

MULLICA TOWNSHIP PLANNING BOARD  
AGENDA  
July 7, 2021  
7:30 PM

CALL TO ORDER

FLAG SALUTE

PUBLIC MEETINGS ACT ANNOUNCEMENT

ROLL CALL: Mr. Critelli, Mr. Fognano, Mr. Gravlin, Mayor Hanselmann, Ms. Mazzarella, Mr. Merlino, Mr. Seney, Mr. Silva, Ms. Nevius (Alt #1), Mr. Braun (Alt. #2), Mr. Falciano (Alt. #3), Mr. Iles (Alt. #4), Mr. Muller

APPROVAL OF MINUTES: June 2, 2021

APPROVAL OF RESOLUTIONS: Resolution #11-2021 / Variance / Block 3512, Lot 8

Resolution #12-2021 / Amend Meeting Schedule

CORRESPONDENCE:

APPLICATIONS: A. KMD Construction & Contracting LLC / Block 1001, Lot 16 / Variance

B. Zachary Dickerson / Block 701, Lot 18 / Variance

C. Joseph Chaim / Street Vacation / Portion of Washington Avenue

OLD BUSINESS:

NEW BUSINESS: A. Mullica Board of Education / Wastewater Treatment Plant / Block

PUBLIC DISCUSSION:

ADJOURN

Join Zoom Meeting

<https://zoom.us/j/6579457427?pwd=dEtEQk5jUFhXbUwrT01idUlySGNtQT09>

Meeting ID: 657 945 7427

Passcode: 0117

One tap mobile

+13126266799,,6579457427# US (Chicago)

+16465588656,,6579457427# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

**PLANNING BOARD RESOLUTION NO. 11 - 2021**

**RESOLUTION MEMORIALIZING THE GRANT OF A C-VARIANCE TO ALLOW AN OVERSIZED ACCESSORY STRUCTURE ON PROPERTY WITH COMMON ADDRESS OF 3310 READING AVENUE AND DESIGNATED ON THE MUNICIPAL TAX MAP AS LOT 8 IN BLOCK 3512.**

**WHEREAS**, an application was filed by Kristin Blakely seeking a C-Variance to construct an accessory structure, that being a horse barn; and

**WHEREAS**, the subject property of this application was located at 3310 Reading Avenue with said property being listed on the official tax map of the Township of Mullica as lot 8 in block 3512; and

**WHEREAS**, the application consists of the formal application and all documents submitted during the presentation; and

**WHEREAS**, a meeting was originally held for this application on Wednesday, May 5, 2021; and

**WHEREAS**, the meeting was continued until Wednesday, June 2, 2021; and

**WHEREAS**, the applicant was proposing a barn to house horses with the barn being 1728 SQUARE FEET with an overhang of 480 SQUARE FEET for a total of 2208 SQUARE FEET whereas accessory structures are only permitted to be 850 SQUARE FEET in the Township; and

**WHEREAS**, the application consists of the formal application package and all documents submitted during the presentation; and

**WHEREAS**, the meeting was held via video conference since the County of Atlantic and State of New Jersey were in the midst of the Covid-19 emergency; and

**WHEREAS**, the applicant had no objection to said hearing being conducted via video conference; and

**WHEREAS**, the Mullica Township Planning Board having duly considered the evidence presented at the meetings as described aforesaid made the following specific findings of fact:

- A. The board determined it was appropriate to hold the meeting via video conference as the county and State of New Jersey was in the midst of the Covid-19 emergency. The applicant had no objection to the meeting being held via video conference.
- B. The above recitals are incorporated into this section of the resolution as if fully set forth at length herein.
- C. The board unanimously deemed the application complete.
- D. The property is located in the RDA (Rural Development Area District).
- E. The property is located on the northerly side of Reading Avenue approximately 565 feet west of Fifth Avenue. Another property owned by the applicant is listed on the official tax map as lot 8 in block 3514. Said property is deed restricted for density transfer with no development being permitted. The property located at lot 8 in block 3514 is located on the southerly side of Reading Avenue across the street from the subject property. Both lots are currently vacant.
- F. The applicant proposes to house two personally owned horses in the accessory structure and use the remaining land on the subject property as pasture.
- G. The proposed development would meet all requirements of the Municipal Land Use Ordinance with the exception of the horse barn being considered an oversized accessory structure.

- H. When the applicant originally presented testimony at the March 5, 2021 meeting, she was advised that she would also require a D-Variance as accessory structures are prohibited on lots that do not have primary uses.
- I. The applicant therefore requested a continuance, which was announced to the public, until the June 2, 2021 meeting of the board. The purpose of the request for said continuance was to allow the applicant to consolidate lot 8 in block 3512 with lot 8 in block 3514 which combined said lots with the primary lot, that being lot 4 in block 3514 which contained a single family house.
- J. Due to the consolidation, the board determined that the horse barn would be used in conjunction with a primary use, that being a single family home, and therefore no use variance was required.
- K. The board determined that the subject property was approximately 2.4 acres in size and that placing an oversized accessory structure on such a large lot would not be contrary to the purposes of zoning in the township or the township master plan. The board further determined that having the horse barn on this large, vacant lot would not be a detriment to the neighborhood scheme or contrary to the zoning ordinance or master plan. This is especially true when the proposed horse barn would be set back 432 feet from Reading Avenue.
- L. The applicant agreed that all three lots would be considered consolidated including the subject property with lot 4 in block 3514 and the lot across the street, that being lot 8 in block 3514.
- M. The board determined that all notice requirements regarding the application were met.

N. The board determined that it had proper jurisdiction pursuant to the Municipal Land Use Law of the State of New Jersey with respect to the relief being requested by the applicant.

**PUBLIC PORTION:**

No member of the public spoke in favor of, or in opposition to, the application at either meeting.

Therefore, a motion was made to grant a C-Variance for the size of an accessory structure where 850 square feet is permitted and the applicant was proposing a horse barn with 1728 square feet with an overhang of 480 square feet for a total size of 2208 square feet.

The motion was conditioned upon the following:

1. The applicant obtaining any and all other approvals from any other board or body with jurisdiction concerning the subject application and property.
2. The applicant must comply with any conditions set forth in the report of Board Engineer, Deborah Wahl, P.E., P.P., C.M.E., dated May 3, 2021.
3. There can never be a commercial use housed or conducted at, or in, the accessory structure.
4. There can never be human habitation of the accessory structure.
5. The accessory structure cannot be leased or rented to any third parties.
6. No sanitary sewer or septic system can ever be run, or located, on the subject property.
7. To the extent any false information was presented in the application or during testimony before the board, any approval will become *void ab initio* and of no effect.

Said motion, as conditioned, was unanimously approved with the following board members voting in the affirmative: Critelli, Gravlin, Mayor Hanselmann, Miss Mazzarella, Mr. Merlino, Mr. Seney, Mr. Falciano, Mr. Iles and Chairman Muller. Mr. Fognano abstained.

**NOW, THEREFORE, BE IT RESOLVED** that the C-Variance as set forth herein has been granted and is hereby memorialized by this resolution; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to the applicant, the Municipal Clerk and the Construction Office of the Township of Mullica; and

**BE IT FURTHER RESOLVED** that notification of the approval memorialized herein shall be published in an official newspaper of the Township of Mullica by the board secretary within 10 days of the passage of this resolution.

Dated: July 7, 2021

\_\_\_\_\_  
CHARLES MULLER, Chairman

## PLANNING BOARD RESOLUTION NO. 12-21

### Amending 2021 Meeting Schedule

**WHEREAS**, the Planning Board of the Township of Mullica held its reorganization meeting on January 6, 2021 and in compliance with Local Finance Notice 2020-21 advertised for virtual meetings; and

**NOW, THEREFORE BE IT RESOLVED**, that the remainder of the regularly scheduled meetings for 2021 will be held 7:30 PM in the Mullica Township Municipal Building, 4528 White Horse Pike, Elwood, New Jersey as follows: August 4; September 1; October 6; November 3; December 1, at which time formal action may be taken.

**BE IT FURTHER RESOLVED**, that the Reorganization Meeting and Regular Meeting for January 2022 shall take place January 5, 2022 at which time formal action may be taken.

**BE IT FURTHER RESOLVED**, that notices of the regularly scheduled meetings shall be supplied to and shall be published in accordance with requirements of the Open Public Meetings Act in the official newspapers, and a schedule of the meeting dates shall be posted on the Bulletin Board normally reserved for public announcements in the Township of Mullica and a copy shall be filed with the Clerk of the Township of Mullica.

Adopted: July 7, 2021

ATTEST:

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CHARLES MULLER,  
CHAIRMAN

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KIMBERLY JOHNSON, SECRETARY

pd. # 550 00  
(25)

# TOWNSHIP OF MULLICA PLANNING BOARD APPLICATION

### To be completed by applicant.

#### 1. SUBJECT PROPERTY

Location: 4157 Nesco Rd  
Tax Map Page \_\_\_\_\_ Block 701 Lot(s) 18  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Dimensions Frontage 240 Depth 174 Total Area 0.52 ACSE  
Zoning District \_\_\_\_\_

#### 2. APPLICANT

Name Zachary Dickerson  
Address 4157 Nesco Rd  
Telephone Number 609-385-3131  
Applicant is a Corporation  Partnership  Individual

#### 3. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed.

[Attach pages as necessary to fully comply.]

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

#### 4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

#### 5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:  
Yes [attach copies] \_\_\_\_\_ No  Proposed \_\_\_\_\_

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises: Residential  
\_\_\_\_\_  
\_\_\_\_\_

6. Applicant's Attorney \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_



FAX Number \_\_\_\_\_

7. Applicant's Engineer \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

FAX Number \_\_\_\_\_

8. Applicant's Planning Consultant \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

FAX Number \_\_\_\_\_

9. Applicant's Traffic Engineer \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

FAX Number \_\_\_\_\_

10. List any other Expert who will submit a report or who will testify for the Applicant: **[Attach additional sheets as may be necessary]**

Name \_\_\_\_\_

Field of Expertise \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

FAX Number \_\_\_\_\_

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

- \_\_\_\_\_ Minor Subdivision Approval
- \_\_\_\_\_ Subdivision Approval [Preliminary]
- \_\_\_\_\_ Subdivision Approval [Final]

Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
(including remainder lot) (if applicable)

SITE PLAN:

- \_\_\_\_\_ Minor Site Plan Approval
- \_\_\_\_\_ Preliminary Site Plan Approval [Phases if applicable \_\_\_\_\_]
- \_\_\_\_\_ Final Site Plan Approval [Phases if applicable \_\_\_\_\_]
- \_\_\_\_\_ Amendment or Revision to an Approved Site Plan
- Area to be disturbed (square feet) \_\_\_\_\_
- Total number of proposed dwelling units \_\_\_\_\_
- Request for Waiver from Site Plan Review and Approval
- Reason for request: \_\_\_\_\_
- \_\_\_\_\_ Informal Review
- \_\_\_\_\_ Appeal decision of an Administrative Officer [N.J.S. 40:55D-70a]
- \_\_\_\_\_ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]
- Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]
- \_\_\_\_\_ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]
- \_\_\_\_\_ Variance Relief (use) [N.J.S. 40:55D-70d]
- \_\_\_\_\_ Conditional Use Approval [N.J.S. 40:55D-67]

- \_\_\_\_\_ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]
- \_\_\_\_\_ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]
- \_\_\_\_\_ Density Transfer

12. Section(s) of Ordinance from which a variance is requested: 144-23 A.2  
Setback for accessory structure

13. Waivers Requested of Development Standards and/or Submission Requirements: [attach additional pages as needed]

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.  
**The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing.**  
 An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:

[Attach pages as needed]  
Requesting relief from setbacks  
to put a shed 10 feet from property line at  
my home. 14x24

16. Is a public water line available? NO

17. Is public sanitary sewer available? NO

18. Does the application propose a well and septic system? NO

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? NA

20. Are any off-tract improvements required or proposed? NO

21. Is the subdivision to be filed by Deed or Plat? NA

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? \_\_\_\_\_

23. Other approvals which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic County Health Department	_____	<u>/</u>	_____
Atlantic County Planning Board	_____	<u>/</u>	_____
Cape/Atlantic Soil Conservation District	_____	<u>/</u>	_____

NJ Department of Environmental Protection	_____	/	_____
Sewer Extension Permit	_____	/	_____
Sanitary Sewer Connection Permit	_____	/	_____
Stream Encroachment Permit	_____	/	_____
Waterfront Development Permit	_____	/	_____
Wetlands Permit	/	_____	_____
Tidal Wetlands Permit	_____	/	_____
Potable Water Construction Permit	_____	/	_____
Other <u>setbacks</u>	/	/	_____
NJ Department of Transportation	_____	/	_____
Atlantic City Electric & South Jersey Gas Company	_____	/	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

*Current tax - 5.18.21*

25. List of Maps, Reports and any and all information required by Schedule A, B and C for the type of application(s) involved. (Attach additional pages as required for complete listing.)

Quantity	Description of Item
<u>15</u>	<u>Survey</u>
_____	_____
_____	_____
_____	_____

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:  
Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional	Reports Requested
Engineer _____	_____
Attorney _____	_____

**CERTIFICATIONS**

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. [If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this 18 day of May, 2021

*Kimberly J. Johnson*  
 \_\_\_\_\_  
 NOTARY PUBLIC

*Zach Peterson*  
 \_\_\_\_\_  
 SIGNATURE OF APPLICANT

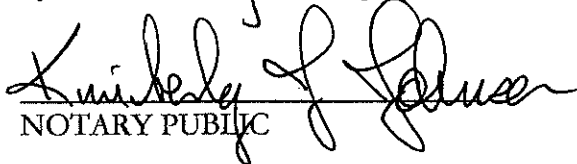
28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

10 day of May, 2021

KIMBERLY J. JOHNSON  
Notary Public, State of New Jersey  
My Commission Expires June 1, 2022

  
NOTARY PUBLIC

  
SIGNATURE OF APPLICANT

29. I understand that the sum of \$ \_\_\_\_\_ has been deposited in an escrow account (Builder's Trust Account). In accordance with the Ordinances of the Township of Mullica, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

5.18.21  
Date

  
SIGNATURE OF OWNER

## Mullica Township Professional Staff

Engineering & Planning  
Deborah Wahl  
Doran Engineering

Planning Board Attorney  
Timothy Maguire, Solicitor

Planning Board Secretary  
Kimberly Johnson, 609-561-7070  
Post Office Box 317  
Elwood, NJ 08217  
[kjohnson@mullicatownship.org](mailto:kjohnson@mullicatownship.org)

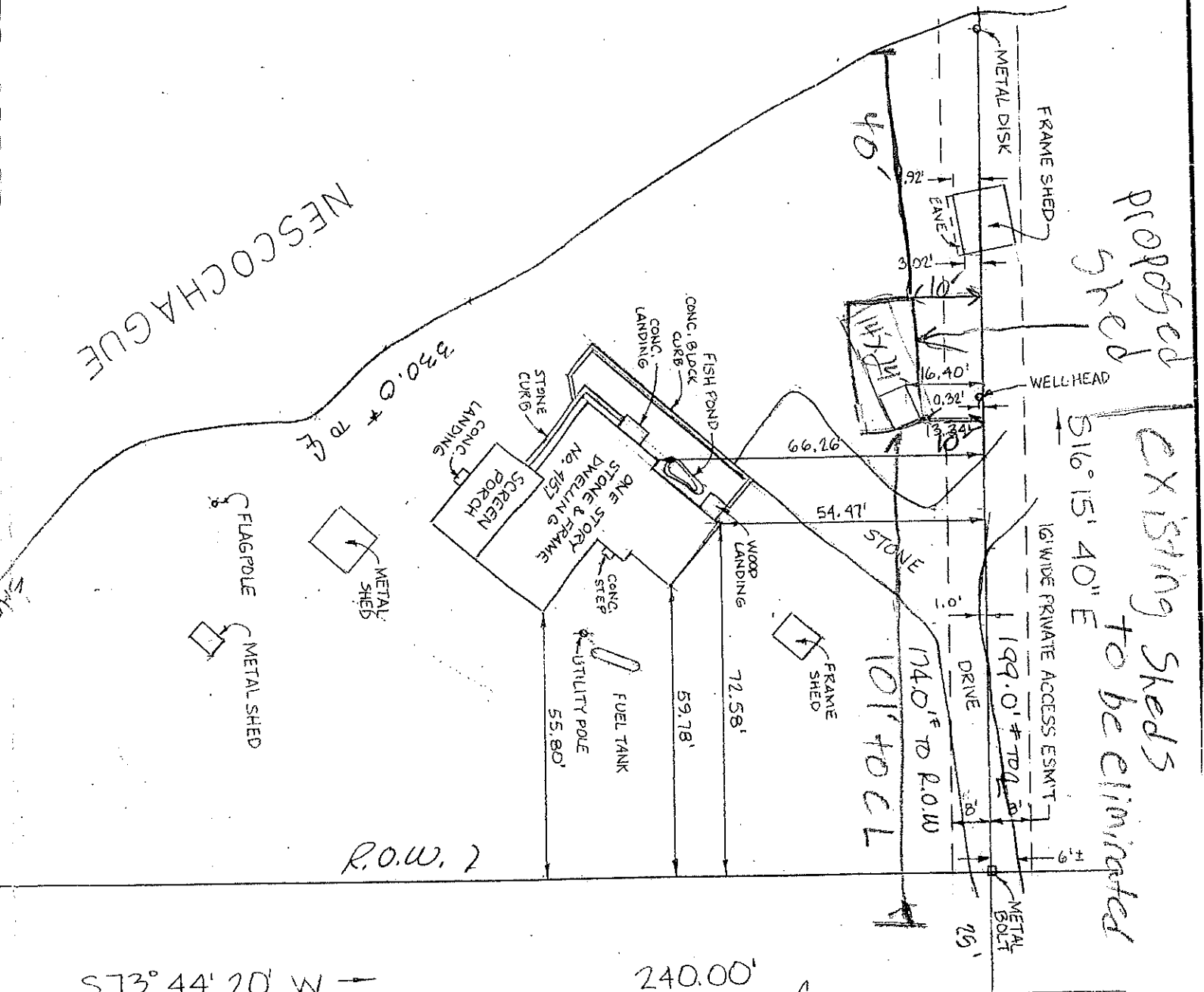
Category

Application Fees

Escrow  
Fees

NESSCOCHAGUE

Proposed shed  
Existing sheds to be eliminated



$S 73^{\circ} 44' 20'' W$

240.00'

NESSCO ROAD

(FORMERLY HAMMONTON - PLEASANT MILLS ROAD)

DEED

**TOWNSHIP OF MULLICA  
STREET VACATION APPLICATION**

*X*  
pd. 100. App  
3000 screw

To be completed by applicant.

**1. STREET TO BE VACATED:**

Street: Washington Ave - Portion of ?  
Page \_\_\_\_\_ Block 10903 Lot(s) 1  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Street vacation is located between 145 23rd ave and 201 23rd ave  
Zoning District Mullica Will this street vacation land lock any properties  
? Yes ? No

Reason for Request I would like to utilize the land

**2. APPLICANT**

Name: Joseph I Chaim  
Address: 145 23rd Ave Egg Harbor City NJ 08215  
Telephone # & Email: 917-480-6630 -- Jchaim99@gmail.com

Applicant is a: Partnership  Individual  Corporation  (corporations must be represented by an Attorney) If applicant is a corporation or partnership, on company letterhead set forth the names and addresses of all stockholders or partners having an interest of 10% or more. (Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all Persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed.)

**3. PROFESSIONALS AND/OR EXPERTS: ?**

Name: \_\_\_\_\_ Profession: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_  
Name: \_\_\_\_\_ Profession: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

**4. LIST OF MAPS AND/OR OTHER SUPPORTING DOCUMENTS:**

Quantity	Description of Item
_____	_____
_____	_____

X

**CERTIFICATIONS**

5. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. [If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
8 Day of June, 20 21

[Signature]  
APPLICANT

[Signature]  
NOTARY  
**KIMBERLY J. JOHNSON**  
Notary Public, State of New Jersey  
My Commission Expires June 1, 2022

I understand that the sum of \$ \_\_\_\_\_ has been deposited in an escrow account (Builder's Trust Account). In accordance with the Ordinances of the Township of Mullica, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

[Signature]  
APPLICANT

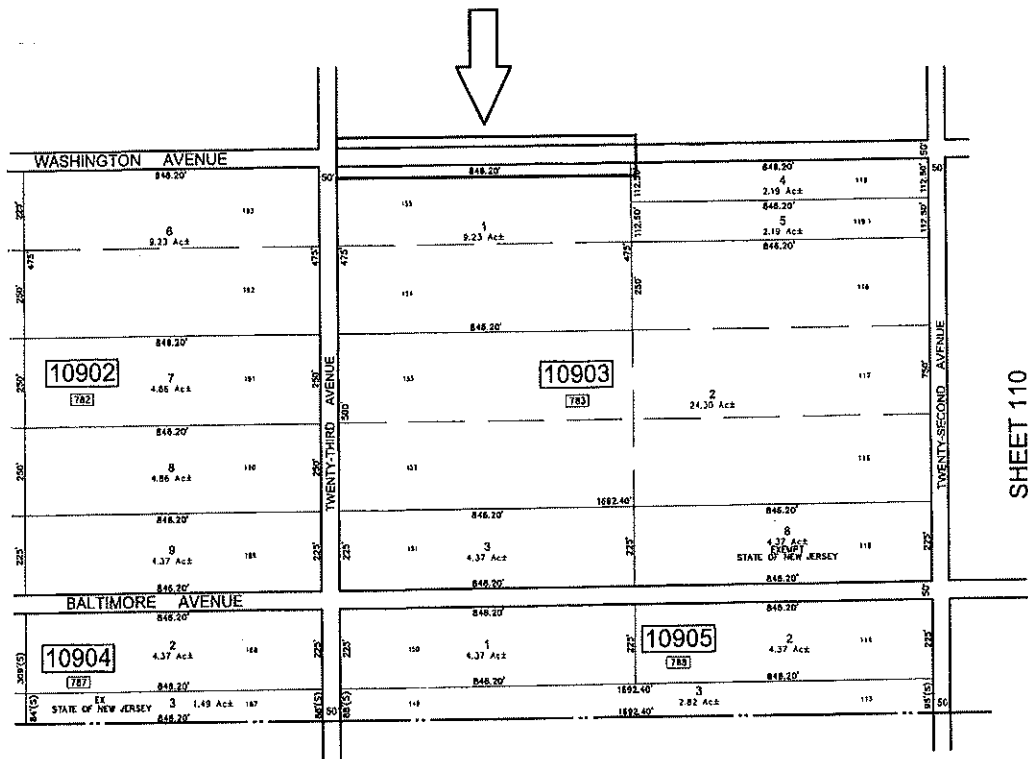
**Mullica Township Professional Staff**

**Engineering & Planning**  
Deborah Wahl  
Doran Engineering

**Planning Board Attorney**  
Timothy Maguire, Solicitor 609-641-1166  
200 Jackson Avenue  
Northfield, NJ 08225  
[magmaglaw@aol.com](mailto:magmaglaw@aol.com)

**Planning Board Secretary**  
Kimberly Johnson, 609-561-7070  
Post Office Box 317  
Elwood, NJ 08217  
[kjohnson@mullicatownship.org](mailto:kjohnson@mullicatownship.org)

T 108



TOWNSHIP  
COUNTY

THIS MAP HAS BEEN GIVEN A  
FORMAL CERTIFICATION BY THE  
DIVISION OF TAXATION ON  
JUNE 8, 2017, SIGNED BY  
JUDITH MILLER, CTA AND SHELLY  
REILLY, CTA ASSIGNED SERIAL  
NUMBER 630

ATLANTIC COUNTY  
SCALE: 1" = 200'

TAX MAP  
TOWNSHIP OF MULLICA

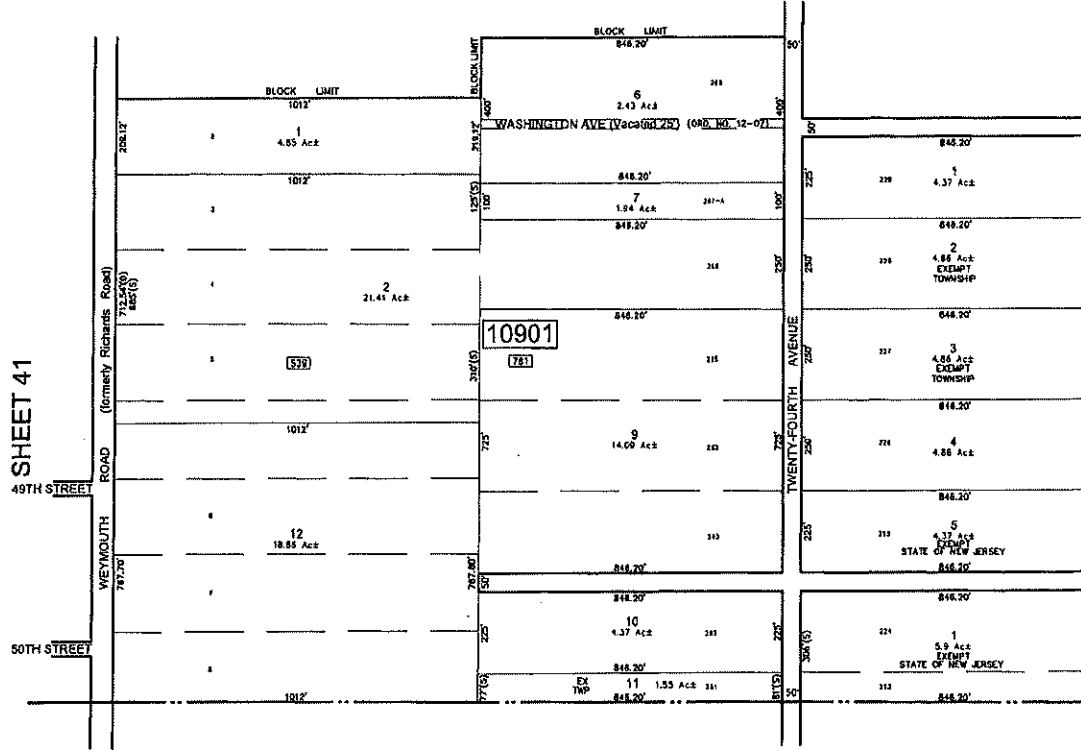
NEW JERSEY  
DATE: JANUARY 2017

ED CLAY

PROFESSIONAL LAND SURVEYOR  
NEW JERSEY LICENSE NO. 34942  
830 SOL WHITE HICKLE PIKE  
HAMMONTON, NEW JERSEY 08037  
CDAP 21043797300

TO SHOW CONDITIONS AS OF FEBRUARY 1, 2017





SHEET 41

HAMILTON TOWNSHIP  
ATLANTIC COUNTY

\* THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/ DESIGN (CAD/D) AND COORDINATE GEOMETRY (COGO).

REVISIONS				
DATE	BY	LIC NO	BLOCK	LOT
02/2017	ED CLAY	34842	Part of Washington Ave Vacated	