

**AGENDA**  
**CITY OF WOODBURY PLANNING/ZONING BOARD**  
**MEETING DATE: April 22, 2021 at 7:00pm**

Zoom Link: <https://bit.ly/2RTTgIJ>

Zoom Passcode: PZAPR22

Telephone Call: 1-301-715-8592

Telephone Webinar ID: 818 8901 9049

Telephone Passcode: 4340337

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1. This is the regular monthly meeting of the City of Woodbury Planning/Zoning Board, being held on April 22, 2021.  
Due notice of this meeting was duly given in accordance with the requirements of the Open Public Meeting Laws of the State of New Jersey.
2. Pledge of Allegiance.
3. Roll Call
4. New Business:  
**P/Z-4-2021** Regional Properties, LLC  
(Bulk Variance/ Use Variance/Site Plan Waiver)  
427 Salem Avenue

Announcement that application **P/Z-4-2021** will be heard at the Thursday, May 27, 2021 Planning/Zoning Board meeting.

5. Resolutions:  
**P/Z-13 -2021** PSE&G (Site Plan/Bulk Variance)  
49 East Red Bank Avenue
2. **P/Z-14 -2021** M. Coffey (Use Variance/Site Plan Waiver)  
1019-1021 North Broad Street
7. Open To Public
8. Motion to Adjourn

- Approved
- General Conditions
- Additional Conditions
- Denied

**RESOLUTION # P/Z-13-2021**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                               |
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| <ul style="list-style-type: none"> <li><input type="checkbox"/> Minor Subdivision</li> <li><input type="checkbox"/> Major Subdivision,<br/>Preliminary</li> <li><input type="checkbox"/> Major Subdivision,<br/>Final</li> <li><input type="checkbox"/> Minor Site Plan</li> <li><input checked="" type="checkbox"/> Major Site Plan,<br/>Preliminary</li> <li><input checked="" type="checkbox"/> Major Site Plan, Final</li> <li><input type="checkbox"/> Conditional Use</li> <li><input type="checkbox"/> Waiver</li> <li><input checked="" type="checkbox"/> Bulk Variance</li> <li><input type="checkbox"/> Use Variance</li> </ul> | <p>Application: # P/Z 1-2021<br/>         Applicant: Public Service<br/>         Electric and Gas Company<br/>         Property In Question:<br/>         49 E. Red Bank Ave.<br/>         Block: 122 Lot: 11 (PIQ)</p> <p>Action: March 25, 2021<br/>         Memorialized:<br/>         Plan Name: Public Service<br/>         Electric and Gas Company</p> |
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WHEREAS, the applicant has applied to the City of Woodbury Planning/Zoning Board (hereinafter the "P/Z") for the following primary approval(s): Major Site Plan, Preliminary and Final; and

WHEREAS, the applicant has applied for the following ancillary approval(s): Bulk Variances and Design Waivers; and

WHEREAS, the application was considered by the P/Z on March 25, 2021; and

WHEREAS, a public hearing  was not required; or

WHEREAS, a public hearing  was required and the P/Z has considered that public comments

were not made

were made in favor of all or some aspect of the application;

were made against all or some aspect of the application; and

WHEREAS, it appears that all jurisdictional and procedural requirements of applicable City Ordinances have been made; and

WHEREAS, the P/Z has considered the application and the evidence and arguments submitted by the applicant in support thereof; and

WHEREAS, the P/Z has considered the recommendations and comments of its professional staff and the following written reports:

- (X) Engineer report(s) of February 19, 2021
- (X) Planner report(s) dated February 22, 2021
- ( ) Traffic Consultant report(s) dated
- ( ) Environmental Consultant report(s) dated
- ( ) Solicitor report(s) dated
- ( ) Other

Copies of which are attached hereto and made a part hereof.

WHEREAS, it appears that all requirements necessary to approve the application have been met; and

WHEREAS, the P/Z has made the following Findings of Fact and Conclusions (see attached); and

NOW, THEREFORE, BE IT RESOLVED that the primary approval(s) applied for be and is/are hereby approved; and

BE IT FURTHER RESOLVED that the following ancillary approval(s) applied for: None

BE IT FURTHER RESOLVED that the approval(s) hereby granted is/are made subject to the following General Conditions: (see attached)

BE IT FURTHER RESOLVED that the approval(s) hereby granted (X) is/are made subject to ( ) is/are not made subject to the following Additional Conditions: (see attached)

The foregoing action was taken by the P/Z on March 25, 2021, upon the Motion to approve Major Site Plan, Preliminary and Final, bulk variances and design waivers made by McAdams

seconded by Seigel, with the vote on the motion being as follows:

AYE: Ferraino, Seigel, Sickel, Geist, McAdams, Devlin, Thomas and McIlvaine

NAY:

ABSTAIN:

ABSENT:

DID NOT PARTICIPATE:

The foregoing action was memorialized by the P/Z on \_\_\_\_\_ upon the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, with the vote on the motion being as follows:

AYE:

NAY:

ABSTAIN:

ABSENT:

DID NOT PARTICIPATE:

**CERTIFICATION**

I hereby certify that this foregoing Resolution is a true memorializing resolution as adopted by the P/Z of the City of Woodbury in accordance with its decision at its regular meeting.

THE PLANNING/ZONING BOARD OF  
THE CITY OF WOODBURY

Attest:

\_\_\_\_\_  
John Leech Secretary

\_\_\_\_\_  
Sam Ferraino Chairman

Dated: \_\_\_\_\_

Date of Approval: \_\_\_\_\_

Date of Memorialization: \_\_\_\_\_

## FINDINGS OF FACT AND CONCLUSIONS

1. The applicant initially applied for major site plan, preliminary and final approval for certain upgrades and equipment corrections required at the electric substation on the PIQ.

2. The applicant also applied for bulk variances from Woodbury Zoning Ordinance Section 6.15.1D.C. which provides that the maximum permitted side yard setback is 0 feet. The applicant proposes a setback of 3 feet from the property line for the construction of solid, precast decorative wall panels and intermittent sections of fencing.

3. The applicant also applied for a variance from Woodbury Zoning Code Section 6.15.1D.D. to permit the placement of a foundation for new switchgear to be located 29.70 feet from the rear property line where a rear setback of 50 feet is required.

4. The applicant also applied for a waiver for the design submission requirement of a point-by-point lighting analysis plan and for a waiver for the require design requirement addressing the potential visibility of light sources due to an approximate 3-foot change in elevation between the PIQ and the adjacent parking lot and CVS building.

HEARING OF MARCH 25, 2021

5. Warren Reichle, Jr., a Certified Project Manager testified on behalf of the applicant, Mr. Reichle is the Senior Project Manager for development of the PIQ.

6. Mr. Reichle explained that in 2018 the applicant had applied for and obtained preliminary and final major site plan approval for various site upgrades to correct equipment problems at the PIQ.

7. Mr. Reichle introduced and qualified Exhibit A-1, the proposed site plan for the upgrades and improvements to the power station at the PIQ.

8. Mr. Reichle introduced and qualified Exhibit A-2, a photograph taken from the adjacent railroad tracks depicting a 3-story, existing brick building on the PIQ.

9. Mr. Reichle introduced and qualified Exhibit A-3, a photograph taken from Red Bank Avenue under the railroad trestle.

10. Mr. Reichle introduced and qualified Exhibit A-4, a photograph taken from the Inspira Medical Center.

11. Mr. Reichle testified that the equipment at the PIQ had been constructed in 1950 and currently suffered from fatigue based upon current industry standards.



12. Mr. Reichle reviewed and described the structures and equipment which had been constructed on the PIQ depicted on Exhibit A-1.

13. Mr. Reichle testified that the retention wall around the building on the PIQ had not been fully constructed and that new improvements at the PIQ, including a 4KV switchgear building, were identified in red on exhibit A-1 and included additional circuits for added capacity.

14. Mr. Reichle testified that new "brick look" solid wall sections were proposed to be constructed around the exterior of the PIQ with intermittent sections of fencing between certain sections of the wall panels. The outside face of the wall would be offset three feet from the side property line of the PIQ.

15. Mr. Reichle introduced and qualified Exhibit A-5, a photograph of the existing power station from a parking lot at the nearby Verizon facility.

16. Mr. Reichle testified and agreed, as a condition of approval, that the port-a-pots and storage containers located on the PIQ would be removed upon the completion of construction.

17. Mr. Reichle introduced and qualified Exhibit A-6, a rendering of the improvements on the northside of the power station as viewed from the vacated Green Street.

18. Mr. Reichle introduced and qualified Exhibit A-7, a rendering of the improvements on the southside of the power station as viewed from the CVS facility.

19. Mr. Reichle testified that the intermittent sections of fencing between the new solid wall panels would be comprised of metal and would be 8-foot high.

20. Mr. Reichle testified that the power station would be unmanned except for a single operator who would visit the station approximately once a week to inspect the facility and provide status reports.

21. The applicant agreed, as a condition of approval, to apply a graffiti-resistant coating to all of the exterior brick areas or faux-brick areas.

22. Mr. Reichle agreed, as a condition of approval, that the applicant would consult with the Woodbury Police regarding the installation of security cameras around the buildings on the PIQ and would pursue any necessary approvals from governmental entities with authority over the construction and use of such security cameras.

23. Scott Fischer, an employee of Burns and McDonald, an independent engineering company, testified in support of the application. Mr. Fischer testified he has been a licensed

professional engineer in the State of New Jersey since 2017 and that his license is currently in effect.

24. Mr. Fischer testified he is the responsible lead engineer on the PSE&G project at the PIQ.

25. Mr. Fischer testified that as part of the proposed renovations to the PIQ, the existing equipment in the center of the site would be removed and the surface area underneath would be refurbished.

26. Mr. Fischer testified that the proposed construction would result in only a 0.37% increase in impervious surface and no new drainage improvements. The total impervious resulting from the proposed refurbishment of the power station would be 77% and occupy a total area of just over one acre.

27. Mr. Fischer indicated that only minor increases to the stormwater rate of runoff from the PIQ would result from the proposed refurbishment of the station.

28. Mr. Fischer testified that three additional lighting fixtures were proposed by the applicant. Mr. Fischer agreed, as a condition of approval, that the applicant shall consult with the P/Z Engineer and Planner to review additional site improvements and enhancements to improve lighting, aesthetics and safety on and around the PIQ.

29. Mr. Fischer explained the requested waivers as to a point-by-point lighting plan and a plan for the change in grade as viewed from an adjoining site. Mr. Fischer indicated that these waivers had previously been addressed and approved by the P/Z.

30. Kathy Hering, a licensed New Jersey Professional Planner, testified in support of the application.

31. Ms. Hering testified that she was currently employed at E2PM and that she is also licensed as a Professional Engineer.

32. Ms. Hering testified as to the existing buildings and other improvements to the north, south, east and west of the PIQ.

33. Ms. Hering testified that the PIQ is located within the Downtown Redevelopment Plan and that the use of the PIQ as an electric power station is recognized in the Redevelopment Plan.

34. Ms. Hering further testified that the bulk variance from the required 50-foot rear yard setback to a setback distance of 29+ feet was intended to provide a reasonable distance from a commercial building to nearby parking. Ms. Hering opined that the 29+ feet being proposed was more than adequate as a setback to nearby parking and would result in the

promotion of a desirable visual environment through creative development techniques and good civic design.

35. Ms. Hering testified that the proposed three-foot setback variance for the intermittent exterior fence panels would allow for a three feet separation from the wall to the property line to be utilized for the placement of stone chips which would be easier to maintain than mulch or other forms of ground cover which require frequent maintenance and care.

36. Ms. Hering opined that the proposed three-foot setback between the solid fencing and the property line and the 29+ setback of a concrete pad inside the PIQ required bulk variances which would advance the purposes of the Woodbury Zoning Ordinance and that the benefits of any deviation would substantially outweigh any detriment. More specifically, the grant of the proposed bulk variances would advance the purposes of zoning by encouraging municipal action to guide the appropriate use or development of lands in this State, in a manner which would: (a) promote public safety and general welfare under N.J.S.A. 40:55D-2a; (b) promote sufficient space in an appropriate location for a variety of residential, commercial and industrial uses pursuant to N.J.S.A. 40:55D-2g; and (c) promote a desirable visual environment through creative

development techniques and good civic design and arrangement pursuant to N.J.S.A. 40:55D-2i.

37. Ms. Hering further testified that the requested bulk variances can be granted without any substantial detriment to the public good because the aesthetic and safety improvements proposed by the applicant would render the power station more consistent with the surrounding neighborhood. Further, the requested variances can be granted without any substantial impairment of the intent and purpose of the zone plan and zoning ordinance since the Downtown Redevelopment Plan anticipates and recognized the need for an electric power station.

38. Based upon the foregoing testimony and other evidence, the P/Z concludes that the applicant has demonstrated that the proposed expansion/refurbishment of the electric power station at the PIQ satisfies the requirements for Preliminary and Final Major Site Plan Approval under the City of Woodbury ordinance.

39. The P/Z further concludes that the bulk variances requested by the applicant would advance the purposes of zoning as set forth in N.J.S.A. 40:55D-2a, 40:55D-2g and 40:55D-2i.

40. The P/Z further concludes that the bulk variances requested by the applicant can be granted without any substantial detriment to the public good under N.J.S.A. 40:55D-

70 because such variances would render the property more consistent with the surrounding neighborhood.

41. The P/Z further concludes that the proposed bulk variances would not substantially impair the intent or purpose of the Woodbury City Zone Plan or Zoning Ordinance since such use is specifically recognized and endorsed in the Woodbury City Downtown Business District Redevelopment Plan.

42. The P/Z further concludes that waivers of the two design criteria requested by the applicant should be approved because such waivers are reasonable and will result in a better planning alternative.

#### GENERAL CONDITIONS OF APPROVAL

1. A brief notice of this decision shall be published in the official newspaper of the City of Woodbury at the applicant's expense. The aforementioned notice shall be sent to the official newspaper for publication within ten (10) days of the date this decision is memorialized. A proof of publication shall be filed with the Administrative Officer of the P/Z within thirty (30) days of the date the decision is memorialized.

2. The applicant shall promptly pay any professional staff fees billed, in excess of the required application escrows.

3. These General Conditions of Approval shall be binding upon the applicant, the owner, and any successors and/or assigns of either.

4. The Additional Conditions of Approval, if any, shall be binding upon the applicant, the owner and any successors and/or assigns of either.

5. The approval(s) granted is/are conditioned upon the applicant obtaining the following governmental approval(s):

- Gloucester County Planning Board
- Pinelands Commission

6. Prior to the commencement of any construction, the applicant shall obtain the following governmental approvals and/or permits:

- City of Woodbury Construction Code Official
- Gloucester County Soil Conservation District
- New Jersey Department of Transportation Highway Access Permit
- Gloucester County Engineer Highway Access Permit
- Gloucester County Engineer Utility Connection Permit
- Gloucester County Board of Health Approvals



- ( ) City of Woodbury Utility Authority approval  
(including, without limitation, W-4 and S-4 Permits)
- (X) New Jersey Department of Environmental Protection
- ( ) New Jersey Department of Environmental Protection-wetlands delineation, wetlands transition area and/or general permit(s) approval

7. The applicant shall be responsible for and shall satisfy, in accordance with the City of Woodbury Land Use Ordinance, the following fees and charges:

- (X) Mandatory Development Fees, if any

8. Any improvement(s) to be constructed as a result of the P/Z approving this application shall be constructed and operated in full compliance with the Code of City of Woodbury, the Revised Statutes of the State of New Jersey and any other applicable county and/or Federal law.

9. Unless specifically waived in whole or in part and noted in the Additional Conditions of this Approval, if the above application involves the granting of a final major subdivision approval or a final site plan approval or the approval for the issuance of a zoning permit, the applicant, in order to assure the installation and maintenance of all required improvements required by the preliminary approval or as a

condition to the issuance of a zoning permit, shall furnish written performance guarantees and written maintenance guarantees in the amounts and in the form(s) which comply with the provisions of N.J.S.A. 40:55D-53, et seq. and the City of Woodbury Code.

10. If the above application involves the granting of a final subdivision or final site plan approval, the Chairperson and Secretary of the P/Z shall not sign the Final Subdivision Plat or Final Site Plan nor shall any zoning permit issue until the applicant has posted the required performance guarantees and the applicant has demonstrated that all conditions of the final approval have been satisfied.

11. If a minor subdivision approval has been granted, such approval shall lapse unless within 190 days from the date the approval has been granted the applicant either files a plat in conformity with the approval and the "Map Filing Law" (N.J.S.A. 46:23-99, et seq.) or records a deed with the county clerk which clearly describes the approved minor subdivision and files a copy of the deed with the Township's Engineer and the Township's Tax Assessor. Such deed shall also be signed by the Chairman and Secretary of the P/Z.

12. If a final approval has been granted, the applicant shall submit to the P/Z Engineer for his approval the required

number of complete sets of plans which shall incorporate all of the revisions that have been made conditions of this approval.

13. The applicant shall comply with Title 39 of the New Jersey Statutes.

14. The applicant shall construct all drainage basins or alternate drainage facilities upon the PIQ, including inflow and outflow structures, prior to the commencement of any construction upon the PIQ.

15. The applicant shall fully comply with and satisfy all the comments in the P/Z Planner's Report of September 12, 2019.

ADDITIONAL CONDITIONS OF APPROVAL

1. As condition of approval, the applicant shall remove the port-a-pots and storage containers located on the PIQ upon the completion of construction.

2 As condition of approval, the applicant shall apply a graffiti-resistant coating to all of the exterior brick areas or faux-brick areas.

3. As condition of approval, the applicant shall consult with the Woodbury Police regarding the installation of security cameras around the buildings on the PIQ and would pursue any necessary approvals from governmental entities with authority over the construction and use of such security cameras.

4. As condition of approval, the applicant shall consult with the P/Z Engineer and Planner to review additional site improvements and enhancements to improve lighting, aesthetics and safety in and about the PIQ.

- (X) Approved
- (X) General Conditions
- ( ) Additional Conditions
- ( ) Denied

**RESOLUTION # P/Z-14-2021**

- |                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>( ) Minor Subdivision</li> <li>( ) Major Subdivision,<br/>Preliminary</li> <li>( ) Major Subdivision,<br/>Final</li> <li>( ) Minor Site Plan</li> <li>( ) Major Site Plan,<br/>Preliminary</li> <li>( ) Major Site Plan, Final</li> <li>( ) Conditional Use</li> <li>( ) Waiver</li> <li>(X) Bulk Variance</li> <li>(X) Use Variance</li> </ul> | <p>Application: P/Z 3-2021<br/> Applicant: Maurice Coffey<br/> Property In Question:<br/> 1019-1021 N. Broad Street<br/> Block: 91.02 Lot: 4 and 36</p> <p>Action: March 25, 2021<br/> Memorialized:<br/> Plan Name: N/A</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

WHEREAS, the applicant has applied to the City of Woodbury Planning/Zoning Board (hereinafter the "P/Z") for the following primary approval(s): Use Variance; and

WHEREAS, the applicant has applied for the following ancillary approval(s): minimum front setback variance; maximum yard depth variance; minimum side yard width variance; minimum rear yard width variance; maximum lot coverage variance; a maximum height variance; and

WHEREAS, the application was considered by the P/Z on March 25, 2021; and

WHEREAS, a public hearing ( ) was not required; or

WHEREAS, a public hearing (X) was required and the P/Z has considered that public comments

- (X) were not made
- ( ) were made in favor of all or some aspect  
of the application;
- ( ) were made against all or some aspect  
of the application; and

WHEREAS, it appears that all jurisdictional and procedural requirements of applicable City Ordinances have been made; and

WHEREAS, the P/Z has considered the application and the evidence and arguments submitted by the applicant in support thereof; and

WHEREAS, the P/Z has considered the recommendations and comments of its professional staff and the following written reports:

- (X) Engineer report(s) of March 11, 2021
- (X) Planner report(s) dated March 19, 2021
- ( ) Traffic Consultant report(s) dated
- ( ) Environmental Consultant report(s) dated
- ( ) Solicitor report(s) dated
- ( ) Other

Copies of which are attached hereto and made a part hereof.

WHEREAS, it appears that all requirements necessary to approve the application have been met; and

WHEREAS, the P/Z has made the following Findings of Fact and Conclusions (see attached); and

NOW, THEREFORE, BE IT RESOLVED that the primary approval(s) applied for be and is/are hereby approved; and

BE IT FURTHER RESOLVED that the ancillary approval(s) applied for be and are hereby approved;

BE IT FURTHER RESOLVED that the approval(s) hereby granted is/are made subject to the following General Conditions: (see attached)

BE IT FURTHER RESOLVED that the approval(s) hereby granted (X) is/are made subject to ( ) is/are not made subject to the following Additional Conditions: (see attached)

The foregoing action was taken by the P/Z on March 25, 2021, upon the Motion to approve the use variance and bulk

variances made by Justin Geist seconded by Mark Seigel, with the vote on the motion being as follows:

AYE: Sam Ferraino, Mark Seigel; Justin Geist, Patrick MacAdams, Thomas Shute

NAY:

ABSTAIN:

ABSENT:

DID NOT PARTICIPATE:

The foregoing action was memorialized by the P/Z on \_\_\_\_\_ upon the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, with the vote on the motion being as follows:

AYE:

NAY:

ABSTAIN:

ABSENT:

DID NOT PARTICIPATE:



**CERTIFICATION**

I hereby certify that this foregoing Resolution is a true memorializing resolution as adopted by the P/Z of the City of Woodbury in accordance with its decision at its regular meeting.

THE PLANNING/ZONING BOARD OF  
THE CITY OF WOODBURY

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

Dated: \_\_\_\_\_

Date of Approval: \_\_\_\_\_

Date of Memorialization: \_\_\_\_\_

**FINDINGS OF FACT AND CONCLUSIONS**

1. The applicant initially applied for a use variance to permit the use of the existing structure on the PIQ for a residential use which is not permitted in the C-1 Zone.

2. The applicant also applied for bulk variances from Woodbury Zoning Ordinance as follows:

A. A minimum lot frontage of 47 feet where 50 feet is required; and

B. A maximum front yard depth of 21.8 feet where 10 feet is required; and

C. A minimum side yard width of 2 feet where 5 feet is required/15 feet total required; and

D. A minimum rear yard width of 4 feet where 20 feet is required; and

E. A maximum lot coverage of 87.7% where 80% is permitted; and

F. A height in excess of 60 feet where 60 feet is permitted.

HEARING OF MARCH 25, 2021

3. James Clancey, a licensed New Jersey Engineer, testified in support of the application.

4. Mr. Clancey identified and introduced Exhibit A-1, a variance plan dated February 15, 2001.

5. Mr. Clancey testified that no changes were proposed to the existing site improvements on the PIQ.

6. Mr. Clancey testified that pre-existing residential uses existed on both sides of the PIQ.

7. Mr. Clancey testified that the proposed residential use would result in a decrease in density on the property.

8. Mr. Clancey testified that all of the requested variances constitute pre-existing uses where by reason of an extraordinary and exceptional situation uniquely affecting the specific piece of property and the structures lawfully existing thereon, the strict application of the C-1 Zoning Regulations would result in peculiar and exceptional practical difficulty to, or exceptional and undue hardship upon the developer of the property by requiring the existing structure on the PIQ to be demolished, thereby justifying the grant of a hardship variance under N.J.S.A. 40:55D-70c(1)(c).

9. Mr. Clancey further indicated that the requested hardship variance can be granted without substantial detriment to the public good because the existing uses surrounding the property are residential in nature and a number of residential uses exist in the surrounding neighborhood.

10. Mr. Clancey also indicated that the requested hardship variance can be granted without any substantial impairment to

the intent and purpose of the Woodbury City Zoning Plan and Zoning Ordinance. Although the proposed use is not permitted in the C-1 Zone, it represents a decrease in residential density and is appropriate for this area of the C-1 Zone.

11. The applicant, Maurice Coffey, testified that he desires to reside in the structure on the subject property with his family. Mr. Coffey indicated that he was relocating from Philadelphia, Pennsylvania and was very eager to live in the City of Woodbury which was a substantial improvement from his current residence in regard to safety, aesthetics, convenience and transportation.

12. Mr. Coffey testified that he had no knowledge of any prior commercial use of the PIQ.

13. Mr. Coffey agreed, as a condition of approval, to prepare a Deed of Consolidation for the existing lots comprising the PIQ for review and approval by the P/Z attorney and engineer.

14. At the hearing of March 25, 2021, the P/Z reviewed and considered the March 19, 2021 report of the P/Z planning consultant prepared by Robert F. Melvin.

15. At the hearing of March 25, 2021, the P/Z reviewed and considered the March 11, 2021 report of the P/Z engineering consultant prepared by Federici & Akin, P.A.

16. The P/Z opened the hearing on this application to the public, however, no member of the public desired to testify.

17. Based upon the foregoing testimony and other evidence, the P/Z conclude that the applicant has satisfied the requirements for a use variance in that the proposed use is particularly suited to the PIQ because the subject building was constructed for residential use and is consistent with the surrounding area of the C-1 Zone in which other residential structures and uses are located.

18. The P/Z further concludes that the bulk variances requested by the applicant would advance the purposes of zoning as set forth in N.J.S.A. 40:55D-2e - promote the establishment of appropriate population densities and concentrations that will contribute to the wellbeing of persons, neighborhoods and communities; and N.J.S.A. 40:55D-2g to provide sufficient space in an appropriate location for a private residential use, according to environmental requirements to meet the needs of all New Jersey citizens. Therefore, the P/Z concludes that the following bulk variances are granted for the PIQ:

A. A minimum lot frontage of 47 feet where 50 feet is required; and

B. A maximum front yard depth of 21.8 feet where 10 feet is required; and

C. A minimum side yard width of 2 feet where 5 feet is required/15 feet total required; and

D. A minimum rear yard width of 4 feet where 20 feet is required; and

E. A maximum lot coverage of 87.7% where 80% is permitted; and

F. A height in excess of 60 feet where 60 feet is permitted.

19. The P/Z further concludes that the bulk variances requested by the applicant would not create any substantial detriment to the public good under N.J.S.A. 40:55D-70 because the variances would permit the subject property to be converted back to a residential use and such residential use would not damage the surrounding neighborhood.

20. The P/Z further concludes that the proposed bulk variances would not substantially impair the intent or purpose of the Woodbury City Zone Plan or Zoning Ordinance since the structure on the PIQ is consistent with residential design standards and would represent a decrease in density on the property.

GENERAL CONDITIONS OF APPROVAL

1. A brief notice of this decision shall be published in the official newspaper of the City of Woodbury at the applicant's expense. The aforementioned notice shall be sent to the official newspaper for publication within ten (10) days of the date this decision is memorialized. A proof of publication shall be filed with the Administrative Officer of the P/Z within thirty (30) days of the date the decision is memorialized.

2. The applicant shall promptly pay any professional staff fees billed, in excess of the required application escrows.

3. These General Conditions of Approval shall be binding upon the applicant, the owner, and any successors and/or assigns of either.

4. The Additional Conditions of Approval, if any, shall be binding upon the applicant, the owner and any successors and/or assigns of either.

5. The approval(s) granted is/are conditioned upon the applicant obtaining the following governmental approval(s):

( ) Gloucester County Planning Board

( ) Pinelands Commission

6. Prior to the commencement of any construction, the applicant shall obtain the following governmental approvals and/or permits:

- (X) City of Woodbury Construction Code Official
- ( ) Gloucester County Soil Conservation District
- ( ) New Jersey Department of Transportation Highway Access Permit
- ( ) Gloucester County Engineer Highway Access Permit
- ( ) Gloucester County Engineer Utility Connection Permit
- ( ) Gloucester County Board of Health Approvals
- ( ) City of Woodbury Utility Authority approval (including, without limitation, W-4 and S-4 Permits)
- ( ) New Jersey Department of Environmental Protection
- ( ) New Jersey Department of Environmental Protection-wetlands delineation, wetlands transition area and/or general permit(s) approval

7. The applicant shall be responsible for and shall satisfy, in accordance with the City of Woodbury Land Use Ordinance, the following fees and charges:

- (X) Mandatory Development Fees, if any



8. Any improvement(s) to be constructed as a result of the P/Z approving this application shall be constructed and operated in full compliance with the Code of City of Woodbury, the Revised Statutes of the State of New Jersey and any other applicable county and/or Federal law.

9. Unless specifically waived in whole or in part and noted in the Additional Conditions of this Approval, if the above application involves the granting of a final major subdivision approval or a final site plan approval or the approval for the issuance of a zoning permit, the applicant, in order to assure the installation and maintenance of all required improvements required by the preliminary approval or as a condition to the issuance of a zoning permit, shall furnish written performance guarantees and written maintenance guarantees in the amounts and in the form(s) which comply with the provisions of N.J.S.A. 40:55D-53, et seq. and the City of Woodbury Code.

10. If the above application involves the granting of a final subdivision or final site plan approval, the Chairperson and Secretary of the P/Z shall not sign the Final Subdivision Plat or Final Site Plan nor shall any zoning permit issue until the applicant has posted the required performance guarantees and

the applicant has demonstrated that all conditions of the final approval have been satisfied.

11. If a minor subdivision approval has been granted, such approval shall lapse unless within 190 days from the date the approval has been granted the applicant either files a plat in conformity with the approval and the "Map Filing Law" (N.J.S.A. 46:23-99, et seq.) or records a deed with the county clerk which clearly describes the approved minor subdivision and files a copy of the deed with the Township's Engineer and the Township's Tax Assessor. Such deed shall also be signed by the Chairman and Secretary of the P/Z.

12. If a final approval has been granted, the applicant shall submit to the P/Z Engineer for his approval the required number of complete sets of plans which shall incorporate all of the revisions that have been made conditions of this approval.

13. The applicant shall comply with Title 39 of the New Jersey Statutes.

14. The applicant shall construct all drainage basins or alternate drainage facilities upon the PIQ, including inflow and outflow structures, prior to the commencement of any construction upon the PIQ.

15. The applicant shall fully comply with and satisfy all the comments in the P/Z Planner's Report of

ADDITIONAL CONDITIONS OF APPROVAL

1. As condition of approval, the applicant shall prepare a Deed of Consolidation for the existing lots comprising the PIQ for review and approval by the P/Z attorney and engineer.