

**RESOLUTION NO. 2020- 016
PILESGROVE TOWNSHIP PLANNING BOARD
RESOLUTION MEMORIALIZING THE GRANT
OF BULK VARIANCES SUBJECT TO CERTAIN CONDITIONS, TO APPLICATION
NO. 2020-014
SHARON KREIDER
(BLOCK 41, LOT 2.14)**

**Approved: September 16, 2020
Memorialized: October 21, 2020**

WHEREAS, an Application was filed by SHARON KREIDER (Applicant), whose mailing address is 91 Harrisonville Lake Road, Pilesgrove, New Jersey 08098, for a bulk variance for a side yard setback, for the construction of a 12 x 16 shed located on property known as Block 41, Lot 2.14 on the Pilesgrove Township Tax Map and more commonly known as 91 Harrisonville Lake Road, Pilesgrove, New Jersey 08098. Property being located within the RR Restricted Residential Zoning District. The shed being hand drawn on a survey entitled Box 255A Harrisonville Lake Road prepared by Albert N. Floyd, Professional Land Surveyor, New Jersey License Number 21759, being constituted of one (1) sheet; and

WHEREAS, James H. McKelvie, P.E., CME, the Pilesgrove Township Planning Board Engineer, having reviewed the Application and rendered a completeness review letter thereon dated August 18, 2020 (Engineer's Letter); and,

WHEREAS, the Application was deemed complete, with waivers requested by the Board; and

WHEREAS, notice to the public was required in accordance with the Township Ordinance and Municipal Land Use Law (MLUL); and

WHEREAS, notice was provided in accordance with the Township Ordinances and the MLUL; and,

WHEREAS, the Board determined that it has jurisdiction to hear the Application and then proceeded on the September 16, 2020 meeting; and,

WHEREAS, the Board heard testimony from the Applicant; and

WHEREAS, hearing the above testimony and representations, the Board made the following findings of fact:

1. The Property is in an RR Residential Zoning District. The Property is located at 91 Harrisonville Lake Road, Pilesgrove, New Jersey 08098.
2. There is currently one dwelling on the Property.
3. The Applicant is requesting approval for the construction of a 12 x 16 prefabricated shed.
4. The Applicant is now requesting a bulk variance for side yard requirement where:
 - a. 10 feet is proposed, and 30 feet is permitted.
5. It was testified by the Applicant that the shed is in close proximity to his neighbors' garage and a tall hedge row, as such, no scenic views are blocked, and no adverse impact will be on the surrounding properties.
6. As it relates to the variances requested the Applicant testified to the following positive and negative criteria:

Positive: The purpose of the MLUL would be advanced by this deviation from the zoning ordinance and the benefits from this deviation outweigh any detriment to the public good.

Negative: The garage installed would not be a detriment to the public good and would not substantiate impairment of the intent of the zoning ordinance.
7. While, James H. McKelvie, PE, CME, the Planning Board Engineer did not provide a Technical Review Letter, he testified that the Applicant has complied with all requirements and would recommend all waivers requested.

BE IT THEREFORE RESOLVED on this ____ day of _____, 2020 by the Pilesgrove Township Planning Board, a bulk variance for the construction a one story 12 x 16 prefabricated shed as further depicted on the survey submitted is granted with the waivers requested, subject to the following conditions:

1. To comply with all comments and requirements contained in the Engineer's letter, subject to Engineer's satisfaction.
2. To pay any and all required fee's which are due or may become due to the Township within seven (7) days notice thereof, including, but not limited to, settlement of any outstanding review escrow accounts.
3. Obtaining any and all other approvals for the proposed revisions that may be required by any governmental/regulatory body including, but not limited to the Salem County Planning Board. Applicant's engineer shall certify that said approvals have been received.

BE IT FURTHER RESOLVED that in the event the above conditions are not satisfied within two (2) years from the date of the grant of approval, the relief granted herein shall be denied retroactively to said approval date

BE IT FINALLY RESOLVED that the Applicant is hereby placed on notice that:

1. The Applicant shall comply with all representations made during the hearing and all filed documents.
2. Applicant shall indemnify and hold the Board harmless from any and all claims of any kind which may result of any deficiency in the Application.
3. During construction Applicant shall correct any condition causing corrosion and/or negative effect upon the community wherein three (3) days' notice or any lesser time deemed required from or by the Township Engineer.

4. Applicant shall be responsible for locating the improvements in accordance with the ordinance and/or this Resolution. Same may be required by the retention of a professional land surveyor, engineer, etc. to ensure compliance with the Ordinance. Applicant expressly understands that the Township shall be responsible for locating the improvements and if same or not in compliance with the ordinance and/or this Resolution, Applicant shall be obligated to remove said non-confirmative improvements and re-locate them with in accordance with the zoning requirements or this resolution.
5. Any additional site improvements or modifications to the approved plan require approval from the Pilesgrove Township Planning Board.
6. The Applicant shall comply with any and all ordinance and MLUL bond requirements.

PILESGROVE TOWNSHIP PLANNING BOARD

BY: _____
JEFFREY STRING, Chairperson

ATTEST:

RITA SHADE, Secretary

ACKNOWLEDGMENT

I, _____, the applicant, hereby certify I reviewed the within Resolution, and realize the Board has relied upon all representations as an essential element in granting this approval. I acknowledge I have the absolute right to request the rescission of this approval within 45 days of the adoption of the Resolution, subject to payment of any and all fees associated therewith. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Dated: _____, Applicant

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