

**WOOLWICH TOWNSHIP JOINT LAND USE BOARD  
REGULAR MEETING  
APRIL 1, 2021**

Chairman Maugeri called the meeting to order at 7:02 PM

Adequate notice of this meeting had been provided in accordance with the Open Public Meetings Act.

Chairman Maugeri led all present in the Pledge of Allegiance.

Roll call of JLUB members:

**Sal Barbagallo- Present, John Casella – Present, Carolyn Grasso - Absent, Chief Jaramillo – Present, John Juliano - Absent, Joseph Kauffman- Present, Mayor Marino - Present, Deputy Mayor Matthias - Present, Chairman Maugeri – Present, Bob Rushton - Present, Dawn Varallo-Present.**

**JLUB Solicitor, B. Lozuke and JLUB Planner, A. Jones also in attendance.**

Next on the agenda was the approval of the minutes.

-March 18, 2021- B. Rushton made a motion to adopt the minutes, Mayor Marino seconded the motion. All were in Favor. Chief Jaramillo abstained.

Resolutions:

**Resolution #2021-17** of the Joint Land Use Board of the Township of Woolwich Regarding Application NO. JLUB 2021-002 Summit Ventures, Villages II, Sections 1.2, 1.3, & 1.4, Granting Final Major Subdivision for Block 28, Lots 5, 6.01 and 16.

Chairman asks for a motion, B. Rushton makes a motion to adopt Res. 2021-17, seconded by Mayor Marino. Roll Call as follows:

**S. Barbagallo – Yes, J. Casella – Yes, Chief Jaramillo – Yes, Mayor Marino – Yes, J. Kauffman – Yes, B. Rushton – Yes, Chairman Maugeri –Yes**

**Resolution #2021-18** of the Joint Land Use Board of the Township of Woolwich Regarding Application NO. JLUB 2021-001 Atlantic City Electric Company, 404 Center Square Rd, Block 2.09 Lots 1 and 1.01 Granting Minor Subdivision, Preliminary/Final Major Site Plan & Use Variance.

J. Kauffman asks a question regarding a buffer for landscaping that was discussed at the presentation. Mr. Lozuke answers his question that the information the township needed has been submitted by the applicant and is reflected in this resolution.

Chairman asks for a motion, J. Casella makes a motion to adopt Res. 2021-18, seconded by B. Rushton. Roll Call as follows:

**S. Barbagallo – Yes, J. Casella – Yes, J. Kauffman – Yes, B. Rushton – Yes, D. Varallo – Yes, Chairman Maugeri –Yes**

Next- New Business:

**JLUB #2021-003** Samantha LaSpada, 205 Amherst Ct, Block 1.02 Lot 12.03. Bulk Variance.

Mr. Lozuke swears in applicant Samantha LaSpada and Charles Etherington, owners of residence at 205 Amherst Ct.

Ms. LaSpada states that she is looking to install a 6 foot high fence in her back yard for privacy and to keep her large dogs safe in the yard. The property had a pool installed by previous owner.

Chairman Maugeri explains to the board that the zoning code references all road-fronted areas have only a 4 foot high fence. Ms. LaSpada's house has "3 front yards" as it is on a cul-de-sac and the back yard is at the corner of Auburn Rd. and Oldman's Creek Rd. putting her at a disadvantage with the property and the zoning code.

Chairman Maugeri also notes that the fence proposed would be about 20 feet from the property line at the closest, so as not to interfere with other properties. Applicant agrees. Chairman also notes that the lot has a number of ever greens are very tall and pre-existing so that the fence will be hardly seen from the road.

Ms. LaSpada states that she has spoken to all her neighbors and all have said they have no issue with the fence location.

Mr. Jones begins with the review of his letter dated March 24, 2021. Applicant seeks two variances. Mr. Jones asks the applicant to provide testimony as to whether or not this variance would cause any harm or detriment to the community. Supporting posts must be on the inside of the fence, applicant confirms.

Solicitor Mr. Lozuke asks about the missing signed and sealed copy of the survey. Applicant responds that it has been submitted to the township. Secretary Kilpatrick comments that his packet includes a copy and gives one to Mr. Jones for his files.

With no other questions from the board, Chairman Maugeri asked for a motion to open to the public for comment. S. Barbagallo made a motion to open, seconded by Chief Jaramillo. All were in favor.

With no one from the public coming forth to speak, Mayor Marino made a motion to close to the public, seconded by B. Ruston. All were in favor.

With no more questions from the board, Chairman Maugeri asked for a motion on the application. B. Rushton made a motion to grant the bulk variance, seconded by J. Casella. Roll Call as follows:

**S. Barbagallo – Yes, J. Casella – Yes, Chief Jaramillo – Yes, Mayor Marino – Yes, Dept. Mayor Matthias – Yes, B. Rushton – Yes, Chairman Maugeri –Yes**

With nothing else on the Agenda, Chairman Maugeri asks for a motion to adjourn. J. Casella makes the motion, seconded by Chief Jaramillo. All were in favor.

The JLUB meeting adjourned at approximately 7:16 PM.

Respectfully Submitted,

Shannon Kilpatrick  
Joint Land Use Secretary  
***Minutes not verbatim, audio recording on file***



**REMINGTON  
& VERNICK  
ENGINEERS**

RVE HQ:  
232 Kings Highway East  
Haddonfield, NJ 08033  
O: (856) 795-9595  
F: (856) 795-1882

March 24, 2021

Woolwich Township  
Joint Land Use Board  
Joe Maugeri, Chairman  
120 Village Green Drive  
Woolwich Township, NJ 08085

Attention: Shannon Kilpatrick, Secretary

**Re: Bulk Variance  
LaSpada  
205 Amherst Ct  
Block 1.02, Lot 12.03  
Application #2021-03  
Our file # 0824-P-121**

Dear Board Members:

We have reviewed a bulk variance submission, received February 28, 2021, consisting of the following:

Sheet	Title	Date	Latest Revision Date
1 of 1	Boundary Location Survey w/ proposed Fence	02-24-2021	---

The proposed survey was prepared by Anthony Maltese, P.E., P.L.S., P.S.M., P.P., C.M.E., American Layout & Land Surveying, 922 NJ-33, Suite 3, Freehold, NJ 07728, (844)-787-8399. The survey should be sign and sealed by a registered New Jersey Land Surveyor.

**I. GENERAL INFORMATION**

**Applicant/ Owner** Samantha LaSpada  
205 Amherst Court  
Woolwich, NJ 08085

**Proposal:** The applicant is seeking bulk variance relief to allow for the installation of a six-foot-high fence.

**Zoning:** R-2 Residential

## II. SUBMISSION INFORMATION

The requirements for completeness are included in the Woolwich Township Joint Land Use Board (JLUB) Submission Requirement Checklist. The application has been deemed complete.

## III. ZONING REQUIREMENTS

- A. **Use:** The applicant's proposed fence is in conformance with the permitted uses of the R-2 Residential zone.
- B. **Area and Bulk Requirements:** The applicant is not expanding the footprint of the building or use; therefore, all requirements are pre-existing.

## IV. GENERAL COMMENTS

- 1. Per Section 203-70.B(2), fences not exceeding 48 inches in height may be erected between the building line and the road. The applicant is proposing to construct 6 ft. tall fence, 19.25 feet from Oldmans Creek Road. A variance is required.
- 2. Per Section 203-70.B(6), where fencing is erected adjacent to any property line bordering on any street, the fencing may not exceed a height of four feet. The proposed fence is 6 feet tall. A variance is required.
- 3. Per Section 203-70.B(9), all fences must be installed with the supporting posts facing the inside of the lot. Testimony should be provided.
- 1. The applicant should be aware that for the JLUB to grant a 'c' variance, it must be demonstrated that the requested variance may be granted without detriment to the public good or the Township's Zone Plan. The Municipal Land Use Law (MLUL) at N.J.S.A. § 40:55D-70 sets forth the statutory requirements for "c" variance (bulk) relief. The JLUB has the power to grant "c(1)" or "hardship" variances from zoning ordinance regulations pursuant to N.J.S.A. 40:55D-70c(1) where "peculiar and exceptional practical difficulties" and "exceptional and undue hardship" as: *[where] by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation... would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such*

property... [N.J.S.A. 40:55D-70c(1)]. The JLUB has the power to grant “c(2)” or “benefits versus burdens” variances from zoning ordinance regulations pursuant to N.J.S.A. 40:55D-70c(2) where: “in an application or appeal relating to a specific piece of property the purposes of [the MLUL] would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation from the zoning ordinance requirements would substantially outweigh any detriment.”

**V. SUMMARY OF VARIANCES AND WAIVERS**

**Variations:** Section 203-70.B(2) - Fence height exceeding 48 inches  
Section 203-70.B(6) - Fence height exceeding 4 feet

**Waivers:** None

When plans are resubmitted, they are to be accompanied with a point-by-point response to all underlined items.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

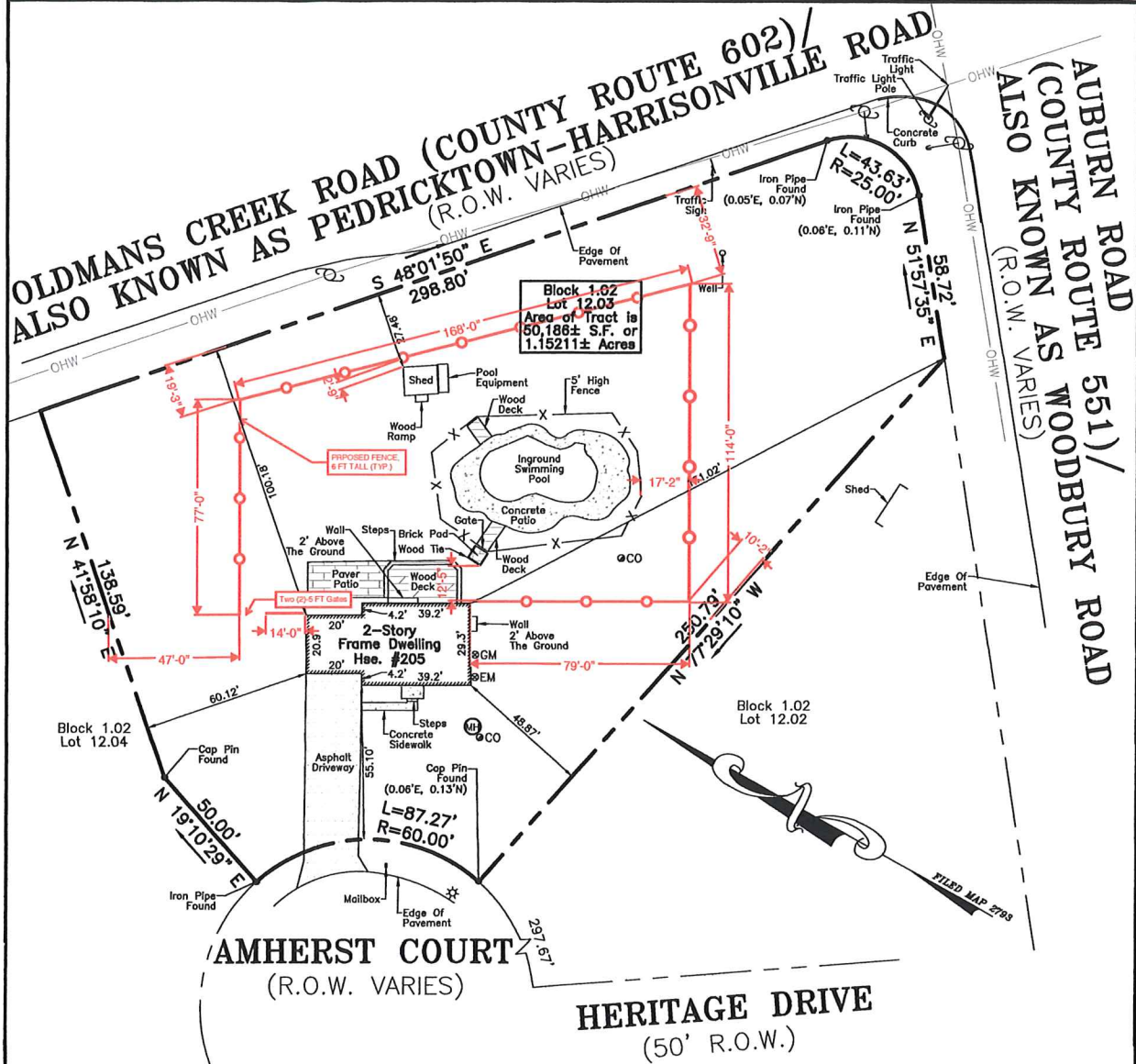
**REMINGTON & VERNICK ENGINEERS, INC.**



Ashton G. Jones, P.P., AICP, CFM

AGJ/MD/jlm

cc: Samantha LaSpada  
Audubon Fencing  
Brian Lozuke, Esq., Board Solicitor (via email)  
Paul Breier, P.E., Board Engineer (via email)



**AMHERST COURT**  
(R.O.W. VARIES)

**HERITAGE DRIVE**  
(50' R.O.W.)

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 40 ft.

**GENERAL NOTES**

1. ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. ELEVATIONS IF ANY ARE BASED ON AN (ASSUMED DATUM) (NAVD29) (NAVD88)
3. EVIDENCE OF ANY COVENANTS AND/OR DEED RESTRICTIONS HAVE NOT BEEN FOUND OR SUPPLIED.
4. THIS PROPERTY IS SUBJECT TO ANY DOCUMENTS OF RECORD.
5. PROPERTY SUBJECT TO CHANGES ACCORDING TO THE FACTS A CURRENT TITLE REPORT MAY DISCLOSE.
6. OFFSETS SHOWN HEREIN ARE NOT TO BE USED AS A BASIS FOR THE CONSTRUCTION OF FENCES, PERMANENT STRUCTURES, AND/OR HARDSCAPES OF ANY KIND.
7. UNDERGROUND IMPROVEMENT AND/OR ENCROACHMENTS IF ANY, ARE NOT SHOWN HEREIN UNLESS INDICATED.
8. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE SURVEYOR FOR THE USE OF THIS SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, THE USE OF THE SURVEY FOR AN AFFIDAVIT OF SURVEY, RESALE OF THE PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN THE ORIGINAL CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.
9. ONLY COPIES OF THE ORIGINAL OF THE SURVEY MARKED WITH THE SURVEYORS SIGNATURE AND THE SURVEYORS EMBOSSED SEAL SHALL BE CONSIDERED TO BE AN ORIGINAL.
10. FIELD WORK DEPICTED HEREIN WAS PERFORMED ON 02/17/2021. THIS PLAN DOES NOT ATTEST TO ANY FIELD ADDITIONS, SUBTRACTIONS, OR ANY OTHER CHANGE AFTER OUR FIELD WORK HAS BEEN PERFORMED.
11. DUE TO COUNTY RECORDER'S OFFICE CLOSURES AND LIMITED ACCESS RELATED TO COVID-19 WE MAY BE TEMPORARILY UNABLE TO RECORD DOCUMENTS IN THE NORMAL COURSE OF BUSINESS.

**LEGEND**

- ⊗ GM Gas Meter
- ⊗ EM Electric Meter
- ⊗ CO Cleanout
- ⊗ Utility Pole
- ⊗ Light Pole
- ⊗ Traffic Sign
- ⊗ MH Manhole
- OHW — Overhead Wire
- P.O.B. Point of Beginning
- R.O.W. Right-of-Way
- Hse. House

**PROPOSED FENCE LOCATION**

**DESCRIPTION:**

BEING KNOWN AS LOT 12.03 BLOCK 1.02 AS SHOWN ON SHEET NUMBER 1.01 OF THE OFFICIAL TAX MAP OF TOWNSHIP OF WOOLWICH, GLOUCESTER COUNTY, NEW JERSEY.

ALSO BEING KNOWN AS LOT 12.03, BLOCK 1.02 AS SHOWN ON A PLAN ENTITLED "SUBDIVISION PLAN, HERITAGE WALK", HAVING BEEN FILED ON APRIL 15, 1996 IN THE GLOUCESTER COUNTY CLERK'S OFFICE AS CASE NO. 2793.

**BOUNDARY LOCATION SURVEY**  
PREPARED FOR  
**BLOCK 1.02 - LOT 12.03**  
205 AMHERST COURT  
SITUATED IN  
**TOWNSHIP OF WOOLWICH, GLOUCESTER COUNTY, NEW JERSEY**

REVISION	DATE

**AMERICAN LAYOUT**  
LAND SURVEYING  
CONSTRUCTION SURVEYING  
www.americansurveyors.us

AMERICAN LAYOUT & LAND SURVEYING  
922 NJ-33, SUITE 3  
FREEHOLD, NJ 07728  
TEL: (848) 787-8399

CERTIFICATE OF AUTHORIZATION #024201133  
CERTIFICATE OF AUTHORIZATION #181811

**ANTHONY MALTBYE, P.E., P.L.S., P.S.M., P.P., C.M.E.**  
PROFESSIONAL LAND SURVEYOR  
PROFESSIONAL SURVEYOR AND MATTER  
NJ LICENSE NO. 43279 - PA LICENSE NO. 075550 - FL LICENSE NO. 15703

DATE	02/24/2021	
SCALE	1" = 40'	
SHEET NO.	1 OF 1	
BQ	AM	AM
DRAWN	CHECKED	RELEASED
FILE	2877	body Inc./Org
FILE NO.	2877	