

**A RESOLUTION OF THE BOROUGH OF WOODBURY HEIGHTS
PLANNING/ZONING BOARD GRANTING SITE PLAN APPROVAL TO
DONALD W. STEWARD, JR.**

WHEREAS, Donald W. Steward, Jr. has applied to the Woodbury Heights Planning/Zoning Board for site plan waiver to reutilize the old post office building as an office/operation center for his HVAC business (WB Steward & Son) on the property located at 513 Glassboro Road, which is designated as Lot 5.01 of Block 70; and

WHEREAS, the Planning/Zoning Board of the Borough of Woodbury Heights heard this application for site plan waiver at the regular meeting held on April 2, 2012, at which time the applicant presented evidence to the Board in support of his application; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant in support of its application for development as aforesaid at the April 2, 2012 meeting, and after the Board had opened the meeting to the public, has made the following findings of fact:

1. The applicant has submitted an application for site plan waiver for its proposal, providing the Board with supporting documentation.
2. The property is located in the CC-Community Commercial.
3. The taxes on the subject property have been paid.
4. The applicant has paid and/or posted all required fees.
5. Notice of this application for site plan waiver and applicable variances was duly made by the applicant's attorney.

6. The Board's professionals reviewed the applicant's plans; specifically, Mark R. Brunermer, P.E. of Sickels & Associates reviewed this application in his March 15, 2012 Review Letter; and Tiffany A. CuvIELLO, P.P. reviewed this application in her March 28, 2012 Review Letter.

7. In accordance with the review report of Mark R. Brunermer, P.E., Sickels & Associates, the Board's Engineer, dated March 15, 2012, which review report is hereby incorporated herein by reference, the applicant has agreed to comply with all the comments set forth therein, as so agreed to at the time of the April 2, 2012 meeting.

8. In accordance with the review report of Tiffany A. CuvIELLO, P.P., the Board's Planner, dated March 28, 2012, which review report is hereby incorporated herein by reference, the applicant has agreed to comply with all the comments set forth therein, as so agreed to at the time of the April 2, 2012 meeting.

9. Per the recommendation of Mr. Brunermer, the Board is not granting site plan waiver as applied for but rather approving this as a minor site plan, although the plans as submitted by the applicant can be used to depict the conditions of the Board's approval.

10. The parking lot shall be re-striped as proposed by the applicant, but as revised per the Board Engineer's comments.

11. Because it is a pre-existing, non-conforming condition, a "C" variance for the sideyard setback of only 1.3 feet (whereas 30 feet is required), is acceptable to the Board.

12. A new fence as shown on the supporting documents is to be erected by the applicant; barb wire is acceptable for on top of the fencing, but

only for the rear storage area (not for the front portion being replaced along the parking lot).

13. A cargo container as shown on the supporting documents is to be placed at the rear of the site.

14. The applicant shall provide one handicapped parking space (instead of two) in front of the building.

15. Due to the size of the building, no variance for the number of parking spaces being provided is required.

16. Based upon the testimony of the applicant, no trash enclosure is required.

17. The applicant shall recycle, which recycling shall be co-ordinated through the Borough.

18. The existing business sign shall be relocated from its present location to this location.

19. The gate for the rear fence is to remain open during the day (i.e., during business hours).

20. The applicant shall post appropriate signage for "compact cars only" for certain of the parking spaces (as shown on the applicant's supporting documents).

21. Due to the current on-site conditions, no additional landscape buffers are possible, and are therefore not required.

22. A variance for parking within 15 feet of the right-of-way line on Glassboro Road is acceptable to the Board as an existing condition.

23. None of the oil delivery trucks shall be stored on-site.

24. Deliveries to the HVAC business shall mainly be by F150 or similar type trucks, or occasionally by box trucks, with tractor trailers only being used for deliveries once or twice a year at most.

WHEREAS, based upon the above factual findings, the Planning/Zoning Board of the Borough of Woodbury Heights has come to the following conclusions:

1. The applicant has satisfied all requirements imposed upon it by the Planning/Zoning Board or as may be required in accordance with all applicable ordinances of the Borough of Woodbury Heights, except for any conditions or requirements as may be set forth within this Resolution for this site plan waiver.

2. It is understood and concluded that the Planning/Zoning Board has specifically approved the applicant's documents except as otherwise revised and/or conditioned in accordance with this Resolution as same may be applicable.

NOW, THEREFORE, BE IT RESOLVED by the Planning/Zoning Board of the Borough of Woodbury Heights that this Board hereby grants to Donald W. Steward, Jr. minor site plan approval for the proposed office/operation center for the HVAC business known as "WB Steward & Son" at the former post office building site located at 513 Glassboro Road, in accordance with the submitted application, together with any variances required for this existing site, as noted above.

This approval is subject to the following conditions:

A. Subject to any and all outside agency approvals that may also be necessary, including the Borough Mayor and Council, the Gloucester County Planning Board, the Gloucester County Soil Conservation District, the Woodbury Heights Fire Chief, and the New Jersey Department of Environmental Protection, or any other governmental agency that may be required, as applicable.

B. Subject to the applicant complying with all of the comments made by the applicant at the April 2, 2012 Board hearing, including all conditions set forth above in this Resolution, and specifically subject to the applicant re-submitting his plans for administrative review by the Board's professionals, to assure compliance with all items and conditions as approved herein by the Board.

C. Subject to the applicant satisfying all of the outstanding items in the two review reports of the Board's professionals, as same were previously referenced and incorporated herein, as agreed to by the applicant, which items shall be depicted on revised plans to be submitted by the applicant.

D. Subject to all other applicable ordinances or laws of the Borough of Woodbury Heights.

E. Subject to the applicant posting proper and adequate inspection escrows and/or performance bonds in an amount to be approved by the Board Engineer and in a form to be approved by the Borough Solicitor.

F. Subject to the applicant remitting funds to satisfy all outstanding escrow deficiencies and/or otherwise resolving any possible escrow deficiency with the Borough in connection with this project.

BE IT FURTHER RESOLVED that the appropriate Board officials are hereby authorized and directed to take all appropriate actions to effectuate the intent and purpose of this Resolution.

ROLL CALL VOTE

THOSE IN FAVOR:	8	Conley, Flynn, Scull, Deeck, Tomasetti, Sesko, Holmstrom and Phalines
THOSE OPPOSED:	0	
THOSE ABSTAINING:	0	

Dated: May 7, 2012

BOROUGH OF WOODBURY HEIGHTS
PLANNING/ZONING BOARD

By: 
RICHARD PHALINES, CHAIRMAN

ATTEST:


ANNE DEECK, BOARD SECRETARY
PLANNING/ZONING BOARD

CERTIFICATION

The foregoing resolution was duly adopted by the Planning/Zoning Board of the Borough of Woodbury Heights at the regular meeting of said Board on May 7, 2012.


ANNE DEECK, BOARD SECRETARY
PLANNING/ZONING BOARD