# Township of Gloucester
# Planning Board Agenda
# December 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 – November 27, 2018**

## RESOLUTIONS FOR MEMORIALIZATION

| | |
|---|---|
| **#181041CPFS**<br>**Bryn Mawr, DG**<br>**Dollar General** | **Block: 19101 Lot: 6**<br>**Location: 326 South Black Horse Pike, Blackwood**<br>**Preliminary/Final Major Site**<br>**Bulk Variances** |

## APPLICATIONS

| | |
|---|---|
| **O-18-14**<br>**Ordinance of the Twp of Gloucester & State of N.J.** | **Amendment No. 6**<br>**Amending Ordinance 0-02-30**<br>**New Vision Redevelopment area plan to Establish The New Vision Single-Family Residential Overlay District.** |

**Meeting Adjourned**

# TOWNSHIP OF GLOUCESTER
# PLANNING BOARD

## Tuesday November 27, 2018

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

**Roll Call:**

| | |
|---|---|
| **Mr. Dintino** | Present |
| **Mr. Guevara** | Absent |
| **Mr. Kricun** | Absent |
| **Councilman Hutchison** | Present |
| **Mrs. Costa** | Present |
| **Mrs. Bradley** | Present |
| **Mrs. Rossi** | Present |
| **Mr. Thomas** | Present |
| **Chairman Reagan** | Absent |
| **Mr. Boraske** | Present |
| **Mr. Bach** | Present |
| **Mr. Lechner** | Present |

Vice Chair Costa announces general rules of the meeting.
Vice Chair Costa asked that the Board Professionals to be Sworn in.
Mr. Lechner & Mr. Bach were Sworn in.

## Minutes for Memorialization

Minutes from October 9, 2018.
Vice Chair Costa requested a motion to approve the minutes
Mr. Dintino made a motion seconded by Mr. Bradley.

**Roll Call:**

| | |
|---|---|
| **Mr. Dintino** | Yes |
| **Mrs. Rossi** | Yes |
| **Mr. Thomas** | Yes |
| **Vice Chair Costa** | Yes |

## Resolutions for Memorialization

**#181033CM**
**Richard F. Williams**

**Block: 18501 Lot: 9**
**Location: 917 Sicklerville Rd.**
**Sicklerville**
**Minor Subdivision/Bulk C**

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

**Roll Call:**

| | |
|---|---|
| **Mr. Dintino** | Yes |
| **Mr. Thomas** | Yes |
| **Mrs. Rossi** | Yes |
| **Vice Cahir Costa** | Yes |

**#181034SPW**
**Laurel Hill Plaza**

**Block: 14402 Lot: 29.01**
**Location: 200 College Drive**
**Clementon**
**Site Plan Waiver**

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

**Roll Call:**

| | |
|---|---|
| **Mr. Dintino** | Yes |
| **Mr. Thomas** | Yes |
| **Mrs. Rossi** | Yes |
| **Vice Chair Costa** | Yes |

**#181022E-PFSPDFSPa**
**Southwinds**
**@Gloucester, LLC.**

**Block: 10801 Lot: 10**
**Block: 10899 Lot: 1, 2 &3**
**Final Major Subdivision**
**Revised Preliminary & Final**
**Major Site Plan (*Amended)**

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

**Roll Call:**

| | |
|---|---|
| **Mr. Dintino** | Yes |
| **Mrs. Rossi** | Yes |
| **Mr. Thomas** | Yes |
| **Vice Chair Costa** | Yes |

## Application for Review

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

**Block: 19101 Lots: 6**
**Location: 326 South Black Horse Pike - Blackwood**
**Preliminary/Final Major Site**
**Bulk Variances**
**Proposed 7,500 sq. ft. Retail Bldg. Parking Lot, Sidewalks and Landscaping**

**NOTES:**

Vice Chairman Costa introduced the application at which time Mr. Bach recused himself and Mr. Cantwell was sworn-in to hear the application.

Mr. Robert Mintz approached the podium stating he is representing the applicant Bryn Mawr DG, who is seeking Preliminary & Final approval today to erect a 7,500 ft.sq. building for a Dollar General Store next to Niagara Pools on Block 19101 Lot 6 at 326 South Black Horse Pike.

Mr. Mintz introduced his accompanying professionals who were sworn in and then proceeded to briefly provide an overview of the proposed plan.

Mr. Mintz introduced Mr. DeRosa project design engineer who prepared the plans, then introduced Exhibit A-1 Aerial View, A-2 Vehicle Turning Plan, A-3 Signage Elevation. Mr. DeRosa proceeded with an overview presentation by using the Exhibits to describe the site.

The existing structure will be raised along with the existing black top. The Lot would be used for a 7,500 ft.sq. single story retail building for Dollar General with 28 associated parking spaces. An existing curb cut on B.H.P. will be utilized along with the side cut on Fanelli Lane and sidewalks installed to connect existing Fanelli Lane walkway. There will be a 6 ft. high stockade fence along the back of the property. The property will be graded toward Fanelli Lane to tie into existing street drainage while no storm water management approval needed since no impact will occur. Landscaping will be installed on three sides buffering the black horse pike, the pool co. and Fanelli lane.

Mr. DeRosa described the dozen minor variances requested. Finally, he explained the tractor trailer deliveries: how it will enter the lot and position itself for unloading.

It was discussed that the store hours are typically 8am-10pm with 2/4 employees per shift and customer turnover insignificant enough that the 23 parking spaces are adequate.

At conclusion of Mr. DeRosa presentation Mr. Lechner voiced his concerns about parking and building set-backs. Mr. DeRosa discussed and satisfied the concerns.

Mr. Mintz introduced Dave Shopshire the project traffic engineer testified on the impact of traffic on the area. Mr. Shopshire explained the traffic study. He states maximum in/out traffic would be 25, thus quantifying the proposed parking spaces are adequate. The driveways are NJDOT approved. Public Transportation would provide store some traffic thus reducing automobile traffic. No questions from the board for Mr. Shopshire.

Mr. Mintz discussed the Board Letters and the concerns. Mr. Mintz stated the applicant will comply with all concerns but requests waivers for various minor items.

Vice Chair Costa asked if there were any questions from the Board?

Mrs. Bradley questioned the minimum 5ft requirement for the trash enclosures. It was acknowledged that was permitted due to lot configuration.

It was expressed that the driveway was close to the side street but it was approved by the NJ DOT since it was pre-existing.

Vice Chair Costa asked if there were any questions from the Public?
None

Vice Chair Costa asked for a motion to approve the Application.
Mrs. Rossi made a motion seconded by Mr. Thomas.

**Roll Call:**

| | |
|---|---|
| **Mr. Dintino** | Yes |
| **Councilman Hutchison** | Yes |
| **Mrs. Bradley** | No |
| **Mrs. Rossi** | Yes |
| **Mr. Thomas** | Yes |
| **Vice Chair Costa** | Yes |

**Correspondence**
NONE

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

Meeting Adjourned.

**Recording Secretary,**

**Christopher Nowak**

**A RESOLUTION OF THE GLOUCESTER TOWNSHIP PLANNING BOARD MEMORIALIZING PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL WITH BULK VARIANCES AND WAIVERS FOR BRYN MAWR DG, BLACKWOOD, LLC APPLICATION NO.: 181041CPFS**

**WHEREAS**, on November 27, 2018, consideration was given by the Gloucester Township Planning Board ("Board") to the application of Bryn Mawr DG, Blackwood, LLC (hereinafter "Applicant") for the property located at 326 South Black Horse Pike, identified on the Tax Map for the Township of Gloucester as Block 19101, Lot 6 (hereinafter "Subject Property"), for preliminary and final major site plan approval with bulk variances and waivers (hereinafter the "Application") in accordance with the requirements of the Land Development Ordinance of the Township of Gloucester (hereinafter "LDO"); and

**WHEREAS**, Robert Mintz, Esq., appeared on behalf of the Applicant, introduced the Application, and presented the following witness: Anthony DiRosa, P.E. P.L.S., who was qualified and accepted by the Board as an expert in engineering; David R. Shropshire, P.E., P.P., who was qualified and accepted by the Board as an expert in traffic engineering; and Harvey Sternberg, Principal on behalf of the Applicant; and

**WHEREAS,** throughout the course of the hearing, Mr. Mintz introduced the following exhibits, which were reviewed by the Board and marked into evidence as follows: Exhibit A1 – Aerial Overview; Exhibit A2 – Vehicle Turning Plan; and Exhibit A3 – Additional Sign Depictions; and

**WHEREAS,** referencing Exhibit A1 and previously submitted plans, the Applicant's Engineer, Mr. DiRosa testified that the Application proposes a 7,500 sf retail Dollar General store; that there is currently a 1.5 story vacant building on the Subject Property the Applicant intends to tear down for new construction; that there are residential homes to the south of the Subject Property; that there is existing vegetation consisting of overgrowth and trees at the Subject Property, along with blacktop to the north of the site that wraps around the existing building; that the Applicant proposes various site improvements in addition to the main building, including parking improvements, a single ingress/egress point from Black Horse Pike, new sidewalk to connect to existing sidewalk, a 6 foot high stockade fence along the southern property line plus a staggered row of evergreens and shrubs to shield the Subject Property from the residential homes to the south, as well as additional landscaping improvements; and

**WHEREAS,** Mr. DiRosa further testified as to operations of the Dollar General, specifically relating to utilities, trash and recycling pick up, deliveries, and hours of operation, which will be 8 AM to 10 PM, and the number of employees working at the store, which will be 2-4 employees per shift; and

**WHEREAS,** Mr. DiRosa further testified as to the required variances, explaining that granting the variances will advance several purposes of the Municipal Land Use Law ("MLUL") as required for the grant of an N.J.S.A. 40:55D-70c(2) bulk variance; specifically, granting the Application will encourage the appropriate use and development of Township land

to promote public health, safety, morals, and general welfare because the Application will result in an economic and aesthetic improvement to the abandoned and rundown Subject Property, which has been vacant for a decade, resulting from the operation of the Dollar General store and the new sidewalk, fresh landscaping, and the promotion of pedestrian traffic through the Black Horse Pike corridor; that the Subject Property's unique status as a corner lot presents a hardship for the Applicant to comply with certain Township bulk requirements as required for N.J.S.A. 40:55D-70c(1) bulk variance; and further, that proposed development is consistent with the Township Master Plan, and will therefore not substantially impair the Township's land use plan or negatively impact the public good; and

**WHEREAS,** Mr. Shropshire testified as to traffic related issues, including the Applicant's need for NJDOT approval, for which the Applicant has received a conceptual blessing from NJDOT; that he has previously worked on a number of Dollar General sites and is well aware of the sort of traffic generation to be expected by the Subject Property, and that he has designed many examples of Dollar General stores with similar parking ratios and spaces and it has worked and resulted in successful operations, and he therefore supports the requested variances as a traffic expert; and

**WHEREAs,** the Board Conflict Engineer, John Cantwell, PE, PP, CME, presented and discussed his October 18, 2018 Review Letter, incorporated by reference as if set forth fully herein, with the Applicant and Applicant's witnesses, and the Applicant agreed as a condition of approval to comply with all comments and recommendations contained therein; and

**WHEREAS,** the Board Planner, Kenneth D. Lechner, PP, AICP, presented and discussed his October 17, 2018 Review Letter, incorporated by reference as if set forth fully herein, with the Applicant and Applicant's witnesses, and the Applicant agreed as a condition of approval to comply with all comments and recommendations contained therein; and

**WHEREAS,** the Board further questioned the Applicant's witnesses regarding miscellaneous site issues including the location of the proposed trash enclosure, landscaping, and driveway, to which the Applicant's witnesses addressed and responded to the satisfaction of the Board; and

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

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

1. The Applicant is Bryn Mawr DG, Blackwood, LLC. The Property is located at 326 South Black Horse Pike, identified on the Township of Gloucester Tax Map as Block 19101, Lot 6. The Subject Property is owned by AJWMS, LLC and is

located in the BG-RD – Village of Gloucester Township Rehabilitation District, which overlays the NC – Neighborhood Commercial 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: preliminary and final major site plan approval with bulk variances and waivers to construct a 7,500 sf retail Dollar General store with associated site improvements in accordance with the major site plan submitted by the Applicant with the Application.

4. The proposed use of the Subject Property as a retail Dollar General store is a permitted use in the BG-RD/NC Zoning Districts. LDO § 415.B(1).

5. The Applicant has requested the following variances in connection with the major site plan approval:

   a. Relief from LDO § 417.F requiring: (i) minimum 75 ft front yard depth along Fanelli Lane whereas 49.08 ft is proposed; (ii) minimum 10 ft side yard depth whereas 8 ft is proposed; (iii) minimum 30 ft rear yard depth whereas 22 ft is proposed; (iv) minimum 25 ft parking area setback from any right-of-way whereas 7.8 ft is proposed from Black Horse Pike and 3.2 ft is proposed from Fanelli Lane; and (v) minimum 10 ft parking area setback from side property line whereas 5 ft is proposed.

   b. Relief from LDO § 507.B. requiring a minimum 25 ft landscaping buffer between residential and non-residential uses whereas 17 ft is proposed.

   c. Relief from LDO § 510.A. requiring 38 parking spaces for the Applicant's proposed use at the Subject Property whereas 23 spaces are proposed.

   d. Relief from LDO § 426.R(1) limiting the area of free-standing signs to 35 sf whereas 97.16 sf is proposed and § 426.R(7) limiting the height of free-standing signs to 8 ft whereas 21 ft is proposed.

   e. Relief from LDO § 426.Q(1) limiting façade sign area to 76.5 sf whereas 97.5 sf is proposed along both the East Elevation and South Elevation.

6. The Applicant has requested the following waivers in connection with the major site plan approval:

   a. Relief from LDO § 817 relating to various checklist items.
   b. Relief from LDO § 507.A.4.g. relating to compensatory trees.
   c. Relief from LDO § 507.A.4.b. relating to landscape irrigation.
   d. Relief from LDO § 507.B. relating to landscape buffering.
   e. Relief from LDO § 507.C.2. relating to parking/building landscaping.

f. Relief from LDO § 507.D. relating to street trees.
g. Relief from LDO § 508.F.2 relating to illumination.
h. Relief from LDO § 509 relating to a lack of a loading area.
i. Relief from LDO § 510.A. relating to number of parking spaces.
j. Relief from LDO § 510.M.1 relating to lack of fire lanes.

7. The Board Planner, Kenneth D. Lechner, PP, AICP, issued a report dated October 17, 2018, incorporated by reference as if set forth fully herein, recommending certain revisions, clarification and/or modifications to the plans with which the Applicant agreed to comply unless otherwise outlined or modified further herein, or to the extent that they had not been addressed through testimony.

8. The Board Conflict Engineer, John Cantwell, PE, PP, CME,, issued a report dated October 18, 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.

9. With regard to the requested bulk variances as detailed in Paragraph 5 above, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, if any, the Board finds and concludes 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 Subject Property as a corner lot located on the Black Horse Pike, the strict application of the LDO requirements identified in Paragraph 5 above would result in peculiar and exceptional practical difficulties to, and exceptional and undue hardship upon, the Applicant, because the Applicant would be compelled to design the Dollar General site in a manner inconsistent with other Dollar General sites that have been designed and operated successfully throughout the region, thus bulk variance relief permitting the proposed major site plan with the variances proposed by the Applicant is warranted.

10. With regard to the requested bulk variances as detailed in Paragraph 5 above, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, if any, the Board further finds and concludes 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 identified in Paragraph 5 above advance numerous purposes of the MLUL, specifically: granting the variances will allow the Applicant to develop the Subject Property as proposed, making appropriate use of open, available, and underutilized vacant land to allow for a permitted commercial retail use, increasing property values, and improving the

overall appearance and aesthetics of the Subject Property and Township owing to the various site improvements including the removal of the existing vacant, rundown building, construction of a new, modern Dollar General store in its place, and the various aesthetically pleasing site improvements, including the removal of overgrown vegetation and planting of new landscaping. N.J.S.A. 40:55D-2a; N.J.S.A. 40:55D-2c; N.J.S.A. 40:55D-2g; N.J.S.A. 40:55D-2i.

11. With regard to the requested bulk variances as detailed in Paragraph 5 above, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, if any, the Board further finds and concludes 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; that is, 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 permitted commercial retail use, the Applicant's extensive experience and expertise operating Dollar General stores and knowledge of Dollar General site requirements, and because the requested variances involve no inherent public dangers or substantial public burdens and create no adverse impact on the neighborhood, particularly given the lack of any public testimony in opposition to the Application and the Applicant's intention to construct a large fence and include Evergreen landscape buffering between the Subject Property and residential homes to the south. N.J.S.A. 40:55D-70.

12. With regard to the requested waivers as detailed in Paragraph 6 above, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, if any, the Board finds and concludes that the requested waivers are justified and reasonable under the circumstances, and the Applicant is therefore entitled to the requested waiver relief. Garofalo v. Burlington Twp., 212 N.J. Super. 458 (Law Div. 1985).

13. With regard to the requested preliminary and final major site plan approval, through the evidence submitted and testimony presented by the Applicant's witnesses, professionals, the Board's professionals, and members of the public, if any, the Board finds and concludes that the proposed major site plan complies with all major site plan requirements and other standards, specifications, and requirements established by the LDO not addressed by variances and waivers as detailed herein, and that the Subject Property is suitable for the proposed site plan given the sufficient size of the Subject Property and permitted retail uses in the BG-RD/NC Zoning Districts. 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 Ms. Rossi and duly seconded by Mr. Thomas to **APPROVE** the Application as set forth above, and a roll call vote on the motion was recorded as follows:

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

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

1. The Applicant shall work with the Board Professionals to revise the Application to comply to the greatest extent possible with the "2016 Black Horse Pike Corridor Wayfinding Streetscape Development Plan," as discussed on the record and indicated in comment II.B.2 of the Board Conflict Engineer's October 18, 2018 Review Letter. To the extent the Applicant cannot comply with this condition to the satisfaction of the Board Professionals, the Applicant shall return to the Board for further review.

2. The Applicant shall further work with the Board Professionals to resolve any and all outstanding landscaping, sidewalk, street, shade tree, and other issues. To the extent the Applicant cannot comply with this condition to the satisfaction of the Board Professionals, the Applicant shall return to the Board for further review.

3. The Applicant shall revise the Application to include an upgraded masonry trash enclosure.

4. The Applicant shall comply with the Township Fire Code and 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.

**IT IS FURTHER RESOLVED,** the above relief is subject to the following specific 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 11th day of December 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 November 2018.

KENNETH LECHNER, SECRETARY

**0-18-14**

# ORDINANCE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ADOPTING AMENDMENT NO. 6 AMENDING ORDINANCE O-02-30 COMMONLY KNOWN AS THE NEW VISION REDEVELOPMENT AREA PLAN TO ESTABLISH THE NEW VISION SINGLE-FAMILY RESIDENTIAL OVERLAY DISTRICT.

**BE IT ORDAINED** by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Ordinance O-02-30, known as the "New Vision Redevelopment Plan and Establishing an Area in Need of Redevelopment Pursuant to N.J.S.A. 40A:12A-1 et. seq." be hereby amended, as follows:

SECTION 1. That Article IX, titled "Zone Plan and Zoning Regulations" is hereby amended to add the following New Vision Single-Family Residential Overlay District regulations:

2.02 NEW VISION SINGLE-FAMILY RESIDENTIAL OVERLAY DISTRICT (NVSFR)

A. PURPOSE: The New Vision Single-Family Residential Overlay District is to provide opportunities for single-family residential detached dwellings in a planned development generally conforming to the guidelines of the Municipal Land Use Law (N.J.S.A. 40:55D-39b and c) as an alternative to other permitted uses within the New Vision Redevelopment Plan. The specific intent is to encourage planned development at a residential density substantially consistent with the characteristic of the surrounding built environment.

B. LOCATION: The NVSFR - New Vision Single-Family Residential Overlay District shall be applicable to the following municipal tax block and lots:

1. Block 18301, Lots 16, 17, and 18.

C. PERMITTED USES: In the NVSFR - New Vision Single-Family Residential Overlay District, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:

1. Single-family detached dwelling.

D. ACCESSORY USES PERMITTED. Any of the following uses and structures may be permitted when used in conjunction with a principal use and conforming to the applicable subsections of the Land Development Ordinance in §422, Additional Use and Structures Permitted in Residential Districts:

1. Private residential swimming pool and cabana.
2. Private residential tool shed.
3. Private residential greenhouse.
4. Recreational vehicle storage.
5. Outdoor recreational facilities, including tennis or other court sports.
6. Off-street parking and private garage.
7. Fences and walls in accordance with §425, Fences.
8. Deck.
9. Signs in accordance with §426.V, Signs.
10. Minor home occupation in accordance with §422.G, Home Occupations.
11. Satellite dish and television antennae.
12. Driveways in accordance with §424, Driveways (Residential).

E. DENSITY LIMITATION: The gross density shall not exceed three (3) dwelling units per acre.

F. AREA, YARD, HEIGHT AND BUILDING COVERAGE. Except as may be modified in a Redevelopment Agreement, bulk and setback standards applicable to all buildings in the NVSFR - New Vision Single-Family Residential Overlay District shall be in accordance with the following schedule(s) and locations as identified by municipal tax block(s) and lot(s):

1. Block 18301, Lots 16, 17, and 18

| Use | Single-Family Detached |
|---|---|
| Minimum lot size | 7,200 sf |
| Minimum lot frontage | 60 ft. |
| Minimum lot depth | 120 ft. |
| Maximum building coverage | 30% |
| Maximum lot coverage | 55% |
| Principal Building Minimum Yard Depths and Height Limitations | |
| Front yard[1] | 30 ft. |
| Side yard | 10 ft. |
| Rear yard | 25 ft. |
| Minimum Useable Yard Area | 25% |
| Maximum Height | 35 ft. |

[1] = Corner lot second front yard shall be 20 ft. minimum.

G. WIILIAMSTOWN ROAD STREETSCAPE: Redevelopment projects in the NVSFR - New Vision Single-Family Residential Overlay District shall provide a minimum 25-foot landscaped buffer along the frontage of Williamstown Road in addition to other buffer elements that may be required by Section IX(1.0)(F), Buffers.

H. ARCHITECTURAL DESIGN GUIDELINES: Redevelopment projects in the NVSFR - New Vision Single-Family Residential Overlay District shall be guided by Section 2.0.H(4), New Vision Residential Overlay District (NVR), Additional Site Requirements, Architectural Design Guidelines of the New Vision Redevelopment Plan and identifying the architectural period and/or style and provide drawings, color renderings, photographs, and other media that describe the proposed architectural plan for each unit and buildings.

I. HOME OWNERS ASSOCIATION

1. All redevelopment projects in the NVSFR - New Vision Single-Family Residential Overlay District may be required to have a Home Owner's Association to maintain the open space and common elements, feature elements, and architectural requirements.

J. AFFORDABLE HOUSING

1. Residential redevelopment projects shall be exempt from the inclusionary requirement of §1002, Affordable Housing Required of the Land Development Ordinance and are required to pay a developer fee as per §902, Affordable Housing Fees and Procedures.

K. REDEVELOPMENT REGULATIONS: The following redevelopment regulations of Article IX, Zone Plan and Zoning Regulations of the New Vision Redevelopment Plan shall also be applicable in the NVSFR – New

Vision Single-Family Residential Overlay District except as may be modified hereunder:

1. Section IX(1.0)(B), Land Use and Redevelopment.
    a. Article V, Performance and Design Standards of the Land Development Ordinance, except the following, which are not required:
        i. Section 509, Off-Street Loading.
        ii. Section 510, Off-Street Parking.
        iii. Section 511, Recreation Facilities and Open Space.
2. Section IX(1.0)(C), Definitions.
3. Section IX(1.0)(F), Buffers.
4. Section IX(1.0)(I), Residential Site Improvement Standards (RSIS).
8. Section IX(1.0)(J), Recreation in a Planned Residential Development.
9. Section IX(1.0)(K), Off-Street Loading and Parking Standards.
10. Section IX(1.0)(L), Additional Requirements.
11. Section IX(1.0)(M), Development and Redevelopment Regulations.

SECTION 2. That Article IX, titled "Zone Plan and Zoning Regulations" is hereby amended to add the following new numbering for the existing "3.0 New Vision Residential Commercial Overlay District (NV-RC)" added by O-16-07, adopted on May 23, 2016, as follows:

- "2.01 New Vision Residential Commercial Overlay District (NV-RC)"

SECTION 3. That Article IX, titled "Zone Plan and Zoning Regulations" is hereby amended to add the word "RESERVED" for aforementioned Section 3.0 amended herein, as follows:

- "3.0 RESERVED."

SECTION 4. All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 6. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced:

Adopted:

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK, RMC

MAYOR