residents think even though promises are made that do not include this option, they are wary of under lying factors prompting this change that are not being made public.
- the change would bring the loss of privacy and most definitely noise pollution.

These are just the most numerous concerns.

The Board Professionals continued to clarify why this area on the townships master plan was zoned as it stands today and the resulting implications if change occurs.
It is suggested that the Board must further discuss and gather additional information to make a recommendation. It is suggested that an amendment to the zoning code be considered that would add an additional zone covering different zoning dynamics not previously occurring when the master plan was derived back in 1999.
A secondary meeting is suggested so that a continuance for discovery on this matter can be accomplished. The date is set for September 11, 2018 the time this application will be further discussed. Formal Notification will be provided prior to this meeting.

Chairman Reagan asked for a motion to Table this application.
Mr. Dintino made a motion seconded by Mrs. Rossi.
Roll Call:

Mr. Dintino	Yes
Mrs. Washington	Yes
Mrs. Bradley	Yes
Mrs. Rossi	Yes
Mrs. Thomas	Yes
Chairman Reagan	Yes

O-18-10
Dave & Busters

Amending Ordinance O-11-17 Known as the Inter- Change Redevelopment Plan to permit an indoor amusement Park as an accessory use.

NOTE:
To amend the interchange redevelopment district to allow a recognized amusement park as defined by township code within a restaurant or eating establishment as an accessory use.

Chairman Reagan asked for a motion to approve the Resolution.
Mrs. Rossi made a motion seconded by Mrs. Washington.
Roll Call:

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

Coorespondence

R- 18:06-200
South Winds
(Crosswinds)

Amending Resolution 07:03-080 Naming a Redeveloper for the Mingus Run Development w/ South Winds at Gloucester LLC
Block: 10801 Lot: 6&10
Block: 10899 Lots 1-3

Chairman Reagan requested a motion to adjourn.
Motion to adjourn was made by Mr. Washington seconded by Mr. Thomas.

Meeting Adjourned.

Recording Secretary,

Christopher Nowak

TOWNSHIP OF GLOUCESTER

Chews-Landing Clementon Road at Hider Lane
P.O. Box 8, Blackwood, New Jersey 08012
(856) 374-3500 Planning (856) 374-3512 Zoning (856) 232-6229

RECEIVED
AUG 30 2018

For Office Use Only

Submission Date[1]: _____ Application No.: 171062RDMPFSE

Taxes Paid Yes/No ____ (Initial)

Fees 250. Project # 11913

☑ Planning Board ☐ Zoning Board of Adjustment

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

Escr. _____ Escr.# _____

LAND DEVELOPMENT APPLICATION

1. Applicant	2. Owner(s) (List All Owners)
Name: Aqua New Jersey, Inc.	Name(s): Township of Gloucester
Address: 10 Black Forest Road	Address: 1261 Chews Landing Road
	P.O. Box 8
City: Hamilton	City: Blackwood
State, Zip: New Jersey 08691	State, Zip: New Jersey 08012-0008
Phone: (609) 587-4080 Fax: ( ) -	Phone: (856) 374-3500 Fax: (856) 232-6229
mail:	

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
- ☑ Extension of Approvals

[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 Company and Limited Liability Partnership.

	Firm: Archer & Greiner, P.C.
Name of Attorney: Clint B. Allen, Esquire	State, Zip: New Jersey 08033
Address: One Centennial Square	Phone: (856) 354-3017 Fax: (856) 795-0574
City Haddonfield	Email: callen@archerlaw.com

6. Name of Persons Preparing Plans and Reports:

Name: Norman K. Rodgers, III, P.E., P.L.S., CME	Name: Adam R. Grant, P.L.S.
Address: 645 Berlin-Cross Keys Road, Suite 1	Address: 645 Berlin-Cross Keys Road, Suite 1
Profession: Professional Engineer & Land Surveyor	Profession: Professional Engineer & Land Surveyor
City: Sicklerville	City: Sicklerville
State, Zip New Jersey 08081	State, Zip New Jersey 08081
Phone: (856) 228-2200 Fax: (856) 232-2346	Phone: (856) 228-2200 Fax: (856) 232-2346
Email: nrodgers@ces-1.com	Email: agrant@ces-1.com

7. Location of Property:

Street Address: 567 Berlin-Cross Keys Road Block(s): 18403

Tract Area: 18.682± acres Lot(s): 19 & 20

8. Land Use:

Existing Land Use: Vacant

Proposed Land Use (Describe Application) Previously granted Approval to subdivide Block 18403, Lot 20 to create a new 2.02± acre lot to allow for the development of addition water utility related improvements that will be combined with the existing water utility facility located on the adjoining Block 18403, Lot 19. Applicant is seeking an extension of the previously granted Minor Subdivision Approval.

9. Property

	Proposed Form of Ownership:	
Number of Existing Lots: 1	☑ Fee Simple	☐ Cooperative
Number of Proposed Lots: 2	☐ 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:

List all additional materials on an additional sheet. **Please refer to attached cover letter.**

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet. **Please refer to attached Approvals List.**

13. Zoning

All Applications	Proposed
Front setback 1	187± feet
Front setback 2	
Rear setback	281± feet
Side setback 1	40± feet
Side setback 2	116± feet
Lot frontage	65± feet
Lot depth	485± feet
Lot area	3.02± acre
Building height	35± feet

Fence Application	Proposed
Setback from E.O.P.*1	
Setback from E.O.P.*2	
Fence type	
Fence height	

*E.O.P. = Edge Of Pavement

Pool Requirements	
Setback from R.O.W. 1	
Setback from R.O.W. 2	
Setback to property line 1	
Setback to 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	
Garage Area	
Garage height	
Number of garages	
(Include attached garage if applicable)	
Number of stories	

Shed Requirements	
Shed area	
Shed height	
Setback from R.O.W.1	
Setback from R.O.W.2	
Setback from property line	
Setback from property line 2	

14. Parking and Loading Requirements:

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

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

15. Relief Requested:

☐ 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:

Archer & Greiner, P.C. – Attorneys for Applicant

By: _____ 8-30-18
CLINT B. ALLEN, ESQUIRE — Date

_____ _____
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).**

TOWNSHIP OF GLOUCESTER

By: _____
Signature

_____
Date

_____
Print Name

_____
Signature

Sworn and Subscribed to before me this _____ day of _____, 2018 _____(Year).

_____
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 land into six (6) 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 this applicant a corporation?	☑ No ☐ Yes
E.	Is this 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.)
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 stockholders and individual partners with 10 percent or more ownership have been listed. (Use additional sheets as necessary). **Please refer to attached Corporate Disclosure Information Statement.** ☐ No ☑ Yes

Archer & Greiner, P.C. – Attorneys for Applicant

By: _____
CLINT B. ALLEN, ESQUIRE
Print Name

Date 8-30-18

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 _____, shows and discloses the premises in its entirety, described as Block _____ Lot _____; 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:

_____ of full age, being duly sworn to law, on oath and says that all of the above statement herein is true.

_____
Name of property owner or applicant

Sworn and subscribed to
On this _____ day of _____, 20____ before the following authority.

_____
Notary Public

215117919v1

CORPORATE DISCLOSURE INFORMATION STATEMENT

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons or entities having a 10% or greater interest in Aqua New Jersey, Inc. are disclosed below:

Aqua America Inc.
762 Lancaster Avenue
Bryn Mawr, Pennsylvania 19010

213570502v1

Aqua New Jersey, Inc.

Application for Minor Subdivision Approval, and Preliminary & Final Site Plan Approval

List of Agency Approvals

1. Gloucester Township Planning Board Approval of Minor Subdivision, Preliminary & Final Site Plan.
2. Camden County Planning Board Approval of Minor Subdivision, Preliminary & Final Site Plan.
3. Camden Soil Conservation District Certification of Soil Erosion and Sediment Control Plan.
4. NJDEP General Permit (5G3) Authorization for Stormwater Discharge Associated with Construction Activities.

213572890v1

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING MINOR SUBDIVISION APPROVAL AND PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL FOR AQUA NEW JERSEY, INC. APPLICATION NO.: 171062RDMPFS

WHEREAS, on February 27, 2018, consideration was given to the Application of Aqua New Jersey, Inc. (hereinafter the "Applicant") for the property located at 567 Berlin – Cross Keys Road, identified on the Tax Map for the Township of Gloucester as Block 18403, Lots 19 and 20 (hereinafter the "Subject Property"), for Minor Subdivision and Preliminary and Final Major Site Plan Approval with design waivers; and

WHEREAS, the Applicant is seeking minor subdivision approval to subdivide a 2.02 acre portion from Lot 20 (18.68 acres) and to combine the subdivided tract with existing Lot 19 (1.0 acre); and

WHEREAS, the Applicant is further seeking Preliminary and Final Major Site Plan Approval for a proposed potable well, an 1,800 sf water treatment building and associated site improvements, including an emergency generator, an access drive, chain link fence, and landscape buffer on the 2.02 acre subdivided tract that will become part of the Subject Property; and

WHEREAS, the Applicant also proposes the extension of a sanitary sewer line across an adjoining property located at 47 Bryce's Court that is more particularly known as Block 18316, Lot 15;

WHEREAS, the Subject Property is located in the New Vision Business Park Redevelopment ("NVBP") Zoning District, and the Applicant previously appeared before the Township of Gloucester Redevelopment Committee and the Township of Gloucester Township Committee, and subsequently entered into a redevelopment agreement with the Township of Gloucester; and

WHEREAS, Mr. Clint B. Allen, Esq., of Archer & Greiner, P.C., appeared on behalf of the Applicant and presented the Application; and Mr. Norman K. Rodgers, III, P.E., P.L.S., CME, was sworn in and qualified as the Applicant's engineering expert; and

WHEREAS, Mr. Joseph H. Mingle, the Applicant's Director of Operations, was sworn in and provided testimony in favor of the Application; and

WHEREAS, the Applicant submitted Exhibit A-1: Aerial Plan; Exhibit A-2: Rendered Site Plan; Exhibit A-3: Plan of Minor Subdivision; and Exhibit A-4: Rendered Building Elevations; and

WHEREAS, Mr. Allen provided an overview of the Application, explaining the Applicant's requested relief, plan for the subdivision and improvements to be made at the Subject Property, the history of the Subject Property and the Applicant's appearance before the

Township Redevelopment Committee, and the purpose of the Application, which is to improve and promote the public health and welfare of the residents of Gloucester Township; and

WHEREAS, referencing Exhibits A-1, A-2, and A-3, Mr. Rodgers provided an overview of the Application, testifying as to the following aspects of the Application: access to and from the Subject Property from Donna Marie Court; the extension of public sanitary sewer from the Subject Property to existing public sanitary sewer; the existence and abandonment of an easement on the Subject Property; the proposed improvements, including the new well; new water treatment building, an emergency generator, which will be constructed outdoor with a soundproof enclosure; the continuous landscaping buffer (Evergreen screening) to be added to the Subject Property; lighting on the proposed water treatment building, which will be minimal, down-facing, and only turned on if the site is visited at night; limited paving at the access drive apron on Donna Marie Court and at the water treatment building doors and grading of the Subject Property; traffic to and from the Subject Property; and parking and loading at the Subject Property; and

WHEREAS, Mr. Rodgers further testified as to the existing fence which surrounds a portion of the Subject Property, and represented that the Applicant plans to expand the fence so that there is an entire perimeter of enclosure precluding public access to the Subject Property except for two gates to be constructed; and further explained that the fence will be black vinyl coated, 6 feet high and topped with 3 strands of barbed wire in order to comply with U.S. Homeland Security requirements; and

WHEREAS, Mr. Rodgers further testified that while there are no existing setbacks in the NVBP Zone, the Applicant has attempted to comply with the setback requirements applicable to adjoining zones; and

WHEREAS, Mr. Rodgers testified the Applicant is seeking the following design waiver relief from the Township requirements relating to: (1) providing underground irrigation; (2) the size of the loading area; (3) stone access drive and parking area instead of providing a paved access drive and parking area; (4) delineating the actual parking space markings and loading area markings; (5) curbing around the perimeter of parking and traffic circulation areas; and (6) width of the access drive, with the Applicant proposing a 12 ft. wide driveway whereas 18 ft. is normally required; and

WHEREAS, upon query from the Board, Mr. Rodgers testified that the emergency generator will be powered by natural gas or if natural gas is unavailable, then by diesel, and the lines running to the generator will be properly protected and secured; and

WHEREAS, upon query from the Board, Mr. Mingle testified as to following aspects of the Application: the types of vehicles that will visit the Subject Property, explaining they are typically pick-up trucks and occasionally service vans and other vehicles; the improvements made to the Township's water supply; status of the smaller, existing water treatment facility and well; and

WHEREAS, upon query from the Board, Mr. Rodgers further explained the lack of lighting and illumination at the Subject Property, given that the goal of the Applicant is not to draw attention to the Subject Property; and

WHEREAS, Mr. Rodgers testified that the Applicant is generally agreeable to all the review comments contained within the review letters of the Board Planner and Board Engineer; and

WHEREAS, the Board Planner, Kenneth D. Lechner, P.P., A.I.C.P., testified that the Applicant has addressed his concerns, noting that the Applicant has proposed to extend the sidewalk around Donna Marie Court; change the type of landscaping to be provided at the Subject Property; and that he has no objection to the Applicant utilizing a barbed-wire fence for this use or an engineer to sign the final plans in lieu of a landscape architect; and

WHEREAS, the Board Engineer testified that the Applicant should clarify they intend to provide black fence posts to match the black vinyl fence, and otherwise indicated he had no objections to the Applicant's requested design and submission waivers as indicated on the record; and

WHEREAS, the meeting was open to the public, and the following members of the public appeared to testify:

1. Dave Wolfenden, 14 Donna Marie Court, questioned the location of the entrance to the Subject Property and testified he believed the entrance could be elsewhere other than through Donna Marie Court; and

2. Patricia Wolfenden, 14 Donna Marie Court, questioned the possibility of flooding of nearby residential properties due to the Application; and

WHEREAS, in response to the public testimony, Mr. Rodgers and Mr. Mingle testified that the entrance to the Subject Property is through Donna Marie Court owing to the existence of a public right of way; that post-construction there will not be large trucks routinely driving to the Subject Property from Donna Marie Court except in some limited and minor instances, such as a well rig truck to perform annual well service and intermittent use of water treatment chemical delivery trucks; and the precautions the Applicant is taking to avoid stormwater flooding of nearby properties as a result of the existing and proposed grading and landscaping; and

WHEREAS, Mr. Allen reviewed the Application for the Board and indicated the Applicant's intent is to fit-in with the community and Township, utilizing the existing conditions of the Subject Property to benefit the community and advance a public purpose; 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 Marshal, 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 addition to those contained in the preceding "WHEREAS" paragraphs, which are incorporated by reference herein as further findings of fact and conclusions of law, as appropriate, in approving the requested Minor Subdivision and Preliminary and Final Major Site Plan with design waivers:

1. The Applicant is Aqua New Jersey, Inc. The Subject Property is located at 567 Cross Keys – Berlin Road, identified on the Township of Gloucester Tax Map as Block 18403, Lots 19 & 20. The Applicant is the owner of Lot 19 and the Township of Gloucester is the owner of Lot 20. The Township is also the owner of Block 18316, Lot 15 (47 Bryce's Court).

2. The Subject Property is located in the NVBP (New Vision Business Park Redevelopment) Zoning District.

3. 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.

4. Intended Use: subdivide a 2.02 acre portion from Lot 20 (18.68 acres) and combine subdivided tract with existing Lot 19 (1.0 acre); and construction of a potable well, an 1,800 sf water treatment building and associated site improvements, including an emergency generator, an access drive, chain link fence, and landscape buffer, among others. Also, a sanitary sewer line will be extended across Block 18316, Lot 15.

5. The typical bulk and setback variances are not part of applications within the New Vision Redevelopment District. Applicants must comply with the goals and objectives of the redevelopment plan regarding land uses and architectural considerations to the satisfaction of the Planning Board and its professionals, which were also previously considered and reviewed by the Township's Redevelopment Entity and Township Committee.

6. The Board Planner, Kenneth D. Lechner, P.P., A.I.C.P., issued a report dated February 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 as a condition of approval unless otherwise outlined or modified further herein, or to the extent that they had not been addressed through testimony or granted a waiver.

7. The Board Engineer, Steven M. Bach, P.E., R.A., P.P., C.M.E., of Bach Associates, PC, issued a report dated February 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 as a condition of approval unless otherwise outlined or modified further herein, or to the extent that they had not been addressed through testimony or granted a waiver.

8. The Applicant's requested design waivers are reasonable and the proposed major site plan and minor subdivision otherwise conforms with the New Vision Redevelopment Plan and applicable provisions and requirements of the Township's site plan and minor subdivision ordinances.

9. The Applicant is entitled to the requested design waiver relief so that the Applicant need not provide and/or meet the Township's requirements for: (1) underground irrigation; (2) the required size of the loading area; (3) a paved access drive and parking area; (4) parking space and loading area markings; (5) curbing around the perimeter of the parking and traffic circulation areas; (6) the width of the access drive, for which the Applicant proposes a 12 ft. wide driveway whereas 18 ft. is required; and other submission waivers as agreed to by the Board Planner and Board Engineer.

NOW, THEREFORE BE IT RESOLVED, after considering the foregoing facts the Board concludes that the Application for Minor Subdivision Approval and Preliminary and Final Major Site Plan Approval with design waivers has demonstrated that the proposed improvements 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 conditions above; and

WHEREAS, a motion was duly made by Mr. Guevara and duly seconded by Mr. Dintino 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. Bradley	X	
Ms. Costa	X	
Mr. Dintino	X	
Mr. Guevara	X	
Chairman Reagan	X	

ATTEST:

KENNETH LECHNER, SECRETARY

GLOUCESTER TOWNSHIP PLANNING BOARD:

~~JOE~~ REAGAN, CHAIRMAN

Brian

CERTIFICATION

I HEREBY CERTIFY that this resolution of memorialization being adopted by action of the Board on this 27th day of March 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 27th day of February 2018.

KENNETH LECHNER, SECRETARY