

**Township of Gloucester
Zoning Board of Adjustment
Wednesday, May 8, 2019
7:00 P.M.**

Agenda

**Salute to the Flag
Commencement Statement**

General Rules

Meeting will start at 7:00P.M.

No applications will be heard after 09:30P.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 ADOPTION

Zoning Board Minutes - *Wednesday, April 24, 2019*

RESOLUTIONS FOR MEMORIALIZATION

#182030CDSPWMSP
DR MEM, LLC

Minor Site Plan
Block: 13102 Lot: 18, 19.01, 19.02 & 20

#182056CD
Empire Investment Ent. LLC

Bulk C & Use D Variances
Block: 10902 Lot: 12

#182044D
Maria Cruz

Use "D" Variance
Block: 19103 Lot: 1

APPLICATIONS FOR REVIEW

#192018C
Anthony Stagliano
Zoned: R3

Bulk C
Block: 2905 Lot: 10
Location: 411 Plantation Dr., Glendora

10' x19' open porch with a "A" frame 28' setback

#192014CD
Auto Images, LLC
Zoned: NC/R3

Bulk C & Use D Variance
Block: 12509 Lots: 1
Location: 401 S. Black Horse Pike, Blackwood

Continued use as Auto body repair; expansion of existing w/a60'x50' (3,000 sq.ft) addition.

Meeting Adjourned

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
WEDNESDAY, APRIL 24, 2019**

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

Roll Call:

Vice Chairman Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mrs. Chiumento	Present
Mr. Rosati	Present
Mr. Acevedo	Absent
Mr. Treger	Absent
Mr. Rosetti	Present
Mrs. Kelly	Present
Chairman McMullin	Absent

Chairman McMullin had the professionals sworn in:

Also, Present: Mr. Anthony Costa, Zoning Board Solicitor

Mr. Louis Garcia, P.E., Churchill Engineering

Mr. Ken Lechner, Township Planner

Mr. Rosetti will sit in for Chairman McMullin and Mrs. Kelly will sit in for Mr. Acevedo.

MINUTES FOR ADOPTION

Zoning Board Minutes – Wednesday, March 27, 2019

A motion to approve the above-mentioned minutes was made by Mrs. Chiumento and seconded by Mr. Scarduzio.

Roll Call:

Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosetti	Yes
Mrs. Kelly	Yes
Chairman Simiriglia	Yes

Minutes Approved.

RESOLUTIONS FOR MEMORIALIZATION

#192006C
Robert Bigwood
Bulk C Variance
Block: 9101 Lot: 13

#192003C
Michael Leonetti
Bulk C Variance
Block: 202 Lot: 16

#192008DSPW
OVAH Treatment Center, LLC
Use D Variance/Site Plan Waiver
Block: 6501 Lot: 1

#192012C
Sign Pros (Skeeters)
Bulk C Variance
Block: 8301 Lots: 5,6 &7

A motion to approve the above-mentioned resolutions was made by Mr. Scarduzio and seconded by Mr. Rosetti.

Roll Call:

Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosetti	Yes
Mrs. Kelly	Yes
Chairman Simiriglia	Yes

Resolutions Approved.

APPLICATIONS FOR REVIEW

#182030CDSPWMSP

Dr. MEM, LLC

Zoned: NC

Minor Site Plan

Block: 13102 Lot: 18,19.01,19.02 & 20

Location: 1271 Little Gloucester Rd.

Moving plastic extrusion operation/Operation &/or other permitted uses.

Mr. Costa swears in: Mr. Jay Simms (PE), Dr. Mem, owner (Charles Chen).

Mr. Simms reviews the site plan:

- A1 color rendering of site plan existing w/exceptions.
- Front island will be widened for landscaping,
- New trash enclosure that will containing 6 dumpsters,
- Rehab of the parking area; new lines & striping with a variance for parking,
- Will illuminate the parking spaces requested,
- Storm water basin: their records don't show a basin, they think it was a storage area not a basin,
- Make an exception for parking lot for where green space intrudes about 2'. Suggesting leaving it as is and letting the travel lane stay one way not become 2 way. It will be a smaller single lane and not 2-way traffic.
- They want to keep the 2 entrances, historically it has been that way. They will apply and comply with Camden County.
- 109 parking spaces /104 shown needed. This leaves them with a deficit of 28 spaces but gives them 5 more than they originally had.
- Lighting Issues:
- They can't get an adequate lighting test done; they have to fix the existing lights to get a proper illumination test. As soon as they are repaired another test will be performed.
- Asphalt: side walk repair: they will meet up with the engineer to get specifics and all repairs required.

Mr. Costa mentions the Church Hill letter received 4-15-2019.

Mr. Simms states the only issue with the Churchill Letter is 4C: one entrance removed (let county decide that) and short on one side for green space (buffer).

Mr. Lechner asks the reason why they can't widen the driveway, especially since they have 4 uses in the building now.

Mr. Simms states they have 3 separate entrances now.

Mr. Lechner states the drive aisle is 1 way in and out with a "Do Not Enter."

Mr. Simms states 2 are "in" only and 1 is "out".

Mr. Garcia states the drive aisle on the right side is about customers coming in and out, in a drive aisle, that is only meant for 1-way traffic. It invites people to go 2 ways in a 1-way drive aisle width.

Ms. Farrow states there will be no entrance signs present.

Mr. Lechner states

- There is plenty of room in the back of the building to make improvements.
- This lot was developed for one use and now there are 4 uses,
- The site plan should fix issues such as this,
- More specifics were identified for repairs,
- Not sure if other area in the back was ever meant for parking.

Ms. Farrow states Mr. Chan will bring the drive aisle out to 24' and the eliminate the 3' shortage in the parking lot.

Mr. Lechner states there is a lot of land on this property to make it comply with new ordinances.

Mr. Simms states they will always try to comply to ordinances, but increasing we will have to increase impervious surface (parking lot) and run off to meet the ordinance. The Auto Body company can use the back-parking lot.

Ms. Farrow states they will place evergreens around the trash enclosure since the trees are deciduous.

Mr. Bucceroni states if you walk the property and check the down spout from the back of the building they go into the ground. Behind your property there is a 4" pipe and it drains somewhere. I will drive out to you tomorrow and show you where the basin located. The basin is not holding any water. The overflow of the basin goes into the township storm pipes.

Mr. Simms states any vegetation around the basin should stay.

Conditions:

- Consolidation
- Plant evergreens around trash enclosure
- Meet w/public works about water basin
- Meet engineer on site about pavement and sidewalks
- Parking spaces 109 proposed vs. 137 required by the ordinance

Open to the Professionals:

No Additional Comments:

Open to the Public:

No Comments:

A motion to approve the above-mentioned application with the above conditions was made by Mr. Bucceroni and seconded by Mr. Rosati.

Roll Call:

Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosati	Yes
Mr. Rosetti	Yes
Mrs. Kelly	Yes
Chairman Simiriglia	Yes

Application Approved.

#182056CD

Empire Investment Ent. LLC

Zoned: R2/GI

Bulk C & Use D Variances

Block: 10902 Lot: 12

Location: 46 Coles Rd., Blackwood

**Construct 2 Commercial 1 story Bldgs. For lease to permit
Administrative office & flex space for use mentioned in
Application.**

Mr. John Wade ESQ explains the application:

- Use Variance 3500 sq. ft vs. 2500 sq. ft
- Will file formal site plan is approved
- Guidance for renters
- No outside storage for any offices
- Parking and traffic light added
- No auto repair shop element

Mr. Costa swears in Mr. Norm Rogers (PE), Tiffany Morrissey, (PP, AICP),

Mr. Jack Smith (architect).

Mr. Rogers begins:

- A1- site layout
- Existing zone is R2 and the site is currently vacant, cleared and wooded.
- Less sq. footage to accommodate the building and drive aisles.
- Man doors and overhead doors for access.
- Access from Coles Rd. will be 25' wide and the drive aisle 24' wide minimum.
- Parking will be 200 sq. ft. which provides a little more parking for this site.
- Loading: deliveries by UPS/service vehicles/or 30' box truck.
- 1 parking spot 12' x 28' could be for the box trucks.

Increase of traffic:

- Yield of AM peak trip is 8 vehicles enter and 1 vehicle exit.
- Yield of PM peak trip is 3 enter and 9 exits.
- This is an insignificant increase of traffic.
- Public sewer available,

- Storm water basin in rear will meet all requirements,
- Lighting will be box style w/rear shields,
- Buffer 10' wide; they will stagger evergreen trees along the entire length of the adjoining property.
- Between buildings they will add a green buffer,
- Shade trees will be planted on Coles Rd...

Bulk Variances/Relief:

- Requirements .9 acres vs. 3 acres,
- 200' frontage,
- 5% vs. 16% building coverage,
- 53% vs. 50% lot coverage,
- Rear 23' buffer vs. 24'buffer
- 10' buffer along lot,
- 10' buffer where 25' required

Mr. Costa asks for how many uses will be included and how many tenants.

Mr. Wade states; the rear property will be 1 tenant and the longer building will have up to 6 or less tenants.

Mr. Lechner's letter – pg. 5:

- Use variance,
- Description of building,
- Noise w/project – No Outdoor Uses
- Anticipated trip generation
- Number of employees is difficult to answer now but there is adequate parking with 30 spaces provided.
- This property will be home base offices for contractors.

Site Layout:

- Multiple evergreens for buffer,
- Adjacent landscape buffer where it is 10' wide,
- Overnight and employee parking: site plan review,
- Shoebox lighting w/shields,
- Storm water management with basin proposed.

Mr. Lechner asks if there is handicap parking in the back? a 3600 sq. ft. building has to have handicap parking.

Mr. Rogers states there is 1 handicap parking space in the back.

Mr. Lechner asks how deep the basin will have to be?

Mr. Rogers states he's not sure yet. The size is large enough but he's not sure how deep it will have to be. There isn't high ground water. Mr. Lechner states: Basins way in the back can get forgotten. Make sure the basin meets appropriate drainage. The site layout with a 23' frontage isn't much considering a home would need 50'.

Mr. Rogers states there is a 26' frontage for a business across the street.

Mr. Lechner states 90% of homes have 30' minimum front yards.

Mr. Rogers states this is an existing lot and they are trying to make it fit.

Mr. Wade states some frontage goes to the town.

Mr. Lechner states the building could be set farther back on the lot.

Mr. Rogers states the building is more like 28' back.

Mrs. Morrissey states they can address that at site plan.

Mr. Lechner states he still has a use concern.

Mrs. Morrissey states the buildings only accommodate a small office and storage space.

Mr. Costa states the old application had 3 buildings and the use was different.

Mr. Lecher states there is no new application.

Mr. Wade states we filed a new application.

Mr. Lechner reads the 2-building application which includes many other possible services that could use the buildings.

Mr. Wade states the uses would not be industrial or manufacturing.

They pared out all industrial type businesses.

Mr. Lechner states they need to reconcile the uses.

Mr. Wade states the use is an office flex use.

Chairman Simiriglia states you are in between homes and business zones. They don't want to see any industrial uses.

Mr. Wade states it will be more like Lakeside in the Sicklerville section of the township.

Mr. Costa states all the uses must be inside the building, no outside uses.

Mrs. Morrissey states there will be no manufacturing.

Mr. Lechner states they should amend the application and negate those uses.

Mrs. Morrissey states the applicant didn't want to keep coming back in front of the zoning board to make sure the business was on the list. This list is fair for both sides.

Chairman Simiriglia states he has seen this on both side with renters and tenants. But Mr. Lechner's list has a lot of specific uses.

Mr. Wade states all uses are allowed in the zone and the applicant tried to pick the uses that would fit best.

Mr. Costa states it will all be flex space.

Mr. Wade states office and storage.

Mr. Costa states eliminating the outside limits the businesses.

Mr. Wade states one of the businesses may be retrofitting police cars. Such as putting on decals/paint details/or computers installed.

Mr. Bucceroni states the street is under a moratorium because it was paved in the last year.

Mr. Rogers states they will mill and overlay vs. fast fix trench; understood and agreed.

Mr. Smith (architect):

- Split the buildings and cut in half,
- 1 story structure,
- A2- color rendering of buildings,
- There is room to move the buildings about 2'.

Mr. Lechner states if approve this is what will be built, what we see in A2.

Mr. Wade states the location of the doors may change.

Mr. Smith states: Yes, this is the building that will be built.

Mrs. Chiumento asks why we don't know the square footage for each building.

Mr. Smith states the tenants will define that.

Mrs. Chiumento states she doesn't want it to look like a construction site.

Mr. Rosati discusses the 20' to 40' height.

Mr. Wade states up to 40' is allowed.

Mr. Smith states a 20' to 25' slope will be more likely; when they get to site plan, it will be more specific.

Mr. Bucceroni states no trucks will be outside with construction equipment.

Mr. Smith states: No, storage will be allowed on the ground outside.
Mr. Lechner asks about a trash enclosure.
Mr. Rogers states Yes, there will be a trash enclosure.

Mrs. Morrissey (Planner): Variance for the R2 Zone:

- Surrounding areas are developed.
- Positive criteria: located across from commercial properties, the driveway is facing the business park zone, considerate to the homes next door with style and orientation of buildings, "softer" use with no outside activity, buffers, 200' to freeway, new residential not ideal on this property, mixed character area, designed to protect surrounding area, designed as a transitional property between a more industrial lot and the residential homes. This business will buffer the business park zone from the residential zone.
- Negatives: coverage and setback requirements, 16% building coverage, 53% impervious surface, buffer variance, front yard setback they will try to address at site plan if approved.
- This property was advertised as an economic development opportunity which wouldn't be residential.

Open to the Professionals:

No Additional Comments:

Open to the Public:

No Comments:

A motion to approve the above-mentioned application was made by Mr. Rosati and seconded by Mr. Scarduzio.

Roll Call:

Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosati	Yes
Mr. Rosetti	Yes

Mrs. Kelly	Yes
Chairman Simiriglia	Yes

Application Approved.

The following application will be heard on May 8, 2019. No re-advertisement necessary.

#192014CD

Auto Images, LLC

Zoned: NC/R3

Bulk C & Use D Variance

Block: 12509 Lot: 1

Location: 104 S. Black Horse Pike, Blackwood

Continued use as Auto body repair; expansion of existing w/a60'x50' (3000 sq. ft) addition.

#182044D

Maria Cruz

Zoned: R3

Use "D" Variance

Block: 19103 Lot: 1

Location: 113 Marshall Ave., Blackwood

Converting triplex to quadraplex.

Ms. Farrow (ESQ):

This is a residential area not an expansion of a non-conforming use,

- A use variance is needed,
- Not known if legal triplex/duplex or single family,
- No information prior to 2008,
- No file in zoning on the home,
- Files were damage in a 1990's flood,
- Amend the application to legal certificate,
- Planner can't really come up with a plan w/o a certificate.

Mr. Costa asks Ms. Farrow if she is amending the application to certificate of non-conformity.

Ms. Farrow states the property is listed as a quadraplex and it has been that way for 5 years. The home has been a multiple family for at least 30 years.

Mr. Costa explains the certificate of non-conformity. The request made with 1 year if more than 1 year only the zoning board can honor the request. The applicant must prove it was a pre-existing use. The applicant is asking for a triplex not a quadraplex.

Ms. Farrow states it was originally zone a single-family home.

Permission may have been granted previously as a multi-family home. Originally built in 1952 on 7.8 acres then in 1955 the property was parceled off. The duplex was originally a mother in law suite and from there it became a triplex. In 2007 4 electric meters were granted. In July 2014 violations updated violations. In 2006 is when it started being used as a quadraplex, according to records.

Mr. Costa swears in Ms. Maria Cruz, Jamilla Cruz, Tito Santiago and Larry Welsh.

Ms. Cruz's daughter, Jamilla will help with English if necessary.

Ms. Farrow purchased the property in 2014: exhibit A- copy of MLS. The property was advertised as a quadraplex.

Ms. Cruz reads the MLS; advertised as a quadraplex, parking and amenities, and approved for current use (multi-family).

Ms. Farrow - Exhibit B – appraisal copy from Family 5 group. The appraisal report R3 single family: legal compliance/non-conforming/grandfathered.

Ms. Farrow wanted it on record why Ms. Cruz bought the property. Exhibit C - Title commitment with property detail page. The title company stated it was only a triplex.

The prior owner, Grisola Vincent.

Exhibit D – notice and order of penalty. The previous owner received the notice and they were still under the assumption it was a triplex, and still had to get approval for the quadraplex.

Ms. Cruz states that is why she is here, to do what she is supposed to do and respect authority.

Ms. Farrow: exhibit E – 9-14 Camden County 4 notices (violations) from the public health investigator for 4 units.

Ms. Cruz states she put 20,000 dollars and then another 70,000 dollars into the property. The money was used for inside upgrades because of the violations. The violations were for units 1,2,3 and 4.

Ms. Farrow: Exhibit F1- certificate of registration to state, F2 – certificate of registration at time of purchase 2014 for Ms. Cruz.

Mr. Bucceroni states the county health dept. is separate and the county wouldn't know if it is an approved quadraplex.

Ms. Cruz states at the time I didn't realize it was all separate entities. Now I'm here to make it right. She was not trying to get away with anything.

Mr. Bucceroni asks where did the title company get their information?

Ms. Farrow states the Assessors office, it is taxed as a triplex.

Ms. Farrow: exhibit G – construction permit for the electric meters. It was for four 100-amp service. Some triplexes have a "common area" so the 4th meter isn't that unusual. She would prefer a professional planner to come in and present the Use variance.

Ms. Farrow: exhibit H1 and H2 tax bills from 2012/13 to 2017 for a triplex. Exhibit I property records card, states it is a triplex with an additional unit with a kitchen.

Ms. Farrow states the files have been destroyed.

Chairman Simiriglia: it is up to the applicant to prove its existence. He gets the impression it has evolved into what it is now. The township has to share responsibility in it should have been discovered a long time ago if it was illegal.

Exhibit J- inspection report in 2006 for 4 units, yearly state inspection.

Exhibit K – pictures of property 2010 – 2013 (google map).

Exhibit L – aerial photo 2019 vs. surrounding buildings (google map).

Ms. Cruz states no pets are allowed and she does check the site periodically. They say they have one service dog.

Ms. Farrow states Ms. Cruz will have to make sure disruptive tenants are removed sooner.

- 2018 the 4th tenant moved out and it hasn't been rented since.

Mr. Larry Welsh: he has been a resident of Gloucester Township for 43 years and has lived on Marshall Ave. for 43 years. He states it was always a multi-family since about 1986. Not specifically a 4 unit but a multi-family. He lives in the apartment downstairs. There are 2 other

families upstairs. He hasn't experienced any other tenant problems. The property was cleaned up in and out by Ms. Cruz. He likes it there because his Mom and Dad are down the street and his son goes to the school on the corner.

Mr. Costa asks when did you move in?

Mr. Welsh states 2016.

Mr. Costa asks how many lived there when he moved in.

Mr. Welsh states 3 when he moved in.

Mr. Tito Santiago: he has been a realtor since 2014. He was he realtor for the previous owner too. Mr. Vincent stated the home was a quadraplex, it had 4 meters and it was always inspected. Before he listed it, it had been previously listed as a quadraplex.

Mr. Bucceroni asks for testimony on how much money was put into the property and did Mr. Santiago tell Ms. Cruz to get the property inspected.

Mrs. Chiumento asks about the square footage of the building.

Mr. Costa state it looks like about 2250 sq. ft. upstairs and 2448 sq. ft. in the basement. About 10 people total live in the home.

Ms. Farrow: Exhibit M – sketch of the building with breakdown of the apartments.

PUBLIC PORTION:

Mr. Greg Dettrey: 120 Marshall Ave.

Mr. Dettrey states he lives 3 doors down from the property and has photos. They bought their house in 1986 and they were in that area in 1959. They have had arguments with Mayor Love's office and had brought pictures then too.

Mr. Dettrey added a 2nd story to his house in 1993 legally. The garage in the back of that house was built in a weekend. They started taxing it as a triplex because the owners would never let them in the house (assessors) in the late 1980's.

Mr. Costa states you did let us know how and when the property became a triplex. When you are assessed and you don't let them in, they guess.

Mr. Dettrey: The siding is all mismatched and they changed the curb line when the street was paved. Half the cars have PA plates. They argued with the township for years about this property. Mayor Love mad them get construction permits to the changes. I keep a nice house and I have to look at this.

Mr. Bucceroni I was on Kiwanis field in the 1990's and I remember the Painter.

Mr. David Ryan: 121 Marshall Ave.

Lived there since 1987. The 2 brothers in the home split the upstairs and then they dug out the basement; it used to be a crawl space. In 1990/1991 they dug the basement out by hand. Up to the mid 1990's the home was all family.

Mr. Rosati states this all happened before Ms. Cruz.

Mr. Ryan states: yes.

Ms. Sabrina Mosiondz: 102 Marshall Ave.

Her father, Bill Luke, was the one who would go to Mayor's Love's office with pictures and fight about this home.

She has lived across the street most of her life. When the town went to a 4-day week they started working on that house on Thursday nights. She claims Maria Cruz knew the original owner who split the home and knew it wasn't legal. In September or October there was a "for rent" sign up for the 4th unit, after she had been notified by the zoning office. Her father Bill went to Mayor Love's office over and over again to complain. The tenants only pay in cash, which gives you a certain clientele. She has a corner home and everyone goes to the town to get their permits except this house.

Mr. Costa asks if Ms. Mosiondz witnessed work being done to the property.

Ms. Mosiondz states the work started in the late 80's early 90's.

Mr. Costa states it is a legal question here and we're trying to figure out if the work was a lawful use and testimony is important.

Ms. Mosiondz states in 1979 the house was a single-family home.

Mr. Michael Rebbecchi: 468 W. Railroad:

I emailed code enforcement and nothing was done. It's a legal matter and says right now there are 2 mattresses in the front yard. The trash is all over the street along with the recycle. They residents park cars on the lawn and across the street. There are 2 or 3 cars on the right and 4 cars on the left.

Mr. Bucceroni asks who they emailed about the code enforcement issues?

Mr. Rebbecchi states he emailed: codeenforcmnt@dwp.com in 2018 on 8-6 and 8-2.

Rhonda Vanuto: 480 W. Railroad

Initially a duplex that turned into a travesty. There are numerous parking, trash and noise complaints; people eating dinner in cans in plain sight. They pickup vodka bottles by the school.

Ms. Cruz became related to the previous owner in 2015.

Ms. Farrow asks Ms. Cruz the following;

Ms. Cruz did you have a "for rent" sign out after the first violation?

Ms. Cruz states she removed the sign after the first violation.

Ms. Farrow asks Ms. Cruz about paying rent in cash only?

Ms. Cruz states that's not true, she must have checks to proof of payment for the apartments for tax purposes. Mattresses were there but removed and the trouble maker renters moved out.

Ms. Farrow surmises it was a single-family home and changed in the early 90's. Ms. Farrow can't prove anything as it was all destroyed in the flood. Nothing was available in her OPRA requests.

Mr. Costa was asked for guidance in reference to the certificate of non-conformity. Mr. Costa reads the definition.

Mr. Lechner states the property since 1957 was zoned a residence. In 1983 land development ordinance removed. All this time it was a single-family residence.

Mr. Costa: The tax bill says triplex and they heard testimony how that happened. The Eval company determined it was a triplex because they couldn't get access inside the home and saw 3 electric meters. If it was done in the early 1990's it wasn't legal.

Ms. Farrow reads the statute and wants to come back for a use variance.

Mr. Costa states to try to incorporate the current information (Res Judicata). The applicant has the right to come back for a use variance. They file a new application and re-notice. Ms. Cruz is a victim too.

Mrs. Farrow states she will reach out to the neighbors. The renters can stay until the use variance is decided.

Open to the Professionals:
No Additional Comments:

Open to the Public:
No Comments:

A motion to deny the above-mentioned application was made by Mr. Rosati and seconded by Mr. Scarduzio.

Roll Call:

Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Rosati	Yes
Mr. Rosetti	Yes
Mrs. Kelly	Yes
Chairman Simiriglia	Yes

Application Denied.

A motion to Adjourn was made by Mr. Bucceroni and seconded by Mr. Scarduzio.

Respectfully Submitted, Jean Gomez, Recording Secretary.

TOWNSHIP OF GLOUCESTER

Inter-office Correspondence



TO: Zoning Board of Adjustment
FROM: Kenneth D. Lechner, PP, AICP, Director/Planner
 Department of Community Development & Planning
RE: **APPLICATION #192018C**
Anthony Stagliano
411 Plantation Drive
BLOCK 2905 LOT 10
DATE: April 18, 2019

The above application is to permit a 10' x 19' open front porch within the R-3 Residential district as per the submitted sketch.

I. ZONING INFORMATION

- Zone: R-3 ~ Residential District [§405].

R-3 Zone Requirements (§405.F):

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>Complies</u>
Minimum lot size	9,375 sf	±10,615 sf	yes
Minimum lot frontage	75 ft.	66.69 ft.	enc
Minimum lot depth	125 ft.	125 ft.	yes
Maximum building coverage	20%	±16% ¹	no*
Maximum lot coverage	40%	±53% ¹	enc
PRINCIPAL BUILDING MINIMUM YARD DEPTHS AND HEIGHT LIMITATIONS			
Front yard (porch)	30 ft.	±26 ft.	no*
Side yard (porch)	10 ft.	±10 ft. ¹ / ±42 ft. ¹	yes / yes
Rear yard (dwelling)	30 ft.	±58 ft.	yes
Minimum Useable Yard Area	25%	≥ 25%	yes
Maximum Height	35 ft.	n/a	n/a

¹ = Scaled data.

enc = Existing nonconformance.

= 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.

II. VARIANCE COMMENTS

The application as submitted requires the following variance from the Area, Yard, Height and Building Coverage and Additional Uses and Structures Permitted in Residential District standards:

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

- Front yard: (±26 ft. provided v. 30 ft. minimum required).

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

The Applicant must address and the Zoning Board of Adjustment consider the following in satisfying the positive criteria for the requested residential district setback variance:

2. 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)).
3. 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 40:55D-70).

III. NOTICE REQUIREMENTS

The applicant must notice for the following variances:

From Section 405.F, Area, Yard, Height, and Building Coverage to permit a front porch approximately twenty six (26) feet from the front property line (30 ft. minimum required).

VI. RECOMMENDATIONS

1. The Applicant must address the above underlined comments.

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: Anthony Stagliano
Anthony Costa, Esq.
James Mellett, PE

Update Permit # 12982

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

For Office Use Only

Submission Date: _____ Application No.: #192018C

Taxes Paid Yes/No Yes (Initial)

Fees \$160.00 Project # 13025

Planning Board Zoning Board of Adjustment

Escr. \$150.00 Escr. # 13025

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

LAND DEVELOPMENT APPLICATION

1. Applicant	2. Owner(s) (List all Owners)
Name: <u>ANTHONY STAGLIANO</u>	Name(s): <u>ANTHONY STAGLIANO</u>
Address: <u>411 Plantation DR</u>	Address: _____
City: <u>Glendora NJ</u>	City: <u>SAME</u>
State, Zip: <u>08039</u>	State, Zip: _____
Phone: <u>(856) 831-8800</u> Fax: () -	Phone: () - Fax: () -
Email: _____	

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

- | | |
|---|--|
| <input type="checkbox"/> Informal Review ² | <input type="checkbox"/> Planned Development ² |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Interpretation ² |
| <input type="checkbox"/> Preliminary Major Subdivision ² | <input type="checkbox"/> Appeal of Administrative Officer's Decision |
| <input type="checkbox"/> Final Major Subdivision | <input checked="" type="checkbox"/> Bulk "C" Variance ² |
| <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Use "D" Variance ² |
| <input type="checkbox"/> Preliminary Major Site Plan ² | <input type="checkbox"/> Site Plan Waiver |
| <input type="checkbox"/> Final Major Site Plan | <input type="checkbox"/> Rezoning Request |
| <input type="checkbox"/> Conditional Use Approval ² | <input type="checkbox"/> Redevelopment Agreement |
| <input type="checkbox"/> General Development Plan ² | <input type="checkbox"/> _____ |



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
<u>R3</u>	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: _____	Firm: _____
Address: _____	State, Zip: _____
City: _____	Phone: () - Fax: () -
	Email: _____

6. Name of Persons Preparing Plans and Reports:

CONTRACTOR

OWNER

Name: ANTHONY STAGLIANO
 Address: 411 Plantation DR
 Profession: _____
 City: Glendora 1
 State, Zip: NJ 08039
 Phone: (856) 831-8800 Fax: ()
 Email: Stag70@Comcast.net

Name: Bryce Gallagher
 Address: 524 2 Bridges Hl Blvd.
 Profession: Contractor
 City: Felsgrove
 State, Zip: 08098
 Phone: (609) 517-2313 Fax: ()
 Email: _____

7. Location of Property:

Street Address: 411 Plantation DR Block(s): 2905
 Tract Area: _____ Lot(s): 10

8. Land Use:

Existing Land Use: R-3 RESIDENTIAL
 Proposed Land Use (Describe Application): Proposed 10x19 open porch with "A" frame 28 feet from property line.

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: NONE

List all applications on a separate sheet.

13. Zoning

All Applications	Proposed	Fence Application	Proposed
Front setback 1	28'	Setback from E.O.P.*1	_____
Front setback 2	N/A	Setback from E.O.P.*2	_____
Rear setback	38'	Fence type	_____
Side setback 1	10'	Fence height	_____
Side setback 2	11'	*E.O.P. = Edge Of Pavement.	_____
Lot frontage	66.69'	Pool Requirements	
Lot depth	125'	Setback from R.O.W.1	_____
Lot area	10,625'	Setback from R.O.W.2	_____
Building height	16'	Setback from property line 1	_____
		Setback from property line 2	_____
		Distance from dwelling	_____
		Distance = measured from edge of water.	
		R.O.W. = Right-of-way.	
		Setback = Measured from edge of pool apron.	
Garage Application		Shed Requirements	
Garage Area	_____	Shed area	_____
Garage height	_____	Shed height	_____
Number of garages	_____	Setback from R.O.W.1	_____
(Include attached garage if applicable)		Setback from R.O.W.2	_____
Number of stories	_____	Setback from property line 1	_____
		Setback from property line 2	_____

14. Parking and Loading Requirements:

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

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

15. Relief Requested: Build front porch w/front of porch 28' from front prop. line - 2' relief from 30' requirement

- 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



 Signature of Applicant

4/2/19

 Date

 Signature of Co-applicant

 Date

17. Consent of Owner(s):

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

4/3/19
Date

[Signature]
Signature
Anthony J Staglano JR
Print Name

Sworn and Subscribed to before me this
3rd day of April
2019 (Year).

Signature

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?
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
- C. Is this application for approval on a site or sites for commercial purposes?
- D. Is the applicant a corporation?
- E. Is the applicant a limited liability corporation?
- 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

[Signature]
Signature of Applicant
Anthony J. Staglano JR
Print Name

4/3/19
Date

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 2905 Lot 10 and I further certify that no buildings, fences or other facilities have been constructed, installed or otherwise located on the premises after the date of the survey with the exception of the structures shown.

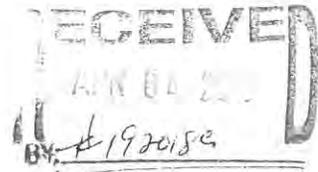
State of New Jersey,
County of Camden:
_____ of full age, being duly sworn to law, on oath and says that all of the above statement herein is true.

Sworn and subscribed to
On this 3rd day of April
2019 before the following authority.

ANTHONY STAGLIANO
Name of property owner or applicant

[Signature]
Susan Mason
Notary Public of New Jersey

My Commission Expires
September 8, 2019



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 Anthony + Kristina Stagliano
Address 411 Plantation Dr. Glendora, NJ 08029
Block 2905 Lot 10

4-2-19
Date

Asst. Maryann Busa
Gloucester Township Tax Collector

OFFICIAL VERIFICATION



Tax Collector
Gloucester Township
Camden County

ZONING PERMIT DENIED

411 PLANTATION DR
Block/Lot 2905/10

Applicant
Greg Gallagher
524 Eldridges Hill Rd.
Pilesgrove, NJ 08098

Real Estate Owner
STAGLIANO ANTHONY JR & KRISTINA M
411 PLANTATION DRIVE
GLEDORA NJ 08026

This is to certify that the above-named applied for a permit to/authorization for a proposed front yard 19'X10' addition located 26' from the front property line. This application for approval is hereby denied

Zone
R3
Application is

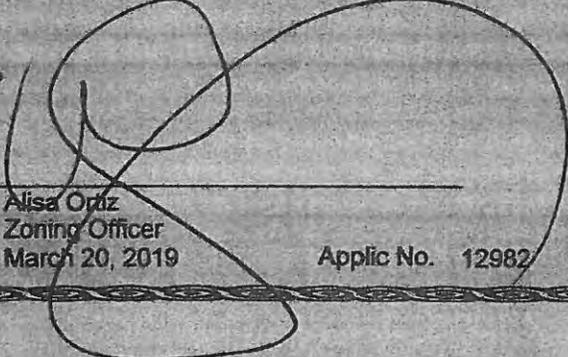
Denied

Comments on Decision:

Addition is to maintain a minimum of 30' from the front property line. A Variance approval is required prior to issuance of permit.

Additional permits must be obtained through the Construction Office

Gloucester Township
P O Box 8
Blackwood, NJ 08012
(856)228-4000 FAX(856)232-6229


Alisa Ortiz
Zoning Officer
March 20, 2019

Applic No. 12982

Cut Here

Deliver to...

Greg Gallagher
524 Eldridges Hill Rd.
Pilesgrove, NJ 08098

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: April 4, 2019

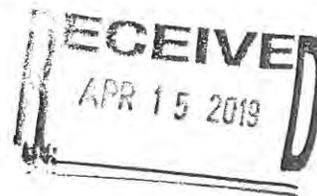
APPLICATION No. #192018C

APPLICANT: ANTHONY STAGLIANO

PROJECT No. 13025

BLOCK(S): 2905 LOT(S): 10

LOCATION: 411 PLANTATION DR., GLENDORA



TRANSMITTAL TO:



Township Engineer
Camden County Planning Board
N.J. American Water Co.
Taxes



Zoning Board Planner
Traffic Officer
Aqua N.J. Water Co.
Construction



Tax Assessor
S.T.M.U.A.
Fire District 1 2 3 4 5 6

STATUS OF APPLICATION:



New Application - Bulk C



Revision to Prior Application

PURPOSE OF TRANSMITTAL:



For Your Review.

Please Forward Report by APRIL 18, 2019



For Your Files.

ENCLOSED:



2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
1 Copy - Minor Site Plan
1 Copy - Minor Subdivision Plat
3 Copies - Preliminary. Site Plan, 2 County Apps and 1 Twp. App.
3 Copies - Major Subdivision - Preliminary. Plat, 2 County Apps. 1 Twp. App.
1 Copy - Major Subdivision - Preliminary. Plat
1 Copy - Preliminary Site Plan
1 Copy - Major Subdivision - Final Plat
1 Copy - Final Site Plan
3 Copies - Major Subdiv. - Final Plat, 1 Dev. Plan, 2 County Apps. 1 Twp. App.
1 Copy - Amended Site Plan
1 Copy - Major Subdivision - Amended Plat
1 Copy - Traffic Report
1 Copy - Development Plan
1 Copy - Drainage Calculations
1 Copy - E.I.S.
Recycling Report



Variance Plan



Bulk (C) Variance



Use (D) Variance

Signature

Reviewed
 Approved Not Approved
Gloucester Twp. Fire Dist. 1
Fire Official: *[Signature]*
Date: *4/9/19*

Br# 64

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: April 4, 2019

APPLICATION No. #192018C

APPLICANT: ANTHONY STAGLIANO

PROJECT No. 13025

BLOCK(S): 2905 LOT(S): 10

LOCATION: 411 PLANTATION DR., GLENDORA

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|-------------------------------------|----------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input type="checkbox"/> | Tax Assessor |
| <input type="checkbox"/> | Camden County Planning Board | <input type="checkbox"/> | Traffic Officer | <input type="checkbox"/> | G.T.M.U.A. |
| <input type="checkbox"/> | N.J. American Water Co. | <input type="checkbox"/> | Aqua N.J. Water Co. | <input type="checkbox"/> | Fire District 1 2 3 4 5 6 |
| <input type="checkbox"/> | Taxes | <input checked="" type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

- New Application - Bulk C Revision to Prior Application

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- For Your Review. **Please Forward Report by APRIL 18, 2019**
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- 1 Copy - Drainage Calculations
- 1 Copy - E.I.S.
- Recycling Report

- Variance Plan Bulk (C) Variance Use (D) Variance



OK 4-8-19 JUC Bldg

Signature

Commissioners
Richard P. Calabrese
Chairman
Joseph Pillo
Vice Chairman

Board Members
Glen Bianchini
Ken Garbowski
Frank Schmidt
Dorothy Bradley
Frank Dintino



Raymond J. Carr
Executive Director

Marlene Hrynio
Administrative Secretary

Howard C. Long Jr, Esq.
Solicitor

Thomas Leisse, PE, CME
Consulting Engineer

**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

April 8, 2019

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

Re: Application #192018C
Anthony Stagliano
411 Plantation Drive, Glendora, NJ 08029
Block 2905, Lot 10



Gentlemen:

In response to your transmittal regarding the above application, approval will have no effect on the sanitary sewer system.

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

**TOWNSHIP OF GLOUCESTER
ZONING BOARD TRANSMITTAL**

DATE: April 4, 2019

APPLICATION No. #192018C

APPLICANT: ANTHONY STAGLIANO

PROJECT No. 13025

BLOCK(S): 2905 LOT(S): 10

LOCATION: 411 PLANTATION DR., GLENDORA

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|-------------------------------------|----------------------|-------------------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input checked="" type="checkbox"/> | Tax Assessor |
| <input type="checkbox"/> | Camden County Planning Board | <input type="checkbox"/> | Traffic Officer | <input type="checkbox"/> | G.T.M.U.A. |
| <input type="checkbox"/> | N.J. American Water Co. | <input type="checkbox"/> | Aqua N.J. Water Co. | <input type="checkbox"/> | Fire District 1 2 3 4 5 6 |
| <input type="checkbox"/> | Taxes | <input checked="" type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

- New Application - Bulk C Revision to Prior Application

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- For Your Review. ***Please Forward Report by APRIL 18, 2019***
 For Your Files.

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- 1 Copy - Amended Site Plan
- 1 Copy - Major Subdivision - Amended Plat
- 1 Copy - Traffic Report
- 1 Copy - Development Plan
- 1 Copy - Drainage Calculations
- 1 Copy - E.I.S.
- Recycling Report

- Variance Plan Bulk (C) Variance Use (D) Variance

Signature


Assessor 4/10/19

No Issues.



Churchill Consulting Engineers
344 North Route 73, Suite A, Berlin, NJ 08009
Phone 856-767-6901 Ext. 50 Fax 856-767-0272
E-mail jmellett@churchillengineers.com

April 17, 2019

Mr. Kenneth D. Lechner, PP, AICP
Department of Community Development and Planning
Gloucester Township
Chews Landing Road at Hider Lane
P.O. Box 8
Blackwood, NJ 08012

Re: Auto Images, LLC
Bulk "C" Variance, Use "D" Variance
Block 12509, Lot 1
401 S. Black Horse Pike, Blackwood
Gloucester Township, Camden County
Gloucester Application #1920114CDMSP
Our File No.: GX19003-ME

Dear Mr. Lechner:

We have received the following information for the referenced project:

- A. A copy of a Township of Gloucester Zoning Board Transmittal dated march 13, 2019;
- B. A copy of a Township of Gloucester Land Development Application for Minor Site Plan;
- C. The Township of Gloucester Land Development Ordinance §817 Submission Checklist;
- D. A copy of Conceptual Building plan prepared by Bishop & Smith Architects dated January 7, 2019;
- E. A copy of "Plan of Survey & Topography for 401 S. Black Horse Pike, Block 12509, Lot 1" prepared by, Consulting Engineer Services dated December 20, 2018;
- F. A copy of "Use Variance Plan" prepared by Consulting Engineer Services, dated January 7, 2019.

We have reviewed the application and offer the following comments:

I. Project Description

1. The project site is located on the easterly side of the Black Horse Pike (N.J.S.H. Route 168) between Grand Avenue and Drexel Avenue.
2. The property contains a one-story masonry building. It appears that the site is currently being occupied by Auto Images, with five service bays, an office area and associated site improvements.
3. The site is known as Block 12509, Lot 1 and is approximately 1.025 acres as per the Survey provided by the client.
4. The tract has 258.11 feet of frontage along the Black Horse Pike, 185.66' feet of frontage along Grand Avenue and 171.47' feet of frontage along Drexel Avenue.
5. The site is located within the Neighborhood Commercial (NC) Zoning District and the R-3 Single Family Detached (R-3) Zoning District.
6. According to the application, the applicant is proposing to expand the existing facility currently being utilized as an auto body repair facility.
7. The applicant has requested a waiver of the following applicable Land Development Ordinance Check List items;
 - a. Item 8, Recycling Report;
 - b. Item 44, Proposed signs, location, size, height, etc. including details;
 - c. Item 57, Contours shall be shown at not more than two foot intervals for areas with less than 20% slope, five foot intervals for areas in excess of 20% slope;
 - d. Item 58, Proposed grades in sufficient numbers to illustrate the proposed grading scheme;
 - e. Items 67-71, Plans and profiles for all storm lines, underdrains, ditches onsite/offsite affected by the development etc.;
 - f. Item 80, Loading areas and number thereof;
 - g. Item 95, Proposed grades;
 - h. Item 98, Size and types of all pipes and mains;

II. Bulk and Use Variance

1. The applicant is seeking a Bulk "C" Variance and Use "D" Variance.
2. The site is located within the Neighborhood Commercial (NC) Zoning District and the R-3 Single Family Detached (R-3) Zoning District.

3. The purpose of the NC - Neighborhood Commercial district is to provide for the development of neighborhood shopping centers, individual retail uses and office facilities which provide for personal services primarily to nearby neighborhoods.
4. An auto body repair facility is not listed as a permitted, accessory or conditional use in the NC zoning district.
5. The purpose of the R-3 Residential Zoning District is for single family detached uses at a density of three units per acre.
6. An auto body repair facility is not listed as a permitted, accessory or conditional use in the R-3 zoning district.
7. The applicant must demonstrate special reasons in accordance with Municipal Land Use Law Section 40:55D70 in order for the Board to consider Use Variance.
8. The applicant must demonstrate that such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and the Gloucester Township Zoning Ordinance.
9. Bulk variances for existing and proposed site improvements are indicated on the application. We defer review of conformance with the area, yard and bulk requirements of the Ordinance to your office.

III. Variance Plan

1. The applicant is proposing a 3,000 square foot addition (60' x 50') onto the existing 3,684 square foot building. The addition will have two additional service bays.
2. The applicant is proposing a stone access driveway onto Grand Avenue, a stone expansion of the existing vehicle storage area and additional asphalt adjacent to the proposed building expansion.
3. The plan lists the following breakdown of proposed parking:

Parking Provided	
Customers	3 spaces
Employees	6 spaces
Storage	92 spaces
Total	101 spaces

4. The Land development Ordinance of the Township of Gloucester (Ordinance) Section 510, Parking requirements are as follows;
 - a. Automotive Service and Repair = Five spaces per service bay, Eight service bays are proposed = $8 \times 5 = 40$ spaces required;
 - b. Office = 1 space per 250 square feet gross floor area, Existing Office = 225 square feet = one parking space required;

A total of 41 parking spaces are required.

5. The applicant should address the need for 101 total spaces, 60 more than required by the ordinance.
6. Enclosed is a comparison photo of the site from Google Earth. The top photo was in 2011 and the bottom was in 2017. All the buffer and vegetation in the rear of the property has been removed and become vehicle storage.
7. The applicant should indicate if they received any Township approvals for this expansion and vehicle storage area in a Residential Zone.
8. In accordance with the Land Development Ordinance for the Township of Gloucester, the definition of a junkyard states:

JUNKYARD - The use of any lot for the storage, keeping or abandonment of junk, including wrecked or disabled vehicles, parts of vehicles, scrap metals or other scrap material or building material, or for the dismantling, demolition or abandonment of structures, automobiles or other vehicles, equipment and used machinery or parts thereof; provided, however, that this definition shall not be deemed to include any of the foregoing uses which are accessory and incidental to any lawful agricultural, commercial or industrial use permitted in any zone. The term "junkyard" as herein defined includes automobiles wrecking yards and yards or lots used for the accumulation of used building materials. The outdoor storage, parking, keeping, or deposit on any lot of two (2) or more vehicles without lawful license plates and current Motor Vehicle Inspection stickers, which vehicles are not accessory and incidental to a lawful agricultural, commercial or industrial use permitted in any zone shall be deemed to be a "junkyard".

We defer to your office and the Solicitor if the expansion of vehicle storage in the Residential Zone would be classified as a junkyard.

9. There are a total of 92 spaces reserved for "vehicle storage". Most of these spaces are stacked spaces and do not meet the Ordinance Section 510.G requiring driveways and isles. This should be addressed.
10. The majority of the existing and proposed vehicle storage area is on existing gravel or proposed stone. The applicant should address containment of vehicle fluids and spill prevention control and countermeasures.
11. There are three parking spaces located between the building and the Black Horse Pike. It appears that vehicles accessing these spaces will need to back into the

travel lane of the Black Horse Pike. Ordinance section 501.F.3 indicates that parking spaces shall not be located between the building and the street line. These parking spaces should be relocated.

12. There are four parking spaces located between the existing building and Drexel Avenue. These spaces encroach into the Drexel Avenue Right of Way and vehicles accessing these spaces will need to back into the travel way of Drexel Avenue. Ordinance Section 501.F.3 indicates that parking spaces shall not be located between the building and the street line. These parking spaces should be relocated.
13. Additional detail and grades are required to determine ADA compliance.
14. The proposed handicap accessible parking space at the site should be reviewed for compliance with ADA requirements. We defer to the Township construction official regarding building accessibility.
15. Ordinance section 510.K.5 requires a maximum two way driveway width of 36 feet. It appears that the one of the two existing driveways onto the Black Horse Pike and the existing driveway access onto Drexel Avenue is greater than 36 feet. This should be addressed.
16. In accordance with Ordinance Section 510.K.4, all entrance driveways are to be designed to allow for movements of the AASHTO WB-50 design vehicle without encroaching onto opposing lanes of traffic. This should be addressed.
17. The applicant should address Off Street Loading in accordance with Ordinance Section 509.
18. The applicant should address Refuse/Recyclable Storage Areas in accordance with Ordinance Section 510.L.
19. No fire lines are shown on the plans. We defer review of the plans as it relates to access for emergency vehicles to the Fire Chief Township EMS Director. The applicant should submit plans to the Township Fire Chief and the Township EMS Director for review and comment.

VI. Miscellaneous

1. Should the Board approved the requested Use Variance, we recommend that the applicant submit a complete Site Plan Application.
2. The applicant is increasing the total amount of impervious surfaces for the site. The applicant indicates that the existing impervious coverage is 73%. The proposed improvements will increase the total impervious coverage for the site to be 90%. The applicant is not proposing any storm water runoff measures. This should be addressed. We recommend that the applicant submit a complete storm

water management plan and calculation in accordance with Ordinance Section 517.

3. Proposed improvements (i.e. curb, sidewalk, etc.) along Black Horse Pike, and Drexel Avenue should be included on the Site Plan.
4. Ordinance section 510.F.5 indicates that all parking areas abutting a residential use or zone be setback 25 feet from the mutual property line. It appears that the existing/proposed parking area is 0 feet to 5 feet from the property lines. This should be addressed.
5. Ordinance section 510.H requires that all parking areas be paved with either asphalt surface or concrete. There is a combination of concrete, pavement and crushed stone surfaces existing and proposed throughout the site. We would recommend that all vehicle parking and any storage be on concrete or pavement as required by ordinance.

Any Zoning Board approval shall be contingent upon approval from all other governmental agencies having jurisdiction including but not limited to the New Jersey Department of Transportation, Gloucester Township Municipal Utilities Authority, Camden County Conservation District, Aqua New Jersey, Inc./New Jersey American Water, etc.

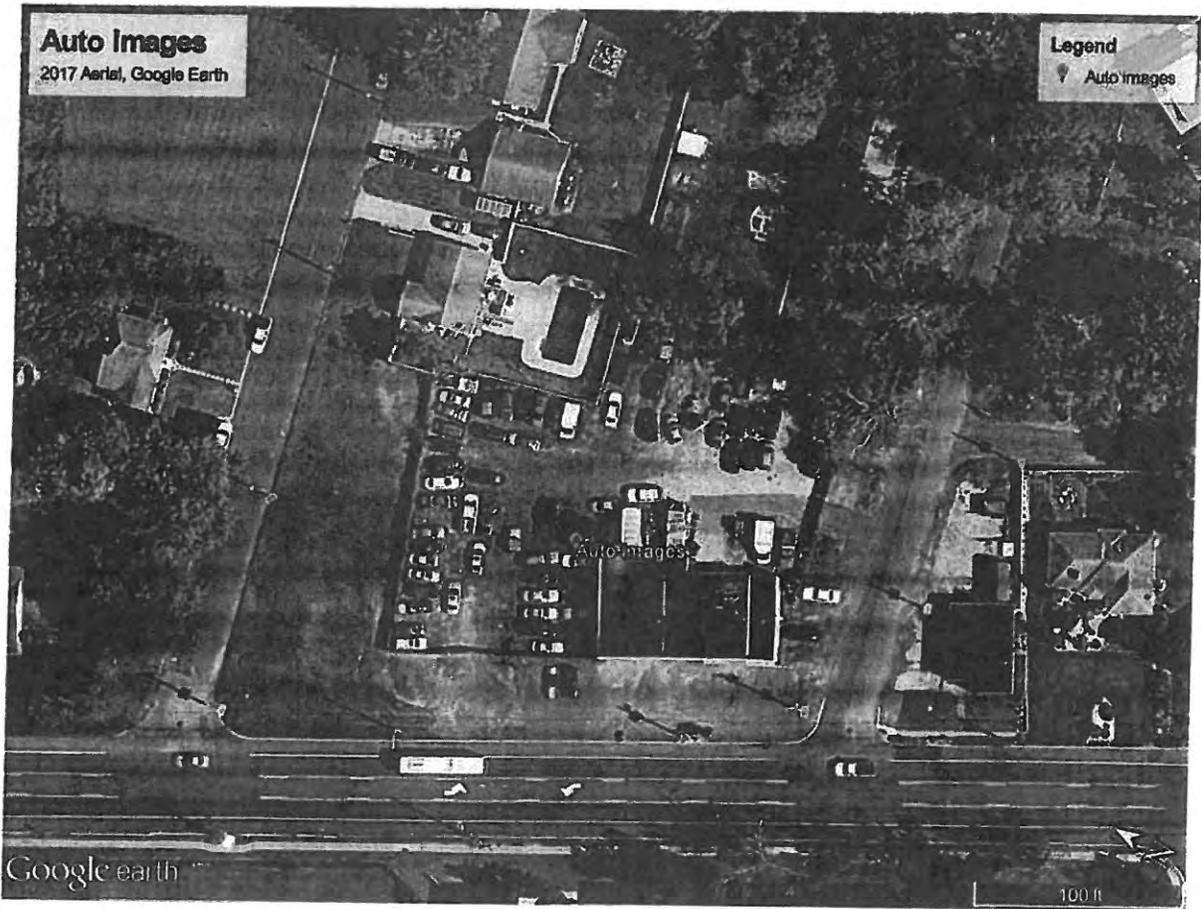
Please contact me if you have any questions or require **additional** information.

Very truly yours,
Churchill Consulting Engineers

Gary A. White, P.E., P.P., C.M.E. for
James J. Mellett, P.E.
Project Manager

JJM:tb:jm

C: Gloucester Township Zoning Board Chairman and Members (via email) w/ enclosures
Mr. Anthony Costa, Esq., Zoning Board Solicitor (via email & mail) w/ enclosures
Ms. Alisa Ortiz, Gloucester Township Zoning Officer (via email) w/ enclosures
Auto Images, LLC, Applicant (via email) autoimages@comcast.net w/ enclosures
Mr. mark A. Rinaldi, Esq. (via email) mr@markrinaldilaw.com w/ enclosures
Mr. Norman K. Rodgers, P.E. (via email) design@ccs-1.com w/ enclosures
Mr. Jack Smith, RA., (via email) jack@bnsra.com w/ enclosures



Inter-office Correspondence



TO: Zoning Board of Adjustment
FROM: Kenneth D. Lechner, PP, AICP, Director
Department of Community Development & Planning
RE: **APPLICATION #192014CD**
Auto Images, LLC
BLOCK 12509, LOT 1
DATE: April 10, 2019

The Applicant requests bulk, setback, and use variance approval for "Continued use as auto body repair. Expansion of existing with a 60' x 50' (3000 sf) addition. Proposed additional fencing, landscaping, and complete building facade renovation" and outdoor vehicle storage within the NC – Neighborhood Commercial District and R-3 Residential District. The project is located on the east side of the Black Horse Pike between Drexel and Grand Avenues.

Applicant: Auto Images, LLC, 412 Otterbranch Drive, Glendora, NJ 08029 (telephone #856-905-3811).
Owner: Otterbranch Investments, LLC, 412 Otter Branch Drive, Glendora, NJ 08029 (telephone #856-905-3811).
Architect: Jack S. Smith, RA, Bishop & Smith Registered Architects, 1344 Chews Landing Road, Laurel Springs, NJ 08021 (telephone #856-227-1626).
Engineer: Norman K. Rodgers, PLS, PE, Consulting Engineer Services, 645 Berlin – Cross Keys Road, Suite 1, Sicklerville, NJ 08081 (telephone #856-228-2200).
Planner: Addison G. Bradley, PP, Addison G. Bradley, LLC, 1585 Hider Lane, Laurel Springs, NJ 08021 (telephone #856-228-4848).
Attorney: Mark A. Rinaldi, Esq., Mark A. Rinaldi, LLC, 155 South White Horse Pike, Suite A, Berlin, NJ 08009 (Telephone #856-767-6656).

I. INFORMATION SUBMITTED

1. Land Development Application Form and checklist dated 3/12/19.
2. Corporate Disclosure Statement dated 3/06/19.
3. Building Elevation (Letter size), prepared by Bishop & Smith Registered Architects comprising one (1) sheet dated 01/07/19.
4. "Use Variance" plan as prepared by Consulting Engineer Services comprising one (1) sheet dated 01/07/19.
5. Plan of Survey & Topography, as prepared by Consulting Engineer Services comprising one (1) sheet dated 01/07/19.

II. ZONING REVIEW

1. Auto Body Repair is not a listed permitted use in the NC – Neighborhood Commercial District [§415] or R-3 - Residential District [§405].
 NC – Neighborhood Commercial District

Description	Other Use	Proposed	Complies
Lot size (min.)	1 ac.	1.03 ac.	yes
Lot frontage (min.)			
Black Horse Pike	100 ft.	258.22 ft.	yes
Drexel Avenue	100 ft.	171.47 ft.	yes
Grand Avenue	100 ft.	185.66 ft.	yes
Minimum lot depth (min.)	300 ft.	171.47 ft.	no*
Building coverage (max.)	15%	13.7%	yes
Lot Coverage (max.)	50%	90%	no*
Principal Building Minimum Yard Depths and Height Limitations			
Front yard (min.)			
Black Horse Pike	20 ft.	29 ft.	yes
Drexel Avenue	20 ft.	11 ft.	enc
Grand Avenue	20 ft.	87 ft.	yes
Side yard (min.)	25 ft.	n/a	n/a
Rear yard (min.)	30 ft.	68 ft.	yes
Building Height (max.)	40 ft.	n/p	---
Buffer	25 ft.	0 ft.	no*
Floor Area Ratio	0.25	0.137	yes
Parking 5 spaces/Service Bay	40 spaces	13 spaces	no*
Parking Area Setback			
From any right-of-way			
Black Horse Pike	25 ft.	0 ft.	no*
Drexel Avenue	25 ft.	±10 ft.	no*
Grand Avenue	25 ft.	25 ft.	yes
From side property line	10 ft.	0 ft.	no*
From rear property line	10 ft.	0 ft.	no*

¹ = Scaled data. enc = Existing Nonconformance.

n/a = Not applicable. n/p = Not provided.

* = **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 in accordance with §817, Submission Checklist for a variance.

The Applicant has provided the checklist items or requested a waiver:

IV. VARIANCE COMMENTS

The application as submitted requires the following variances:

§415.B, Permitted Uses

1. Auto body repair and outdoor vehicle storage area are not listed permitted uses in the NC – Neighborhood Commercial District [§415] or R-3 Residential District [§405].

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

2. Lot depth: (171.47 ft. provided v. 300 ft. minimum required).
3. Lot coverage: (90% provided v. 50% maximum allowed).
4. Buffer: (0 ft. provided v. 25 ft. minimum required).
5. Parking spaces: (13 spaces provided v. 40 spaces minimum required).
6. Parking setback – right-of-way
 - a. Black Horse Pike: (0 ft. provided v. 25 ft. minimum required).
7. Parking setback – right-of-way
 - a. Drexel Avenue: (10 ft. provided v. 25 ft. minimum required).
8. Parking setback – property line
 - a. Side: (0 ft. provided v. 10 ft. minimum required).
9. Parking setback – property line
 - a. rear: (0 ft. provided v. 10 ft. minimum required).

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:

10. 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)).

POSITIVE CRITERIA (“D1” use variance)

The Applicant must address and the Zoning Board of Adjustment consider the following in satisfying the positive criteria for the requested “D1” variance:

11. The Board has the power to grant a variance for a use or principal structure in a district restricted against such use or principal structure (basis N.J.S.A. 40:55-70d(1)).
 - a. Uses determined as not “inherently beneficial.”
 - i. A use variance must meet the statutory “special reasons” standards; the zoning purpose most amplifying the meaning of special reasons is, the promotion of the general welfare (basis *Medici v. BPR Co.*, 107 N.J. 1 (1987)).
 1. The Applicant must identify and provide an analysis of the special reasons of zoning that are applicable to the application.

2. The Applicant must provide testimony addressing the "enhanced quality of proof and clear specific findings" that the variance sought is not inconsistent with the Master Plan and Zoning ordinance.
3. Furthermore, "such proofs and findings must satisfactorily reconcile the grant of the use variance with the ordinance's continued omission of the proposed use from those permitted in the zone."

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 40:55D-70).

Balancing Test (*basis Sica v. Board of Adjustment Tp. of Wall, 127 NJ 152, 162 – 166 (1992)*).

1. Identify the public interest at stake.
2. Identify the detrimental effects that would result by the grant of a variance.
3. Determine if the detrimental effects may be mitigated by imposing reasonable conditions.
4. Weigh the benefits against the mitigated negative effects to determine if on balance the grant of a variance would cause substantial detriment to the public good.

V. GENERAL REVIEW COMMENTS AND SPECIAL CONCERNS

1. Master Plan

- a. The Applicant should provide testimony addressing consistency of the proposed uses with the following Small Scale Business (B-2) and Residential 3 (R-3) Land Use Classifications within the Master Plan.

"SMALL SCALE BUSINESS (B-2)

In contrast to the B-1 category, this land use would be a purely commercial district including both retail and office uses. It is intended for small neighborhood shopping centers, stand alone uses such as pharmacies and convenience stores, individual office buildings, gasoline service stations in appropriate locations and similar commercial uses. A floor area ratio of .15 and .20 is proposed.

Floor area ratio is the total gross floor area of building divided by the total lot area and is a measure of the intensity of development. A one-story building that covered the entire lot would have a floor area ratio of 1.0. A four-story building that covered 25% of the lot would have the same floor area ratio of 1.0."

“RESIDENTIAL 3 (R-3)

Most of the single family residential neighborhoods in Gloucester Township are in the Residential 3 classification. It constitutes the largest land use classification of the sixteen categories of the Land Use Plan. The category is intended for single family detached residential uses at three units per acre. Generally, the Residential 3 areas have already been developed, however, small infill areas still exist where a minor number of units could be developed. Open space and small scale institutional uses not individually mapped have been placed in this land use classification.”

2. Zoning

- a. The Applicant should provide testimony addressing consistency of the proposed uses with the NC – Neighborhood Commercial District and R-3 – Residential District and character of the built environment.

3. Use Variance

- a. The Applicant should provide testimony addressing the proposed uses and accessory uses, if any, including but not necessarily limited to the following:
- i. A description of the proposed building(s) including materials, colors, textures, facade modulation, roof lines, etc.
 - ii. The proposed amount of noise associated with the proposed uses.
 - iii. The anticipated trip generation associated with the proposed uses.
 - iv. The number of employees.
 - v. The proposed hours and days of operation.

4. Site Layout

- a. The Applicant should provide testimony addressing the following aspects of site design to accommodate the proposed uses:
- i. Viewshed(s) for the building(s) through descriptions and/or color renderings §507.A, Landscaping and Buffering.
 - ii. The lack of any buffer to adjacent residential uses as per §507.B, Buffering.
 - iii. Proposed type and intensity of lighting as per §508, Lighting.
 - iv. Loading and unloading as per §509, Off-Street Loading.
 - v. Ingress/egress to the site and parking for customers as per §510, Off-Street Parking.
 - vi. The existing parking along the Black Horse Pike and Drexel Avenue appear to encroach within the right-of-way and should be removed and revised as per §510, Off-Street Parking.
 - vii. The ability of the site to accommodate turning movements of proposed business tow trucks and delivery vehicles §510, Off-Street Parking.
 - viii. The lack of concrete curb and sidewalks along the Black Horse Pike and Drexel Avenue as per §516, Sidewalks, Curbs, Gutters & Pedestrian Ways.
 - ix. Stormwater management and other considerations of site plan development as per §517, Stormwater Management & Collection.

VI. 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.*

VI. RECOMMENDATIONS

1. The Applicant should address the above underlined comments.
2. Should the Board approve the submitted application, a subsequent preliminary and final major site plan approval is required in accordance with the Township Land Development Ordinance.

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

cc: Auto Images, LLC
Mark A. Rinaldi, Esq.
Addison G. Bradley, PP
Norm Rodgers ,PE, PLS
Jack S. Smith, RA
Anthony Costa, Esq.
James Mellett, PE

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

For Office Use Only

Submission Date¹: _____ Application No.: #192014 CD

Taxes Paid Yes/No NO (Initial)

Fees 750 Project # 12954

Planning Board Zoning Board of Adjustment

Escr. 3250 Escr.# 12954

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

LAND DEVELOPMENT APPLICATION

<p>1. Applicant</p> <p>Name: <u>AUTO IMAGES LLC</u> Address: <u>412 N. OTTERBROOK DR.</u> City: <u>GLENDORA</u> State, Zip: <u>NJ 08029</u> Phone: <u>(856) 905-3811</u> Fax: () - Email: <u>AUTOIMAGES@CDMCOST.NJ</u></p>	<p>2. Owner(s) (List all Owners)</p> <p>Name(s): <u>OTTERBROOK INVESTMENTS LLC</u> <u>412 N. OTTERBROOK DR.</u> Address: _____ City: <u>GLENDORA</u> State, Zip: <u>NJ 08029</u> Phone: <u>(856) 905-3811</u> Fax: () -</p>																																			
<p>3. Type of Application. Check as many as apply:</p> <table style="width:100%;"> <tr> <td><input type="checkbox"/> Informal Review²</td> <td><input type="checkbox"/> Planned Development²</td> </tr> <tr> <td><input type="checkbox"/> Minor Subdivision</td> <td><input type="checkbox"/> Interpretation²</td> </tr> <tr> <td><input type="checkbox"/> Preliminary Major Subdivision²</td> <td><input type="checkbox"/> Appeal of Administrative Officer's Decision</td> </tr> <tr> <td><input type="checkbox"/> Final Major Subdivision</td> <td><input checked="" type="checkbox"/> Bulk "C" Variance</td> </tr> <tr> <td><input checked="" type="checkbox"/> Minor Site Plan</td> <td><input checked="" type="checkbox"/> Use "D" Variance²</td> </tr> <tr> <td><input type="checkbox"/> Preliminary Major Site Plan²</td> <td><input type="checkbox"/> Site Plan Waiver</td> </tr> <tr> <td><input type="checkbox"/> Final Major Site Plan</td> <td><input type="checkbox"/> Rezoning Request</td> </tr> <tr> <td><input type="checkbox"/> Conditional Use Approval²</td> <td><input type="checkbox"/> Redevelopment Agreement</td> </tr> <tr> <td><input type="checkbox"/> General Development Plan²</td> <td><input type="checkbox"/> _____</td> </tr> </table>		<input type="checkbox"/> Informal Review ²	<input type="checkbox"/> Planned Development ²	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Interpretation ²	<input type="checkbox"/> Preliminary Major Subdivision ²	<input type="checkbox"/> Appeal of Administrative Officer's Decision	<input type="checkbox"/> Final Major Subdivision	<input checked="" type="checkbox"/> Bulk "C" Variance	<input checked="" type="checkbox"/> Minor Site Plan	<input checked="" type="checkbox"/> Use "D" Variance ²	<input type="checkbox"/> Preliminary Major Site Plan ²	<input type="checkbox"/> Site Plan Waiver	<input type="checkbox"/> Final Major Site Plan	<input type="checkbox"/> Rezoning Request	<input type="checkbox"/> Conditional Use Approval ²	<input type="checkbox"/> Redevelopment Agreement	<input type="checkbox"/> General Development Plan ²	<input type="checkbox"/> _____																	
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<p>² Legal advertisement and notice is required to all property owners within 200 feet.</p>																																				
<p>4. Zoning Districts (Circle all Zones that apply)</p> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <td>ER</td> <td>R4</td> <td>GCR</td> <td>CR</td> <td>BP</td> <td>G-RD</td> <td>LP-1</td> </tr> <tr> <td>R1</td> <td>RA</td> <td>BWD</td> <td><u>NC</u></td> <td>IN</td> <td>M-RD</td> <td>NVBP</td> </tr> <tr> <td>R2</td> <td>APT</td> <td>OR</td> <td>HC</td> <td>PR</td> <td>BW-RD</td> <td>SCR-HC Overlay</td> </tr> <tr> <td><u>R3</u></td> <td>SCR</td> <td>OF</td> <td>GI</td> <td>FP</td> <td>L-RD</td> <td>NVSCR Overlay</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>IR</td> </tr> </table>		ER	R4	GCR	CR	BP	G-RD	LP-1	R1	RA	BWD	<u>NC</u>	IN	M-RD	NVBP	R2	APT	OR	HC	PR	BW-RD	SCR-HC Overlay	<u>R3</u>	SCR	OF	GI	FP	L-RD	NVSCR Overlay							IR
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						IR																														
<p>5. The following applicants are required to be represented by a New Jersey Attorney: Corporation, Partnership, Limited Liability Corporation and Limited Liability Partnership</p>																																				
<p>Name of Attorney: <u>MARK A. RINALDI</u> Address: <u>155 SOUTH WHITE HORSE AVE - A</u> City: <u>BERLIN NJ 08009</u></p>	<p>Firm: <u>MARK A. RINALDI LLC</u> State, Zip: <u>NJ 08009</u> Phone: <u>(856) 767-6656</u> Fax: <u>(856) 767-6626</u> Email: <u>me@MARKRINALDI.LAW.COM</u></p>																																			

6. Name of Persons Preparing Plans and Reports:

Name: NORMAN K. RODGERS, PE
 Address: 645 BRADIN-LAWRENCE RD
 Profession: ENGINEER
 City: SICKLESVILLE
 State, Zip: TN 38081
 Phone: (812) 238-2200 Fax: (812) 232-2346
 Email: DESIGN@CES-1.COM

Name: JACK SMITH, RA
 Address: 1344 CHERRY LANDING RD.
 Profession: REGISTERED ARCHITECT
 City: LAUREL SPRING
 State, Zip: MS 02247
 Phone: (812) 227-1626 Fax: (812) 232-0733
 Email: JACK@6N5RA.COM

7. Location of Property:

Street Address: 401 SOUTH BLACK HORSE PILE Block(s): 12509
 Tract Area: 1.03 AC Lot(s): 1

8. Land Use:

Existing Land Use: AUTO BODY REPAIR FACILITY
 Proposed Land Use (Describe Application): CONTINUED USE AS AUTO BODY REPAIR. EXPANSION OF EXISTING WITH A 60' X 50' (3000 SF) ADDITION, PROPOSED ADDITIONAL FENCING, LANDSCAPING AND COMPLETE BUILDING FACADE RENOVATION

9. Property:

Number of Existing Lots: 1
 Number of Proposed Lots: 1
 Are there existing deed restrictions? No Yes
 Are there proposed deed restrictions? No Yes

Proposed Form of Ownership:
 Fee Simple Cooperative
 Condominium Rental
 (If yes, attach copies)

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.

13. Zoning

All Applications	Proposed	Fence Application	Proposed
Front setback 1	<u>11'</u>	Setback from E.O.P.*1	<u>25'</u>
Front setback 2	<u>87'</u>	Setback from E.O.P.*2	
Rear setback	<u>68'</u>	Fence type	<u>Vinyl</u>
Side setback 1	<u>NA</u>	Fence height	<u>6'</u>
Side setback 2	<u>NA</u>	*E.O.P. = Edge Of Pavement.	
Lot frontage	<u>615.24'</u>	Pool Requirements	
Lot depth	<u>148'</u>	Setback from R.O.W.1	_____
Lot area	<u>1.03 A.c.</u>	Setback from R.O.W.2	_____
Building height	<u>16.5'</u>	Setback from property line 1	_____
		Setback from property line 2	_____
		Distance from dwelling	_____
		Distance = measured from edge of water.	
		R.O.W. = Right-of-way.	
		Setback = Measured from edge of pool apron.	
Garage Application		Shed Requirements	
Garage Area	_____	Shed area	_____
Garage height	_____	Shed height	_____
Number of garages	_____	Setback from R.O.W.1	_____
(Include attached garage if applicable)		Setback from R.O.W.2	_____
Number of stories	_____	Setback from property line 1	_____
		Setback from property line 2	_____

14. Parking and Loading Requirements:

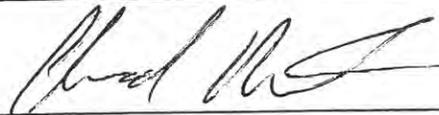
Number of parking spaces required: 41 Number of parking spaces provided: 101
 Number of loading spaces required: NA Number of loading spaces provided: NA

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


 Signature of Applicant

3/6/19
 Date

 Signature of Co-applicant

 Date

17. Consent of Owner(s):

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

3/6/19
Date

[Signature]
Signature

Chad Milstein
Print Name

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

Signature

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?
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
- C. Is this application for approval on a site or sites for commercial purposes?
- D. Is the applicant a corporation?
- E. Is the applicant a limited liability corporation?
- 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). ATTACHED
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

[Signature]
Signature of Applicant

Chad Milstein
Print Name

3/6/19
Date

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 1.17.19, shows and discloses the premises in its entirety, described as Block 12509 Lot 1; 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:
CHAD MILSTEIN of full age, being duly sworn to law, on oath and says that all of the above statement herein is true.

Sworn and subscribed to
On this 6th day of March,
20 19 before the following authority.

[Signature]
Name of property owner or applicant

Nancy J. Barton
Notary public

NANCY L. BARTON
A Notary Public of New Jersey
My Commission Expires July 1, 2020

CORPORATE DISCLOSURE

Chad Milstein, hereby certifies as follows:

1. I am the Sole and Managing Member of the applicant, Auto Images, LLC.
2. I am the Sole and Managing Member of Otterbranch Investments, LLC, the owner of the property located at 401 South Black Horse Pike - Block 12509, Lot 1, which property is the subject of the instant application.
3. There are no other Members, Shareholders, owners or interest holders in either Auto Images, LLC or Otterbranch Investments, LLC.



CHAD MILSTEIN,
Managing Member,
Auto Images, LLC
Otterbranch Investments, LLC

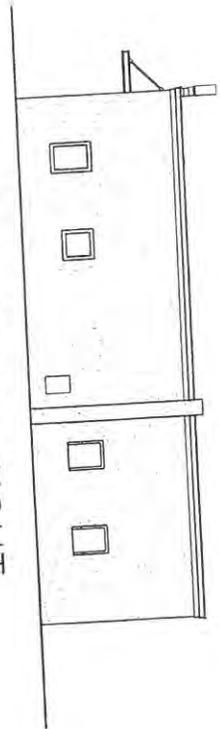


Witness:
Mark A. Rinaldi

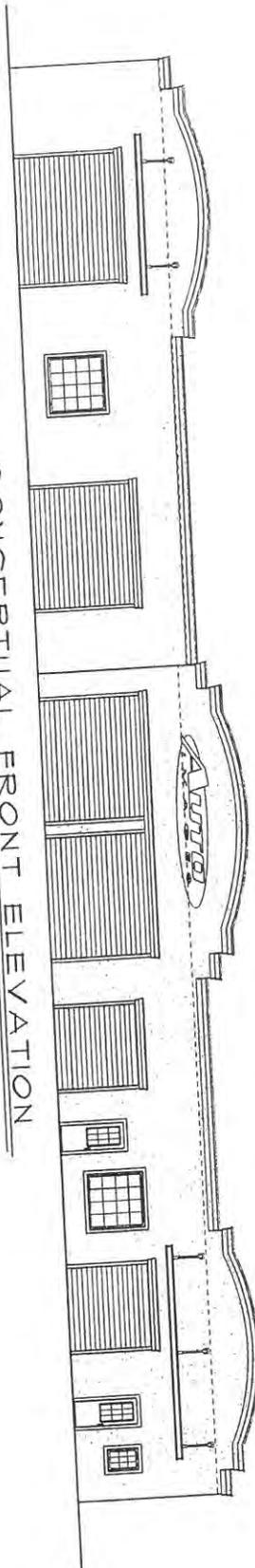
Dated: March 6, 2019



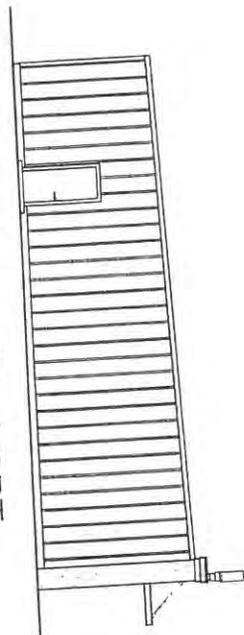
RECEIVED
BY: [Signature]



CONCEPTUAL RIGHT
SIDE ELEVATION
SCALE: 3/16"=1'-0"



CONCEPTUAL FRONT ELEVATION
SCALE: 3/16"=1'-0"



CONCEPTUAL LEFT
SIDE ELEVATION
SCALE: 3/16"=1'-0"

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CONCEPTUAL
ELEV.

PROJECT	COMMERCIAL
JOB NAME	
LOCATION	
OWNER	AUTO IMAGES

SCALE	AS NOTED
DATE	1-1-15
DRAWN BY	MJS
CHECKED BY	NSC

CONCEPTUAL PLAN
1-1-15

BISHOP & SMITH
REGISTERED ARCHITECTS

JACK S. SMITH RA
NJ LICENSE A010795 THE LICENSE #1400724
PA LICENSE B-000121 MD LICENSE 13334
VA LICENSE 040101592
3141 CHEWELAND AVENUE BUILD
LAUREL SPRING, NJ 08021
20 COLLETTA DRIVE TOWNSHIP, NJ
856-227-1526 FAX 856-227-0733
email: jack@bism.com

RESIDENTIAL • COMMERCIAL

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THEY ARE NOT TO BE USED ON ANY OTHER PROJECT, NOR ASSIGNED TO ANY THIRD PARTY AND
MAY NOT BE REPRODUCED, COPIED, ALTERED OR USED AS A PROTOTYPE WITHOUT THE EXPRESS
WRITTEN PERMISSION OF BISHOP & SMITH ARCHITECTS.

SHEET NO. 1



ORLANDO MERCADO
Council President

TRACEY L. TROTTO
Council Vice President

Council Members
DAN HUTCHISON
MICHAEL D. MIGNONE
FRANKLIN T. SCHMIDT
ANDREA L. STUBBS
MICHELLE L. WINTERS

GLOUCESTER TOWNSHIP

JOIN THE EXCITEMENT

DAVID R. MAYER
Mayor

THOMAS C. CARDIS
Business Administrator

DAVID F. CARLAMERE, ESQ.
Solicitor

ROSEMARY DIJOSIE
Township Clerk

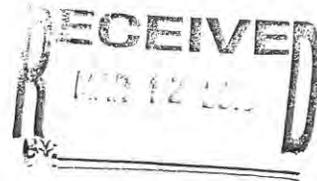
To Whom It May Concern:

Our records indicate that the below referenced property is current with taxes and there are no outstanding liens.

Name: Otterbranch Investments LLC
Address: 401 S. Black Horse Pike
Block: 12509 Lot: 1

If you have any questions, please feel free to contact the tax office at 856-228-4000.

Sandra L. Ferguson 
Gloucester Township Tax Collector



Printed on recycled

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL



DATE: March 13, 2019

APPLICATION No. #192014CD

APPLICANT: AUTO IMAGES LLC

PROJECT No. 12941

BLOCK(S): 12509 Lot(s): 1

LOCATION: 401 S. BLACK HORSE PIKE, BLACKWOOD

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|--------------------------|----------------------|-------------------------------------|-----------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input type="checkbox"/> | Tax Assessor |
| <input type="checkbox"/> | Camden County Planning Board | <input type="checkbox"/> | Traffic Officer | <input type="checkbox"/> | G.T.M.U.A. |
| <input type="checkbox"/> | N.J. American Water Co. | <input type="checkbox"/> | Aqua N.J. Water Co. | <input checked="" type="checkbox"/> | Fire District 2, 3, 4, 5, 6 |
| <input type="checkbox"/> | Taxes | <input type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

- New Application - **BULK C, USE "D" VARIANCE & MINOR SITE PLAN**
- Revision to Prior Application

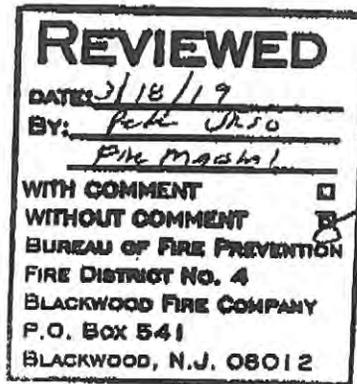
PURPOSE OF TRANSMITTAL:

- For Your Review. **Please Forward Report by March 26 2019**
- For Your Files.

ENCLOSED:

- 2 Copies - Minor Subdivision Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - **USE VARIANCE PLAN & PLAN OF SURVEY & TOPOGRAPHY**
- 1 Copy - Minor Subdivision Plat
- 3 Copies - Preliminary. Site Plan, 2 County Apps and 1 Twp. App.
- 3 Copies - Major Subdivision - Preliminary. Plat, 2 County Apps. 1 Twp. App.
- 1 Copy - Major Subdivision - Preliminary. Plat
- 1 Copy - Preliminary Site Plan
- 1 Copy - Major Subdivision - Final Plat
- 1 Copy - Final Site Plan
- 3 Copies - Major Subdiv. - Final Plat, 1 Dev. Plan, 2 County Apps. 1 Twp. App.
- 1 Copy - Amended Site Plan
- 1 Copy - Major Subdivision - Amended Plat
- 1 Copy - Traffic Report
- 1 Copy - Development Plan
- 1 Copy - Drainage Calculations
- 1 Copy - E.I.S.
- Recycling Report

- Use D Variance Minor Site Plan Bulk C Variance



Signature _____

[Handwritten mark]

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: March 13, 2019

APPLICATION No. #192014CD^A

APPLICANT: AUTO IMAGES LLC

PROJECT No. 12941

BLOCK(S): 12509 Lot(s): 1

LOCATION: 401 S. BLACK HORSE PIKE, BLACKWOOD

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|-------------------------------------|----------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input type="checkbox"/> | Tax Assessor |
| <input type="checkbox"/> | Camden County Planning Board | <input type="checkbox"/> | Traffic Officer | <input type="checkbox"/> | G.T.M.U.A. |
| <input type="checkbox"/> | N.J. American Water Co. | <input checked="" type="checkbox"/> | Aqua N.J. Water Co. | <input type="checkbox"/> | Fire District 1 2 3 4 5 6 |
| <input type="checkbox"/> | Taxes | <input checked="" type="checkbox"/> | Construction | | |

STATUS OF APPLICATION:

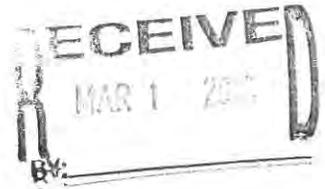
- New Application – **BULK C, USE "D" VARIANCE & MINOR SITE PLAN**
- Revision to Prior Application

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- 1 Copy - Final Site Plan
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- 1 Copy - Traffic Report
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- 1 Copy - Drainage Calculations
- 1 Copy - E.I.S.
- Recycling Report



- Use D Variance Minor Site Plan Bulk C Variance

OK 3/13/19 JVG Bldg

Signature

Commissioners
Richard P. Calabrese
Chairman
Joseph Pillo
Vice Chairman

Board Members
Glen Bianchini
Ken Garbowski
Frank Schmidt
Dorothy Bradley
Frank Dintino



Raymond J. Carr
Executive Director

Marlene Hrynio
Administrative Secretary

Howard C. Long Jr, Esq.
Solicitor

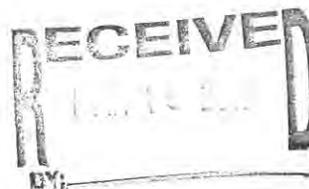
Thomas Leisse, PE, CME
Consulting Engineer

**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

March 18, 2019

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



Re: Application #192014CD
Auto Images, LLC
401 S. Black Horse Pike, Blackwood, NJ 08012
Block 12509, Lot 1

Gentlemen:

In response to your transmittal regarding the above application, approval will have no effect on the sanitary sewer system.

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

Very truly yours,

**THE GLOUCESTER TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

A handwritten signature in black ink, appearing to be "RJC".

Raymond J. Carr
Executive Director

RJC:mh

TOWNSHIP OF GLOUCESTER ZONING BOARD TRANSMITTAL

DATE: March 13, 2019

APPLICATION No. #192014CD

APPLICANT: AUTO IMAGES LLC

PROJECT No. 12941

BLOCK(S): 12509 Lot(s): 1

LOCATION: 401 S. BLACK HORSE PIKE, BLACKWOOD

TRANSMITTAL TO:

- | | | | | | |
|--------------------------|------------------------------|--------------------------|----------------------|-------------------------------------|---------------------------|
| <input type="checkbox"/> | Township Engineer | <input type="checkbox"/> | Zoning Board Planner | <input checked="" type="checkbox"/> | Tax Assessor |
| <input type="checkbox"/> | Camden County Planning Board | <input type="checkbox"/> | Traffic Officer | <input type="checkbox"/> | G.T.M.U.A. |
| <input type="checkbox"/> | N.J. American Water Co. | <input type="checkbox"/> | Aqua N.J. Water Co. | <input type="checkbox"/> | Fire District 1 2 3 4 5 6 |
| <input type="checkbox"/> | Taxes | <input type="checkbox"/> | Construction | | |

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- 1 Copy - Development Plan
- 1 Copy - Drainage Calculations
- 1 Copy - E.I.S.
- Recycling Report

- Use D Variance Minor Site Plan Bulk C Variance

LOOKS TO FINALLY
DRESS UP FRONT OF BUILDING.
However - Vehicle Storage
Area: HOW LONG WILL VEHICLE
BE PERMITTED TO STORE THERE
Recommended MAX 30 DAYS.

Could be a detriment if
this becomes a junkyard!

TOO MANY SPACES ALLOWED
FOR OVER 68 VEHICLES STORED ON
PROP NEXT TO RESIDENTIAL.

[Handwritten Signature]
Assessor 3/25/19

Signature

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION # 182056 CD

Empire Investment, LLC

Block 10902, Lot 12

WHEREAS, Empire Investment LLC is the owner of the land and premises located at 44 Coles Road in the Blackwood section of the Township of Gloucester, New Jersey having made application to the Zoning Board of Adjustment of the Township of Gloucester, Camden County, for a Use Variance to construct 2 commercial buildings for administrative offices and flex space and office use where said use is not permitted and bulk variances for the property located upon Block 10902, Lot 12, as shown on the Official Map of the Township of Gloucester, located in a R-2 Zone, said application being represented by John Wade Esq.; and

WHEREAS, the Board after carefully considering the representations made by the applicant at the public hearing held on April 24, 2019 as well as having reviewed the application and evidential exhibits at said hearing, has made the following factual findings and conclusions based thereon;

1. The applicant Empire Investment, LLC is the owner of the land and premises located at 44 Coles Road in the Blackwood section of Gloucester Township, New Jersey, as shown on Block 10902, Lot 12, on the Official Tax Map of the Township of Gloucester, located in a R-2 Zone.

2. Proper notice was afforded all adjacent property owners as provided by the applicable statutes and ordinances, and the applicant provided proof of said notice.

3. All property taxes were paid to date.

4. After being sworn, Norm Rodgers, a Professional Engineer, testified the applicant reduced the square footage from 12,700 to 6,000 square feet. He explained the site is adjacent to Route 42 and explained ingress and egress and by reducing the square footage of the buildings they now have adequate drive aisle and parking. He stated deliveries would be UPS and a 30' boxcar, therefore there is no need for a 12' x 60' loading dock and a 12' x 28' is sufficient. He went on to say according to ITE there would only be a total of 9 A.M peak hour turns and 12 P.M. One tenant will occupy the 2500 square foot building and the other 3500 square would be occupied by multiple tenants. There is no problem with drainage and there is adequate 10' buffering with evergreens along Lot 11. He introduced into evidence A-1, a site layout.

Jack Smith an Architect, introduced A-2 into evidence, which shows the residential look of the 2 buildings and he said would blend into the area and also the buildings would be no higher than 25'.

Tiffany Morrissey, a Professional Planner, testified the site adjoins the BP-Zone and across the street is GI-Zone and the property is 200' from the Freeway. She stated new residential use is not ideal in the mixed character area. She stated the purposes of Zoning are advanced by N.J.S. 40:55d-1 sections (a), (h) and (I) in that it promotes good civic design and she did not see any negative or detrimental effect. She explained the reasons for the bulk variances .9 acres required 3 acres, lot frontage 99.59' required 200', building coverage 165 required 55, lot coverage 53% required 15%, side yard 20' required 30', side yard 10' required 30' and buffer 10' required 25'. She stated many are pre-existing and the others conform to the GI and BP Zones.

The applicant agreed with both Mr. Lechner and Mr. Mellet's letters.

5. There were no objections to the application.

UPON MOTION duly made and seconded to grant the applicant the Use Variance and the Bulk variances, the Board voted seven (7) in favor, none (0) against and zero (0) abstentions, thus granting the relief requested; and

WHEREAS, the Board has determined that the relief requested by the applicant may be granted without substantial detriment to the public good and otherwise without impairing the intent and purpose of the Zoning Plan and Ordinances of the Township of Gloucester because of the size and shape of the lot and the Board was of the opinion that the benefits exceed any detriment; and

WHEREAS, the statutory purposes will be advanced by the granting of the relief requested;

NOW THEREFORE BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Gloucester on this 24th day of April, 2019, the applicant Empire Investment, LLC is hereby granted the Use Variance and Bulk Variances for the property located upon Block 10902 Lots 12 as shown on the Official Tax Map of the Township of Gloucester, consistent with the testimony, application and exhibits, some of which are incorporated herein.

ROLL CALL:

LIST NAMES

Arlene Chiumento	Yes
Carman Scarduzzio	Yes
Kevin Bucceroni	Yes
Dorsett Kelly	Yes
Frank Simiriglia	Yes
Andy Rosati	Yes
Rich Rosetti	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Frank Simiriglia

Chairperson

I, Ken Lechner, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on the 8th day of May, 2019.

Ken Lechner, Secretary

Prepared by:
ANTHONY P. COSTA, Esquire

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION # 192030CDSPWMSP

Dr. Mem, LLC

Block13102, Lots 18, 19.01, 19.02 & 20

WHEREAS, Dr. Mem LLC is the owner of the land and premises located at 1271 Little Gloucester Road in the Clementon section of the Township of Gloucester, New Jersey having made application to the Zoning Board of Adjustment of the Township of Gloucester, Camden County, for a Minor Site Plan for the property located upon Block 13102, Lots 18, 19.01, 19.02 & 20, as shown on the Official Map of the Township of Gloucester, located in a NC- Zone, said application being represented by Carly Ferro Esq.; and

WHEREAS, the Board after carefully considering the representations made by the applicant at the public hearing held on April 24, 2019 as well as having reviewed the application and evidential exhibits at said hearing, has made the following factual findings and conclusions based thereon;

1. The applicant Dr. Mem, LLC is the owner of the land and premises located at 1271 Little Gloucester Road in the Clementon section of Gloucester Township, New Jersey, as shown on Block 13102, Lots 18, 19.01, 19.02 & 20, on the Official Tax Map of the Township of Gloucester, located in an NC Zone.

2. Proper notice was afforded all adjacent property owners as provided by the applicable statutes and ordinances, and the applicant provided proof of said notice.

3. All property taxes were paid to date.

4. After being sworn, Jay Simms, a Professional Engineer, testified the applicant received a Use Variance on 9-12-18 and is now in for approval of a Minor Site Plan. He introduced into evidence A-1, a color rendering of the Site Plan and he explained the Plan as well as the cleanup process for the site. They will add trash enclosures, will stripe the parking spaces and will fill in the holes with asphalt. He explained the Storm water basin is not on the site and they would add grass to compensate for the trash enclosure and stated the reasons for providing 109 parking spaces instead of the required 137. He agreed with both Mr. Lechner and Mr. Mellet's letters and agreed as a condition of approval they would consolidate all lots into one, they would plant evergreens around the trash enclosure, meet with the Public Works Director on site to correct water from the downspouts running into the basin and meet with the Engineer on site regarding the paving and sidewalks.

5. There were no objections to the application.

UPON MOTION duly made and seconded to grant the applicant the Minor Site Plan, the Board voted seven (7) in favor, none (0) against and zero (0) abstentions, thus granting the relief requested; and

WHEREAS, the Board has determined that the relief requested by the applicant may be granted without substantial detriment to the public good and otherwise without impairing the intent and purpose of the Zoning Plan and Ordinances of the Township of Gloucester because of the size and shape of the lot and the Board was of the opinion that the benefits exceed any detriment; and

WHEREAS, the statutory purposes will be advanced by the granting of the relief requested;

NOW THEREFORE BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Gloucester on this 24th day of April, 2019, the applicant Dr. Mem, LLC is hereby granted the Minor Site Plan for the property located upon Block 13102 Lots 18, 19.01, 19.02 & 20 as shown on the Official Tax Map of the Township of Gloucester, consistent with the testimony, application and exhibits, same of which are incorporated herein conditioned upon the applicant complying with the conditions imposed by the Board.

ROLL CALL:

LIST NAMES

Arlene Chiumento	Yes
Carman Scarduzzio	Yes
Kevin Bucceroni	Yes
Dorsett Kelly	Yes
Frank Simiriglia	Yes
Andy Rosati	Yes
Rich Rosetti	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Frank Simiriglia **Chairperson**

I, Ken Lechner, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on the 8th day of May, 2019.

Ken Lechner, Secretary

Prepared by:
ANTHONY P. COSTA, Esquire

RESOLUTION OF FINDINGS AND CONCLUSION

BOARD OF ADJUSTMENT

TOWNSHIP OF GLOUCESTER

APPLICATION # 182044CD

Maria Cruz

Block 19103, Lot 1

WHEREAS, Maria Cruz is the owner of the land and premises located at 113 Marshall Avenue in the Blackwood section of the Township of Gloucester, New Jersey having made application to the Zoning Board of Adjustment of the Township of Gloucester, Camden County, for a Certificate of non-conformity to allow the property to remain a duplex, triplex or 4 unit dwelling where said use is not permitted for the property located upon Block 19103, Lot 1, as shown on the Official Map of the Township of Gloucester, located in a R-3 Zone, said application being represented by Carly Ferro Esq.; and

WHEREAS, the Board after carefully considering the representations made by the applicant at the public hearing held on April 24, 2019 as well as having reviewed the application and evidential exhibits at said hearing, has made the following factual findings and conclusions based thereon;

1. The applicant Maria Cruz is the owner of the land and premises located at 113 Marshall Avenue in the Blackwood section of Gloucester Township, New Jersey, as shown on Block 19103, Lot 1, on the Official Tax Map of the Township of Gloucester, located in an R-3 Zone.

2. Proper notice was afforded all adjacent property owners as provided by the applicable statutes and ordinances, and the applicant provided proof of said notice.

3. All property taxes were paid to date.

4. After being sworn, the applicant testified she bought the property because it was listed as a 4 unit building. Introduced into evidence Exhibit-A, Listing agreement showing property to be 4 units, Exhibit B-1, an appraisal report showing 4 units, Exhibit C, Title report showing triplex, Exhibit D penalty paid for triplex, Exhibit E CC Dept. of Health showing deficiencies, Exhibit F a Certificate for State registration, Exhibit G a construction permit to install 4 electric meters, Exhibit H tax bills showing triplex, Exhibit I a property record card showing triplex, Exhibit J Inspection report , Exhibit K a google map of property and Exhibit L an aerial photo of property and surroundings.

Tito Santiago testified he was the Realtor who sold the property to Maria Cruz and he was told by the owner the property had 4 units and he had approvals.

5. There were objections to the application.

Craig Dettany of 120 Marshall said he has lived there since 1986 and the previous owner would not allow anyone in to see the property and he believes the town classified the property a triplex without being inside. He also received notice for this meeting and never received notice for any previous meeting.

David Ryan of 121 Marshall said he has lived there since 1987 and the two brothers who lived there divided the property into 2 units around 1990. He also testified the house had a crawl space and in 1990 or 1991 it was dug out and made into a basement and two more units were added.

After hearing all of the testimony the Board found although the applicant has shown the property has been used as a duplex, triplex and a 4 unit dwelling the applicant cannot establish when the conversions took place or if the previous owner ever received any variances.

The Board finds the testimony of the neighbors to be credible in that the property was changed in 1990 or 1991 and the ordinance at that time did not permit multi-family unit. The Board also finds that although the applicant through her exhibits does show the use to be 3 or 4 units it does not establish that the use pre-dated the ordinance or that the property received any variances.

UPON MOTION duly made and seconded to deny the applicant the Certificate of non-conformity, the Board voted seven (7) in favor, none (0) against and zero (0) abstentions, thus denying the relief requested; and

WHEREAS, the Board has determined that the relief requested by the applicant may not be granted without substantial detriment to the public good and otherwise without impairing the intent and purpose of the Zoning Plan and Ordinances of the Township of Gloucester; and

WHEREAS, the statutory purposes will not be advanced by the granting of the relief requested;

NOW THEREFORE BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Gloucester on this 24th day of April, 2019, the Maria Cruz is hereby denied the Certificate of non-conformity for the property located upon Block 19103 Lots 1 as shown on the Official Tax Map of the Township of Gloucester, consistent with the testimony, application and exhibits, same of which are incorporated herein.

ROLL CALL:

LIST NAMES

Arlene Chiumento	Yes
Carman Scarduzzio	Yes
Kevin Bucceroni	Yes
Dorsett Kelly	Yes
Frank Simiriglia	Yes
Andy Rosati	Yes
Rich Rosetti	Yes

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF GLOUCESTER**

Frank Simiriglia **Chairperson**

I, Ken Lechner, Secretary of the Board of Adjustment of the Township of Gloucester, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Gloucester on the 8th day of May, 2019.

Ken Lechner, Secretary

Prepared by:
ANTHONY P. COSTA, Esquire