Township of Gloucester
Planning Board Agenda
October 23, 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 – October 9, 2018
(E-Mail 10/22/18)

RESOLUTIONS FOR MEMORIALIZATION

#181033CM **Richard F. Williams**	**Block: 18501 Lot: 9** **Location: 917 Sicklerville Rd., Sicklerville** **Minor Subdivision/Bulk C**
#181034SPW **Laurel Hill Plaza**	**Block: 14402 Lot: 29.01** **Location: 200 College Drive Clementon** **Site Plan Waiver**

APPLICATIONS

#181041CPFS
Bryn Mawr DG,
Blackwood, LLC
Dollar General
Zoned: NC

Block: 19101 Lot: 6
Location: 326 South Black Horse Pike, Blackwood
Preliminary/Final Major Site
Bulk Variances
Proposed 7,5000 sq. ft. Retail Bldg., Parking Lot, Sidewalks And Landscaping

Meeting Adjourned

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING MINOR SUBDIVISION WITH BULK VARIANCE APPROVAL FOR RICHARD F. WILLIAMS APPLICATION NO.: 181033CM

WHEREAS, on October 9, 2018, consideration was given to the application of Richard F. Williams (hereinafter "Applicant") for the property located at 917 Sicklerville Rd, identified on the Tax Map for the Township of Gloucester as Block 18501, Lot 9 (hereinafter "Property"), for minor subdivision approval with bulk variances in accordance with the requirements of the Land Development Ordinance of the Township of Gloucester (hereinafter "LDO"); and

WHEREAS, the Applicant intends to subdivide the existing 38,160 sf Property into 2 new residential lots, with no new construction proposed at this time in the R-2 Residential Zoning District; and

WHEREAS, Mr. Brandon R. Croker, Esq., of the Comegno Law Group, P.C., appeared on behalf of the Applicant, and the Applicant himself appeared to testify in support of the Application; and

WHEREAS, Mr. Croker introduced the Application, identified the location of the Property, the requested relief, and summarized the proposed minor subdivision and required bulk variances; and

WHEREAS, Mr. Croker represented and the Applicant testified that the result of the minor subdivision will be two symmetrical residential lots; that the Applicant intends to build a single family home on each lot, although no construction is being proposed with the current application; that the resulting lots will require bulk variances to permit non-conforming lot frontages and lot sizes; and that the variances should be granted because the Property is suitable for the subdivision and would advance several purposes of the Municipal Land Use Law, and that there is no detriment to the public good because the variances required are only for minor deviations from the Township Code requirements; and

WHEREAS, the Board and Board Professionals discussed with the Applicant several issues relating to the Property, including the installation of sidewalk, an encroaching wooden fence, and the existence of wetlands on the Property; and

WHEREAS, the Applicant agreed to comply with several conditions of approval to address the above concerns, namely: (1) the Applicant will submit a certification from an engineering professional certifying that no wetlands exist on the Property; (2) the Applicant will include the installation of sidewalk with the grading plan when he submits plans for construction of the residential homes unless this requirement is rejected by the Camden County Planning Board; and (3) the Applicant will provide an updated survey and work with the Board Professionals to address the issue of the encroaching wooden fence; and

WHEREAS, the Applicant agreed to all comments and conditions expressed within Board Engineer Stephen Bach's September 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 September 12, 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 Richard F. Williams. The Property is located at 917 Sicklerville Rd, identified on the Township of Gloucester Tax Map as Block 18501, Lot 9. The Applicant is the owner of the Property, which is located in the R-2 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 with bulk variances to create two new residential lots from one existing residential lot in accordance with the minor subdivision plan submitted by the Applicant with the Application.

4. The Applicant proposes to subdivide the Property into two new symmetrical lots ("Lot A" and "Lot B"). Lot A and Lot B, as proposed, require the following variances:

    a. Lot A
        i. Relief from Township Code § 404 F – requiring a minimum lot size of 20,000 sf whereas a lot size of 19,080 sf is proposed.
        ii. Relief from Township Code § 404 F – requiring a minimum lot frontage of 100 ft whereas a lot frontage of 90 ft is proposed.

    b. Lot B
        i. Relief from Township Code § 404 F – requiring a minimum lot size of 20,000 sf whereas a lot size of 19,080 sf is proposed.
        ii. Relief from Township Code § 404 F – requiring a minimum lot frontage of 100 ft whereas a lot frontage of 90 ft is proposed.

5. The Board Planner, Kenneth D. Lechner, PP, AICP, issued a report dated September 12, 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 September 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: (1) submit a certification from an engineering professional certifying that no wetlands exist on the Property; (2) include the installation of sidewalk with the grading plan when he submits plans for construction of the residential homes unless this requirement is rejected by the Camden County Planning Board; and (3) provide an updated survey and work with the Board Professionals to address the issue of the encroaching wooden fence.

8. With regard to the requested bulk variances as detailed in Paragraph 4 above, 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 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 suitable and unique shape of the Property, the strict application of the LDO requirements set forth at Township Code § 404 F identified in paragraph 4 above 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 the symmetrical configuration proposed by the Applicant is warranted.

9. 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 Township Code § 404 F and identified in paragraph 4 above 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.

10. 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, and the extremely minor deviation from Township bulk requirements, and because the requested variances involve no inherent public dangers or substantial public burdens and create no adverse impact on the neighborhood. N.J.S.A. 40:55D-70.

11. 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-2 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. Kricun 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. Costa	X	
Mr. Dintino	X	
Mr. Kricun	X	
Mr. Gueverra	X	
Ms. Costa	X	
Ms. Rossi	X	
Mr. Kricun	X	

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

1. The Applicant shall comply with all terms, conditions, and recommendations contained within the Board Professionals' Review Letters as indicated herein.

2. The Applicant shall submit a certification from an engineering professional certifying that no wetlands exist on the Property.

3. The Applicant shall include the installation of sidewalk with the grading plan when he submits plans for construction of the residential homes unless this requirement is rejected by the Camden County Planning Board.

4. The Applicant shall provide an updated survey and work with the Board Professionals to address the issue of the encroaching wooden fence; and

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 23rd day of October 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 9th day of October 2018.

KENNETH LECHNER, SECRETARY

A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING WAIVER OF SITE PLAN AND BULK VARIANCE APPROVAL FOR LAUREL HILL PLAZA ASSOCIATION APPLICATION NO.: 181034SPW

WHEREAS, on October 9, 2018 consideration was given to the application of the Laurel Hill Plaza Association (hereinafter "Applicant") for the property located at 2001 College Drive, identified on the Tax Map for the Township of Gloucester as Block 14402, Lot 29.01 (hereinafter "the Property"), for a Waiver of Site Plan in accordance with the requirements of the Land Development Ordinance of the Township of Gloucester (hereinafter "LDO"); and

WHEREAS, the Applicant is proposing "handicap parking improvements, including but not limited to new handicap access ramps, pavement repairs, and line striping for ADA compliance at the Property; and

WHEREAS, Mr. Brian D. Lozuke, Esq. of the law firm Mattleman, Weinroth & Miller, P.C., appeared on behalf of the Applicant and Mr. James D'Antonio and Mr. Thomas Roesch, P.E., of Duffy, Dolcy, McManus & Roesch were sworn in to present testimony in favor of the application; and

WHEREAS, Mr. Lozuke introduced the Application, identified the location of the Property, the requested relief, and summarized the proposed site plan waiver and required bulk variances; and

WHEREAS, Mr. Roesch testified as to the proposed site improvements and the Applicant's reasons for the proposed improvements, and also testified as to the requested parking variance, explaining that granting the variance will advance several purposes of the Municipal Land Use Law by improving handicap accessibility of the Property as well as further benefits of the requested relief to the Applicant and the Township, and the hardship imposed upon the Applicant were the relief not granted because the Property is already built out and there is no room for the additional parking spaces; and that there is no negative impact because the Applicant is improving handicap accessibility; and

WHEREAS, the Board and Board Professionals discussed with the Applicant and the Applicant's witnesses several issues relating to the Property, including the possibility of adding trash enclosures to the dumpsters behind the building; the possibility of changing the orientation of the ADA striping in one location at the Property; and

WHEREAS, the Applicant agreed to all comments and conditions expressed within Board Engineer Stephen Bach's September 26, 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 October 2, 2018 Review Letter, with the exception of

the Board Planner's recommendation to reorient the ADA striping in Area D as discussed by the Board's and the Applicant's professionals on the record, and to the extent not already addressed by the testimony of the Applicant; and

WHEREAS, the Board Applicant agreed, as conditions of approval, to: (1) comply with the Board Planner's recommendations regarding trash enclosures at the Property by agreeing to construct two trash enclosures within one year from the date the Board adopts this resolution; (2) ensure the striped crosswalk area as discussed at length on the record during the Applicant's hearing is ADA compliant; (3) provide a reasonable performance guarantee to ensure the improvements, including the trash enclosures, are actually completed; and (4) submit a revised plan showing the trash enclosures; 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 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 a site plan waiver and bulk variance:

1. The Applicant is Laurel Hill Plaza Association. The Property is located at 2001 College Drive, identified on the Tax Map for the Township of Gloucester as Block 14402, Lot 29.01. The Applicant is the owner of the Property, which is located in the HC Highway Commercial 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: site plan waiver with bulk variances to construct handicap parking improvements, including but not limited to new handicap access ramps, pavement repairs, and ADA-compliant line striping.

4. The Applicant's proposed improvements require the following variance(s):

    a. Relief from Township Code § 416.F – requiring 209 parking spaces whereas only 195 spaces are proposed.

5. The Board Planner, Kenneth D. Lechner, PP, AICP, issued a report dated September October 2, 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 September 26, 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: (1) comply with the Board Planner's recommendations regarding trash enclosures at the Property by agreeing to construct two trash enclosures within one year from the date the Board adopts this resolution; (2) ensure the striped crosswalk area as discussed at length on the record during the Applicant's hearing is ADA compliant; (3) provide a reasonable performance guarantee to ensure the improvements, including the trash enclosures, are actually completed; and (4) submit a revised plan showing the trash enclosures.

8. With regard to the requested bulk variance as detailed in Paragraph 4 above, 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 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, because the Property has already been built out to contain the maximum number of parking spaces, the strict application of the LDO requirements set forth at Township Code § 416 F identified in paragraph 4 above would result in peculiar and exceptional practical difficulties to, and exceptional and undue hardship upon, the Applicant, to the extent the Applicant's proposed handicap accessibility improvements would cost several thousand dollars more and become impractical if not impossible, thus bulk variance relief permitting the proposed number of parking spaces is warranted.

9. 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 deviation from the LDO requirements set forth at Township Code § 416 F and identified in paragraph 4 above advance several purposes of the MLUL, specifically: granting the variance will allow the Applicant to improve the handicap accessibility of the Property, thereby improving the overall health, welfare, morals, and safety of the Township. N.J.S.A. 40:55D-2a; providing adequate space and access for persons with disabilities; N.J.S.A. 40:55D-2c; and ensuring the development of the Property does not conflict with the general welfare of neighboring municipalities and the State as a whole. N.J.S.A. 40:55D-2d.

10. 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 inherently beneficial improvements that will increase handicap accessibility at the Property; the minor deviation from Township parking requirements (14 fewer spaces than required) and the Applicant's testimony that he has never had a parking volume problem; and because the requested variance involves no inherent public dangers or substantial public burdens and creates no adverse impact on the neighborhood. N.J.S.A. 40:55D-70.

11. The Board finally determined pursuant to Township Code § 801.A(3) that a site plan waiver is warranted because the proposed development and alteration does not affect the existing condition of the Property; the Applicant has presented sufficient evidence and information to allow the Board to determine the Application as proposed meets applicable Township Code requirements; and because the Property is suitable for the proposed improvements and the requested waiver is reasonable under the above circumstances.

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. Kricun 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. Costa	X	
Mr. Dintino	X	
Mr. Kricun	X	
Mr. Gueverra	X	
Ms. Costa	X	
Ms. Rossi	X	
Mr. Kricun	X	

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

1. The Applicant will comply with the Board Planner's recommendations regarding trash enclosures at the Property constructing two trash enclosures within one year from the date the Board adopts this resolution.

2. While the Applicant is not required to reorient the ADA striping in Area D as discussed on the record between the Board's and the Applicant's professionals, the Applicant must ensure this striping and all proposed improvements are ADA compliant.

3. The Applicant shall provide a reasonable performance guarantee to ensure the Property improvements, including the required trash enclosures, are completed. The amount of the performance guarantee will be estimated and submitted by the Applicant's engineer, subject to review and approval by the Township Department of Community Development & Planning and/or the Township Engineer. The Department of Community Development & Planning and/or the Township Engineer shall inspect the bonded improvements as required to ensure compliance with all requirements of the Americans With Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), and all other applicable federal, state, and local laws and regulations.

4. The Applicant shall submit a revised plan showing the proposed trash enclosures and any other modifications to the Property as agreed to on the record by the Applicant.

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 23rd day of October 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 9th day of October 2018.

_____

KENNETH LECHNER, SECRETARY

#18104CPFS.

LAND DEVELOPMENT APPLICATION CHECKLIST

Applicant must complete the following requirements to submit an application to the Planning Board or Zoning Board of Adjustment. No application shall be accepted without the items in the below checklist.

- ✓ Taxes Paid Certification.
- ✓ Land Development Application Form – completed, signed, and notarized.
- ✓ Filing Fees.
  - **FILING FEE = Filing + Publication + Property Owners + Variance** (if applicable)
- ✓ Escrow Fees.
  - **ESCROW FEE = Engineer + Planner + Legal**
- ✓ Signed Escrow Agreement.
- ✓ Signed W-9 Form.
- ✓ Disclosure Statement (Corporations, LLC, and Partnerships).
  - Corporations, LLC, and Partnerships must be represented by an attorney.
- ✓ Twelve (12) copies of the development plan (signed and sealed).
- ✓ Seven (7) copies of the Ordinance Checklist (§817).
- ✓ Other reports (4 copies) – if applicable.
  - ✗ Drainage Calculations
  - Environmental Impact Statement (WAIVER REQUESTED)
  - ✗ Traffic Impact Statement

CAMDEN COUNTY PLANNING BOARD

Land development applications for site plans and subdivisions require review and/or approval of the Camden County Planning Board.

NOTE: All municipal site plan and subdivision approvals are conditioned upon Camden County Planning Board Approval.

Camden County Planning Board

Charles J. DePalma Public Works Complex

2311 Egg Harbor Road

Lindenwold, NJ 08021

Phone 856.566.2978 Fax 856.566.2988

planningdivision@camdencounty.com

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
SEP 10 2018

For Office Use Only

Submission Date: _____ Application No.: 181041CPFS

Taxes Paid Yes/No SP (Initial)

Fees 1,150.00 Project # 12605

☑ Planning Board ☐ Zoning Board of Adjustment

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

Escr. 6,850.00 Escr.# 12605

LAND DEVELOPMENT APPLICATION

1. Applicant	2. Owner(s) (List all Owners)
Name: Bryn Mawr DG, Blackwood LLC	Name(s): AJWMS LLC
Address: 765 John Barry Drive	Address: 305 Sherry Way
City: Bryn Mawr	City: Cherry Hill
State, Zip: PA 19010	State, Zip: New Jersey 08034
Phone: (856) 526-9503 Fax: (856) 526-9508	Phone: (856) ___-___ Fax: (856) ___-___
Email: harveysternberg@gmail.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: Robert D. Mintz, Esq.	Firm: Freeman and Mintz, P.A.
Address: 34 Tanner Street	State, Zip: New Jersey 08033
City: Haddonfield	Phone: (856) 795-1234 Fax: (856) 795-4620
	Email: bob@freemanandmintzpa.com

6. Name of Persons Preparing Plans and Reports:

Name: Steve M. Bach, Bach Design Group	Name:
Address: 304 White Horse Pike	Address:
Profession: Civil Engineer	Profession:
City: Haddon Heights	City:
State, Zip: New Jersey 08035	State, Zip:
Phone: (856) 546 - 8611 Fax: (856) 546 - 8612	Phone: (856) ___ - ___ Fax: (856) ___ - ___
Email: sbach@bachdesigngroup.com	Email:

7. Location of Property:

Street Address: 326 South Black Horse Pike Block(s): 19101

Tract Area: 29.350 square feet (0.67 acres) Lot(s): 6

8. Land Use:

Existing Land Use: Vacant building

Proposed Land Use (Describe Application): Proposed 7,500 square foot retail building, parking lot, sidewalks and landscaping.

9. Property:

Number of Existing Lots: 1

Number of Proposed Lots: 1

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:

List all additional materials on an additional sheet.

12. List Previous or Pending Applications for this Parcel:

List all applications on a separate sheet. Prior existing structure

13. Zoning

All Applications	Proposed
Front setback 1	92.50'
Front setback 2	56.55;
Rear setback	22.0'
Side setback 1	8.0'
Side setback 2	
Lot frontage	125.00
Lot depth	140.00'
Lot area	29,350 sq. ft.
Building height	35'

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:

Number of parking spaces required: 38 Number of parking spaces provided: 23

Number of loading spaces required: 1 Number of loading spaces provided: -0-

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

BRYN MAWR DG, BLACKWOOD LLC

Signature of Applicant Harvey Sternberg — Date 9/5/18

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).**

AJWMS, LLC

Signature

Date

Print Name

Sworn and Subscribed to before me this

Signature

_____ 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 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).
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

BRYN MAWR DG, BLACKWOOD LLC

By: _____

Signature of Applicant Harvey Sternberg

Date 9/5/18

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 _____, shows and discloses the premises in its entirety, described as Block 19101 Lot 6; 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:

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

BRYN MAWR DG, BLACKWOOD LLC

Name of property owner or applicant

Sworn and subscribed to
On this 5th day of September,
2018 before the following authority.

KATHLEEN D'ANGELO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/24/2021

Notary public

AFFIDAVIT OF OWNERSHIP

STATE OF :
: SS.
COUNTY OF :

Harvey Sternberg, of full age, being duly sworn on his oath according to law deposes and says that:

1. I am the Managing Member of Bryn Mawr DG, Blackwood, LLC, a New Jersey Limited Liability Company, and have access to the names and addresses of all members.

2. Upon review of Bryn Mawr DG, Blackwood, LLC's books and records I have ascertained that the following members hold a share of 10% or greater in Bryn Mawr DG, Blackwood, LLC.

3. The complete list of members holding a 10% or greater share is:

NAME	Ownership	ADDRESS
_____	_____%	_____
_____	_____%	_____
_____	_____%	_____

Which is owned by:

_____	_____%	_____
_____	_____%	_____

DATED: 9/5/18

Sworn to and subscribed before me this 5th day of September, 2018.

Kathleen D'Angelo

KATHLEEN D'ANGELO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/23/2021

GLOUCESTER TOWNSHIP POLICE
TRAFFIC SAFETY UNIT
SITE PLAN REVIEW

Application #181041CPFS Block: 19101 Lot: 6

☒Plans as shown along with available information do not reveal any anticipated traffic problems.

☐Stop signs/traffic control signs as shown must be installed upon or prior to any occupancy.

☐Traffic Control signs as shown on plans are not enforceable by police unless properly included by Municipal Ordinance made through application of the site owner under New Jersey 39:5-1.

☐Emergency contact numbers for site issues with twenty-four human contact should be provided to Police prior to start of construction.

☐Other

RECEIVED SEP 2 1 2018

Reviewed By: ☒ Lt. Timothy Kohlmyer #206

Signature: 206 Date Submitted: 9/27/18

TOWNSHIP OF GLOUCESTER

1261 Chews Landing-Clementon Rd., at Hider Lane
P.O. Box 8, Blackwood, New Jersey 08012

(856) 228-4000 • FAX: (856) 374-3527 (Clerk)
FAX: (856) 374-3528 (Finance)

To whom it may concern:

This is to certify that the below resident does not have any tax or sewer liens on their property or any outstanding balances.

Name AJWMS LLC

Address 326 S. Black Horse Pike Blackwood, NJ

Block 19101 Lot 6

10-17-18
Date

Maryann Bussa
Asst. Gloucester Township Tax Collector

TOWNSHIP OF GLOUCESTER
PLANNING BOARD TRANSMITTAL

September 10, 2018

Application: #181041CPFS

Block: 19101 Lot: 6
Zoned: HC
Escrow: #12605

APPLICANT: Bryn Mawr DG, Blackwood
Location: DOLLAR GENERAL
326 South Black Horse Pike
Blackwood, NJ

TRANSMITTAL TO:

- O Camden County Planning
- O Steven Boraske, Esq.
- O Steven Bach, Esq.
- O Planner
- ✓ Tax Assessor
- O Aqua Water Co.
- O New Jersey America
- O Fire District 1 2 3 4 5 6
- O MUA
- O Construction
- O Traffic/Police
- O GTEMS

STATUS OF APPLICATION –Preliminary /Final Major Site/Bulk C
Proposed 7,5000 sq. ft. retail building, parking lot, sidewalks and landscaping

- ☐ 1 Copy – Site Plan/Application/Checklist
- ☐ 1 Copy – Traffic Engineering Assessment
- ☐ 1 Copy - Drainage Calculations
- ☐ 1 Copy - Recycling Report
- ☐ 1 Copy – Stormwater Management Summary

No problems or Issues.
This is a HUGE Improvement over the delapidated building that exists.

Signature : [signature] 9/20/18

Township Of Gloucester
Construction Department
1261 Chews Landing Road, Blackwood, NJ 08012
(856) 374-3500
Fax (856) 232-6229

Date: September 11, 2018

To: Ken Lechner

From: Jim Gallagher

Re: Site Plan Review

Applicant: Bryn Mawr DG, Blackwood (Dollar General)

Site: 326 S. Black Horse Pike

Block: 19101 Lot: 6

Application #: 181041CPFS

1. *Exterior walls adjacent to lot lines may require fire ratings per IBC 2015 Table 602. All else ok.*

Thank you,

Jim Gallagher
Building SubCode Official

RECEIVED
SEP 11 2018

Bnt # 1A

(B)

RECEIVED SEP 11 2018

TOWNSHIP OF GLOUCESTER
PLANNING BOARD TRANSMITTAL

September 10, 2018

Application: #181041CPFS

Block: 19101 Lot: 6
Zoned: HC
Escrow: #12605

APPLICANT: Bryn Mawr DG, Blackwood
Location: DOLLAR GENERAL
326 South Black Horse Pike
Blackwood, NJ

TRANSMITTAL TO:

O Camden County Planning	O Tax Assessor	O MUA
O Steven Boraske, Esq.	O Aqua Water Co.	● Construction
O Steven Bach, Esq.	O New Jersey America	O Traffic/Police
O Planner	O Fire District 1 2 3 4 5 6	O GTEMS

STATUS OF APPLICATION –Preliminary /Final Major Site/Bulk C
Proposed 7,5000 sq. ft. retail building, parking lot, sidewalks and landscaping

- ☑ 1 Copy – Site Plan/Application/Checklist
- ☐ 1 Copy – Traffic Engineering Assessment
- ☑ 1 Copy - Drainage Calculations
- ☐ 1 Copy - Recycling Report
- ☐ 1 Copy – Stormwater Management Summary

9-11-18 JTG Bldg - Exterior walls adjacent to lot lines may require fire ratings per IBC 2015 Table 602. All Else OK

Signature :

Jeannie, Please type Note for Ken. Thank you JTG

Commissioners
Richard P. Calabrese
Chairman
Joseph Pillo
Vice Chairman

Board Members
Dora M. Guevara
Frank Schmidt
Glen Bianchini
Dorothy Bradley
Ken Garbowski

THE GLOUCESTER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

401 W. Landing Road, Blackwood, NJ 08012
P.O. Box 216, Glendora, NJ 08029-0216
Phone: (856) 227-8666 • FAX: (856) 227-5668

Raymond J. Carr
Executive Director

Marlene Hrynio
Administrative Secretary

Howard C. Long Jr, Esq.
Solicitor

Thomas Leisse, PE, CME
Consulting Engineer

September 17, 2018

RECEIVED
SEP 18 2018

Township of Gloucester
Dept. of Community Development
P.O. Box 8
Blackwood, New Jersey 08012

Re: Application #181041CPFS
Bryn Mawr DG, Blackwood
Dollar General, 326 South Black Horse Pike, Blackwood, NJ 08012
Block 19101, Lot 6

Gentlemen:

In response to your letter regarding the above application, a Form "F" Application is required.

Should you have any further questions, please feel free to contact me.

Very truly yours,

THE GLOUCESTER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Raymond J. Carr
Executive Director

RJC:mh

GLOUCESTER TOWNSHIP FIRE DISTRICT 4
BUREAU OF FIRE PREVENTION
14 WEST CENTRAL AVENUE
BLACKWOOD, N.J. 08012
856-227-7731 / FAX 856-227-2494
www.gtfd4.org

October 17, 2018

Gloucester Twp. Planning Board
1261 Chews Landing Road
Laurel Springs, NJ 08021

Re: Dollar General
Application No.: #181041CPFS

I have received your plans for the above mentioned project, upon review of the plans I submit the following request:

1. Exit driveway exiting on to Fanelli Lane
2. Paved\Concrete sidewalk around the entire building (min. 36" wide)

If there are any further questions regarding this issue please feel free to contact me at any time.

Respectfully,

Peter J. Urso
Fire Official
Gloucester Twp. Fire District 4

BACH Associates, PC
ENGINEERS • ARCHITECTS • PLANNERS

#181041CPFS

September 6, 2018

Township of Gloucester
Chews Landing-Clementon Road, at Hider Lane
PO Box 8
Blackwood, NJ 08012-0008

Attn: Ken Lechner, Community Development Director

Re: Dollar General
Preliminary and Final Major Site Plan application
326 South Black Horse Pike
Block 19101, Lot 6
Bach Project No. 2309-74

RECEIVED
SEP 10 2018
BY

Dear Mr. Lechner:

Enclosed please find the following documents in support of the above referenced application:

- Township of Gloucester Land Development Application, completed, signed and notarized.
- Camden County Planning Board Application.
- Filing Fees check No. 1323 in the amount of $1,150.00.
- Escrow fees check No. 1322 in the amount of $6,850.00
- Signed Escrow Agreement.
- Signed W-9 Request for Taxpayer Identification Number and Certification.
- Signed Affidavit of Ownership.
- Drawings (set of 15 sheets) entitled "Preliminary and Final Major Site Plans, Dollar General, 326 South White Horse Pike, Block 19191, Lot 6, Township of Gloucester, Camden County, New Jersey", prepared by Bach Associates, PC, dated 8-29-18, no revision (12 sets provided).
- Township of Gloucester Land Development Submission Checklist (7 copies provided).
- Recycling Report entitled "Recycling Report, 326 South White Horse Pike, Block 19191, Lot 6, Gloucester Township, Camden County, NJ", prepared by Bach Associates, PC, dated August 30, 2018, no revision (4 copies provided).

304 White Horse Pike • Haddon Heights, NJ 08035 • Phone (856) 546-8611 • Fax (856) 546-8612

- Stormwater Report entitled "Drainage Calculation for Dollar General, Block 19191, Lot 6, Gloucester Township, Camden County, NJ", prepared by Bach Associates, PC, dated August 24, 2018, no revision (4 copies provided)

- Traffic Report entitled "Traffic Engineering Assessment, Dollar General – Gloucester Township, Route 168 and Finelli Lane, Block 19191, Lot 6, Gloucester Township, Camden County, NJ", prepared by Shopshire Associates, LLC, dated September 5, 2018, no revision (4 copies provided).

If there are any questions or if any additional information is required please contact this office.

Very truly yours,
BACH ASSOCIATES, PC

Steven M. Bach, PE, RA, PP, CME
President

Cc: Robert D. Mintz, Esq. (w/enc.)
Bryn Mawr DG, Blackwood LLC

S:\BA2309 Walgreens\-74 DG Gloucester Township\Docs\L-Lechner, 9-5-18.doc

TOWNSHIP OF GLOUCESTER
Inter-office Correspondence

TO: Planning Board

FROM: Kenneth D. Lechner, PP, AICP, Director/Planner
Department of Community Development & Planning

RE: ***APPLICATION #181041CPFS*** ***Escrow #12605***
Bryn Mawr DG, Blackwood, LLC
BLOCK 19101 LOT 6

DATE: October 17, 2018

The Applicant requests preliminary and final major site plan approval for a proposed "7,500 sf retail store" (Dollar General) within the NC – Neighborhood Commercial District. The property is located on northwest corner of the Black Horse Pike and Fanelli Lane.

The plan has been reviewed for conformance to the Land Development Ordinance of Gloucester Township and the following comments are offered for your consideration.

Should you have any questions regarding this application, do not hesitate to contact me at 374.3511.

- Applicant: Bryn Mawr DG, Blackwood, LLC, 765 John Barry Drive, Bryn Mawr, PA 19010 (telephone #856- 526-9503).
- Owner: AJWMS, LLC, 305 Sherry way, Cherry Hill, NJ 08034.
- Engineer: Steven M. Bach, PE, Bach Associates, P. C., 304 White Horse Pike, Haddon Heights, NJ 08035 (telephone #856-546-8611).
- Traffic Engineer: Nathan B. Mosley, PE, Shropshire Associates, 227 white Horse Pike, Suite 203, Atco, NJ 08004 (telephone #609-714-9944).
- Surveyor: Anthony, F. DiRosa, PE, PLS, Bach Associates, P. C., 304 White Horse Pike, Haddon Heights, NJ 08035 (telephone #856-546-8611).
- Attorney: Robert D. Mintz, Esq., Freeman and Mintz, P.A., 34 Tanner Street, Haddonfield, NJ 08033 (telephone#856-795-1234).

I. INFORMATION SUBMITTED

1. Bach Associates, P. C., Transmittal Letter dated 9/06/18.
2. Land Development Application Form, checklist, dated 02/21/18.
3. Recycling Report, as prepared by Bach Associates, P. C. dated 8/30/18.
4. Traffic engineering Assessment, as prepared by Shropshire Associates dated 9/06/18.
5. Drainage Calculations, as prepared by Bach Associates, P. C. dated 8/24/18.
6. Engineering plans, as prepared by Bach Associates, P. C., consisting of the following:

Sheet	Plan Description	Date / Latest Revision
C-1	Cover Sheet and index of Drawings	8-29-18
TP-1	ALTA Survey	6-25-18
SP-1	Demolition Plan	8-29-18
SP-2	Site Layout Plan	8-29-18
SP-3	Grading plan	8-29-18
SP-4	Utility Plan	8-29-18

SP-5	Landscaping Plan	8-29-18
SP-6	Lighting Plan	8-29-18
SP-7A	Soil Erosion & Sediment Control Management and Preparation Plan	8-29-18
SP-7B	Soil Erosion & Sediment Control Notes & Details	8-29-18
SP-8A	Detail Sheet	8-29-18
SP-8B	Detail Sheet	8-29-18
SP-8C	Detail Sheet	8-29-18
SP-8D	Detail Sheet	8-29-18

II. ZONING REVIEW

1. Retail sales and services is a permitted use [§415.B(1)].

Description	Required (Retail and Office Use)	Proposed Lot 2.01 (Lidl)	Conforms
Lot size (min.)	20,000 sf	29,350.837 sf	yes
Lot frontage (min.) Black Horse Pike Fanelli Lane	 80 ft. 80 ft.	 144.635 ft. 195.075 ft.	 yes yes
Lot depth (min.)	200 ft.	200 ft.	yes
Principal Building Minimum Yard Depths and Height Limitations			
Building Coverage (max.)	25%	24.4%	yes
Lot Coverage (max.)	75%	43%	yes
Front yard (min.) Black Horse Pike	 75 ft.	 92.50 ft.	 yes
Fanelli Lane	**75 ft.**	**49.08 ft.**	**no***
Side yard (min.)	**10 ft.**	**8 ft.**	**no***
Rear yard (min.)	**30 ft.**	**22 ft.**	**no***
Building Height (max.)	40 ft.	< 35 ft.	yes
Floor Area Ratio	0.25	0.244	yes
Buffer	**25 ft.**	**±17 ft.**	**no***

*** = Variance required.**

Variance Expiration. The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

PARKING AREA SETBACKS			
Parking (min.) **5 spaces per 1,000 sf**	**38 spaces**	**23 spaces**	**no***
From any right-of-way (min.) **Black Horse Pike**	**25 ft.**	**7.8 ft.**	**no***
Fanelli Lane	**25 ft.**	**3.2ft.**	**no***
From Side Property Line (min.)[2]	**10 ft.**	**5 ft.**	**no***
From Rear Property Line (min.)	10 ft.	±23 ft.[1]	yes

1 = Scaled data.

* = **Variance required.**

Variance Expiration. The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

2. Free-Standing Signs

SIGN STANDARDS (FREE-STANDING)			
Description	**Required (Retail and Office Use)**	**Proposed**	**Conforms**
Number (max.) - §426.Z(2)	1	1	yes
Area (max.) - §426.R(1)	**35 sf**	**97.16 sf**	**no***
Height (max.) - §426.R(7)	**8 ft.**	**21 ft.**	**no***
Property line setback (min.) - §426.Z(3)	10 ft.	10 ft.	yes

* = **Variance required.**

Variance Expiration. The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

3. Facade Signs

SIGN STANDARDS (FACADE)			
Description	**Required (Retail and Office Use)**	**Proposed**	**Conforms**
Number (max.) - §426.Q(2) – corner lot	2	2	yes
Area (max.) - §426.Q(1) – East Elevation **"DOLLAR GENERAL"**	**76.5 sf**	**97.5 sf**	**no***
Area (max.) - §426.Q(1) – East Elevation **"DOLLAR GENERAL"**	**76.5 sf**	**97.5 sf**	**no***

* = **Variance required.**

Variance Expiration. The applicant is advised that variances will expire unless construction commences within two (2) years of the date of the granting of the variance.

III. APPLICATION SUBMISSION CHECKLIST

The Application has been reviewed for compliance with §817, Submission Checklist. The Applicant shall provide the following omitted checklist items or request a waiver:

1. The total acreage in the drainage basin to the nearest downstream drainage structure and the acreage of the portion of the development which drains to the structure, including the distance and average slope downstream to the structure and final disposition of the surface waters. [Checklist #64].
2. Flood plain limits as determined by the Master Plan and onsite evaluations by a licensed professional engineer [Checklist #61].
    a. The plans shall be revised to provide the F.I.R.M. flood classification, community panel number, and most effective date.
3. Acceleration/deceleration lanes. [Checklist #75].
4. Sight triangle easements at intersections. [Checklist #86].
5. Environmental Constraints Map (See §519). [Checklist #108].

IV. WAIVER COMMENTS

The Applicant is requesting a waiver from the following checklist requirements.

1. Four (4) copies of the Environmental Impact Statement (See §816) [Checklist #5].
2. No application for development shall be considered complete until the applicant has calculated and delineated the area of wetlands based upon the methodology established by the New Jersey Department of Environmental Protection regulations (See §519) [Checklist #9].
3. Locations of all existing structures and their uses within 200 feet of the tract. [Checklist #34].
4. A written description of the proposed use(s) and operation(s) of the building(s), i.e., the number of employee or users of non-residential buildings, the proposed number of shifts to be worked, the maximum number of employees on each shift, expected truck and trailer traffic emission of noise, glare, radiation, heat, odor, safety hazards, air and water pollution. [Checklist #40].
5. Existing elevations and contour lines over the entire area of the proposed development and two (2) permanent benchmarks based upon U.S.G.S datum [Checklist #56].
    a. The plans shall be revised to provide two (2) permanent benchmarks.
6. Fire lanes [Checklist #77].
    a. Defer to Fire Marshal.
7. Center line profiles at horizontal scale not less the 1" = 50' for all existing adjoining streets and proposed streets [Checklist #96].

The instant Application requests a waiver from the following Performance and Design Standards.

8. From §509.B(1), Required Number to not require a loading space where at least one (1) loading space is required.

V. VARIANCE COMMENTS

The application as submitted requires the following variances:

§415.F, Area, Yard, Height and Building Coverage

1. Front yard (Fanelli Lane):(49.08 ft. provided v. 75 ft. minimum required).
2. Side yard: (8 ft. provided v. 10 ft. minimum required).
3. Rear yard: (22 ft. provided v. 30 ft. minimum required).
4. Buffer: (±17 ft. provided v. 25 ft. minimum required).
5. Parking Spaces: (23 spaces provided v. 38 spaces min. required).
6. Parking Setback
   - (Black Horse Pike): (7.8 ft. provided v. 25 ft. minimum required).
7. Parking Setback
   - (Fanelli Lane): (3.2 ft. provided v. 25 ft. min. required).
8. Parking Setback
   - (Side yard): (5 ft. provided v. 10 ft. min. required).

Free-standing Sign

9. Area: (97.16 sf provided v. 35 sf. maximum allowed).
10. Height: (21 ft. provided v. 8 ft. maximum allowed).

Facade Sign

11. Area (East Elevation): (97.5 sf provided v. 76.5 sf maximum allowed).
12. Area (South Elevation): (97.5 sf provided v. 76.5 sf maximum allowed).

POSITIVE CRITERIA ("C1" and "C2" variances)

The Applicant must address and the Board consider the following in satisfying the positive criteria for the requested bulk variances:

13. The Board has the power to grant a variance where by reason of exceptional narrowness, shallowness, shape, or topographic conditions or physical features, or an extraordinary and exceptional situation affecting a specific property, the strict application of the zoning regulations would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the development of such property (basis 40:55D-70c(1)).

    Also, the Board has the power to grant a variance when the purpose of the Municipal Land Use Law would be advanced by the deviation of the zoning ordinance and the benefits would substantially outweigh the detriments (basis N.J.S.A. 40:55-70c(2).

NEGATIVE CRITERIA

The Board should not grant a variance unless it is clearly demonstrated that said variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance (basis N.J.S.A. 40:55D-70).

VI. SITE PLAN REVIEW COMMENTS

1. The plans shall be revised to provide a permanent benchmark as per §503.C(3), Monuments.
2. The plans shall be revised to show the responsible authority for all easements as per §503.D, Easements/Restrictions Covenants.
3. The plan shall be revised to provide underground irrigation as per §507.A(4)(b), Landscaping.

4. The plans shall be revised to provide street trees forty (40) feet on-center at the following locations as per §507.D(4), recommended Plantings:
   a. Black Horse Pike: Two (2) shade trees.
   b. Fanelli Lane: Five (5) shade trees.
5. The applicant shall provide professional testimony on the average footcandle illumination and the plans be revised whereas the average illumination shall not exceed two (2) footcandles as per §508.F(2), Lighting.
6. The plans shall be revised to provide a trash enclosure of masonry construction as per §510.L, refuse/Recyclable Storage Areas.
7. It's recommended the plans be revised to provide all new concrete sidewalks and handicapped access ramps along the Black Horse Pike and Fanelli Lane as per §516, Sidewalks, curbs Gutters & Pedestrian ways.
8. The plans shall be revised to provide a concrete sidewalk access link from the Black Horse Pike and Fanelli Lane to the proposed retail store as per §516, Sidewalks, curbs Gutters & Pedestrian ways.

VII. TRAFFIC IMPACT STATEMENT COMMENTS

The applicant must provide professional testimony and/or revise the Traffic Impact Statement to address the following omitted items as per §815, Traffic Impact Report.

1. The location of transit routes, and stops and transit facilities, including on-street, off-street, and private facilities and service frequency as per §815.A(2)(c).
2. The location of school bus routes and stops as per §815.A(2)(d).
3. The location of pedestrian crosswalks, sidewalks, and bicycle pathways as per §815.A(2)(e).
4. Recommendations for automobile reduction techniques as per §815.A(4)(c).
5. Schematic plan for any recommended improvements as per §815.A(4)(d).

VIII. LAND DEVELOPMENT ORDINANCE COMMENTS

The Applicant is advised of the following additional requirements of the Land Development Ordinance:

1. *A soil removal plan if soil is to be removed from the site for use or sale other than the premises subject to this application as per §801.C, Soil Removal.*
2. *A grading plan prepared and sealed by licensed professional engineer as per §814, Grading Approval.*
3. *Affordable housing requirement as per §902, Affordable Housing Fees and Procedures.*
4. *Before recording final subdivision plats or as condition of final site plan approval or as a condition to the issuance of a zoning permit pursuant to N.J.S.A. 40:50D-65d the furnishing of a performance guarantee, maintenance guarantee, and inspection fees as per §903, Guarantees and Inspections and §904, Certification or Guarantee Required; Estimate of Guarantee.*
5. *Requirements precedent to construction as per §905, Pre-conditions to Commencement of Construction.*
6. *Construction of off-tract improvements as per §906, Off-Tract Improvements Recapture.*

7. *A zoning permit is required prior to the issuance of any construction permits and prior to the issuance of a Certificate of Occupancy by the Construction Official the Applicant must acquire a Certificate of Zoning Conformity from the Zoning Officer as per §1102, Permits, General, §1103, Zoning Permit and §1104, Certificate of Zoning Conformity.*

IX. RECOMMENDATIONS

1. The Applicant must address the above referenced underlined comments.
2. The Applicant is advised revised plans and support documents would not be accepted by this Department without sufficient escrows for professional services in accordance with the signed escrow agreement.

I have no further comments regarding this application at this time; however, I reserve the right to provide additional comments during the public hearing to advance the planning process.

cc: Bryn Mawr DG, Blackwood, LLC
Robert D. Mintz, Esq.
Steven M. Bach, PE
Stephen John Cantwell, PE

BACH Associates, PC
ENGINEERS • ARCHITECTS • PLANNERS

October 12, 2018

Township of Gloucester
Chews Landing-Clementon Road, at Hider Lane
PO Box 8
Blackwood, NJ 08012-0008

RECEIVED
OCT 15 2018

Attn: Ken Lechner, Community Development Director

Re: Dollar General
Preliminary and Final Major Site Plan application
326 South Black Horse Pike
Block 19101, Lot 6
Bach Project No. 2309-74

Dear Mr. Lechner:

The purpose of this letter is to clarify an issue that you had originally raised in an email correspondence with Robert Mintz on Wednesday, October 10, 2018. The email stated that while reviewing the application for the proposed Dollar General store you noticed that there may be a floor area variance necessary.

The original application and plans stated that the size of the proposed building was 7,500 square feet. This building size would result in a floor area ratio of 0.255 where 0.25 is the maximum allowed floor area ratio, according to ordinance code section 415.E.

In reviewing the municipal code, the definition of floor area ratio states:

> *"A figure when multiplied by the lot area, will determine the amount of permitted floor area. This figure is determined by dividing the gross floor area of all buildings on a lot by the area of that lot."*

The above definition references "floor area" which is defined in the municipal code as follows:

> *"The sum of the habitable gross area of the several floors of a building or buildings."*

The plans and application state the building is 7,500 square feet. This designation is a generic prototype size for a Dollar General building generally describing the area using outside wall measurements.

However, the code specifically states the "habitable gross area" should be used in the floor area ratio calculation. By taking a conservative measurement along the interior wall of the building and not including every partition wall between restrooms, offices and storage areas; the "habitable" square footage is 7,160 square feet. This 7,160 square foot habitable floor area results in a floor area ratio of 0.244 or 24.4%.

304 White Horse Pike • Haddon Heights, NJ 08035 • Phone (856) 546-8611 • Fax (856) 546-8612

Please note that testimony will be provided at the upcoming Planning Board meeting to reinforce this calculation and the Preliminary and Final Major Site Plans will be revised to illustrate the habitable building area and floor area ratio calculation accordingly.

If there are any questions or if any additional information is required please contact this office.

Very truly yours,
BACH ASSOCIATES, PC

Anthony F. DiRosa, PE, PLS, CME
Associate

Cc: Robert D. Mintz, Esq.
Bryn Mawr DG, Blackwood LLC

S:\BA2309 Walgreens\-74 DG Gloucester Township\Docs\L-Lechner 10-12-18.doc

304 White Horse Pike • Haddon Heights, NJ 08035
Phone (856) 546-8611 • Fax (856) 546-8612