



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

April 22, 2016

Michael Maley  
931 Haddon Avenue  
Collingswood, NJ 08108  
Via First Class Mail & Certified Mail #70142870000221428345

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on May 11, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

*Sandra Rost*  
Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

April 22, 2016

Mr. Chris Kramer  
Railroad Construction Co.  
705 Mantua Avenue  
Paulsboro, NJ 08066  
Via First Class Mail & Certified Mail #70133020000233303457

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on May 11, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

*Sandra Rost*

Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola

# MALEY & ASSOCIATES

A PROFESSIONAL CORPORATION

*Counsellors at Law*

931 Haddon Avenue

Collingswood, New Jersey 08108.

[www.maleyassociates.com](http://www.maleyassociates.com)

M. James Maley Jr.\*  
Emily K. Givens  
Erin B. Simone  
John C. Terruso\*  
M. Michael Maley\*

\* Admitted in PA & NJ

P 856.854.1515  
F 856.858.2944

April 11, 2016

**VIA E-MAIL (TFIOLA@CO.GLOUCESTER.NJ.US)**

Gloucester County Construction Board of Appeals  
c/o Anthony Fiola, Assistant Gloucester County Counsel  
2 South Broad Street  
Woodbury, NJ 08096

**Re: Railroad Construction v. Paulsboro**  
**Appeal No. 2015-13**

Dear Mr. Fiola:

Please be advised that this office represents the Borough of Paulsboro as it relates to the above captioned matter. The Borough has continued its settlement discussions with the Appellant in an attempt to resolve this matter. We have reached a tentative agreement to settle this matter and respectfully request that the hearing scheduled for Wednesday, April 13, 2016 be adjourned to the following meeting date. The Appellant has consented to this adjournment.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

**MALEY & ASSOCIATES**  
A Professional Corporation

By: \_\_\_\_\_

  
M. Michael Maley

/mmm

cc: Sandra Rost (via e-mail [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us))  
Chris Kramer (via e-mail [ckramer@railnj.com](mailto:ckramer@railnj.com))  
Kathy A. VanScoy, Clerk (via e-mail [kvanscoy@paulsboronj.org](mailto:kvanscoy@paulsboronj.org))



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

April 1, 2016

James Maley, Jr.  
931 Haddon Avenue  
Collingswood, NJ 08108  
Via First Class Mail & Certified Mail #70092820000100353235

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on April 13, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rost".

Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

April 1, 2016

Mr. Chris Kramer  
Railroad Construction Co.  
705 Mantua Avenue  
Paulsboro, NJ 08066  
Via First Class Mail & Certified Mail #70092820000100353228

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on April 13, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Rost", is written over the typed name.

Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola

2015-13

# MALEY & ASSOCIATES

A PROFESSIONAL CORPORATION

*Counsellors at Law*

931 Haddon Avenue

Collingswood, New Jersey 08108

[www.maleyassociates.com](http://www.maleyassociates.com)

M. James Maley Jr.\*  
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Erin B. Simone  
John C. Terruso\*  
M. Michael Maley\*

P 856.854.1515  
F 856.858.2944

\* Admitted in PA & NJ

March 9, 2016

**VIA E-MAIL (TFIOLA@CO.GLOUCESTER.NJ.US)**

Gloucester County Construction Board of Appeals  
c/o Anthony Fiola, Assistant Gloucester County Counsel  
2 South Broad Street  
Woodbury, NJ 08096

**Re: Railroad Construction v. Paulsboro  
Appeal No. 2015-13**

Dear Mr. Fiola:

Please be advised that this office represents the Borough of Paulsboro as it relates to the above captioned matter. The Borough has continued its settlement discussions with the Appellant in an attempt to resolve this matter. We have reached a tentative agreement to settle this matter and respectfully request that the hearing scheduled for this afternoon be adjourned to the following meeting date. The Appellant has consented to this adjournment.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

**MALEY & ASSOCIATES**  
A Professional Corporation

By: \_\_\_\_\_

M. Michael Maley

/mmm

cc: Sandra Rost (via e-mail [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us))  
Chris Kramer (via e-mail [ckramer@railnj.com](mailto:ckramer@railnj.com))  
Kathy A. VanScoy, Clerk (via e-mail [kvanscoy@paulsboronj.org](mailto:kvanscoy@paulsboronj.org))



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

February 16, 2016

Mr. Chris Kramer  
Railroad Construction Co.  
705 Mantua Avenue  
Paulsboro, NJ 08066  
Via First Class Mail & Certified Mail #70092820000100353457

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on March 9, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rost", is written over the typed name.

Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

February 16, 2016

Ed Johnson  
Gloucester County Fire Marshal  
212 County House Road  
Clarksboro, NJ 08020  
Via First Class Mail & Certified Mail #70092820000100353488

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on March 9, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola





**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

February 16, 2016

James Maley, Jr.  
931 Haddon Avenue  
Collingswood, NJ 08108  
Via First Class Mail & Certified Mail #70092820000100353440

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on March 9, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rost", is written over the typed name.

Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

February 16, 2016

Joan Silbaugh  
Borough of Paulsboro  
1211 Delaware Street  
Paulsboro, NJ 08066  
Via First Class Mail & Certified Mail #70092820000100353433

Appeal 2015-13  
Railroad Construction vs. Borough of Paulsboro

Please be advised that the above referenced appeal has been scheduled for hearing on March 9, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rost", is written over the typed name.

Sandra Rost  
Secretary

C: Bob DeAngelo  
Tony Fiola

# MALEY & ASSOCIATES

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M. James Maley Jr.\*

Emily K. Givens

Erin E. Simone

John C. Terruso\*

M. Michael Maley\*

\* Admitted in PA & NJ

February 10, 2016

**VIA E-MAIL (TFIOLA@CO.GLOUCESTER.NJ.US) AND REGULAR MAIL**

Gloucester County Construction Board of Appeals

c/o Anthony Fiola, Assistant Gloucester County Counsel

2 South Broad Street

Woodbury, NJ 08096

**Re: Railroad Construction v. Paulsboro  
Appeal No. 2015-13**

Dear Mr. Fiola:

Please be advised that this office represents the Borough of Paulsboro as it relates to the above captioned matter. The Borough has engaged in settlement discussions with the Appellant in an attempt to resolve this matter. We respectfully request that the hearing scheduled for this afternoon be adjourned to permit ongoing discussions. The Appellant has consented to this adjournment.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

**MALEY & ASSOCIATES**

A Professional Corporation

By: \_\_\_\_\_

M. James Maley, Jr.

MJM/mmm

cc: Sandra Rost (via e-mail ([srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us)) and regular mail)  
Chris Kramer (via e-mail ([ckramer@railnj.com](mailto:ckramer@railnj.com)) and regular mail)  
Kathy A. VanScoy, Clerk (via e-mail ([kvanscoy@paulsboronj.org](mailto:kvanscoy@paulsboronj.org)) and regular mail)



## BOROUGH of PAULSBORO

1211 Delaware Street · Paulsboro, NJ 08066  
Phone: (856) 423-1500 · Fax: (856) 423-9117  
[www.paulsboronj.org](http://www.paulsboronj.org)

December 3, 2015

Gloucester County Construction Board of Appeals  
C/o Anthony Fiola Assistant Gloucester County Counsel  
2 South Broad Street  
Woodbury, NJ 08096

Appeal: 2015-13  
Railroad Construction vs. Paulsboro

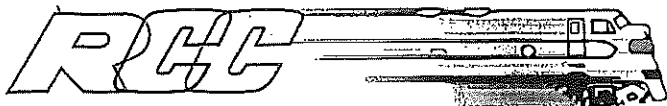
I have received the appeal notice referenced above. If possible I respectfully request that this be rescheduled due to conflict in scheduling. I will be out of town and will not be back in the area until late that night.

If rescheduling cannot be accomplished, please note that this violation was written due to a review done by the State Division of Fire Safety that changed the LHU for the premises and advised me of the violations arising from this change.

If you should have any questions I can usually be reached at the address and phone number below on Tuesdays or Thursdays between the hours of 10 a.m. and 2 p.m.

Respectfully,

Joan M. Silbaugh  
Fire Official Borough of Paulsboro  
1211 Delaware Street  
Paulsboro, NJ 08066  
(856) 423-1500



**Railroad Construction Co.**

OF SOUTH JERSEY, INC.

705 Mantua Avenue  
Paulsboro, NJ 08066  
856-423-2220  
FAX: 856-423-9389  
www.railnj.com

Construction Board of Appeals  
County of Gloucester  
PO Box 337  
Woodbury, NJ 08096

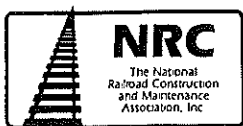
September 23, 2015

Dear Sir/Madame,

This letter is to serve as a formal appeal for the findings by the Fire Inspector from the NJ Division of Fire Safety on September 10, 2015. He has wrongfully classified an area of our office, and placed a life hazard usage on a common area in our office building that is simply an open access way for four offices and storage closets that we have on the second floor. While he was reviewing the life hazards on our property, he forced the Fire Official of Paulsboro to write notices of violation for various items on our property. The intent of the New Jersey Uniform Fire Code is to "protect life and property within this state from the danger of destruction by fire and explosion", and the life hazard use for this room, our storage yard, and the accompanying violations do nothing to serve this intent. We would like an Administrative Hearing regarding this matter. Attached is the \$50.00 check for this fee as listed on the violation paperwork.

Respectfully Submitted,

Chris Kramer  
Safety/HR Director



Equal Opportunity - Affirmative Action Employer



Borough of Paulsboro  
Bureau of Fire Prevention  
Office of the Fire Official  
1211 Delaware Street  
Paulsboro, N.J. 08066  
(856) 423-1500  
FAX: (856) 423-3951

Registration No.: 0814044618-003  
Municipality: Borough of Paulsboro  
County: Gloucester  
Inspector: Joan Silbaugh  
Inspected: 09/10/2015

Page: 1

To: RAILROAD CONSTR. J&A Properties of NJ, LLC Offices  
705 Mantua Avenue  
Paulsboro, N.J. 08066

NOTICE OF VIOLATIONS  
and  
ORDER TO CORRECT

Premises: RAILROAD CONSTR. J&A Properties of NJ, LLC Offices  
Address: 705 Mantua Avenue , Paulsboro, N.J. 08066  
Phone: 856-423-2220 Type of use: AD03-Office for railroad supply bus

OWNER  
e: Railroad Construction Co.  
ess: 705 Mantua Ave  
Paulsboro, N.J., 08066  
Phone: 856-423-2220

AGENT

TENANT/OPERATOR

Railroad Construction Co.  
705 Mantua Ave  
Paulsboro, N.J., 08066  
856-423-2220

YOU ARE HEREBY NOTIFIED THAT an inspection by this office disclosed violations of the Uniform Fire Code (N.J.A.C. 5:70-1 et. seq.) promulgated pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et. seq.). The violations are specified on the accompanying "Violations" report page(s).

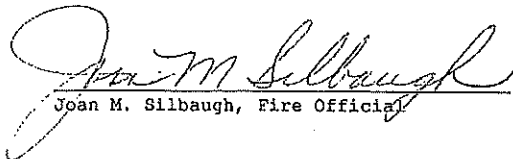
YOU ARE HEREBY ORDERED by the Fire Official to correct the violations listed on the accompanying "Violations" report page(s) within the time, or by the date specified. If a reinspection discloses that violations have not been corrected, and an extension has NOT been requested and granted, you will be subject to penalties of up to \$5,000 per violation per day or as otherwise authorized by the Act and Department Regulations.

IN ADDITION, the ACT imposes liability on the owner for the actual costs of fire suppression where a violation directly or indirectly results in fire.

If you do not understand this order, need assistance, or desire further information, please call the Fire Official's Office at (856) 423-1500

APPEAL RIGHTS-EXTENSIONS

See the attached page of information concerning your administrative appeal rights, authorized penalties and the procedure for requesting an extension of time in which to correct violations.

  
Joan M. Silbaugh, Fire Official

Signature of Owner or Representative

Printed Name of Owner or Representative

Date

# VIOLATIONS

es: RAILROAD CONSTR. J&A Properties of NJ, LLC Offices  
705 Mantua Avenue

Paulsboro, N.J. 08066

Registration No. 0814044618-003  
Inspection Date: September 10, 2015  
Initial Inspector:  
Print Name: Joan Silbaugh  
Page number: 2

or/Agent: Railroad Construction Co.  
705 Mantua Ave  
Paulsboro, N.J., 08066

Date:

Inspector:

The violations cited on the above premises are as follows:

| Number | Description (Maintenance: 1 Retrofit: 1)                                                                                                | Abate by   | U/A | U/A | U/A |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------|------------|-----|-----|-----|
| 1.     | Location: Multi purpose room in office bldg.<br>Nature: Means of egress<br>Code Section: N.J.A.C. 5:70-3,408.14.4.2                     | 10/13/2015 |     |     |     |
| 2.     | Location: will be required for second exit<br>Nature: Internally Illuminated Exit signs required<br>Code Section: N.J.A.C. 5:70-4.11(k) | 10/13/2015 |     |     |     |

Key: The numbering of violations is for identification purposes only and shall not be construed as bearing in any way on the seriousness of any violation.

"U" Unabated - Violation uncorrected.

"A" Abated - Violation corrected.

## ADDITIONAL EXPLANATION

### Violation #01: Means of egress

408.14.4.2 Means of egress doorways. A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet (22 860 mm). All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

### Violation #02: Internally Illuminated Exit signs required

#### 5:70-4.11 Means of egress

(k) In all buildings, rooms or spaces required to have more than one exit or exit access, all required means of egress shall be indicated with approved internally illuminated or self-luminous signs reading "Exit", visible from the exit access and, when necessary, supplemented by directional signs in the exit access indicating the direction and way of egress. All "Exit" signs shall be located at exit doors or exit access areas, so as to be readily visible.

#### 1. Exception to (k) above:

- i. Exit signs shall not be required in buildings of Use Groups I-1, R-2 and R-3 having a total occupant load, excluding staff, of 20 or less.
- ii. Exit signs shall not be required when the second means of egress is a fire escape that is accessed directly from the individual sleeping room.
- iii. Approved main exterior doors that are clearly identified as exits are not required to have "Exit" signs.

2. "Exit" signs shall have red or green letters at least six inches high and the minimum width of each stroke shall be three-quarter inch on a white background or in other approved distinguishable colors. If an arrow is provided as part of an "Exit" sign, the construction shall be such that the arrow direction cannot be readily changed. The word "Exit" shall be clearly discernible when the internally illuminated sign is not energized.

3. Each sign shall be illuminated by a source providing not less than five foot candles at the illuminated surface.

- i. Exception to (k)3 above: Approved self-luminous signs which provide evenly illuminated letters shall have a minimum luminance of 0.06 foot lamberts.

4. All "Exit" signs shall be illuminated at all times when the building is occupied. To assure continued illumination for a duration of not less than one hour in case of primary power loss, the "Exit" signs shall be connected to an emergency electrical



system.

- i. Exception to (k)4 above: Approved self-luminous signs which provide continuous illumination independent of external power sources need not be connected to an emergency electrical system.

## ADMINISTRATIVE APPEAL RIGHTS

## GENERAL

YOU MAY CONTEST THESE ORDERS AT AN Administrative Hearing. The request for a hearing must be made in WRITING WITHIN 15 days after receipt of this order. The application for appeal shall be accompanied by a fee in the sum of \$ 50.00 payable to Construction Board of Appeals and addressed to:

Construction Board of Appeals  
County of Gloucester  
P.O. Box 337  
Woodbury, N.J. 08096

Copy to: Borough of Paulsboro  
Bureau of Fire Prevention  
Office of the Fire Official  
1211 Delaware Street

## EXTENSIONS

If a specified time has been given to abate a violation, you may request an extension of time by submitting a written request to the Fire Official. To be considered, the request must set forth the work accomplished, the work remaining, the reason why an extension of time is necessary, and the date by which all work will be completed.

Take Notice That, pursuant to N.J.A.C. 5:70-2.10(d), an application for an extension constitutes an admission that the violation notice is factually and procedurally correct and that the violations do or did exist. In addition, the request of an extension constitutes a waiver of the right to a hearing as to those violations which an extension is applied.

## PENALTIES

The maximum penalty for any act or omission in violation of the act or code but not enumerated in this subsection is \$5000.00 per violation per day. Except as specified below, a violation of N.J.A.C. 5:70-3 or 4 shall subject the violator to a maximum penalty of \$500.00 per violation per day. Specific violations shall subject violators to penalties as follows:

1. IMMINENT HAZARD-PUNITIVE CLOSURE:
  - (i) Failure to obey an Imminent Hazard Order, a maximum of \$5000.00 per day for each day that the failure continues.
  - (ii) Failure to obey an order to close for a fixed period of time issued pursuant to N.J.A.C. 5:70-2.17, a maximum of \$5000.00 per day for each day that the failure continues.
2. EGRESS:
  - (i) Blocking, locking, or obstructing required exits in a place of public assembly or education, a maximum of \$5000.00 per occurrence.
  - (ii) Blocking, locking, or obstructing required exits in any other place, a maximum of \$2500.00 per occurrence.
3. OCCUPANCY:
  - (i) Exceeding the maximum permitted occupancy in a place of public assembly or education...
    1. for the first offense, a maximum of \$2500.00
    2. for a subsequent offense, a maximum of \$5000.00
  - (ii) Exceeding the maximum permitted occupancy in any other place...
    1. for the first offense, a maximum of \$500.00
    2. for a subsequent offense, a maximum of \$ 2500.00
4. FIRE PROTECTION EQUIPMENT:
  - (i) Failure to install a required suppression or detection device, after having been given written notice of the requirement to do so...
    1. in a place of public assembly or education, a maximum of \$2500.00 per violation per day.
    2. in any other place, a maximum of \$1000.00 per violation per day.
  - (ii) Disabling or decreasing the effectiveness of any fire suppression system or alarm device...
    1. in a place of public assembly or education, a maximum of \$5000.00 per occurrence.
    2. in any other place, a maximum of \$1000.00 per occurrence.
5. FAILURE TO COMPLY WITH A LAWFUL ACTION
  - (i) A negligent or inadvertent failure to comply with a lawful order, ruling, notice or other action of the Commissioner of a Local Enforcing Agency - a maximum of \$2000.00 per occurrence.
  - (ii) A refusal or deliberate failure to comply with a lawful order, ruling, notice or other action of the Commissioner of a Local Enforcing Agency - a maximum of \$5000.00 per occurrence.
6. OBSTRUCTION
  - (i) Anyone who obstructs, hinders, delays or interferes by force or otherwise with the Commissioner or any member of a Local Enforcing Agency in the exercise of any power or the discharging of any function or duty under the provision of this Code - a maximum of \$2500.00 per occurrence.
7. PERMITS
  - (i) Failure to obtain a required permit prior to commencing the operations, process, or activity for which a permit was required - a maximum of double the amount of the applicable permit fee.
  - (ii) Failure to obtain a required permit after being ordered to do so while continuing the operation, process or activity - a maximum of \$5000.00 per day during which the operation, process, or activity continues.
8. REGISTRATION
  - (i) Failure to file a registration application after having been ordered to do so - an amount equal to double the registration application fee, but not less than \$200.00 or more than \$1000.00 for each registration.
  - (ii) Failure to pay required annual registration fee when due - an amount equal to the unpaid fee.
9. FALSE STATEMENTS
  - (i) Preparing, uttering, or rendering any false statement, pertaining to reports, documents, plans, or specifications permitted or required under the provisions of this Code - a maximum of \$5000.00
  - (ii) Submission of a materially false application for a permit or registration - a maximum of \$1000.00 per occurrence.

## DEDICATED AND COMPENSATORY PENALTIES 5:70-2.12A

An owner, having been given notice of the existence of a violation and failing to abate same, shall in addition to being liable for penalties under N.J.A.C. 5:70-2.12A, also be liable to a dedicated penalty pursuant to this subsection (\$50,000.00 and \$150,000 for compensatory penalties).

## FIRE DEPARTMENT COSTS 5:70-2.13 (a), (b), (c)

An owner who has been given notice of violation shall be responsible for a penalty not exceeding \$150,000.00, or the costs of suppressing any fire which directly or indirectly results from the violation, whichever is greater.

Claims arising out of penalty assessments can be compromised or settled only if it shall be likely to result in compliance. Moreover, no such disposition can be finalized while the violation continues to exist.

Any penalties assessed are in addition to over previously assessed. Penalties must be paid in full within 30 days after an order to pay. If full payment is not made within 30 days, the matter will be referred to the township attorney for summary collection pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et. seq.).

OFFICE: If you require guidance or advice concerning your legal rights, obligations or the course of action you should follow, consult your own advisor.

Gloucester County Construction Board of Appeals

c/o Anthony Fiola, Assistant Gloucester County Counsel

2 South Broad Street

Woodbury, NJ 08096

(856) 384-6895

January 11, 2016

Ed Johnson

212 County House Road,

Clarksboro, NJ 08020

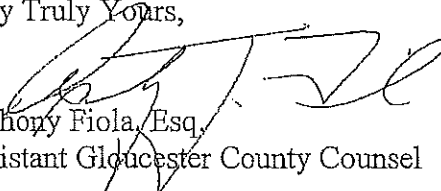
Via First Class Mail & Certified Mail # 7009 2820 0001 0035 3129

Appeal: 2015-13

Railroad Construction vs. Paulsboro

This is to confirm that the above appeal, presently scheduled for January 13, 2016, must be postponed. The rescheduled hearing will be held on February 10, 2016.

Very Truly Yours,



Anthony Fiola, Esq.  
Assistant Gloucester County Counsel

cc. Bob DeAngelo

Gloucester County Construction Board of Appeals

c/o Anthony Fiola, Assistant Gloucester County Counsel

2 South Broad Street

Woodbury, NJ 08096

(856) 384-6895

December 7, 2015

Mr. Chris Kramer

Railroad Construction Co.

705 Mantua Avenue

Paulsboro, NJ 08066

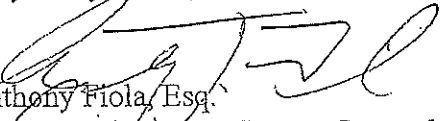
*Via First Class Mail & Certified Mail # 7009 2820 0001 0035 4270*

Appeal: 2015-13

Railroad Construction vs. Paulsboro

Please be advised that, due to the unavailability of the Paulsboro Fire Official, the above matter, scheduled for December 9, 2015, will be postponed. The rescheduled date of hearing will be January 13, 2016.

Very Truly Yours,



Anthony Fiola, Esq.  
Assistant Gloucester County Counsel

cc. Joan Silbaugh, Paulsboro Fire Official  
Bob DeAngelo

Gloucester County Construction Board of Appeals

c/o Anthony Fiola, Assistant Gloucester County Counsel  
2 South Broad Street  
Woodbury, NJ 08096  
(856) 384-6895

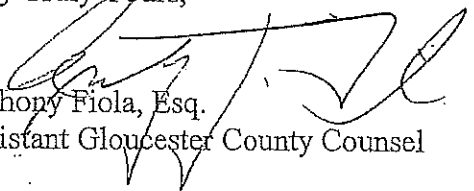
January 11, 2016

Mr. Chris Kramer  
Railroad Construction Co.  
705 Mantua Avenue  
Paulsboro, NJ 08066  
*Via First Class Mail & Certified Mail # 7009 2820 0001 0035 3099*

Appeal: 2015-13  
Railroad Construction vs. Paulsboro

Please be advised that, due to the unavailability of the fire official, the above appeal, presently scheduled for January 13, 2016, must be postponed. The rescheduled hearing will be held on February 10, 2016. Thank you for your attention.

Very Truly Yours,



Anthony Fiola, Esq.  
Assistant Gloucester County Counsel

cc. Bob DeAngelo

# Gloucester County Construction Board of Appeals

c/o Anthony Fiola, Assistant Gloucester County Counsel

2 South Broad Street

Woodbury, NJ 08096

(856) 384-6895

November 30, 2015

Mr. Chris Kramer

Railroad Construction Co.

705 Mantua Avenue

Paulsboro, NJ 08066

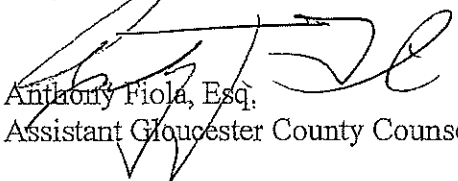
*Via First Class Mail & Certified Mail # 7011 3500 0000 8786 7504*

Appeal: 2015-13

Railroad Construction vs. Paulsboro

Please be advised that the above appeal has been scheduled for hearing on December 9, 2015 at 3:30 PM. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. Complex, West Deptford, NJ 08096.

Very Truly Yours,



Anthony Fiola, Esq.  
Assistant Gloucester County Counsel

cc. Bob DeAngelo

# Gloucester County Construction Board of Appeals

c/o Anthony Fiola, Assistant Gloucester County Counsel  
2 South Broad Street  
Woodbury, NJ 08096  
(856) 384-6895

November 30, 2015

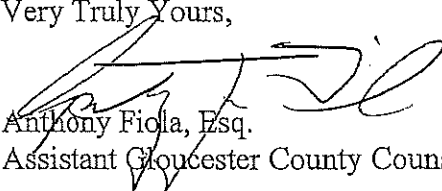
Borough of Paulsboro  
Office of the Fire Official  
Attn: Joan Silbaugh  
1211 Delaware Street  
Paulsboro, NJ 08066

*Via First Class Mail & Certified Mail # 7009 2820 0001 0035 4263*

Appeal: 2015-13  
Railroad Construction vs. Paulsboro

Please be advised that the above appeal has been scheduled for hearing on December 9, 2015 at 3:30 PM. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. Complex, West Deptford, NJ 08096.

Very Truly Yours,



Anthony Fiola, Esq.  
Assistant Gloucester County Counsel

cc. Bob DeAngelo

# Gloucester County Construction Board of Appeals

c/o Anthony Fiola, Assistant Gloucester County Counsel

2 South Broad Street

Woodbury, NJ 08096

(856) 384-6895

September 28, 2015

Mr. Chris Kramer  
Railroad Construction Co.  
705 Mantua Avenue  
Paulsboro, NJ 08066

Dear Mr. Kramer,

Enclosed please find your check for \$50.00. The correct amount for the Construction Board of Appeals is \$100.00. Please forward a check in the amount of \$100.00. The matter will be scheduled for November 12, 2015, at 3:30 PM at the County offices on Budd Blvd.

Very Truly Yours,

Anthony Fiola, Esq.  
Assistant Gloucester County Counsel



RECEIPT TRANSMITTAL SHEET

DEPARTMENT: CONSTRUCTION BOARD OF APPEALS

ACCOUNT NUMBER: 9-01-16-130-105-003

DESCRIPTION: Construction Appeal

DATE SENT TO TREASURER'S OFFICE: 11/30/15

SENT BY: \_\_\_\_\_ EXT. \_\_\_\_\_

| <u>CHECK ISSUER/CHECK #</u>          | <u>DATE RECEIVED</u> | <u>AMOUNT</u>    |
|--------------------------------------|----------------------|------------------|
| <u>Railroad Construction #504923</u> | <u>11/30/15</u>      | <u>\$ 100.00</u> |
| _____                                | _____                | _____            |
| _____                                | _____                | _____            |
| _____                                | _____                | _____            |
| _____                                | _____                | _____            |
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| _____                                | _____                | _____            |
| _____                                | _____                | _____            |
| _____                                | _____                | _____            |
| _____                                | _____                | _____            |

TOTAL: 100.00

TOTAL CHECKS: 100.00

TOTAL CASH: \_\_\_\_\_

TOTAL: 100.00

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Treasurer's Office



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

October 24, 2016

Shieldalloy Metallurgical Corp.  
35 S. W. Boulevard  
Newfield, NJ 08344

Via First Class Mail & Certified Mail # 70153430000050232054

Appeal 2016-8  
Shieldalloy vs. Gloucester County Fire Marshal

An appeal was filed regarding a violation notice issued to you by Gloucester County Fire Marshal. Please be advised that the above referenced appeal has been scheduled for hearing on November 9, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096. Should you have any questions please contact me at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

*Sandra Rost*  
Sandra Rost  
Secretary

C: Bob DeAngelo  
Emmett Primas Jr.



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

October 24, 2016

Shieldalloy Metallurgical Corp.  
%George Palladino  
308 Madison Avenue  
Newfield, NJ 08344

Via First Class Mail & Certified Mail # 70153010000074739386

Appeal 2016-8  
Shieldalloy vs. Gloucester County Fire Marshal

An appeal was filed regarding a violation notice issued to you by Gloucester County Fire Marshal. Please be advised that the above referenced appeal has been scheduled for hearing on November 9, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096. Should you have any questions please contact me at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

A handwritten signature in cursive script that reads "Sandra Rost".

Sandra Rost  
Secretary

C: Bob DeAngelo  
Emmett Primas Jr.



**COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
PO BOX 337  
WOODBURY, NEW JERSEY 08096**

October 24, 2016

Ed Johnson  
Gloucester County Fire Marshal  
212 County House Road  
Clarksboro, NJ 08020

Via First Class Mail & Certified Mail # 70153430000050231972

Appeal 2016-8  
Shieldalloy vs. Gloucester County Fire Marshal

An appeal was filed regarding a violation notice issued by you to ShieldAlloy Corp. Please be advised that the above referenced appeal has been scheduled for hearing on November 9, 2016 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096. Should you have any questions please contact me at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

*Sandra Rost*

Sandra Rost  
Secretary

C: Bob DeAngelo  
Emmett Primas Jr.

APPLICATION TO GLOUCESTER COUNTY  
CONSTRUCTION  
BOARD OF APPEALS

Gloucester County Construction  
Board of Appeals  
2 South Broad Street  
Woodbury, NJ 08096

IDENTIFICATION

Work Site Location GLOUCESTER COUNTY  
Owner in Fee SHIELDALLOY METALLURGICAL INC  
Address 35 S.W. BLVD  
Phone [REDACTED]  
Municipality NEWFIELD N.J.

Block 1002 Lot 1  
Agent GEORGE PALADINO  
Address 308 MADISON AVE  
NEWFIELD N.J.  
Phone [REDACTED]

APPLICANT STATEMENT

Specific section(s) of the Regulations in questions: NJAC 570-4.7(h) 1

WINDOWLESS BASEMENTS OVER 3000SF SHALL INSTALL A FIRE SUPPRESSION  
AND A FIRE ALARM SYSTEM IN ACCORDANCE WITH U.C.C.

Briefly state your position in this matter and explain this nature of the relief you seek. (If more space is required, additional pages may be attached.)

BUILDING HAS WINDOWS ALONG SOUTH WALL OF BASEMENT  
AS WELL AS READILY ACCESSIBLE EXIT DOORS AND OPEN STAIRS TO GRADE  
AT SOUTH AND EAST SIDES.

Attach copies of any documents or photographs you wish the board to consider.

FLOOR PLANS AND ELEVATIONS OF EXISTING BASEMENT SHOWING WINDOWS  
AND EXIT DOORS

Non-refundable Fee: \$100.00

Signed: George Paladino 10/11/2016  
Applicant Date

Application will not be considered complete  
unless accompanied by the appeal fee.



# SHIELDALLOY METALLURGICAL CORPORATION

35 S. W. Boulevard  
P. O. Box 768  
Newfield, NJ 08344 U.S.A.

Telephone: 856-697-6501  
FAX: 856-697-6515

Sept.9, 2016

Construction Board of Appeals  
County of Gloucester  
P.O.Box 337  
Woodbury, NJ 08086

To whom it may concern,

Please be advised that we wish to have a hearing before your board regarding a violation cited by the Gloucester Co. Fire Marshal's Office on Aug.11,2016, specifically Local ID# 0813.082 No.5, category: Retrofit Code (see attached). Included in this mailing is a check for the \$50.00 fee.

Our Company has retained the services of Ronald J. Angelo PA Architect; 821 Elmer St.; Vineland, NJ; 856-692-4600. Mr.Angelo will represent our concerns with the violation previously mentioned.

We appreciate your attention in this matter and await your answer to our application.

Regards,

George V.Paladino, Site Manager

Office: 856.697.6536

Mobile: [REDACTED]

E-mail: [gpaladino@shieldalloy.com](mailto:gpaladino@shieldalloy.com)

Cc: County of Gloucester, Office of Fire Marshal  
Ronald J. Angelo  
File

1. All spraying operations as regulated by the State Fire Prevention Code, Chapter 13, as amended by N.J.A.C. 5:70-3.2(a)13i through xvi, shall be equipped throughout with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code.

2. Dip operations as defined by the State Fire Prevention Code, Section F-1302.1 and as outlined in (e)2i through iii below shall be equipped with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code.

i. Dip tanks of over 150 gallons capacity or 10 square feet liquid surface area;

ii. Dip tanks containing a liquid with a flash point below 110 degrees F., when used in such manner that the liquid temperature may equal or be greater than its flash point from artificial or natural causes when having both a capacity of more than 10 gallons and a liquid surface area of more than four square feet; and

iii. Hardening and tempering tanks of over 500 gallons capacity or 25 square feet liquid surface area.

(f) All ballrooms, exhibit areas and accessory spaces of Use Group A-3 which exceed 12,000 square feet and are located in buildings of Use Groups R-1 and R-2, shall be equipped with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code.

1. The following are exceptions to (f) above:

i. Such assembly uses may be subdivided into fire areas not exceeding 12,000 square feet using permanent two-hour fire separation walls with 1½ hour opening protectives. Such walls shall be continuous from the floor to the deck above except that the wall may terminate at the ceiling if the ceiling is part of a fire-resistance rated floor/ceiling or roof/ceiling assembly.

ii. A-3 uses which are completely separated both horizontally and vertically from R-1 and R-2 uses by fire separation walls and floor/ceiling assemblies having a fire-resistance rating of not less than two hours with approved opening protectives having a fire-resistance rating of not less than 1½ hours. Walls shall be continuous from the floor to the deck above except that the walls shall be permitted to terminate at the ceiling if the ceiling is part of a fire-resistance rated assembly.

(g) All cooking operations that produce grease laden vapors shall be equipped with a ventilating hood, duct, and automatic fire suppression system designed and installed in accordance with the New Jersey Uniform Construction Code.

1. This subsection shall not apply to buildings in Use Groups R-2 or R-3.

2. Exception to (g) above: Ventilating hoods, ducts, and suppression shall not be required for completely en-

closed ovens, steam tables, or auxiliary equipment that does not produce grease laden vapors.

(h) In all buildings, any windowless basement or story located below the seventh story shall be equipped throughout with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code.

1. Stories or basements shall not be considered windowless when there is provided on at least one side of such story or basement fire fighter access through openings, such as windows, doors or access panels, that are located entirely above the adjoining grade level.

2. Such openings shall be at least:

i. 32 inches by 48 inches in size, spaced not more than 100 feet apart in each story or basement; or

ii. 22 inches by 42 inches in size, spaced not more than 30 feet apart in each story or basement.

3. All openings for fire fighter access shall conform to all the following:

i. Openings shall be unobstructed to allow fire fighting and rescue operations from the exterior; and

ii. Openings in stories at or above grade shall have a sill height of not more than 36 inches as measured from the finished floor level. Openings in basements shall have no sill height restrictions; and

iii. Openings shall be readily identifiable and openable from the outside or shall be glazed with plain flat glass.

4. When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet from such openings, the story shall be considered windowless unless openings as specified above are provided on at least two sides of the exterior walls of the story.

5. If any portion of a basement is located more than 75 feet from openings as specified above, the basement shall be considered windowless.

6. Windowless basements not exceeding 3,000 square feet in area shall be exempt from this automatic suppression requirement, provided a supervised automatic fire alarm system shall be installed in accordance with the New Jersey Uniform Construction Code.

7. In windowless basements greater than 3,000 square feet, but not exceeding 10,000 square feet in area, the required suppression system need not be connected to a water supply other than an existing domestic supply if the following conditions are met:

i. The suppression system shall be provided with a fire department connection, which shall be marked with a sign reading "Basement Area Sprinkler Water Supply"; and

**ROBERT W. SHEAIRS, R.A.**

ARCHITECT

510 Schaeffer Avenue  
Deptford, NJ 08096-6630

Phone (856) 374-8954

Fax (856) 302-5505

Email: [cassheairs@RWSRA.comcastbiz.net](mailto:cassheairs@RWSRA.comcastbiz.net)

March 31, 2016

ATTN: Edward J. Johnson,  
Chief Fire Marshal  
Office of Gloucester County Fire Marshal  
1200 North Delsea Drive  
Clayton NJ 08312

REF: 35 S. West Blvd., Newfield, NJ 08344  
Shieldalloy Corp. New Office Bldg., 6  
Windowless basement violation - 10/21/2015

Dear Mr. Johnson:

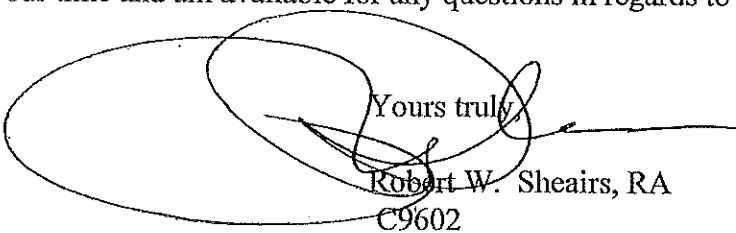
I have been retained by the afore mentioned corporation to modify their plan as required by the violation notification issued for the above building.

During my review of the construction code I question the need for any changes to be required for compliance.

The lower level was changed in 2007 to conform to the required means of access. I have enclosed the code pages from 2006, 2009, and 2015. These show this area conforms to the accessibility requirements.

I thank you for your time and am available for any questions in regards to the above office building.

Yours truly,

  
Robert W. Sheairs, RA  
C9602

✓ cc: SMC, George V. Paladino

*Registered: New Jersey and Maryland*



**[F] 903.2.8.3.2 Attics not used for living purposes, storage or fuel-fired equipment.** Attics not used for living purposes, storage or fuel-fired equipment shall be protected in accordance with one of the following:

1. Attics protected throughout by a heat detector system arranged to activate the building fire alarm system in accordance with Section 907.2.10.
2. Attics constructed of noncombustible materials.
3. Attics constructed of fire-retardant-treated wood framing complying with Section 2303.2.
4. The *automatic sprinkler system* shall be extended to provide protection throughout the attic space.

**[F] 903.2.8.4 Care facilities.** An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with five or fewer individuals in a single-family dwelling.

**[F] 903.2.9 Group S-1.** An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. A Group S-1 *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group S-1 *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).
4. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m<sup>2</sup>).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m<sup>2</sup>).

**[F] 903.2.9.1 Repair garages.** An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406, as shown:

1. Buildings having two or more *stories above grade plane*, including basements, with a *fire area* containing a repair garage exceeding 10,000 square feet (929 m<sup>2</sup>).
2. Buildings not more than one *story above grade plane*, with a *fire area* containing a repair garage exceeding 12,000 square feet (1115 m<sup>2</sup>).
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m<sup>2</sup>).

**[F] 903.2.9.2 Bulk storage of tires.** Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet (566 m<sup>3</sup>) shall be equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1.

**[F] 903.2.10 Group S-2 enclosed parking garages.** An *automatic sprinkler system* shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 where either of the following conditions exists:

1. Where the *fire area* of the enclosed parking garage exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. Where the enclosed parking garage is located beneath other groups.

**Exception:** Enclosed parking garages located beneath Group R-3 occupancies.

**[F] 903.2.10.1 Commercial parking garages.** An *automatic sprinkler system* shall be provided throughout buildings used for storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m<sup>2</sup>).

**[F] 903.2.11 Specific building areas and hazards.** In all occupancies other than Group U, an *automatic sprinkler system* shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.6.

**[F] 903.2.11.1 Stories without openings.** An *automatic sprinkler system* shall be installed throughout all *stories*, including basements and where there is not provided not fewer than one of the following types of *exterior wall* openings:

1. Openings below grade that lead directly to ground level by an exterior exit stairway or ramp complying with Section 1027. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of *exterior wall* in the *story* on at least one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15 240 mm).
2. Openings entirely above the adjoining ground level totaling not less than 20 square feet (1.86 m<sup>2</sup>) in each 50 linear feet (15 240 mm), or fraction thereof, of *exterior wall* in the *story* on at least one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15 240 mm). The height of the bottom of the clear opening shall not exceed 44 inches (1118 mm) measured from the floor.

**[F] 903.2.11.1.1 Opening dimensions and access.** Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner such that fire

3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).

[F] 903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet (566 m<sup>3</sup>) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

[F] 903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 as follows:

1. Where the fire area of the enclosed parking garage exceeds 12,000 square feet (1115 m<sup>2</sup>); or
2. Where the enclosed parking garage is located beneath other groups.

**Exception:** Enclosed parking garages located beneath Group R-3 occupancies.

[F] 903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).

[F] 903.2.11 Specific building areas and hazards. In all occupancies an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.6.

**Exception:** Groups R-3 and U.

[F] 903.2.11.1 Stories without openings. An automatic sprinkler system shall be installed throughout all stories, including basements, of all buildings where the floor area exceeds 5,000 square feet (464 m<sup>2</sup>) and where there is not provided at least one of the following types of exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1009 or an outside ramp complying with Section 1010. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side. The required openings shall be distributed such that the linear distance between adjacent openings does not exceed 50 feet (15 240 mm).
2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 m<sup>2</sup>) in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side. The required openings shall be distributed such that the linear distance between adjacent openings does not exceed 50 feet (15 240 mm).

[F] 903.2.11.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and

shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

[F] 903.2.11.1.2 Openings on one side only. Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of the story.

[F] 903.2.11.1.3 Basements. Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

[F] 903.2.11.2 Rubbish and linen chutes. An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Chute sprinklers shall be accessible for servicing.

[F] 903.2.11.3 Buildings 55 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

**Exceptions:**

1. Airport control towers.
2. Open parking structures.
3. Occupancies in Group F-2.

[F] 903.2.11.4 Ducts conveying hazardous exhausts. Where required by the International Mechanical Code, automatic sprinklers shall be provided in ducts conveying hazardous exhaust, or flammable or combustible materials.

**Exception:** Ducts in which the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

[F] 903.2.11.5 Commercial cooking operations. An automatic sprinkler system shall be installed in commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

[F] 903.2.11.6 Other required suppression systems. In addition to the requirements of Section 903.2, the provisions indicated in Table 903.2.11.6 also require the installation of a fire suppression system for certain buildings and areas.

[F] 903.2.12 During construction. Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Chapter 14 of the International Fire Code.

[F] 903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.6.

**[F] 903.2.9.1 Commercial parking garages.** An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).

**[F] 903.2.10 Windowless stories in all occupancies.** An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.10.1 through 903.2.10.1.3.

**Exception:** Group R-3 and Group U.

**[F] 903.2.10.1 Windowless story.** An automatic fire sprinkler system shall be provided throughout every story or basement of all buildings where there is not provided at least one of the following types of openings:

1. An exterior stairway or an outside ramp that conforms to the requirements of Section 1023, leading directly to grade in each 50 linear feet (15 240 mm) or fraction thereof of exterior wall in the story or basement, on at least one side of the building.
2. Openings entirely above the adjoining ground level totaling 20 square feet (1.9 m<sup>2</sup>) in each 50 linear feet (15 240 mm) or fraction thereof of exterior wall in the story or basement, on at least one side of the building. Openings shall have a least dimension of not less than 22 inches (559 mm), and shall have a minimum net clear opening of 5 square feet (0.5 m<sup>2</sup>). Access to such openings from the exterior shall be provided to the fire department and such openings shall be unobstructed to allow fire fighting and rescue operations from the exterior.

Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an automatic fire sprinkler system or openings as specified herein shall be provided on at least two sides of the exterior walls of the story. If any portion of a basement is located more than 75 feet (22 860 mm) from the openings required in this section, the basement shall be equipped throughout with an automatic sprinkler system.

**Exception:** Occupancies in Group R-3.

**[F] 903.2.10.2 Rubbish and linen chutes.** An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Chute sprinklers shall be accessible for servicing.

**[F] 903.2.10.3 Buildings 55 feet or more in height.** An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

**Exceptions:**

1. Airport control towers.
2. Open parking structures.
3. Occupancies in Group F-2.

**[F] 903.2.11 During construction.** Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with the *International Fire Code*.

**[F] 903.2.12 Other hazards.** Automatic sprinkler protection shall be provided for the hazards indicated in Sections 903.2.12.1 and 903.2.12.2.

**[F] 903.2.12.1 Ducts conveying hazardous exhausts.** Where required by the *International Mechanical Code*, automatic sprinklers shall be provided in ducts conveying hazardous exhaust, or flammable or combustible materials.

**Exception:** Ducts in which the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

**[F] 903.2.12.2 Commercial cooking operations.** An automatic sprinkler system shall be installed in commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

**[F] 903.2.13 Other required suppression systems.** In addition to the requirements of Section 903.2, the provisions indicated in Table 903.2.13 also require the installation of a suppression system for certain buildings and areas.

**[F] TABLE 903.2.13  
ADDITIONAL REQUIRED SUPPRESSION SYSTEMS**

| SECTION          | SUBJECT                                                                                              |
|------------------|------------------------------------------------------------------------------------------------------|
| 402.8            | Covered malls                                                                                        |
| 403.2, 403.3     | High-rise buildings                                                                                  |
| 404.3            | Atriums                                                                                              |
| 405.3            | Underground structures                                                                               |
| 407.5            | Group I-2                                                                                            |
| 410.6            | Stages                                                                                               |
| 411.4            | Special amusement buildings                                                                          |
| 412.2.5, 412.2.6 | Aircraft hangars                                                                                     |
| 415.6.2.4        | Group H-2                                                                                            |
| 416.4            | Flammable finishes                                                                                   |
| 417.4            | Drying rooms                                                                                         |
| 507              | Unlimited area buildings                                                                             |
| 508.2            | Incidental use areas                                                                                 |
| 1025.6.2.3       | Smoke-protected assembly seating                                                                     |
| IFC              | Sprinkler system requirements as set forth in Section 903.2.13 of the <i>International Fire Code</i> |

**903.2.14 Automatic sprinkler system thresholds.** An automatic sprinkler system shall be required in accordance with Section 903.3.1.1 when the maximum area is exceeded for the following construction types of Groups B, F-2 and S-2 according to Table 903.2.14. All others not listed shall follow the applicable requirements as set forth in the 2006 *International Building Code*.



Gloucester County Fire Marshal Office  
212 County House Road  
Clarksboro New Jersey 08020

SystemID#: 813082  
Local ID##: 0813-082  
State Reg#:

To: Shieldalloy Corp New Office Building  
35 Southwest Blvd, 6  
Newfield, NJ 08344

## NOTICE OF VIOLATIONS and ORDER TO CORRECT

Municipality: Gloucester County  
Inspected on: August 11, 2016  
Inspected by: Shawn K.Layton  
Premises: Shieldalloy Corp New Office Building  
35 Southwest BLVD, 6  
Newfield, NJ 08344  
Inspection Type: Periodic

LHU Classification:

Use Group:

OWNER

AGENT

TENANT/OPERATOR

**YOU ARE HEREBY NOTIFIED THAT** an inspection by the Gloucester County Fire Marshals Office disclosed violations of the Uniform Fire Code (N.J.A.C. 5:70-1 et. seq.) promulgated pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et. seq.). The violations are specified on the accompanying "Violations Report" page(s).

**YOU ARE HEREBY ORDERED** by the FIRE OFFICIAL to correct the violations listed on the accompanying "Violations Report" page(s) within the time, or by the date specified. If a re-inspection discloses that violations have not been corrected, and an extension has NOT been requested and granted, you will be subject to penalties of up to \$5,000 per violation per day, or as otherwise authorized by the Act and Bureau Regulations.

IN ADDITION, the ACT imposes liability on the owner for the actual costs of fire suppression where a violation directly or indirectly results in fire.

If you do not understand this order, need assistance, or desire further information, please call the Bureau of Fire Prevention at (856) 307-7137

By: Edward J. Johnson

Edward J. Johnson, Chief County Fire Marshal

08/11/16

Signature of Owner or Representative

Printed Name of Owner or Representative

Date

APPEAL RIGHTS-EXTENSIONS: See the attached page of information concerning your administrative appeal rights, authorized penalties and the procedure for requesting an extension of time in which to correct violations.

# Violations

Premises: Shieldalloy Corp New Office Building  
 Address: 35 Southwest BLVD, 6  
 Newfield, NJ 08344

Local ID#: 0813-082  
 State Reg#:   
 SystemID#: 813082  
 Initial Inspected on: 08/11/16  
 Last Inspected on: 08/11/16  
 Initial Inspector: Layton, Shawn K

The Violations cited on the above premises are as follows:

| Number | Description                                                                                                                                                                                                                  | Floor | Abate By | U/A           | U/A | U/A |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|---------------|-----|-----|
| 2      | Location: "MISC ENV. ROOM"- AT<br>CEILING<br>Category / Nature: Electrical / Open electrical boxes/panels<br>Code Section: N.J.A.C. 5:70-3, 605.6                                                                            |       | 08/11/16 | A<br>08/11/16 |     |     |
| 5      | Location: BASEMENT<br>Category / Nature: Retrofit Code / Windowless basements over 3000<br>sq. ft. shall install a fire suppression and a fire alarm<br>system in accordance with UCC<br>Code Section: N.J.A.C. 5:70-4.7(h)7 |       | 11/20/15 | U             |     |     |

Key: The numbering of violations is for identification purposes only and shall not be construed as bearing in any way on the seriousness of any violation.

- "U" Unabated - Violation uncorrected
- "A" Abated - Violation corrected
- "W" - Violation is withdrawn
- "R" - Violation is Recommended
- "V" - Void
- "TE" - Time Extension
- \*RV\* denotes recurring violation.

Premises: Shieldalloy Corp New Office Building  
Address: 35 Southwest BLVD, 6  
Newfield, NJ 08344

Local ID#: 0813-082  
State Reg#:   
Initial Inspected on: 08/11/16  
Last Inspected on: 08/11/16

---

### ADDITIONAL EXPLANATION

Violation#: 5

Windowless basements over 3000 sq. ft. shall install a fire suppression and a fire alarm system in accordance with UCC

#### SUBCHAPTER 4. FIRE SAFETY CODE

##### § 5:70-4.7 Fire suppression systems

(h) In all buildings, any windowless basement or story located below the seventh story shall be equipped throughout with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code.

7. In windowless basements greater than 3,000 square feet, but not exceeding 10,000 square feet in area, the required suppression system need not be connected to a water supply other than an existing domestic supply if the following conditions are met:

- i. The suppression system shall be provided with a fire department connection, which shall be marked with a sign reading "Basement Area Sprinkler Water Supply"; and
  - ii. A supervised automatic fire alarm system shall be installed in accordance with the New Jersey Uniform Construction Code.
-

## ADMINISTRATIVE APPEAL RIGHTS

### GENERAL

YOU MAY CONTEST THESE ORDERS AT AN Administrative Hearing. The request for a hearing must be made in WRITING WITHIN 15 days after receipt of this order. The application for appeal shall be accompanied by a fee in the sum of \$ 50.00 payable to Construction Board of Appeals and addressed to:

Construction Board of Appeals  
County of Gloucester  
P.O. Box 337  
Woodbury, NJ 08086

Copy To: County of Gloucester  
Office of the Fire Marshal  
212 County House Road  
Clarksboro, NJ 08020

### EXTENSIONS

If a specified time has been given to abate a violation, you may request an extension of time by submitting a written request to the Fire Official. To be considered, the request must set forth the work accomplished, the work remaining, the reason why an extension of time is necessary, and the date by which all work will be completed.

Take Notice That, pursuant to N.J.A.C. 5:70-2.10d, an application for an extension constitutes an admission that the violation notice is factually and procedurally correct and that the violations do or did exist. In addition, the request of an extension constitutes a waiver of the right to a hearing as to those violations which an extension is applied.

### PENALTIES

The maximum penalty for any act or omission in violation of the act or code but not enumerated in this subsection is \$5000.00 per violation per day. Except as specified below, a violation of N.J.A.C. 5:70-3 or 4 shall subject the violator to a maximum penalty of \$500.00 per violation per day. Specific violations shall subject violators to penalties as follows:

#### 1. IMMINENT HAZARD-PUNITIVE CLOSURE:

- (i) Failure to obey an Imminent Hazard Order, a maximum of \$5000.00 per day for each day that the failure continues.
- (ii) Failure to obey an order to close for a fixed period of time issued pursuant to N.J.A.C. 5:70-2.17, a maximum of \$5000.00 per day for each day that the failure continues.

#### 2. EGRESS:

- (i) Blocking, locking, or obstructing required exits in a place of public assembly or education, a maximum of \$5000.00 per occurrence.
- (ii) Blocking, locking, or obstructing required exits in any other place, a maximum of \$2500.00 per occurrence.

#### 3. OCCUPANCY:

- (i) Exceeding the maximum permitted occupancy in a place of public assembly or education...
  - 1. for the first offense, a maximum of \$2500.00
  - 2. for a subsequent offense, a maximum of \$5000.00
- (ii) Exceeding the maximum permitted occupancy in any other place...
  - 1. for the first offense, a maximum of \$500.00
  - 2. for a subsequent offense, a maximum of \$ 2500.

#### 4. FIRE PROTECTION EQUIPMENT:

- (i) Failure to install a required suppression or detection device, after having been given written notice of the requirement to do so...
  - 1. in a place of public assembly or education, a maximum of \$2500.00 per violation per day.
  - 2. in any other place, a maximum of \$1000.00 per violation per day.
- (ii) Disabling or decreasing the effectiveness of any fire suppression system or alarm device...
  - 1. in a place of public assembly or education, a maximum of \$5000.00 per occurrence.
  - 2. in any other place, a maximum of \$1000.00 per occurrence.

#### 5. FAILURE TO COMPLY WITH A LAWFUL ACTION

- (i) A negligent or inadvertent failure to comply with a lawful order, ruling, notice or other action of the Commissioner of a Local Enforcing Agency - a maximum of \$2000.00 per occurrence.
- (ii) A refusal or deliberate failure to comply with a lawful order, ruling, notice or other action of the Commissioner of a Local Enforcing Agency - a maximum of \$5000.00 per occurrence.

#### 6. OBSTRUCTION

- (i) Anyone who obstructs, hinders, delays or interferes by force or otherwise with the Commissioner or any member of a Local Enforcing Agency in the exercise of any power or the discharging of any function or duty under the provision of this Code - a maximum of \$2500.00 per occurrence.

#### 7. PERMITS

- (i) Failure to obtain a required permit prior to commencing the operations, process, or activity for which a permit was required - a maximum of double the amount of the applicable permit fee.
- (ii) Failure to obtain a required permit after being ordered to do so while continuing the operation, process or activity - a maximum of \$5000.00 per day during which the operation, process, or activity continues.

#### 8. REGISTRATION

- (i) Failure to file a registration application after having been ordered to do so - an amount equal to double the registration application fee, but not less than \$200.00 or more than \$1000.00 for each registration.
- (ii) Failure to pay required annual registration fee when due - an amount equal to the unpaid fee.

#### 9. FALSE STATEMENTS

- (i) Preparing, uttering, or rendering any false statement, pertaining to reports, documents, plans, or specifications permitted or required under the provisions of this Code - a maximum of \$5000.00
- (ii) Submission of a materially false application for a permit or registration - a maximum of \$1000.00 per occurrence.

### DEDICATED AND COMPENSATORY PENALTIES 5:70-2.12A

An owner, having been given notice of the existence of a violation and failing to abate same, shall in addition to being liable for penalties under N.J.A.C. 5:70-2.12A, also be liable to a dedicated penalty pursuant to this subsection(\$50,000.00 and \$150,000 for compensatory penalties).

### FIRE DEPARTMENT COSTS 5:70-2.13 (a), (b), (c)

An owner who has been given notice of violation shall be responsible for a penalty not exceeding \$150,000.00, or the costs of suppressing any fire which directly or indirectly results from the violation, whichever is greater.

Claims arising out of penalty assessments can be compromised or settled only if it shall be likely to result in compliance. Moreover, no such disposition can be finalized while the violation continues to exist.

Any penalties assessed are in addition to over previously assessed. Penalties must be paid in full within 30 days after an order to pay. If full payment is not made within 30 days, the matter will be referred to the township attorney for summary collection pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et. seq.).

NOTICE: If you require guidance or advice concerning your legal rights, obligations or the course of action you should follow, consult your own advisor.

# RONALD J. ANGELO, R.A.P.A. • ARCHITECT

821 ELMER STREET • P.O. BOX 910 • VINELAND, N.J. 08362-0910

PHONE (856) 692-4600

FAX (856) 696-0221

## LETTER OF TRANSMITTAL

TO

SHIELDWAY METALLOGRAPHIC INC

35 S. W. Blvd

NEWFIELD N.J. 08344

|                                                                                         |                          |
|-----------------------------------------------------------------------------------------|--------------------------|
| DATE<br><u>10-11-12</u>                                                                 | JOB NO.<br><u>17-139</u> |
| ATTENTION<br><u>GEORGE PLOMINO</u>                                                      |                          |
| RE:<br><u>APPLICATION FOR GLOUCESTER COUNTY</u><br><u>CONSTRUCTION BOARD OF APPEALS</u> |                          |
|                                                                                         |                          |
|                                                                                         |                          |
|                                                                                         |                          |
|                                                                                         |                          |

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via \_\_\_\_\_ the following items:

- ☐ Shop drawings    ☐ Prints    ☐ Plans    ☐ Samples    ☐ Specifications  
☐ Copy of letter    ☐ Change order    ☒ APPLICATION PACKAGE

| COPIES   | DATE            | NO. | DESCRIPTION                                                                                                                         |
|----------|-----------------|-----|-------------------------------------------------------------------------------------------------------------------------------------|
| <u>2</u> | <u>10-11-12</u> |     | <u>APPLICATION - NOTICE OF VIOLATIONS - CODE SECTION 5:70-4.7</u><br><u>REQUEST IN SUBMITTAL LETTER - PAGES A1, A2, A3 &amp; A4</u> |
|          |                 |     |                                                                                                                                     |
|          |                 |     |                                                                                                                                     |
|          |                 |     |                                                                                                                                     |
|          |                 |     |                                                                                                                                     |
|          |                 |     |                                                                                                                                     |
|          |                 |     |                                                                                                                                     |
|          |                 |     |                                                                                                                                     |

THESE ARE TRANSMITTED as checked below:

- ☐ For approval    ☐ Approved as submitted    ☐ Resubmit \_\_\_\_\_ copies for approval  
☒ For your use    ☐ Approved as noted    ☐ Submit \_\_\_\_\_ copies for distribution  
☐ As requested    ☐ Returned for corrections    ☐ Return \_\_\_\_\_ corrected prints  
☐ For review and comment    ☐ \_\_\_\_\_  
☐ FOR BIDS DUE \_\_\_\_\_    ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS

DELIVER 1 COPY TO COUNTY BOARD OF APPEALS

COPY TO \_\_\_\_\_

SIGNED: RON

If enclosures are not as noted, kindly notify us at once.





Gloucester County Fire Marshal Office  
212 County House Road  
Clarksboro New Jersey 08020

SystemID#: 813082  
Local ID##: 0813-082  
State Reg#:

To: Shieldalloy Corp New Office Building  
35 Southwest Blvd, 6  
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## NOTICE OF VIOLATIONS and ORDER TO CORRECT

Municipality: Gloucester County  
Inspected on: August 11, 2016  
Inspected by: Shawn K. Layton  
Premises: Shieldalloy Corp New Office Building      Inspection Type: Periodic  
35 Southwest BLVD, 6  
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LHU Classification:

Use Group:

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By: *Edward J. Johnson*

Edward J. Johnson, Chief County Fire Marshal

08/11/16

Signature of Owner or Representative

Printed Name of Owner or Representative

Date

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# Violations

Premises: Shieldalloy Corp New Office Building  
 Address: 35 Southwest BLVD, 6  
 Newfield, NJ 08344

Local ID#: 0813-082  
 State Reg#:   
 SystemID#: 813082  
 Initial Inspected on: 08/11/16  
 Last Inspected on: 08/11/16  
 Initial Inspector: Layton, Shawn K

The Violations cited on the above premises are as follows:

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| 2      | Location: "MISC ENV. ROOM"- AT<br>CEILING<br>Category / Nature: Electrical / Open electrical boxes/panels<br>Code Section: N.J.A.C. 5:70-3, 605.6                                                                            |       | 08/11/16 | A<br>08/11/16 |     |     |
| 5      | Location: BASEMENT<br>Category / Nature: Retrofit Code / Windowless basements over 3000<br>sq. ft. shall install a fire suppression and a fire alarm<br>system in accordance with UCC<br>Code Section: N.J.A.C. 5:70-4.7(h)7 |       | 11/20/15 | U             |     |     |

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Local ID#: 0813-082  
State Reg#:  
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---

### ADDITIONAL EXPLANATION

Violation#: 5 Windowless basements over 3000 sq. ft. shall install a fire suppression and a fire alarm system in accordance with UCC

#### SUBCHAPTER 4. FIRE SAFETY CODE

##### § 5:70-4.7 Fire suppression systems

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-

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### GENERAL

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#### 4. FIRE PROTECTION EQUIPMENT:

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### FIRE DEPARTMENT COSTS 5:70-2.13 (a), (b), (c)

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NOTICE: If you require guidance or advice concerning your legal rights, obligations or the course of action you should follow, consult your own advisor.

[English](#)[Customer Service](#)[USPS Mobile](#)[Register / Sign In](#)

## USPS Tracking®

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[Sign up for My USPS.](#)

Tracking Number: 70150640000194140806

Updated Delivery Day: Thursday, September 15, 2016

### Product & Tracking Information

Postal Product:  
First-Class Mail®

Features:  
Certified Mail™

[Return Receipt](#)

[See tracking for related item: 9590962106160171691807](#)

### Available Actions

[Text Updates](#)

[Email Updates](#)

| DATE & TIME                                                                                          | STATUS OF ITEM                                     | LOCATION           |
|------------------------------------------------------------------------------------------------------|----------------------------------------------------|--------------------|
| September 15, 2016 , 7:36 am                                                                         | Delivered, Individual Picked Up at Postal Facility | WOODBURY, NJ 08096 |
| Your item was picked up at a postal facility at 7:36 am on September 15, 2016 in WOODBURY, NJ 08096. |                                                    |                    |
| September 15, 2016 , 5:19 am                                                                         | Arrived at Unit                                    | WOODBURY, NJ 08096 |
| September 15, 2016 , 2:33 am                                                                         | Departed USPS Facility                             | BELLMAWR, NJ 08031 |
| September 14, 2016 , 9:45 pm                                                                         | Arrived at USPS Facility                           | BELLMAWR, NJ 08031 |
| September 14, 2016 , 5:02 pm                                                                         | Departed Post Office                               | NEWFIELD, NJ 08344 |
| September 14, 2016 , 9:54 am                                                                         | Acceptance                                         | NEWFIELD, NJ 08344 |

### Track Another Package

Tracking (or receipt) number

[Track It](#)

### Manage Incoming Packages

Track all your packages from a dashboard.  
No tracking numbers necessary.

[Sign up for My USPS >](#)



RECEIPT TRANSMITTAL SHEET

DEPARTMENT: CONSTRUCTION BOARD OF HPED 45

ACCOUNT NUMBER: 9-01-16-130-105-003

DESCRIPTION: CONSTRUCTION APPEAL

DATE SENT TO TREASURER'S OFFICE: 10/25/16

SENT BY: Sandi Rost EXT. 856-371-1130

CHECK ISSUER/CHECK #

DATE RECEIVED

AMOUNT

Shield alloy #10478

10/1/16

\$ 50 -

Shield alloy #10460

10/1/16

450-

TOTAL:

9106 -

TOTAL CHECKS:

\$100.-

TOTAL CASH: 100.00



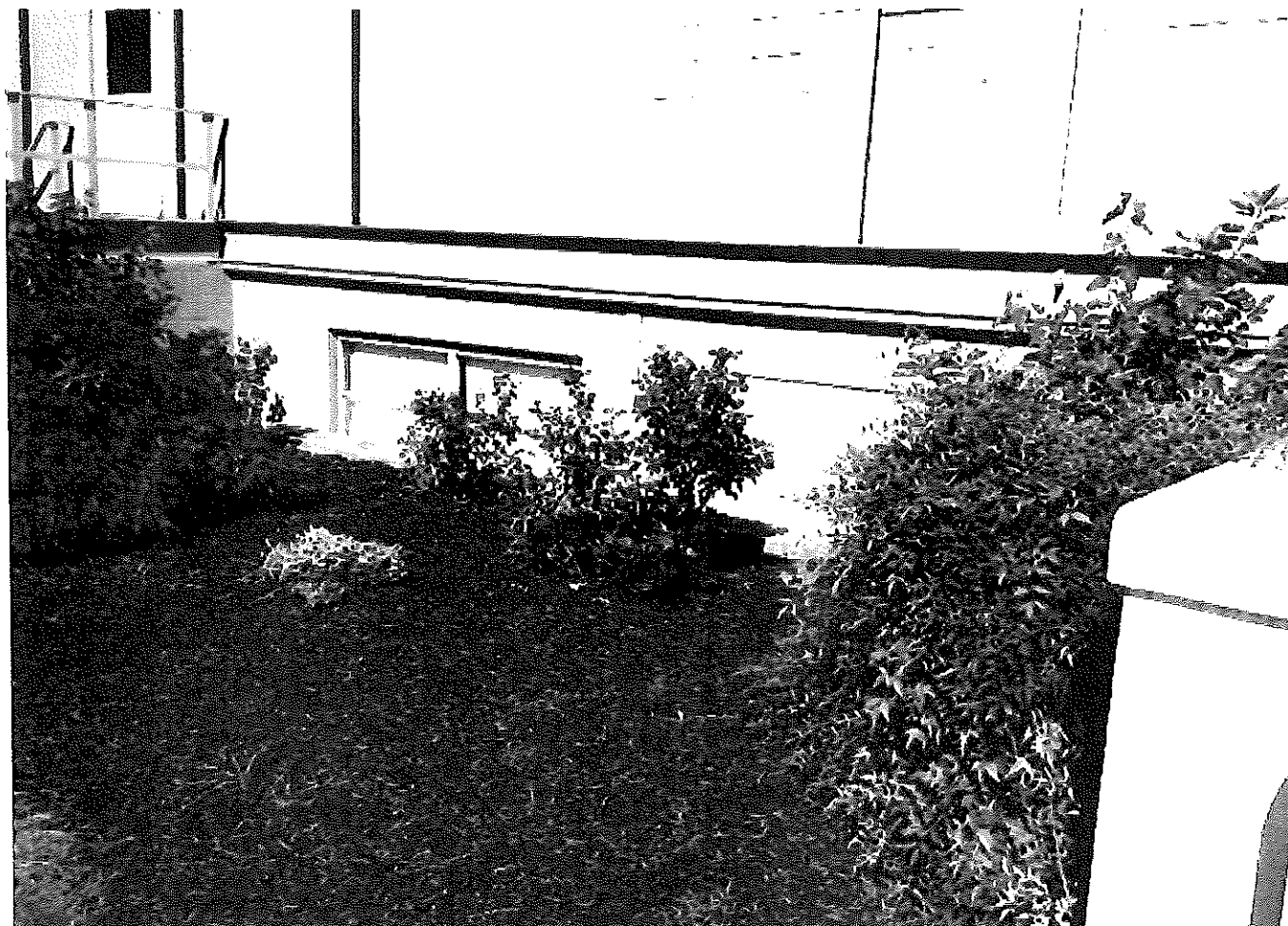
TOTAL:

100-

RECEIVED BY:

DATE:

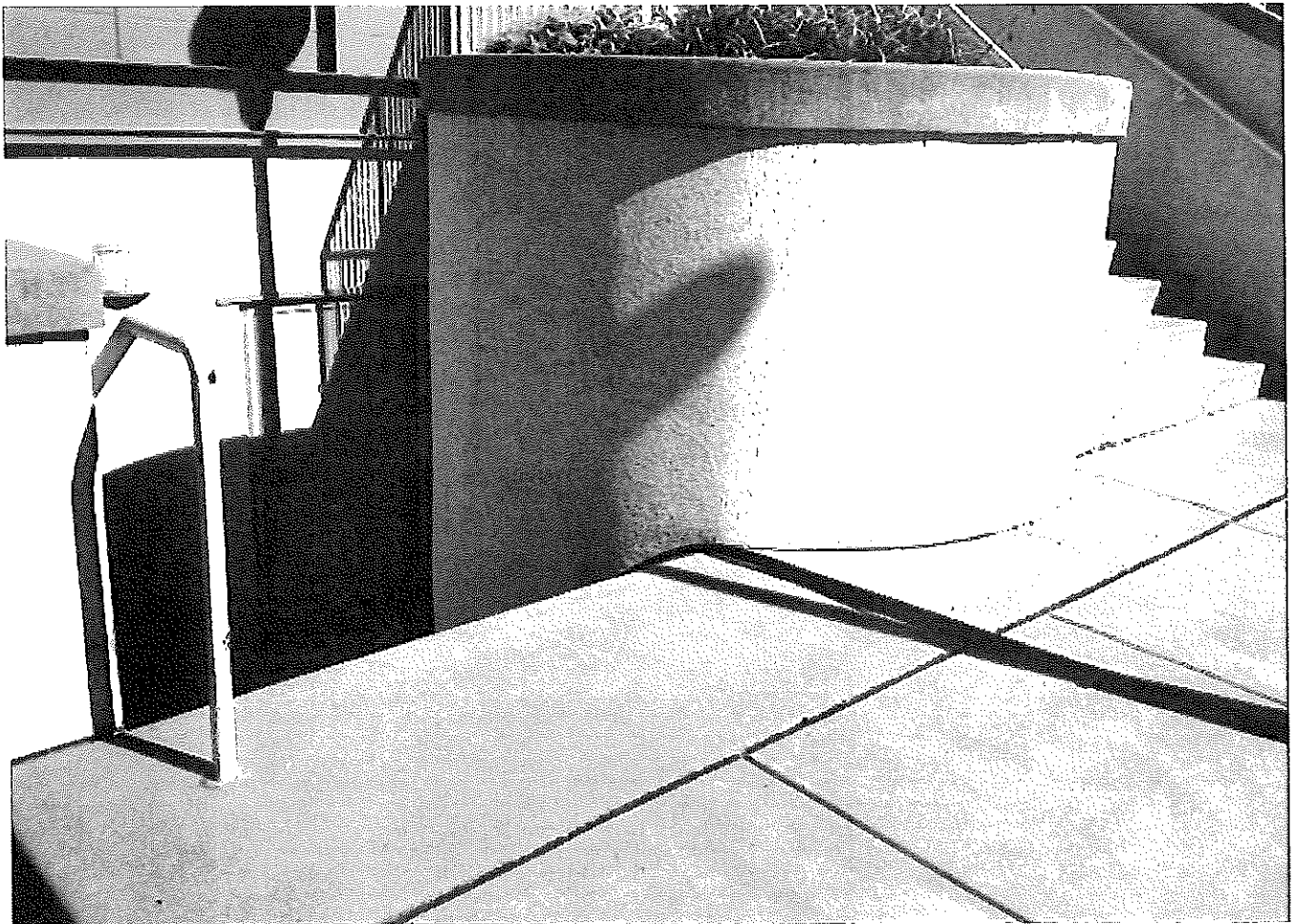
Treasurer's Office



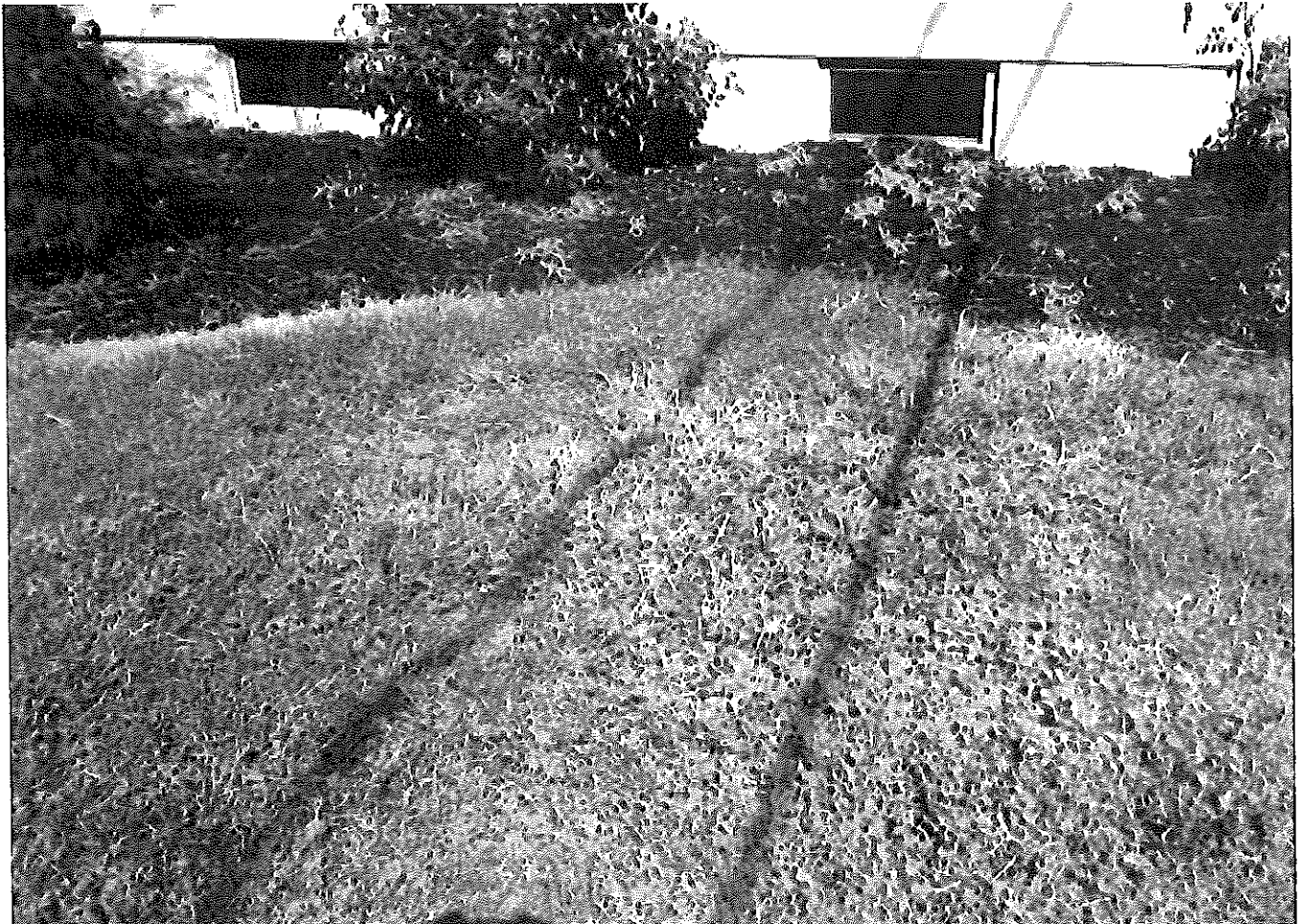
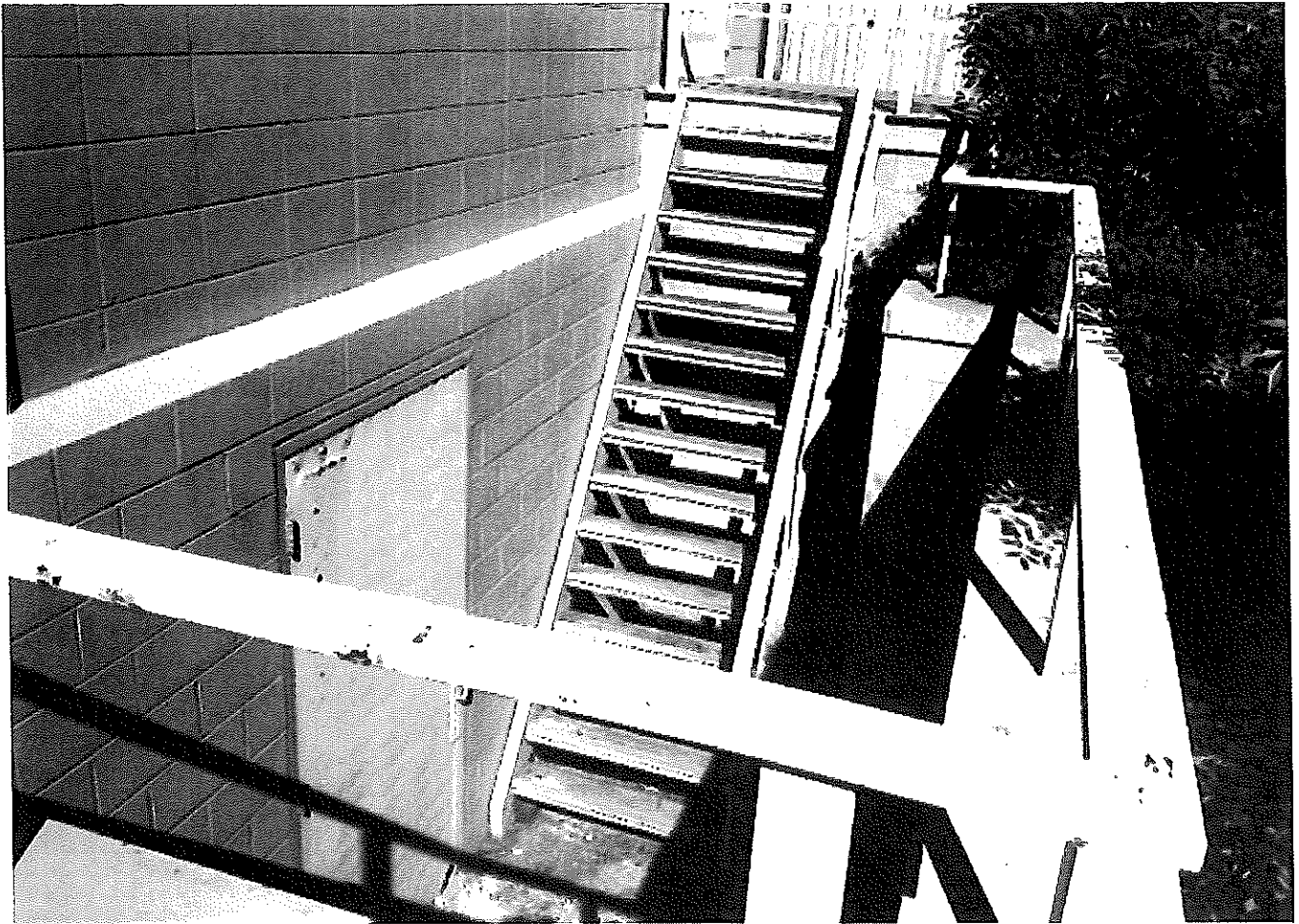


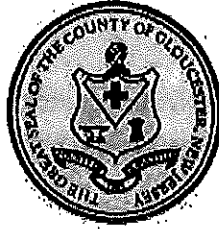












COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

January 3, 2017

Frank G. Olivo  
460 S. White Horse Pike  
Hammonton, NJ 08037

RE: Tony Argento

Dear Mr. Olivo:

I am in receipt of your letter dated December 15, 2016 and check in the amount of \$100.00.

Please be advised this appeal request is incomplete and must be accompanied by the application for appeal, which I have enclosed. Further a copy of the violation notice must also be supplied. Once the appropriate forms are received, your matter will be reviewed and scheduled for hearing.

You may provide these documents via email to expedite the process  
[srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us). Should you have any questions please feel free to contact me at  
856-384-3895.

---

Sincerely,

*Sandra Rost*

Sandra Rost  
Board Secretary

# FRANK G. OLIVO

A PROFESSIONAL CORPORATION

*Attorney at Law*

460 S. WHITE HORSE PIKE  
HAMMONTON, NEW JERSEY 08037

MEMBER OF NEW JERSEY  
& PENNSYLVANIA BAR

Tel. (609)-567-2601  
Fax (609)-561-2065  
[frank.olivo@verizon.net](mailto:frank.olivo@verizon.net)

February 10, 2017

Ms. Sandra Rost – Board Secretary  
Gloucester County Construction Board of Appeals  
P.O. Box 337  
Woodbury, New Jersey 08096

Re: Tony Argento

P.I.Q. 400 Woodbury-Glassboro Rd.

Dear Ms. Rost,

Enclosed please find a copy of your letter dated January 3, 2017 and in response all the supporting materials in defense of the fines levied.

Unfortunately, my client is in New York and had to gather the information from several of his staff who manage the property. I trust these materials will bear evidence of his efforts in resolving the onsite problems and the tremendous expense incurred.

Kindly advise as to a date and time when I may appear before the Board.

Should you need any further information, please do not hesitate in contacting this office.

Very truly yours,

  
Frank G. Olivo

Cc: Mantua Joint Municipal Court  
Anthony Argento

**APPLICATION TO GLOUCESTER COUNTY  
CONSTRUCTION  
BOARD OF APPEALS**

Gloucester County Construction  
Board of Appeals  
2 South Broad Street  
Woodbury, NJ 08096

**IDENTIFICATION**

Work Site Location 400 WOODBURY GLASSBORO RD Block \_\_\_\_\_ Lot \_\_\_\_\_  
Owner in Fee 400 N. WOODBURY RD LLC Agent \_\_\_\_\_  
Address 203 MESEROLE AVE. Address \_\_\_\_\_  
BROOKLYN, N.Y. 11222 Phone \_\_\_\_\_  
Phone \_\_\_\_\_  
Municipality \_\_\_\_\_

**APPLICANT STATEMENT**

Specific section(s) of the Regulations in questions:

*FINES & PENALTIES - NJAC 5:70-1 ET SEQ.*

Briefly state your position in this matter and explain the nature of the relief you seek. (If more space is required, additional pages may be attached.) *UPON NOTIFICATION OF PUMP FAILURE OWNER ENGAGED QUALIFIED CONTRACTORS TO RESOLVE ALL ISSUES. SUBSTANTIAL EXPENDITURES MADE TO RESOLVE.*

Attach copies of any documents or photographs you wish the board to consider.

*SEE ATTACHED - WORK ORDERS & RECEIPTS.*

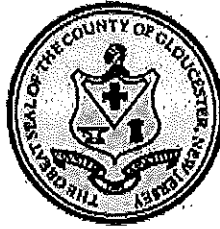
Signed: \_\_\_\_\_

Applicant

Date

Non-refundable Fee: \$100.00

Application will not be considered complete  
unless accompanied by the appeal fee.



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

March 1, 2017

Frank G. Olivo  
460 S. White Horse Pike  
Hammonton, NJ 08037

RE: Tony Argento

Dear Mr. Olivo:

I am in receipt of your correspondence regarding the aforementioned appeal. I have obtained the Notice of Violation from Ryan Pierson, Borough of Pitman.

In accordance with 5:23A-2.1 the application for appeal is not timely, and therefore the matter will not be placed on the Gloucester County Construction Board of Appeals agenda.

I have enclosed your check in the amount of \$100.00.

Sincerely,  
*Sandra Rost*  
Sandra Rost  
Board Secretary

C: Ryan Pierson

FRANK G. OLIVO, P.C.

*Attorney at Law*

Member of N.J. &  
Pennsylvania Bar

460 S. White Horse Pike  
Hammonton, N.J. 08037

Tel. (609)567-2601

Fax (609)561-2065

Email [frank.olivo@verizon.net](mailto:frank.olivo@verizon.net)

December 15, 2016

Gloucester County Construction Board of Appeals  
P.O. Box 337  
Woodbury, N.J. 08096

Re: Tony Argento  
Registration No. -W-136-01-FA

Dear Sirs:

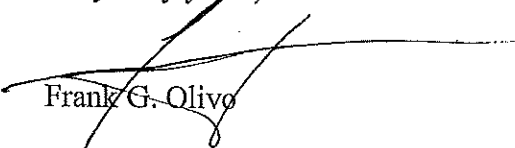
Please be advised that this office represents Mr. Argento relative to the above caption matter.

Since receiving notice of required action, Mr. Argento has engaged contractors to make all required repairs and replacements.

Accordingly, I am respectfully requesting a "Reconsideration Hearing" as to the imposition of fines and penalties and have enclosed the required \$100.00 administrative fee.

In the event specific forms are required, please provide at your earliest convenience.

Very truly yours,



Frank G. Olivo

Cc: Pitman Fire Dept.  
Tony Argento





COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

May 20, 2017

William Saldutti III, Esq.  
800 N. Kings Highway, Suite 300  
Cherry Hill, NJ 08034

RE: 49 East Holly Avenue Pitman

Dear Mr. Saldutti:

In light of your correspondence regarding an extension of time granted for the above referenced property, I am returning your check in the amount of \$100.00 for appeal.

Since request of time extension obligates the appellant to abate the violations, the appeal would no longer be timely.

Sincerely,

*Sandra Rost*

Sandra Rost  
Board Secretary

Pitman Fire Department  
Bureau of Fire Prevention  
110 South Broadway  
Pitman, New Jersey 08071  
Phone: (856) 589-2433

April 3, 2017

To: Investors Bank  
101 JFK parkway  
Short Hills, NJ 07078

=====

NOTICE OF DECISION  
ON  
REQUEST FOR TIME EXTENSION

Registration No.: E-075-02-R-2A  
Premises: Investors Bank Apt  
49 E Holly Avenue  
Pitman, New Jersey 08071

The Bureau of Fire Prevention has reviewed your request for an extension of time in which to terminate violation(s):

Install of suppression system

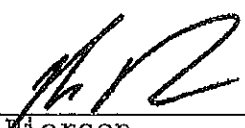
occurring at the above noted location and the request is hereby:

[XXX] Granted - The new date by which compliance is ordered  
is: May 31, 2017

[ ] Denied - The time limit originally imposed remains in effect.

Pursuant to N.J.A.C. 5:70-2.10(d)2. An application for an extension shall be deemed to be an admission that the Notice of Violation is factually and procedurally correct and that the violations do or did exist.

NOTE: Failure to correct violations within the time limits set will result in the imposition of penalties and possibly other enforcement proceedings.

By: 

Ryan Pierson  
Fire Official



PITMAN FIRE DEPARTMENT  
BUREAU OF FIRE PREVENTION  
110 South Broadway  
Pitman, NJ 08071  
Phone: 856-589-2433 / FAX: 856-589-6833

Registration Number: \_\_\_\_\_  
Original Inspection Date: \_\_\_\_\_

## REQUEST FOR TIME EXTENSION

|                                   |                                                   |
|-----------------------------------|---------------------------------------------------|
| Business Name                     | INVESTORS BANK / P                                |
| Business Address                  | 49 EAST HOLLY AVE                                 |
| Work which has been abated        | PROPERTY MAINTENANCE                              |
| Work that remains                 | FIRE SUPPRESSION SYSTEM                           |
| Reason why extension is necessary | PROBLEM GAINING ACCESS<br>DUE TO EXISTING TENANTS |
| Date work will be completed       | 5/31/17                                           |

Pursuant to N.J.A.C. 5:70-2.10(d)2., an application for extension of time shall be deemed to be an admission that the Notice of Violation is factually and procedurally correct and that the violations do or did exist.

The following information MUST BE COMPLETED IN ORDER TO BE CONSIDERED, and the information CAN NOT be the same as the Business Address or phone number, UNLESS the owner lives at the address year round.  
CONTACT: GENE KRANTZ

Owner's HOME ADDRESS

101 JEN PKWY

Owner's HOME CITY, STATE, ZIP

STUART HILL, NJ 07020

Owner's HOME PHONE NUMBER

363167

Date

Willy J. [Signature]

Signature of owner or agent

Your request for an extension of time to abate violation(s) at the above location is:

- ☒ GRANTED: The new date by which compliance is ordered is: 5/31/17
- ☐ DENIED: The time limit originally imposed remains in effect.

Failure to correct violations within the time limits set will result in the imposition of penalties and possibly other enforcement proceedings.

04/03/17

Date

[Signature]

Inspector Signature

Certification Number: 133892

William F. Sالدوتتي, III, Esquire  
Direct: 856-281-7519  
email: [wsالدوتتي@slgcollect.com](mailto:wsالدوتتي@slgcollect.com)

March 30, 2017

Gloucester County Construction  
Board of Appeals  
P.O. Box 337  
Woodbury, NJ 08096

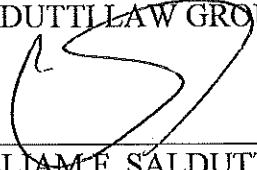
**RE: Property: 49 East Holly Avenue, Pitman, New Jersey**  
**Registration No.: E-075-02-R-2A**  
**Notice of Violation Dated: March 22, 2017 (Received March 27, 2017)**  
**Our File No. 20470**

Gentlemen:

Please be advised that this office represents Investors Bank which became the owner of the above property by virtue of a foreclosure proceeding. We are in receipt of the Notice of Violations and Order to Correct issued by the Borough of Pitman Fire Code Official and the undersigned, on behalf of Investors Bank, respectfully requests an Administrative Hearing concerning the Notice of Violation. Investors Bank only recently took over this property from the Court Appointed Receiver and is now in the process of remedying all items referenced in the Notice of Violation dated March 22, 2017. Investors Bank believes that all violations will be remedied no later than April 28, 2017. I am enclosing our check in the amount of \$100.00 made payable to the Gloucester County Construction Board of Appeals and we request that a Hearing be scheduled so as to permit the Appellant additional time to present its case.

Thank you.

Very truly yours,  
SالدوتتيLAW GROUP

  
\_\_\_\_\_  
WILLIAM F. Sالدوتتي, III, ESQUIRE

WFS/jm

Cc: Ryan Pierson  
Eugene Kredatus (via e-mail)

William F. Sالدۇتتى, III, Esquire  
Direct: 856-281-7519  
email: [wsالدۇتتى@slgcollect.com](mailto:wsالدۇتتى@slgcollect.com)

April 25, 2017

Sandra Rost  
Gloucester County Construction  
Board of Appeals  
115 Budd Blvd.  
West Deptford, NJ 08096

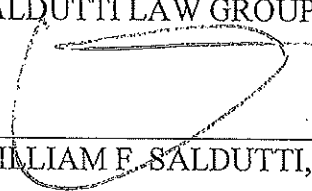
**RE: Property: 49 East Holly Avenue, Pitman, New Jersey**  
**Our File No. 20470**

Dear Ms. Rost:

As you know, this office represents Investors Bank with reference to the above matter. Please find enclosed a copy of the Notice of Decision on request for time extension executed by Brian Pearson, The Fire Official for Pitman. As previously indicated, Investors Bank has been given until May 31, 2017 to comply with the original notice of violation.

Thank you.

Very truly yours,  
Sالدۇتتى LAW GROUP



WILLIAM F. Sالدۇتتى, III, ESQUIRE

WFS/jm

Enc.

Cc: Ryan Pierson  
Eugene Kredatus (via e-mail)



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

November 14, 2017

McDonald's Restaurant  
Linda Chiaro  
5801 Route 42  
Turnersville, NJ 08012

Dear Ms. Chiaro:

I am in receipt of your letter regarding a violation issued by the Fire Official.

To be placed on the Construction Board of Appeals Agenda, you must submit an Application for Appeal (which I have enclosed) enclose a fee of \$100.00 (\$50.00 being returned). This appeal was received on November 3, 2017, the incomplete application will not deem this application untimely. To be placed on the agenda for the Construction Board of Appeals, the application must be filed within 15 days of receipt of the violation, I have asked the Fire Marshal for confirmation of receipt of the violation notice.

Once the application and fee are received and it is determined the 15 day requirement is met, this matter will be placed on the next regularly scheduled meeting of the Board.

Please let me know if you have any questions, I may be reached via email at [srost@co:gloucester.nj.us](mailto:srost@co:gloucester.nj.us).

Sincerely,

Sandra Rost  
Secretary

C: Fire Marshal Washington Township

McDonald's Restaurant

5801 Route 42

Turnersville, NJ 08012

Construction Board of Appeals

Of Gloucester County

P.O. Box 337

Woodbury, NJ 08096

October 30, 2017

To Whom It May Concern:

The purpose of this letter is to appeal the findings in the inspection dated October 11, 2017 at the McDonald's restaurant at the address above. The violations and reason for appeal are listed below:

Location: Gas meter

Nature: Require bollards/posts to protect above ground gas meters.

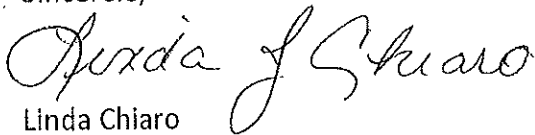
N.J.A.C. 5:70-3,603.9

This meter was installed per construction code and has not been relocated. It is not in any traffic path and is set back approximately 3 feet from the drive thru curb. It is my understanding that the regulation has not changed but the interpretation of it has. My research, if correct found that any amendments that were adopted are for maintenance purposes and not to be used for imposing retrofit requirements. I have attached a copy of the source.

N.J.A.C. 5:70-3, 312.9 This appears to refer to high speed traffic areas. This area is surrounded by the drive thru lane past the speaker and is in no way a high speed area. The appeal of this item is based on all the information cited in the first count, plus that additional information.

Additionally pending the results of the appeal we would additionally request an extension should the work need to be completed. It will take at least one month to complete installation beyond the decision.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Chiaro".

Linda Chiaro

Supervisor

Reply all | Delete Junk |

(No subject)

L

Today, 3:05 PM

Meagher Gary (US Partners)

Reply all |

Inbox

table showing the chapter numbers of the 2015 International Fire Code, proposed for adoption, and the corresponding chapter numbers of the current Fire Prevention Code (2006 International Fire Code with amendments) is given below to aid the reader in locating and comparing provisions.

1. At N.J.A.C. 5:70-3.1, the proposed amendments call for the adoption of the 2015 International Fire Code, as amended in N.J.A.C. 5:70-3.2, as the State Fire Prevention Code, effective January 1, 2018.

The amendments to this section make it clear that this subchapter governs maintenance only and that the provisions of this subchapter cannot be cited as a basis for imposing retrofit requirements. The proposed amendments also address how the provisions of this subchapter are to be cited by local enforcing agencies.

#### Chapter 1. Scope and Administration

2. At N.J.A.C. 5:70-3.2(a)1i, Chapter 1, Part 1, Section 101, "General Requirements," is deleted and the text "Applicability" has been inserted to retain existing text of the Uniform Fire Code.

3. At N.J.A.C. 5:70-3.2(a)1ii, Section 101.1, Title, has been revised to retain existing text of the Uniform Fire Code.

26. At N.J.,  
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Chapter 2 E

Sent from my iPhone



# VIOLATIONS

Premises: MCDONALDS #2401  
5801 ROUTE 42

TURNERSVILLE, NJ 08012

Registration No. 0818-41865-001-01  
Inspection Date: October 11, 2017  
Initial Inspector: \_\_\_\_\_  
Print Name: E. WOLF  
Page number: 2

Owner/Agent: GARY MEAGHER  
2 PINE RIDGE CT.  
SEWELL, NJ 08080

Date:

Inspector:

The violations cited on the above premises are as follows:

| Number | Description (Maintenance: 2 Retrofit: 0)                                                                                                           | Abate by   | U/A | U/A | U/A |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----|-----|-----|
| 1.     | Location: Gas meter<br>Nature: Require bollards/posts to protect above ground gas meters/regulators/piping.<br>Code Section: N.J.A.C. 5:70-3,603.9 | 11/13/2017 |     |     |     |
| 2.     | Location: Gas meter<br>Nature: Required bollards shall meet the following requirements<br>Code Section: N.J.A.C. 5:70-3,312.2                      | 11/13/2017 |     |     |     |

Key: The numbering of violations is for identification purposes only and shall not be construed as bearing in any way on the seriousness of any violation.  
"U" Unabated - Violation uncorrected.  
"A" Abated - Violation corrected.

**APPLICATION TO GLOUCESTER COUNTY  
CONSTRUCTION  
BOARD OF APPEALS**

Gloucester County Construction  
Board of Appeals  
2 South Broad Street  
Woodbury, NJ 08096

**IDENTIFICATION**

Work Site Location Depford Patsmart  
Owner in Fee \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Municipality \_\_\_\_\_

Block \_\_\_\_\_ Lot \_\_\_\_\_  
Agent \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

**APPLICANT STATEMENT**

Specific section(s) of the Regulations in questions:

Briefly state your position in this matter and explain this nature of the relief you seek. (If more space is required, additional pages may be attached.)

Please see attached citation and letter of explanation.  
Attach copies of any documents or photographs you wish the board to consider.

Non-refundable Fee: \$100.00

Signed: Uma Singh 1/1/18  
Applicant Date

Application will not be considered complete  
unless accompanied by the appeal fee.

518 Montrose St  
Philadelphia, PA 19147  
267-303-0905  
12.11.17

To Whom It May Concern:

I am writing to appeal the ticket I received on 12.9.17 at the Petsmart in the Deptford shopping center. My license plate number is [REDACTED] ticket citation number 25285. I have also enclosed a copy of the citation.

I would like to appeal this ticket due to the circumstance as follows. I am a veterinarian that works at the Banfield in the Petsmart store in Deptford. I had just finished my shift that day, leaving around 6:15 p.m. It was the day of the first snow storm in 2018 and right after I cleaned the snow off my car and as I was pulling out of the parking lot, I received a call from the Banfield that one of my patients was not doing well. I was very concerned so I turned back. Instead of looking for another spot in the snowy parking lot, I parked in front of the Petsmart because I wanted to have access to my patient ASAP.

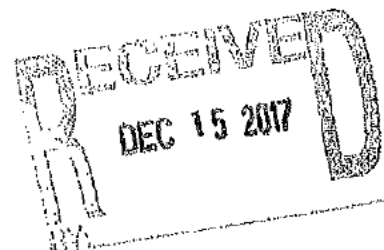
I realize that I was not parked in a legal spot, but I made a judgement at that moment that was in the best interest of my patient.

I hope you take these circumstances into consideration when you review this case. I thank you for your time.

Sincerely,

*Tina Sung*

Dr. Tina Sung



Bureau of Fire Prevention  
Office of the Fire Official  
Township of Deptford  
~~P.O. Box 5536~~  
Deptford, NJ 08096



NO 25285

### VIOLATION OF FIRE LANE CODE

To:

PA

You are in violation of the International Fire Code, N.J.  
Edition N.J.A.C. 5:70-3.503.1.1 because on or about:

Date: 12/9/17 Time: 10:00

Location: 021 Service

You or your agent did park a vehicle or otherwise obstruct a Fire  
Lane with:

Vehicle Make: GMC Registration: [REDACTED]

Vehicle Color: Blue Vehicle Model: 7200  
in violation of the ACT.

The pertinent part of the ACT states:

5:70-3.503.1.1

#### FIRE APPARATUS ACCESS ROADS

503.4 Fire Apparatus Access Roads shall not be obstructed in any  
manner, including the parking of vehicles.

Pursuant to the ACT, you are hereby ordered to PAY THE SUM OF  
\$ 45.00 In accordance with the above referenced  
law, you must pay the total amount due within 30 days after issuance  
of this order. If you fail to make full payment within 30 days, this  
matter will be referred to the Office of Legal Council for summary  
collection pursuant to the Penalty Enforcement Law (N.J.S.A.2A:58-  
1et.seq.)

MAKE CHECKS PAYABLE TO:

Deptford Fire Marshals Office  
1370 Delsea Drive  
Deptford, NJ 08096

RE OFFICIAL / INSPECTOR



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

**AGENDA**

February 14, 2018

3:30PM

1. CALL TO ORDER CHAIRMAN
2. READING OF OPEN PUBLIC MEETINGS ACT CHAIRMAN
3. ROLL CALL
4. APPROVAL OF PREVIOUS MINUTES – January 10, 2018
5. CORRESPONDENCE – None
6. OLD BUSINESS - None
7. NEW BUSINESS –  
**APPEAL 2018-1 Tina Sung v. Deptford Township Fire Marshal**  
Application has been filed by Tina Sung regarding a violation of fire lane code issued by  
Deptford Township Fire Marshal in front of the Petsmart Store Deptford Township.
8. GOOD and WELFARE
9. ADJOURNMENT

Respectfully Submitted,

Sandra Rost  
Board Secretary



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

**CONSTRUCTION BOARD OF APPEALS**

**MINUTES**

**February 14, 2018 3:30 P.M.**

**MEMBERS**

|                                        |                                 |
|----------------------------------------|---------------------------------|
| Robert DeAngelo, Chairman              | Joseph Heitman, Alt.            |
| Joseph Conboy, Vice Chairman           | John Gentile, Alt.              |
| Theodore Miller, Member                | William Krebs, Alt.             |
| Phil Zimm, Member                      | Richard Fini Spec. Mem.         |
| Mark Brunermer, Member                 | Michael Gabbianelli, Spec. Mem. |
| Emmett Primas Jr., Esq. Board Attorney | Sandra Rost, Secretary          |

The February 14, 2018 Meeting was called to order by Vice Chairman Joseph Conboy and the open public meeting statement was read, adequate notice of this meeting has been given by providing notice to the South Jersey Times and Courier Post on January 11, 2018, notice has been given to the County Clerk and posted on the official bulletin board of the County.

**ROLL CALL**

The Board Secretary called Roll, the following members were present, Joseph Conboy, Vice Chairman, Theodore Miller, Phil Zimm, Mark Brunermer, Richard Fini, Special Member, Joseph Heitman, Alternate, Michael Gabbianelli, Special Member. The following member(s) could not attend: Robert DeAngelo, Chairman, John Gentile, Alternate. William Krebs, Alternate.

**MINUTES**

A motion was made by Mr. Miller to accept the January 10, 2018 minutes as submitted, the motion was seconded by Mr. Zimm. Roll call vote: 4 yes, 0 no.

**CORRESPONDENCE: None**

**OLD BUSINESS: None**

**NEW BUSINESS:**

Mr. Heitman was seated for this appeal as a voting member

**APPEAL 2018-1 Tina Sung v. Deptford Township Fire Marshal**

Application has been filed by Tina Sung regarding a violation of fire lane code issued by Deptford Township Fire Marshall in front of the Petsmart Store Deptford Township.

Violation of Fire Lane citation number 25285 was issued to Dr. Tina Sung in front of the Petsmart Store in Deptford Township in the amount of \$45.00

Deptford Township Fire Marshall Mr. Robert Burkhardt and Fire Inspector Mr. Demetrios Sypsomos were sworn to provide testimony for this appeal. Mr. Sypsomos provided testimony regarding the details of the issuance of the fire lane violation.

Ms. Sung was sworn to provide testimony regarding her appeal.

After testimony was provided it was determined by the Board that the fire lane citation does not cite the correct section of the code.

Mr. Zimm made a motion to grant the appeal based on the procedural defect, the motion was seconded by Mr. Brunermer. Roll Call Vote: 5 yes, 0 no.

**GOOD AND WELFARE**

The Chairman called for any matters to be discussed amongst the members, with there being no further business before the Board a motion was made by Mr. Gabbianelli to adjourn the meeting, the motion was seconded by Mr. Zimm, which unanimously passed.

Respectfully Submitted,

Sandra Rost  
Secretary

Adopted on: \_\_\_\_\_



# DECISION OF THE CONSTRUCTION BOARD OF APPEALS

Date Issued  
Control #  
Permit #

## ACTION

The Construction Board of Appeals for the County of Gloucester (hereinafter the "Board") having heard the appeal filed by Tina Sung on February 14, 2018, in accord with the "Rules Governing Construction Boards of Appeal", N.J.A.C. 5.23A-1.1, et seq., hereby renders the following decision:

**Appeal 2018-1      Tina Sung vs. Deptford Township Bureau of Fire Prevention**

### PARTIES AND REPRESENTATIVES

**Tina Sung**, Appellant;

**Township of Deptford**, Respondent;

**Robert Burkhardt and Demetrios Sypsomos**, Bureau of Fire Prevention, Township of Deptford;

Tina Sung (Appellant), Robert Burkhardt (Burkhardt) and Demetrios Sypsomos (Sypsomos) were duly sworn by the Board Solicitor prior to offering testimony.

### FACTUAL BACKGROUND

On December 9, 2017 at approximately 6:30 pm while patrolling the area of the Deptford Landing Shopping Center on Clements Bridge Road in Deptford Township Sypsomos observed a blue GMC vehicle with Pennsylvania plate # KFC-0824 parked in the fire lane adjacent to the PetSmart Store. He affixed the township's standard Violation of Fire lane Code form, citation number 25285 to the windshield. He filled in all of the pertinent information on the form including a penalty amount of \$45.00 and signed the form. He testified consistent with these facts.

In a letter dated December 11, 2017 and made part of this appeal, Tina Sung indicated that the vehicle was hers and that she is a veterinarian and was working that day at the Banfield Animal Hospital which is located within the PetSmart Store. There was snowfall during the day and she cleared the snow from her vehicle and was leaving the parking lot when she received a call from the hospital that one of her patients was "not doing well" and she returned to Banfield. She indicated that, "Instead of looking for another spot in the snowy parking lot, I parked in front of the PetSmart because I wanted to have access to my patient ASAP". She testified before the Board on this issue consistent with the statements in her letter.

There were no documents introduced into evidence with the exception of Appellants letter attached to her appeal dated January 1, 2018.

Based upon testimony of the Appellant and Sypsomos, the Board made the following findings of fact and conclusions of law:

### FINDINGS OF FACT AND CONCLUSIONS OF LAW



Pursuant to N.J.A.C. 5:70-2.19(a)(1), et seq., the Gloucester County Construction Board of Appeals has jurisdiction to hear this appeal.

The factual background recited above is based upon the combined testimony by the Appellant and Sypsomos. The Board looked at the form on which violation #25285 was issued and it listed N.J.A.C. 5:70-3.503.1.1 *Fire Apparatus Access Roads* as the Code section and offense at issue here. A review of the New Jersey Administrative Code reveals that this offense does not correspond to the Code section cited. There was speculation that the Code may have been updated and the township did not update its form. For purposes of this appeal the facts show that the Appellant was issued a violation that was not properly cited by the township form raising due process concerns.

Based upon all of the above, a motion was made at the conclusion of the hearing by Board Member, Phil Zimm, to grant the appeal based on the procedural defect discussed above and the fact that a life was in the balance that gave rise to Appellant seeking the closest available parking position to Banfield Hospital so she could immediately attend to the patient. That motion was seconded by Board Member, Mark Brunermer.

**Members in favor of the motion:** Phil Zimm, Mark Brunermer, Theodore Miller, Joseph Conboy, Joseph Heitman.

**Members opposed:** none.

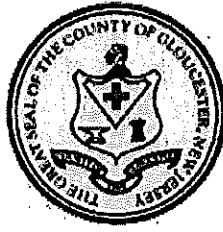
The aforesaid Motion then carried by a vote of 5 yes and 0 no votes. The Motion as made is the decision of the Board, as set forth herein.

**Notice: An appeal of this decision by any party, including any enforcing agency, may be made to the Law Division of the Superior Court within the time permitted by the Rules of Court.**

If you wish to contest the Board's decision, you may file an appeal with a court of competent jurisdiction within 30 calendar days of receipt of this form.

  
\_\_\_\_\_  
**JOSEPH CONBOY, ACTING CHAIRPERSON**  
GLOUCESTER COUNTY  
CONSTRUCTION BOARD OF APPEALS

2/21/18  
DATE



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

January 17, 2018

Dr. Tina Sung  
518 Montrose Street  
Philadelphia, PA 19147

Via First Class Mail & Certified Mail

Appeal 2018-1  
Dr. Tina Sung Ticket #25285 v. Deptford Township Fire Marshal

Dear Dr. Sung:

Please be advised that the above referenced appeal has been scheduled for hearing on February 14, 2018 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096. Should you need to reschedule or have any questions I may be reached at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rost".

Sandra Rost  
Secretary

C: Bob DeAngelo  
Emmett Primas Jr.



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

January 17, 2018

Captain Robert Burkhardt Jr.  
Deptford Fire Marshal  
1370 Delsea Drive  
Deptford, NJ 08096

Via First Class Mail & Certified Mail

Appeal 2018-1  
Dr. Tina Sung Ticket #25285 v. Deptford Township Fire Marshal

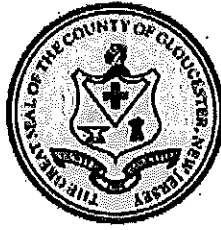
Dear Mr. Burkhardt:

Please be advised that the above referenced appeal has been scheduled for hearing on February 14, 2018 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096. Should you need to reschedule or have any questions I may be reached at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

Sandra Rost  
Secretary

C: Bob DeAngelo  
Emmett Primas Jr.



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

January 22, 2018

Alfred Kreck  
12 Niland Lane  
Deptford, NJ 08096

Dear Mr. Kreck:

I am in receipt of your letter regarding a violation issued by the Deptford Fire Inspector. Unfortunately the Board of Appeals cannot address your questions, you should contact the Fire Marshal's office directly 856-848-3098.

Should you wish to appeal this violation I have enclosed an application. Please submit the documentation and application fee as instructed.

Please let me know if you have any questions, I may be reached via email at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

  
Sandra Rost  
Secretary

C: Fire Marshal Deptford Township

1/15/2018

VIOLATION OF FIRE LANE

ALFRED C KRECK

PET VALW : \$5.70-3.50 1.1



I SENT A LETTER TO 'DEPTFORD FIRE MARSHALS  
OFFICE.' APPARENTLY THIS PERSON DOES NOT ANSWER ANY  
COMMUNICATION! THIS SUMMONS IS UNCONSTITUTED. FIRST  
I DROPPED MY WIFE OFF AT OLD NAVY. THEN I HAD  
TO WAIT FOR PROPER CROSSING THE STREET. SECOND  
I PULLED INTO A PARKING SPOT, AS I SAT A PERSON IN  
DANCED ON MY WINDOW. WHEN I LOWERED MY WINDOW  
A SUMMONS WAS THROWN AT ME! THIS PERSON HAD TO  
PARK IN THE FIRE ZONE AND WALK OVER TO MY VEHICLE.  
IS IT OK FOR THEM TO PARK IN FIRE ZONE?

My reason for being at Best Buy on 11/26 was to return a 55-inch TV with mount which were extremely heavy. I was told by Best Buy personnel to pull up to allow an employee with a dolly to unload my vehicle. As the dolly was exiting the store, Fran, Badge # 9026, began to write a ticket for my vehicle being parked in a fire lane, the exact spot which I was told by Best Buy personnel to park. After asking Fran if there was an issue, Fran was extremely rude and continued writing the ticket. It was such an extreme event that Fran even had to look high up at the back hatch of my vehicle, which was open to allow the Best Buy employee to remove the items, to obtain my license plate number.

The Best Buy manager came outside in my defense which I photographed as he was pleading with Fran, who continued to finish writing the ticket, and telling Fran how ridiculous the violation was. The photograph is attached hereto.

I am certainly appealing this violation, as I feel I did no wrongdoing — simply complying with Best Buy's wishes to be able to return an extremely heavy item.

Thank you,

Edward J. Ruggeri  
133 Salvatore Drive  
Mullica Hill, NJ 08062  


The aforementioned photographs were sent in my first response that was apparently mailed to the wrong address on the back left of the ticket and which cannot be found. The original ticket was also mailed along with the photographs.

Bureau of Fire Prevention  
Office of the Fire Official  
Township of Deptford  
P.O. Box 6666  
Deptford, NJ 08096



Nº 25228

1370 Delser Dr.

### VIOLATION OF FIRE LANE CODE

To: WJ [REDACTED]

You are in violation of the International Fire Code, N.J.  
Edition N.J.A.C. 5:70-3.503.1.1 because on or about:

Date: 11/26/17 Time: 449

Location: Best Buy

You or your agent did park a vehicle or otherwise obstruct a Fire  
Lane with:

Vehicle Make: Nissan Registration: WJ [REDACTED]

Vehicle Color: Blk Vehicle Model: Pathfinder  
in violation of the ACT.

The pertinent part of the ACT states:

5:70-3.503.1.1

### FIRE APPARATUS ACCESS ROADS

503.4 Fire Apparatus Access Roads shall not be obstructed in any  
manner, including the parking of vehicles.

Pursuant to the ACT, you are hereby ordered to PAY THE SUM OF  
\$ 45 in accordance with the above referenced  
law, you must pay the total amount due within 30 days after issuance  
of this order. If you fail to make full payment within 30 days, this  
matter will be referred to the Office of Legal Council for summary  
collection pursuant to the Penalty Enforcement Law (N.J.S.A.2A:58-  
1et.seq.)

MAKE CHECKS PAYABLE TO:  
BUREAU OF FIRE PREVENTION  
Township of Deptford  
P.O. Box 6666  
Deptford, NJ 08096  
(856) 648-3098

[Signature]  
FIRE OFFICIAL / INSPECTOR

1370 Delser Dr.



## ADMINISTRATIVE APPEAL RIGHTS

### YOU MAY APPEAL THESE ORDERS BY FILING AN APPEAL.

The request for an appeal must be made in writing within 15 days after the receipt of this order and sent to the Gloucester County Construction Board of Appeals which is appointed to act for the jurisdiction.

The notification of appeal must include the appellant's name, license plate number, location where the violation occurred, the reference number of the violation cited, and a brief summary of the reasons you contest the violations, including any authorities. You will rely on in support of your position.

Appeals will not be deemed received until payment of the fee of \$50.00 is made. Take notice appeal boards require the use of their forms to perfect an appeal. The address and phone number of the Board of Appeals is listed below.

### PENALTIES

Pursuant to N.J.A.C.5:70-2.12(e), the enforcing agency shall assess a civil penalty whenever such shall be likely to assist in bringing about compliance. In accordance with the Code, a failure to abate any violation after having been given notice of the violation is punishable by monetary penalties of not more than \$500 per violation per day.

|               |          |
|---------------|----------|
| 1st Violation | \$45.00  |
| 2nd Violation | \$100.00 |
| 3rd Violation | \$200.00 |

Any penalties assessed are in addition to others previously assessed. Penalties must be paid in full within 30 days after an order to pay. If full payment is not made within 30 days, the matter will be referred to the Office of Legal Council for summary collection, pursuant to the Penalty Enforcement Law (N.J.S.A.2A:58-1 et seq.).

### NOTICE

If you require guidance or advice concerning your legal rights, obligations or the course of action you should follow, consult your own adviser.

The request for a hearing must be made in writing within 15 days after the receipt of this order and addressed to:

BUREAU OF FIRE PREVENTION

OFFICE OF THE FIRE OFFICIAL

TOWNSHIP OF DEPTFORD

~~P.O. Box 5535~~  
Deptford, NJ 08096  
(856) 848-3098

(COPY TO)

CONSTRUCTION BOARD OF

APPEALS OF GLOUCESTER COUNTY

P.O. Box 337  
Woodbury, NJ 08096  
(856) 853-3395

GENERAL NOTES:



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

January 3, 2018

Edward Ruggeri  
133 Salvatore Drive  
Mullica Hill, NJ 08062

Dear Mr. Ruggeri:

I am in receipt of your letter regarding a violation issued by the Fire Official.

The ticket was issued on November 26, 2017 and was not filed (postmarked) for appeal until December 19, 2017 making this appeal untimely. In accordance with NJAC 5:23A-2.1 the appeal must be filed in writing within 15 days. Therefore your request for an appeal cannot be placed on the Board agenda.

Please let me know if you have any questions, I may be reached via email at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rost".

Sandra Rost  
Secretary

C: Fire Marshal Deptford Township

**APPLICATION TO GLOUCESTER COUNTY  
CONSTRUCTION  
BOARD OF APPEALS**

Gloucester County Construction  
Board of Appeals  
2 South Broad Street  
Woodbury, NJ 08096

**IDENTIFICATION**

|                                                 |                                       |
|-------------------------------------------------|---------------------------------------|
| Work Site Location <u>29 S BROADWAY PITMAN</u>  | Block <u>73</u> Lot <u>5</u>          |
| Owner in Fee <u>MAMA MARIO'S ITALIAN MARKET</u> | Agent <u>CAMPAR CAPITAL LLC OWNER</u> |
| Address <u>29 S BROADWAY PITMAN (TENANT)</u>    | Address <u>6900 GROVE ROAD</u>        |
| <u>NJ 08071</u>                                 | <u>THOROFARE NJ 08086</u>             |
| Phone <u>[REDACTED]</u>                         | Phone <u>[REDACTED]</u>               |
| Municipality <u>PITMAN</u>                      |                                       |

**APPLICANT STATEMENT**

Specific section(s) of the Regulations in questions:

N.J.A.C. 5:70-4.9 (d)  
N.J.A.C. 5:70-4.7 (G)

Briefly state your position in this matter and explain this nature of the relief you seek. (If more space is required, additional pages may be attached.)

Attach copies of any documents or photographs you wish the board to consider.

Non-refundable Fee: \$100.00

Signed: Domenico Caputo 4/13/2018  
Applicant Date

Application will not be considered complete  
unless accompanied by the appeal fee.



# PITMAN FIRE DEPARTMENT

DEPARTMENT OF PUBLIC SAFETY



110 S. BROADWAY  
PITMAN, NJ 08071

## INSPECTION CERTIFICATE

Phone: 856-589-2433  
Fax: 856-589-0259  
E-mail: firesafety@pitman.org

### SATISFACTORY COMPLIANCE

These premises were inspected on \_\_\_\_\_.

The premises comply with the minimum fire safety standards as set forth in  
the State of New Jersey Fire Safety Code.

THIS CERTIFICATE MUST BE DISPLAYED IN A CONSPICUOUS LOCATION

MAMA MARIES ITALIAN MARKET  
29 S. BROADWAY  
PITMAN, NJ 08071  
M-073-05-MA

Ryan Pierson, Fire Official

|                                                    |                                                    |  |  |  |  |
|----------------------------------------------------|----------------------------------------------------|--|--|--|--|
| Approved<br>2016<br>Pitman Fire Safety<br>4-25 PRO | Approved<br>2017<br>Pitman Fire Safety<br>3-31 PRO |  |  |  |  |
|----------------------------------------------------|----------------------------------------------------|--|--|--|--|

MAMA MARIES ITALIAN MARKET  
29 S. BROADWAY  
Pitman, NJ 08071  
Reg# M-073-05[-MA

## BUREAU OF FIRE SAFETY



# INSPECTION CERTIFICATE

SATISFACTORY COMPLIANCE

These premises were inspected on See Below

The premises comply with minimum fire safety standards as set forth in  
the State of New Jersey Fire Safety Code.

THIS CERTIFICATE MUST BE DISPLAYED IN A PROMINENT LOCATION



**PITMAN FIRE DEPARTMENT**

BUREAU OF FIRE PREVENTION

DEPARTMENT OF FIRE SAFETY

110 S. Broadway  
Pitman, NJ 08071

Ryan Pierson, Fire Official

Approved  
**2009**

Pitman Fire Dept.

*[Signature]*

Approved  
**2010**

Pitman Fire Dept.

*[Signature]*

Approved  
**2011**

Pitman Fire Dept.

*[Signature]*

Approved  
**2012**

Pitman Fire Dept.

*[Signature]*

Approved  
**2013**

Pitman Fire Dept.

*[Signature]*

Approved  
**2015**

Pitman Fire Safety

*[Signature]*

Pitman Fire Department  
Bureau of Fire Prevention  
110 South Broadway  
Pitman, New Jersey 08071  
Phone: (856) 589-2433

Registration No.: M-073-05-MA  
Municipality: Borough of Pitman  
County: Gloucester County  
Inspector: Paul Dillard  
Inspected: March 20, 2018  
Page: 1

To: MAMA MARIES ITALIAN MARKET  
29 S. BROADWAY  
Pitman, New Jersey 08071

NOTICE OF VIOLATIONS  
and  
ORDER TO CORRECT

Premises: MAMA MARIES ITALIAN MARKET  
Address: 29 S. BROADWAY , Pitman, New Jersey 08071  
Phone: 856-589-4440 Type of use: M-2 Produce & Deli Store

OWNER  
Name: CAMPERS CAPITAL  
Address: 6900 GROVE ROAD  
THOROFARE NJ 08086  
Phone: 856-848-1000

AGENT

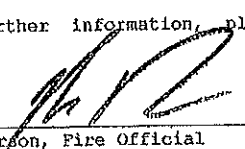
TENANT/OPERATOR  
DOMINICK CAPALDI  
125 CAMBRIDGE AVE.  
HARTLTON NJ 08053  
856-904-6801

YOU ARE HEREBY NOTIFIED THAT an inspection by the Bureau of Fire Prevention disclosed violations of the Uniform Fire Code (N.J.A.C. 5:70-1 et. seq.) promulgated pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et. seq.). The violations are specified on the accompanying "Violations Report" page(s).

YOU ARE HEREBY ORDERED by the FIRE OFFICIAL to correct the violations listed on the accompanying "Violations Report" page(s) within the time, or by the date specified. If a reinspection discloses that violations have not been corrected, and an extension has NOT been requested and granted, you will be subject to penalties of up to \$5,000 per violation per day or as otherwise authorized by the Act and Department Regulations.

IN ADDITION, the ACT imposes liability on the owner for the actual costs of fire suppression where a violation directly or indirectly results in fire.

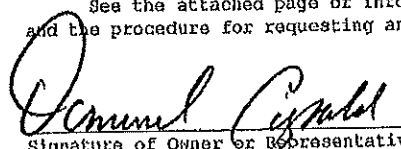
If you do not understand this order, need assistance, or desire further information, please call the Bureau of Fire Prevention at (856) 589-2433

By: 

Ryan Plerson, Fire Official

APPEAL RIGHTS-EXTENSIONS

See the attached page of information concerning your administrative appeal rights, authorized penalties and the procedure for requesting an extension of time in which to correct violations.

  
Signature of Owner or Representative

Dominick Capaldi  
Printed Name of Owner or Representative

4/13/2018  
Date

Premises: MAMA MARIES ITALIAN MARKET  
29 S. BROADWAY  
Pitman, New Jersey 08071

Registration No. M-073-05-MA  
Inspection Date: March 20, 2018  
Initial Inspector:  
Print Name: Paul Dillard  
Page number: 2

Owner/Agent: DOMINICK CAPALDI  
125 CAMBRIDGE AVE.  
MARLTON NJ 08053

### VIOLATIONS

Date:

Inspector:

The violations cited on the above premises are as follows:

| Number | Description (Maintenance: 0 Retrofit: 2)                                                                                                      | Abate by   | U/A | U/A | U/A |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------|-----|-----|-----|
| 1.     | Location: As defined in Bulletin 2017-1<br>Nature: Carbon Monoxide Detection Required in all buildings.<br>Code Section: N.J.A.C. 5:70-4.9(d) | 04/20/2018 |     |     |     |
| 2.     | Location: KITCHEN<br>Nature: INSTALL AUTOMATIC FIRE SUPPRESSION FOR COOKING<br>Code Section: N.J.A.C. 5:70-4.7(g)                             | 04/20/2018 |     |     |     |

Key: The numbering of violations is for identification purposes only and shall not be construed as bearing in any way on the seriousness of any violation.  
"U" Unabated - Violation uncorrected.  
"A" Abated - Violation corrected.

Home & Kitchen ▾

Deliver to Elyse  
GERMANY 00000

Departments ▾

Browsing History ▾

EN

Hello, elyse

Account & Lists ▾

Orders ▾

Prime ▾

0

Cart

Amazon Home

Shop by Room

Shop by Look

Home Décor

Furniture

Kitchen & Dining

Bed & Bath

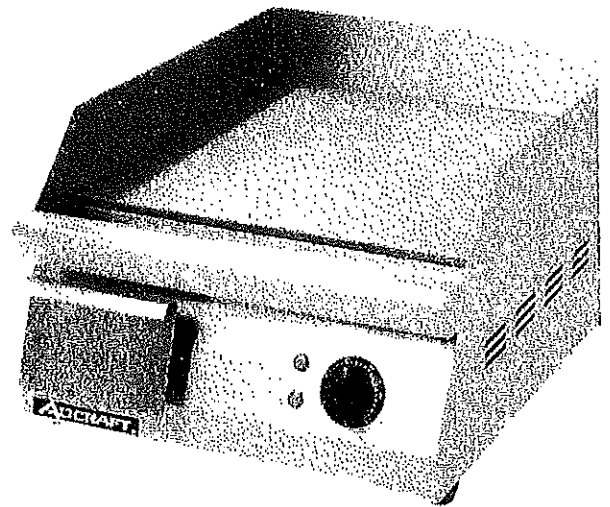
Garden & Outdoor

Home Improvement

Amazon

Home

### 16"W Griddle, Heavy Duty, Electric, 120V,...



On one year,  
offer two  
from the  
date of  
purchase by  
the original  
owner. A  
copy of the  
original  
receipt or  
other proof  
of purchase  
is required to  
obtain  
warranty  
coverage.  
This  
warranty  
applies to  
the original  
owner only.

Item (9) from \$599.99 to \$37.50  
shipping

Item one for \$44.99 \$37.50 per item



We have been serving breakfast since Mama Marle's opened in 2008. We use an electric Griddle and have never used oil to cook breakfast. There are no flames that would cause a fire while we are cooking. See attached photograph of the Electric griddle. The Fire Department did not visit our store with concerns about the Griddle or an alleged need for a Fire Suppression System. See N.J.A.C. 5:70-4.7(g). Rather, they were at the premises about a pipe burst in the attic causing a water leak in our store.

Our store has passed Fire Inspection every year since the store opened despite using the Electric Griddle and Fire Department personnel who frequent the store were well aware of that fact. There is a fire alarm in the building and our store has not been cited for violations despite using the Griddle. ( Attached are copies of our prior Inspection reports showing the premises in compliance with the Fire Code.)

On information and belief, there have been no changes to the Fire Code regulations, so why at this point is our store alleging in violation for not having a Fire Suppression System. Said system would cost approximately \$25,000-\$30,000.

Literal enforcement of this Code Section would cause us to cease operation(s)

**Department of Community Affairs**

**Division of Fire Safety**

**Fire Code Enforcement**



# **BULLETIN: 2017-1**

**SUBJECT:** Carbon Monoxide Detection Installation - All Use Groups

**REFERENCE:** N.J.A.C. 5:70-4.3(a), N. J. A. C. 5:70-4.9(d)  
and N.J.A.C 5:70-4.19(d)

**ISSUE DATE:** December 12, 2017

This Bulletin supersedes Bulletin 2003-3.

This document is being issued to provide guidance on the installation of carbon monoxide (CO) detection under the Uniform Fire Code (UFC). Provisions for the installation of CO detection were first introduced in the UFC in 2003 for use groups R-1, R-2, R-3, R-4 and I-1. Effective September 3, 2017, the requirement to have CO detection installed in buildings that have fuel-fired equipment or attached garages (other than garages that meet the definition of an open parking structure) has been extended to all buildings. There have been questions about how the new rules should be applied.

**Relationship to the Uniform Construction Code:**

The Uniform Construction Code (UCC) has contained requirements for Carbon Monoxide detection in use groups R-1, R-2, R-3, R-4 and I-1 since 1999. Recent amendments to the UCC have paralleled the changes to the UFC in terms of scope. In other words, all use groups are now required to have CO detection where there is fuel-fired equipment or an attached garage that would not qualify as an open parking structure. However, the locations where CO detection is required under the UCC do not match the locations in the UFC exactly. This creates a question about how the UFC requirements apply to buildings that were approved under the Uniform Construction Code with CO detection provided.

The Korman Parks Law (P.L. 2015, c. 146), which is the basis for the June 2017 rule adoption of the CO detection requirements in the Uniform Fire Code and Uniform Construction Code, contains a provision that states that buildings that met the 1999 CO detector law do not need to meet the UFC requirements under the Korman Parks Law. This means that buildings of



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

**AGENDA**

**June 13, 2018**

**3:30PM**

1. CALL TO ORDER CHAIRMAN
2. READING OF OPEN PUBLIC MEETINGS ACT CHAIRMAN
3. ROLL CALL
4. APPROVAL OF PREVIOUS MINUTES – May 9, 2018
5. CORRESPONDENCE – None
6. OLD BUSINESS - None
7. NEW BUSINESS –

**APPEAL 2018-2 Miti Ahping, v. Borough of Glassboro Construction Official**

7A, 7B, 7D, 7G State Street, Block 29, Lot 4.01

Application for an appeal has been filed by Miti Ahping regarding a violation of a multi-unit building for violation issued under N.J.A.C. 5:23-2.14 failure to obtain required permits for interior alterations.

**APPEAL 2018-3 Mama Marie's Italian Market v. Pitman Fire Marshal**

29 S Broad Street, Pitman, Block 73, Lot 5

NJAC 5:70-4.7(g) fire suppression system and NJAC 5:70-4.9(d) carbon monoxide

8. GOOD and WELFARE
9. ADJOURNMENT

Respectfully Submitted,

Sandra Rost  
Board Secretary



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

**CONSTRUCTION BOARD OF APPEALS**  
**MINUTES**  
**June 13, 2018 3:30 P.M.**

**MEMBERS**

|                                        |                                 |
|----------------------------------------|---------------------------------|
| Robert DeAngelo, Chairman              | Joseph Heitman, Alt.            |
| Joseph Conboy, Vice Chairman           | John Gentile, Alt.              |
| Theodore Miller, Member                | William Krebs, Alt.             |
| Phil Zimm, Member                      | Richard Fini Spec. Mem.         |
| Mark Brunermer, Member                 | Michael Gabbianelli, Spec. Mem. |
| Emmett Primas Jr., Esq. Board Attorney | Sandra Rost, Secretary          |

The June 13, 2018 Meeting was called to order by Chairman Robert DeAngelo and the open public meeting statement was read, adequate notice of this meeting has been given by providing notice to the South Jersey Times and Courier Post on January 11, 2018, notice has been given to the County Clerk and posted on the official bulletin board of the County.

**ROLL CALL**

The Board Secretary called Roll, the following members were present, Robert DeAngelo, Chairman, Joseph Conboy, Vice Chairman, Phil Zimm, Theodore Miller, Mark Brunermer, Joseph Heitman, Alternate, William Krebs, Alternate, John Gentile, Alternate, Richard Fini, Special Member.

The following member(s) could not attend: Michael Gabbianelli, Special Member.

**MINUTES**

A motion was made by Mr. Zimm to accept the May 9, 2018 minutes as submitted, the motion was seconded by Mr. Miller. Roll call vote: 5 yes, 0 no.

**CORRESPONDENCE:** None

**OLD BUSINESS:** None

**June 13, 2018 Minutes Continued:**

**NEW BUSINESS:**

**APPEAL 2018-2 Miti Ahping, v. Borough of Glassboro Construction Official – Adjourned to July 11, 2018 at the request of the Applicant’s Attorney.**

7A, 7B, 7D, 7G State Street, Block 29, Lot 4.01

Application for an appeal has been filed by Miti Ahping regarding a violation of a multi-unit building for violation issued under N.J.A.C. 5:23-2.14 failure to obtain required permits for interior alterations.

**APPEAL 2018-3 Mama Marie’s Italian Market v. Pitman Fire Marshal**

29 S Broad Street, Pitman, Block 73, Lot 5

NJAC 5:70-4.7(g) fire suppression system and NJAC 5:70-4.9(d) carbon monoxide

Ryan Pierson, Pitman Fire Marshal was sworn to provide testimony for this appeal on behalf of the Borough of Pitman.

Arthur Panza, Attorney for the appellant and Dominic Capaldi, owner (was sworn) and both gave testimony for this appeal.

At the conclusion of testimony, the Attorney for the appellant requested the Board take a brief recess so they could have an opportunity to discuss the case. When the board reconvened it was advised by the Fire Marshal that the violations would be dismissed. As a matter of law the appeal then became moot. Mr. Miller made a motion to close this matter, which was seconded by Mr. Conboy. Roll Call Vote: 5 yes, 0 No.

**APPEAL 2018-4 Benjamin & Jennifer Fox v. Borough of National Park – On Hold no action was taken at this meeting.**

Jefferson Avenue, National Park, Block 101, Lots 2,3,3.01,4

Escrow appeal whereas appellant is disputing an invoice in the amount of \$2,675.05 paid to former Board Attorney Mark Maska.

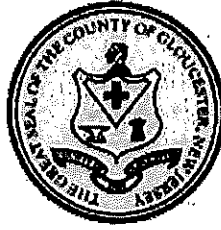
**GOOD AND WELFARE**

The Chairman called for any matters to be discussed amongst the members, with there being no further business before the Board a motion was made by Mr. Conboy to adjourn the meeting, the motion was seconded by Mr. Zimm, which unanimously passed.

Respectfully Submitted,

Sandra Rost  
Secretary

Adopted on: \_\_\_\_\_



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

May 1, 2018

Mama Marie's Italian Market  
29 S Broadway  
Pitman, NJ 08071

Via First Class Mail & Certified Mail

Appeal 2018-3  
Mama Marie's Market v. Borough of Pitman Fire Official

Dear Mr. Capaldi:

Please be advised that the above referenced appeal has been scheduled for hearing on June 13, 2018 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096. Should you need to reschedule or have any questions I may be reached at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

Sandra Rost  
Secretary

C: Bob DeAngelo  
Emmett Primas Jr.



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

May 1, 2018

Ryan Pierson  
Borough of Pitman Fire Official  
110 South Broadway  
Pitman, NJ 08071

Via First Class Mail & Certified Mail

Appeal 2018-3  
Mama Marie's Market v. Borough of Pitman Fire Official

Dear Mr. Pierson:

Please be advised that the above referenced appeal has been scheduled for hearing on June 13, 2018 at 3:30 P.M. The hearing will be held in the large conference room in the Government Services Building located at 115 Budd Blvd. West Deptford, NJ 08096. Should you need to reschedule or have any questions I may be reached at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rost".

Sandra Rost  
Secretary

C: Bob DeAngelo  
Emmett Primas Jr.

**APPLICATION TO GLOUCESTER COUNTY  
CONSTRUCTION  
BOARD OF APPEALS**

Gloucester County Construction  
Board of Appeals  
2 South Broad Street  
Woodbury, NJ 08096

**IDENTIFICATION**

|                    |                                      |         |                                 |     |          |
|--------------------|--------------------------------------|---------|---------------------------------|-----|----------|
| Work Site Location | <u>29 S Broadway Pitman</u>          | Block   | <u>73</u>                       | Lot | <u>5</u> |
| Owner in Fee       | <u>MAMA MARIO'S Italian Market</u>   | Agent   | <u>Campan Capital LLC OWNER</u> |     |          |
| Address            | <u>29 S Broadway Pitman (Tenant)</u> | Address | <u>6900 Grove Road</u>          |     |          |
|                    | <u>NJ 08071</u>                      |         | <u>Thorofare NJ 08086</u>       |     |          |
| Phone              | <u>[REDACTED]</u>                    | Phone   | <u>[REDACTED]</u>               |     |          |
| Municipality       | <u>PITMAN</u>                        |         |                                 |     |          |

**APPLICANT STATEMENT**

Specific section(s) of the Regulations in questions:

N.J.A.C. 5:70-4.9 (d)  
N.J.A.C. 5:70-4.7 (G)

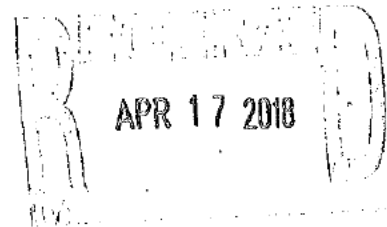
Briefly state your position in this matter and explain this nature of the relief you seek. (If more space is required, additional pages may be attached.)

Attach copies of any documents or photographs you wish the board to consider.

Signed: Domini Lypal 4/13/2018  
Applicant Date

Non-refundable Fee: \$100.00

Application will not be considered complete  
unless accompanied by the appeal fee.







# PITMAN FIRE DEPARTMENT

DEPARTMENT OF PUBLIC SAFETY



110 S. BROADWAY  
PITMAN, NJ 08071

Phone: 856-589-2433  
Fax: 856-589-0259  
E-mail: firesafety@pitman.org

## INSPECTION CERTIFICATE

### SATISFACTORY COMPLIANCE

These premises were inspected on \_\_\_\_\_.

The premises comply with the minimum fire safety standards as set forth in  
the State of New Jersey Fire Safety Code.

**THIS CERTIFICATE MUST BE DISPLAYED IN A CONSPICUOUS LOCATION**

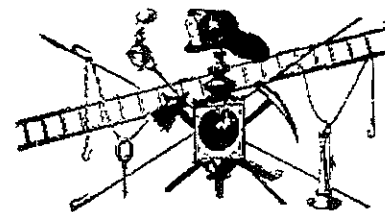
MAMA MARIES ITALIAN MARKET  
29 S.BROADWAY  
PITMAN, NJ 08071  
M-073-05-MA

Ryan Pierson, Fire Official

|                                                    |                                                    |  |  |  |  |
|----------------------------------------------------|----------------------------------------------------|--|--|--|--|
| Approved<br>2016<br>Pitman Fire Safety<br>4-25 PKD | Approved<br>2017<br>Pitman Fire Safety<br>3-31 PKD |  |  |  |  |
|----------------------------------------------------|----------------------------------------------------|--|--|--|--|

MAMA MARIES ITALIAN MARKET  
29 S. BROADWAY  
Pitman, NJ 08071  
Reg# M-073-05[-MA

## BUREAU OF FIRE SAFETY



# INSPECTION CERTIFICATE

SATISFACTORY COMPLIANCE

These premises were inspected on See Below

The premises comply with minimum fire safety standards as set forth in  
the State of New Jersey Fire Safety Code.

THIS CERTIFICATE MUST BE DISPLAYED IN A PROMINENT LOCATION



**PITMAN FIRE DEPARTMENT**

BUREAU OF FIRE PREVENTION

DEPARTMENT OF PUBLIC SAFETY

110 S. Broadway  
Pitman, NJ 08071

Ryan Pierson, Fire Official

Approved  
**2009**

Pitman Fire Dept.

*[Signature]*

Approved  
**2010**

Pitman Fire Dept.

*[Signature]*

Approved  
**2011**

Pitman Fire Dept.

*[Signature]*

Approved  
**2012**

Pitman Fire Dept.

*[Signature]*

Approved  
**2013**

Pitman Fire Dept.

*[Signature]*

Approved  
**2015**

Pitman Fire Safety

*[Signature]*

Pitman Fire Department  
Bureau of Fire Prevention  
110 South Broadway  
Pitman, New Jersey 08071  
Phone: (856) 589-2433

Registration No.: M-073-05-MA  
Municipality: Borough of Pitman  
County: Gloucester County  
Inspector: Paul Dillard  
Inspected: March 20, 2018  
Page: 1

To: MAMA MARIES ITALIAN MARKET  
29 S. BROADWAY  
Pitman, New Jersey 08071

NOTICE OF VIOLATIONS  
and  
ORDER TO CORRECT

Premises: MAMA MARIES ITALIAN MARKET  
Address: 29 S. BROADWAY , Pitman, New Jersey 08071  
Phone: 856-589-4440 Type of use: M-2 Produce & Deli Store

OWNER  
Name: CAMPERS CAPITAL  
Address: 6900 GROVE ROAD  
THOROFARE NJ 08086  
Phone: 856-848-1000

AGENT

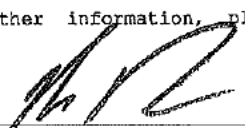
TENANT/OPERATOR  
DOMINICK CAFALDI  
125 CAMBRIDGE AVE.  
MARLTON NJ 08053

YOU ARE HEREBY NOTIFIED THAT an inspection by the Bureau of Fire Prevention disclosed violations of the Uniform Fire Code (N.J.A.C. 5:70-1 et. seq.) promulgated pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et. seq.). The violations are specified on the accompanying "Violations Report" page(s).

YOU ARE HEREBY ORDERED by the FIRE OFFICIAL to correct the violations listed on the accompanying "Violations Report" page(s) within the time, or by the date specified. If a reinspection discloses that violations have not been corrected, and an extension has NOT been requested and granted, you will be subject to penalties of up to \$5,000 per violation per day or as otherwise authorized by the Act and Department Regulations.

IN ADDITION, the ACT imposes liability on the owner for the actual costs of fire suppression where a violation directly or indirectly results in fire.

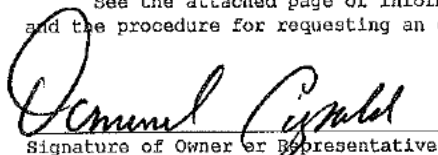
If you do not understand this order, need assistance, or desire further information, please call the Bureau of Fire Prevention at (856) 589-2433

By: 

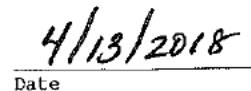
Ryan Pierson, Fire Official

APPEAL RIGHTS-EXTENSIONS

See the attached page of information concerning your administrative appeal rights, authorized penalties and the procedure for requesting an extension of time in which to correct violations.

  
Signature of Owner or Representative

  
Printed Name of Owner or Representative

  
Date

Premises: MAMA MARIES ITALIAN MARKET  
29 S. BROADWAY  
Pitman, New Jersey 08071

Registration No. M-073-05-MA  
Inspection Date: March 20, 2018  
Initial Inspector: \_\_\_\_\_  
Print Name: Paul Dillard  
Page number: 2

Owner/Agent: DOMINICK CAPALDI  
125 CAMBRIDGE AVE.  
MARLTON NJ 08053

### VIOLATIONS

Date:

Inspector:

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |

The violations cited on the above premises are as follows:

| Number | Description (Maintenance: 0 Retrofit: 2)                                                                                                      | Abate by   | U/A | U/A | U/A |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------|-----|-----|-----|
| 1.     | Location: As defined in Bulletin 2017-1<br>Nature: Carbon Monoxide Detection Required in all buildings.<br>Code Section: N.J.A.C. 5:70-4.9(d) | 04/20/2018 |     |     |     |
| 2.     | Location: KITCHEN<br>Nature: INSTALL AUTOMATIC FIRE SUPPRESSION FOR COOKING<br>Code Section: N.J.A.C. 5:70-4.7(g)                             | 04/20/2018 |     |     |     |

Key: The numbering of violations is for identification purposes only and shall not be construed as bearing in any way on the seriousness of any violation.  
"U" Unabated - Violation uncorrected.  
"A" Abated - Violation corrected.

Home & Kitchen ▾

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BERLIN 08009

Departments ▾

Browsing History ▾

EN ▾

Hello, elyse

Account & Lists ▾

Orders

Prime ▾

0

Cart

Amazon Home

Shop by Room

Shop by Look

Home Décor

Furniture

Kitchen & Dining

Bed & Bath

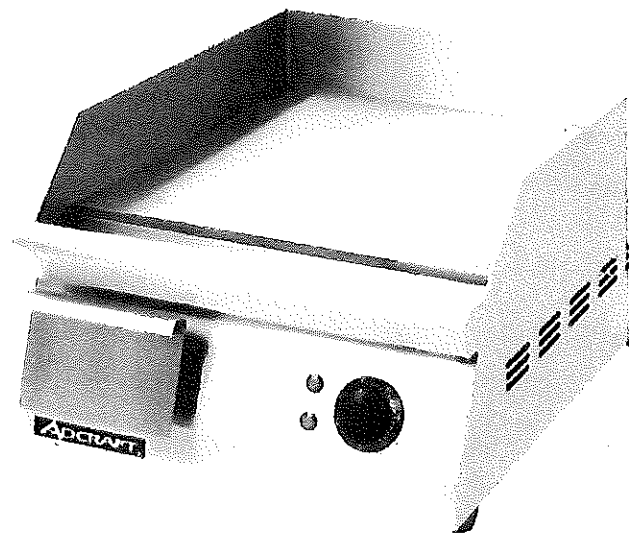
Garden & Outdoor

Home Improvement

ARTS

1/24/11

**16"W Griddle, Heavy Duty,  
Electric, 120V,...**



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We have been serving breakfast since Mama Marie's opened in 2008. We use an electric Griddle and have never used oil to cook breakfast. There are no flames that would cause a fire while we are cooking. See attached photograph of the Electric griddle. The Fire Department did not visit our store with concerns about the Griddle or an alleged need for a Fire Suppression System. See N.J.A.C. 5:70-4.7(g). Rather, they were at the premises about a pipe burst in the attic causing a water leak in our store.

Our store has passed Fire Inspection every year since the store opened despite using the Electric Griddle and Fire Department personnel who frequent the store were well aware of that fact. There is a fire alarm in the building and our store has not been cited for violations despite using the Griddle. ( Attached are copies of our prior Inspection reports showing the premises in compliance with the Fire Code.)

On information and belief, there have been no changes to the Fire Code regulations, so why at this point is our store alleging in violation for not having a Fire Suppression System. Said system would cost approximately \$25,000-\$30,000.

Literal enforcement of this Code Section would cause us to cease operation(s)



# BULLETIN: 2017-1

**SUBJECT:** Carbon Monoxide Detection Installation - All Use Groups

**REFERENCE:** N.J.A.C. 5:70-4.3(a), N. J. A. C. 5:70-4.9(d)  
and N.J.A.C 5:70-4.19(d)

**ISSUE DATE:** December 12, 2017

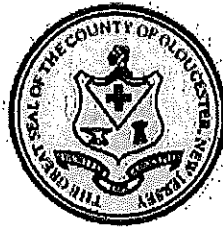
This Bulletin supersedes Bulletin 2003-3.

This document is being issued to provide guidance on the installation of carbon monoxide (CO) detection under the Uniform Fire Code (UFC). Provisions for the installation of CO detection were first introduced in the UFC in 2003 for use groups R-1, R-2, R-3, R-4 and I-1. Effective September 3, 2017, the requirement to have CO detection installed in buildings that have fuel-fired equipment or attached garages (other than garages that meet the definition of an open parking structure) has been extended to all buildings. There have been questions about how the new rules should be applied.

## **Relationship to the Uniform Construction Code:**

The Uniform Construction Code (UCC) has contained requirements for Carbon Monoxide detection in use groups R-1, R-2, R-3, R-4 and I-1 since 1999. Recent amendments to the UCC have paralleled the changes to the UFC in terms of scope. In other words, all use groups are now required to have CO detection where there is fuel-fired equipment or an attached garage that would not qualify as an open parking structure. However, the locations where CO detection is required under the UCC do not match the locations in the UFC exactly. This creates a question about how the UFC requirements apply to buildings that were approved under the Uniform Construction Code with CO detection provided.

The Korman Parks Law (P.L. 2015, c. 146), which is the basis for the June 2017 rule adoption of the CO detection requirements in the Uniform Fire Code and Uniform Construction Code, contains a provision that states that buildings that met the 1999 CO detector law do not need to meet the UFC requirements under the Korman Parks Law. This means that buildings of



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

August 3, 2018

James Riddick  
350 Fries Mill Road  
Sewell, NJ 08080

RE: 350 Fries Mill Road

Dear Mr. Riddick:

I am in receipt of your application for appeal. Please see the attached application in which the fee required to file is \$100.00, I received a money order for \$50.00. Please remit the additional \$50.00 made payable to Gloucester County.

Once I receive the additional check, I will schedule your matter before the Board meeting in September.

Please let me know if you have any questions, I may be reached via email at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

Sandra Rost  
Secretary



**APPLICATION TO GLOUCESTER COUNTY  
CONSTRUCTION  
BOARD OF APPEALS**

Gloucester County Construction  
Board of Appeals  
2 South Broad Street  
Woodbury, NJ 08096

**IDENTIFICATION**

Work Site Location 350 FRIES Mill Rd.

Block 86 Lot 7.01

Owner in Fee JAMES RIDDICK

Agent \_\_\_\_\_

Address 350 FRIES Mill Rd.

Address \_\_\_\_\_

Sewell, NJ 08080

Phone \_\_\_\_\_

Phone \_\_\_\_\_

Municipality Washington Twp / Sewell

**APPLICANT STATEMENT**

Specific section(s) of the Regulations in questions:

Open Electrical Wires

Briefly state your position in this matter and explain this nature of the relief you seek. (If more space is required, additional pages may be attached.)

ALL electrical wire has been completed and repaired.

Attach copies of any documents or photographs you wish the board to consider.

Non-refundable Fee: \$100.00

Signed: \_\_\_\_\_

Applicant

Date

Application will not be considered complete unless accompanied by the appeal fee.



# NOTICE OF UNSAFE STRUCTURE

Permit No.

Control No.

Log No.

10002

## IDENTIFICATION

Work Site Location 350 FRIES MILL RDBlock/Lot 86/7.01

Owner in Fee

Agent

TACHE, SIMON W  
350 FRIES MILL RD  
SEWELL, NJ

08080

=====

To: ☒ Owner ☐ Other:  
☐ Agent/Contractor

DATE OF INSPECTION: 6/11/18

DATE OF THIS NOTICE: 6/13/18

## ACTION

**Take NOTICE** that as a result of the inspections conducted by this agency on June 11, 2018 on the above property, an unsafe condition has been found to exist pursuant to N.J.S.A. 52:270-132 and N.J.A.C. 5:23-2.32. The building or structure, or portion thereof, deemed an unsafe condition is described as follows:

**Large Amounts of Clothing Stored In Dilapidated Structure With Open Electrical Wires Which Constitutes a Fire Hazard.**

You are hereby **ORDERED** to:

- ☒ Vacate the above structure by 6/29/18
- ☒ Demolish the above structure by \_\_\_\_\_, or correct the above noted unsafe conditions by no later than 6/29/18

Failure to correct the unsafe condition or refusal to comply with this **ORDER** will result in this matter being forwarded to legal counsel for prosecution and assessment of penalties up to \$2,000 per week per violation. You must immediately declare to the Construction Official, your acceptance or rejection of the terms of this **ORDER**.

Any building or structure vacated pursuant to this **ORDER** shall not be reoccupied unless and until a certificate of occupancy is issued by the Construction Official.

If you wish to contest this ORDER, you may request a hearing before the Construction Board of Appeals of the \_\_\_\_\_ County of GLOUCESTER within 15 days of receipt of this notice as provided by N.J.A.C. 5:23A-2.1. The Application to the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the specific sections of the Uniform Construction Code in question and the extent and nature of your reliance on them. You may include a brief statement setting forth your position and the nature of the relief sought by you and you may also append any documents that you consider useful.

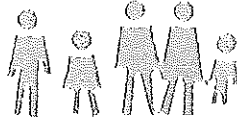
The fee for an appeal is \$ 50.00 and should be forwarded with your application to the Construction

Board of Appeals Office at: Rt 45 & Budd Blvd, Woodbury, NJ 08096

If you have any questions concerning this matter, please call: John DiStefano

By **ORDER** ofDate: 6/13/18

CONSTRUCTION OFFICIAL



GATEWAY HEALTH CENTER  
817 FEDERAL STREET, CAMDEN, NJ 08103

(856) 541-3270

July 2, 2019

Construction Board of Appeals  
County of Gloucester  
P.O. Box 337  
Woodbury, New Jersey 08086

**Re: Notice of Appeal**  
13154 North Delaware Street, Paulsboro

Dear Sir/Madam:

Please be advised that CAMcare has remediated all violations in the facility located at 1315 N. Delaware Street in Paulsboro. A subsequent inspection was conducted by the fire marshal on June 28<sup>th</sup>. Since CAMcare passed this inspection, we are request the return of our \$100 fee in connection with the appeal.

Should you have any questions or concerns, please do not hesitate to contact me.

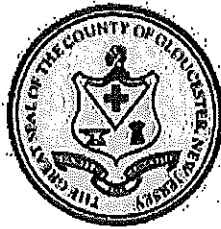
Thank you for your cooperation.

Sincerely,

Jason N. Sunkett, Esquire  
Corporate Compliance Officer  
CAMcare Health Corporation, Inc.

cc: Yleana Rubio

7/26/19 mailed check



COUNTY OF GLOUCESTER  
STATE OF NEW JERSEY  
CONSTRUCTION BOARD OF APPEALS  
P.O. BOX 337  
WOODBURY, NJ 08096

January 18, 2019

CAMcare  
Jason Sunkett, Esquire  
817 Federal Street  
Camden, NJ 08103

RE: 1315 N Delaware Street, Paulsboro

Dear Mr. Sunkett:

I am in receipt of your letter and fee for appeal, please be advised you must also file the enclosed application. I have received your letter and accept this as a timely filing, awaiting the official appeal application.

Once I receive the application and the file is complete, your appeal will be scheduled before the Boards next available hearing.

Please let me know if you have any questions, I may be reached via email at [srost@co.gloucester.nj.us](mailto:srost@co.gloucester.nj.us).

Sincerely,

Sandra Rost  
Secretary



GATEWAY HEALTH CENTER  
817 FEDERAL STREET, CAMDEN, NJ 08103

(856) 541-3270

December 22, 2018

**Via Certified Mail**

Construction Board of Appeals  
County of Gloucester  
P.O. Box 337  
Woodbury, New Jersey 08086

**Re: Notice of Appeal  
CAMcare Health Corporation  
1315 N. Delaware Street, Paulsboro**

Dear Sir/Madam:

Please be advised that we hereby appeal the determination of the Gloucester County Fire Marshal outlined in the December 3, 2018 citation letter.

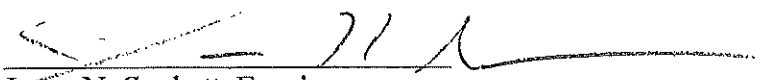
We are in the process of looking into this matter and the relevant code sections. Due to time constraints, we must file this appeal to preserve our rights. It is our hope that we can work to together to resolve this matter expeditiously.

Please be advised we do not take issue with number 3 in the violations sheet and we have already taken steps to remediate emergency lighting. However, we do take issue with the rest of the findings of violations on the second floor of the building and reference alarm system/carbon monoxide on all three floors. The subject building is a two story building. It is significant to note the only the first floor is used as a health care facility. The second floor has no power running upstairs and been vacant since CAMcare has opened. Given the fact that our setup has not changed in many years and we have always passed inspection, it begs the question what has changed?

We will be reaching out to relevant officials shortly to obtain more information as we work toward a resolution.

Thank you for your attention to this matter.

Sincerely,

  
Jason N. Sunkett, Esquire  
Corporate Compliance Officer

Enclosure as stated  
cc: Gloucester County Fire Marshal



Gloucester County Fire Marshal  
1200 N Delsea Drive  
Clayton, NJ 08312

SystemID#: 814460  
Local ID#: 0814-460  
State Reg#:

To: Camcare Health Corporation, Attn: Billing Dept.  
817 federal st suite 300  
Camden, NJ 08102

## NOTICE OF VIOLATIONS and ORDER TO CORRECT

Municipality: Gloucester County  
Inspected on: December 03, 2018  
Inspected by: Shawn K.Layton  
Premises: Camcare Health Corporation  
1315 N Delaware ST  
Paulsboro, NJ 08066  
Inspection Type: Periodic

LHU Classification:

Use Group:

### OWNER

### AGENT

### TENANT/OPERATOR

Camcare Health Corporation, Attn: Billing  
Dept.  
817 federal st suite 300  
Camden, NJ 08102  
Phone: (856) 229-4238

**YOU ARE HEREBY NOTIFIED THAT** an inspection by the Gloucester County Fire Marshals Office disclosed violations of the Uniform Fire Code (N.J.A.C. 5:70-1 et. seq.) promulgated pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et. seq.). The violations are specified on the accompanying "Violations Report" page(s).

**YOU ARE HEREBY ORDERED** by the FIRE OFFICIAL to correct the violations listed on the accompanying "Violations Report" page(s) within the time, or by the date specified. If a re-inspection discloses that violations have not been corrected, and an extension has NOT been requested and granted, you will be subject to penalties of up to \$5,000 per violation per day, or as otherwise authorized by the Act and Bureau Regulations.

IN ADDITION, the ACT imposes liability on the owner for the actual costs of fire suppression where a violation directly or indirectly results in fire.

If you do not understand this order, need assistance, or desire further information, please call the Bureau of Fire Prevention at (856) 307-7137

Inspector: *Shawn K. Layton*  
**174010**

By: *Edward J. Johnson*

Shawn K.Layton, Deputy Fire Marshal

Edward J.Johnson, Chief County Fire Marshal

Signature of Owner or Representative

Printed Name of Owner or Representative

Date

APPEAL RIGHTS-EXTENSIONS: See the attached page of information concerning your administrative appeal rights, authorized penalties and the procedure for requesting an extension of time in which to correct violations.

## ADMINISTRATIVE APPEAL RIGHTS

### GENERAL

YOU MAY CONTEST THESE ORDERS AT AN Administrative Hearing. The request for a hearing must be made in WRITING WITHIN 15 days after receipt of this order. The application for appeal shall be accompanied by a fee in the sum of \$ 100.00 payable to Construction Board of Appeals and addressed to:

Construction Board of Appeals  
County of Gloucester  
P.O. Box 337

Woodbury, NJ 08086

### EXTENSIONS

If a specified time has been given to abate a violation, you may request an extension of time by submitting a written request to the Fire Official. To be considered, the request must set forth the work accomplished, the work remaining, the reason why an extension of time is necessary, and the date by which all work will be completed.

Take Notice That, pursuant to N.J.A.C. 5:70-2.10d, an application for an extension constitutes an admission that the violation notice is factually and procedurally correct and that the violations do or did exist. In addition, the request of an extension constitutes a waiver of the right to a hearing as to those violations which an extension is applied.

### PENALTIES

The maximum penalty for any act or omission in violation of the act or code but not enumerated in this subsection is \$5000.00 per violation per day. Except as specified below, a violation of N.J.A.C. 5:70-3 or 4 shall subject the violator to a maximum penalty of \$500.00 per violation per day. Specific violations shall subject violators to penalties as follows:

#### 1. IMMINENT HAZARD-PUNITIVE CLOSURE:

- (i) Failure to obey an Imminent Hazard Order, a maximum of \$5000.00 per day for each day that the failure continues.
- (ii) Failure to obey an order to close for a fixed period of time issued pursuant to N.J.A.C. 5:70-2.17, a maximum of \$5000.00 per day for each day that the failure continues.

#### 2. EGRESS:

- (i) Blocking, locking, or obstructing required exits in a place of public assembly or education, a maximum of \$5000.00 per occurrence.
- (ii) Blocking, locking, or obstructing required exits in any other place, a maximum of \$2500.00 per occurrence.

#### 3. OCCUPANCY:

- (i) Exceeding the maximum permitted occupancy in a place of public assembly or education...
  - 1. for the first offense, a maximum of \$2500.00
  - 2. for a subsequent offense, a maximum of \$5000.00
- (ii) Exceeding the maximum permitted occupancy in any other place...
  - 1. for the first offense, a maximum of \$500.00
  - 2. for a subsequent offense, a maximum of \$ 2500.

#### 4. FIRE PROTECTION EQUIPMENT:

- (i) Failure to install a required suppression or detection device, after having been given written notice of the requirement to do so...
  - 1. in a place of public assembly or education, a maximum of \$2500.00 per violation per day.
  - 2. in any other place, a maximum of \$1000.00 per violation per day.
- (ii) Disabling or decreasing the effectiveness of any fire suppression system or alarm device...
  - 1. in a place of public assembly or education, a maximum of \$5000.00 per occurrence.
  - 2. in any other place, a maximum of \$1000.00 per occurrence.

#### 5. FAILURE TO COMPLY WITH A LAWFUL ACTION

- (i) A negligent or inadvertent failure to comply with a lawful order, ruling, notice or other action of the Commissioner of a Local Enforcing Agency - a maximum of \$2000.00 per occurrence.
- (ii) A refusal or deliberate failure to comply with a lawful order, ruling, notice or other action of the Commissioner of a Local Enforcing Agency - a maximum of \$5000.00 per occurrence.

#### 6. OBSTRUCTION

- (i) Anyone who obstructs, hinders, delays or interferes by force or otherwise with the Commissioner or any member of a Local Enforcing Agency in the exercise of any power or the discharging of any function or duty under the provision of this Code - a maximum of \$2500.00 per occurrence.

#### 7. PERMITS

- (i) Failure to obtain a required permit prior to commencing the operations, process, or activity for which a permit was required - a maximum of double the amount of the applicable permit fee.
- (ii) Failure to obtain a required permit after being ordered to do so while continuing the operation, process or activity - a maximum of \$5000.00 per day during which the operation, process, or activity continues.

#### 8. REGISTRATION

- (i) Failure to file a registration application after having been ordered to do so - an amount equal to double the registration application fee, but not less than \$200.00 or more than \$1000.00 for each registration.
- (ii) Failure to pay required annual registration fee when due - an amount equal to the unpaid fee.

#### 9. FALSE STATEMENTS

- (i) Preparing, uttering, or rendering any false statement, pertaining to reports, documents, plans, or specifications permitted or required under the provisions of this Code - a maximum of \$5000.00
- (ii) Submission of a materially false application for a permit or registration - a maximum of \$1000.00 per occurrence.

### DEDICATED AND COMPENSATORY PENALTIES 5:70-2.12A

An owner, having been given notice of the existence of a violation and failing to abate same, shall in addition to being liable for penalties under N.J.A.C. 5:70-2.12A, also be liable to a dedicated penalty pursuant to this subsection (\$50,000.00 and \$150,000 for compensatory penalties).

### FIRE DEPARTMENT COSTS 5:70-2.13 (a), (b), (c)

An owner who has been given notice of violation shall be responsible for a penalty not exceeding \$150,000.00, or the costs of suppressing any fire which directly or indirectly results from the violation, whichever is greater.

Claims arising out of penalty assessments can be compromised or settled only if it shall be likely to result in compliance. Moreover, no such disposition can be finalized while the violation continues to exist.

Any penalties assessed are in addition to over previously assessed. Penalties must be paid in full within 30 days after an order to pay. If full payment is not made within 30 days, the matter will be referred to the township attorney for summary collection pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et. seq.).

NOTICE: If you require guidance or advice concerning your legal rights, obligations or the course of action you should follow, consult your own advisor.

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