

**RESOLUTION NO. 2021-025
PILESGROVE TOWNSHIP PLANNING BOARD
RESOLUTION MEMORIALIZING THE GRANT
OF BULK VARIANCES SUBJECT TO CERTAIN CONDITIONS, TO APPLICATION
NO. 2021-010
MARK J. DANNER
(BLOCK 18, LOT 5.02)**

**Approved: July 21, 2021
Memorialized: August 18, 2021**

WHEREAS, an Application was filed by MARK J DANNER (Applicant), whose mailing address is 573 Lincoln Road, Pilesgrove, New Jersey 08098, through his attorney Frank J. Hoerst, III Esquire, whose address is The Opera House, 13 West Avenue, Woodstown, New Jersey 08098 for bulk variances for height, square footage of shed, rear yard setback and side yard setback, for the construction of a 24 ft x 32 ft x 20 ft shed located on property known as Block 18, Lot 5.02 on the Pilesgrove Township Tax Map and more commonly known as 573 Lincoln Road, Pilesgrove, New Jersey 08098. The Property being located within the RR Restricted Residential Zoning District. The shed being depicted on a variance plan prepared by Boston and Seeberger P.C. whose address is 5 Ferry Road, PO Box 190, Pennsville, New Jersey 08070, dated June 1, 2021, and consisting of one (1) sheet; and,

WHEREAS, Randall Scheule, PP/AICP, CME, the Pilesgrove Township Planning Board Planner, having reviewed the Application and rendered a review letter thereon dated June 15th, 2021 (Planner’s Letter); and,

WHEREAS, the Application was deemed complete at the regularly scheduled Pilesgrove Township Meeting on June 16th, 2021, with requested waivers by the board

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 proceed with a public hearing on the Application on the regular meeting of the Pilesgrove Township Planning Board convened on July 21, 2021; and,

WHEREAS, no members of the public spoke on the application; and

WHEREAS, the Board heard testimony from the Applicant, the Applicant's Planner, Dale Boston, and representations made by the Applicant's attorney, Frank J. Hoerst III, Esquire; and

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

1. The Property is in an RR - Restricted Residential Zoning District.
2. The Property is located at 573 Lincoln Road, Pilesgrove, New Jersey 08098.
3. The Property is currently a single-family residential dwelling.
4. The Applicant is requesting the approval of the construction of a 20 ft high, 24 ft x 32 ft (768 sq ft) private residential shed.
5. The Applicant is now requesting bulk variances as follows:
 - a. Square footage of shed 768 feet proposed, 300 feet permitted.
 - b. Rear yard set-back, 20 feet proposed, and 75 feet permitted.
 - c. Side yard set-back, 20 feet proposed, and 40 feet permitted.
 - d. Height of assessor building, 20 feet proposed, 15 feet permitted.
 - e. Driveway set-back, 4.8 feet proposed, and 10 feet permitted (pre-existing condition).
6. It was testified by the Applicant that he needs the larger garage for additional storage space and potentially farming equipment.
7. 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 advance 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 impair the intent of the zoning ordinance.
8. The Board next reviewed the Planner's Letter. The Applicant agreed to comply with all comments and requirements in the Planner's letter subject to the Planner's approval.

BE IT THEREFORE RESOLVED on this ____ day of _____, 2021 by the Pilesgrove Township Planning Board, bulk variances for the construction of a private residential shed as further depicted on the Variance Plan submitted is granted with the waivers requested, subject to the following conditions:

1. To comply with all comments and requirements contained in the Planner's letter, subject to Planner'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 caption and revisions are not satisfied within two (2) years from the date of the granted 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, Mark Danner, 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: _____
Mark Danner, Applicant

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