

**RESOLUTION OF FINDINGS AND CONCLUSIONS  
PLANNING BOARD OF THE  
BOROUGH OF WOODBURY HEIGHTS  
2019 - 10**

WHEREAS Brian and Anne Deputy (Casa Dance Studio) has applied to the Planning Board of the Borough of Woodbury Heights for a variance to permit construction of 12 x 12 foot addition closer to the side property line than permitted by Ordinance; and

WHEREAS, the property in question is located on Glassboro Road, Block 112, Lots 5.01, 6.03 and 6.04 in the HC Zone; and

WHEREAS, the Borough of Woodbury Heights Planning Board has the right to exercise to the same extent and subject to the same restrictions, all the powers of the Zoning Board of Adjustment; and

WHEREAS, the Borough of Woodbury Heights Planning Board has had an opportunity to review the application for Brian and Anne Deputy (Casa Dance Studio) and a hearing having been held thereon and proper notices having been served on all surrounding property owners as required by Statute; and

WHEREAS, the Borough of Woodbury Heights Planning Board has made the following factual findings:

1. Michael A. Aimino, Esquire appeared on behalf of the applicants. The applicants are the owners of the property in question. They reside in the property and operate the Casa Dance Studio in the same building. They received approval for the mixed use consisting of the dance studio and single family residence by Resolution of approval adopted on November 2, 2015.

2. The applicants have constructed a 12 x 12 foot prefabricated shed as an addition which is approximately 6 feet from the side property line where 10 feet is required. No construction permits were obtained although the applicant indicates she made an effort to do so. The purpose of the addition is to allow equipment, props, scenery, costumes and other supplies stored in the basement to be brought up to the dance studio without having to go outside of the building.

3. The applicant testified that she made an effort to shield the area with tents which were insufficient to protect the people and items from the weather.

4. The Board carefully considered the review letter of May 24, 2019 prepared by Planning Board Engineer, Mark R. Brunermer, P.E., C.M.E. and the review letter of May 31, 2019 prepared by Planning Board Planner, Tiffany A. Morrissey, P.P.

5. Since the last approval an area not shown on the original site plan was improved with stone and has been used for storage of vehicles by the car dealership across the street. The applicant testified that the vehicles would be removed immediately and the area would not be utilized for parking. Since the last approval, the applicant has also added signage. The applicant did not obtain permits and it is unclear as to whether they are required.

6. No one from the public appeared to comment on the application.

7. The application submitted by the applicants substantially complies with the requirements of the Borough of Woodbury Heights Ordinance. The request by the applicants can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Borough of Woodbury Heights Ordinance.

8. Because of the nature and configuration of the applicants' land, failure to grant the variance will work a peculiar and exceptional practical difficulty on the applicant.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Woodbury Heights that the application of Brian and Anne Deputy (Casa Dance Studio) for a variance to permit construction of 12 x 12 foot addition closer to the side property line than permitted by Ordinance is hereby granted subject to the following conditions:

1. The applicant shall satisfy all outstanding fees and escrows prior to the granting of construction permits or issuance of a certificate of occupancy.

2. On or before June 28, 2019, the applicant shall provide proof that they have applied for all permits necessary for construction of the addition. On or before October 1, 2019, the

applicant shall complete all items required for occupancy and use of the addition.

3. The applicant shall immediately make application for permits for existing signage and will obtain variance approval if necessary.

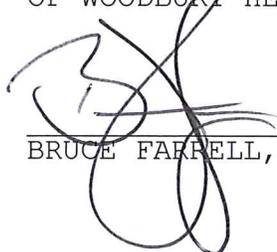
4. The vehicles presently parked in the stone area shall be removed immediately and the area shall not be utilized for parking and shall be returned to its original state.

5. A revised site plan shall be filed in compliance with this approval including the proper measurements for the side yard setback.

6. All conditions of the original approval set forth in the Resolution adopted on November 2, 2015 not modified herein, shall remain in full force and effect.

Adopted at a regular meeting of the Borough of Woodbury Heights Planning Board on July 1, 2019.

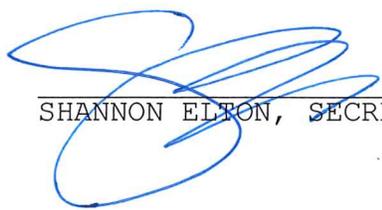
PLANNING BOARD OF THE BOROUGH  
OF WOODBURY HEIGHTS



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BRUCE FARRELL, CHAIRMAN

ATTEST:



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SHANNON ELTON, SECRETARY