

THE FOLLOWING WILL BE ON THE AGENDA FOR THE REGULAR MEETING OF THE JOINT LAND USE BOARD FOR THURSDAY, OCTOBER 28, 2021 IN THE LINDENWOLD BOROUGH HALL.

1. CALL MEETING TO ORDER
2. SUNSHINE ANNOUNCEMENT
3. FLAG SALUTE
4. ROLL CALL
5. APPROVAL OF MINUTES FROM SEPTEMBER 23, 2021
6. RESOLUTION

JLUB-21-7
UNITED PAVING
BLOCK 257, LOT 1

7. NEW BUSINESS

APPLICATION JLUB-21-6A
PRODIGY GAMES
110 N. WHITE HORSE PIKE
BLOCK 122, LOT 9
PARKING VARIANCE

APPLICATION JLUB-21-8
SUNSATONAL LANDSCAPING
1202 LAUREL ROAD
BLOCK 238, LOT 1.04
MINOR SITE PLAN

CORRESPONDENCE

FYI: LETTER FROM ELP
RE: ROSAMOND AVENUE

8. OPEN MEETING TO THE PUBLIC
9. ADJOURNMENT

THE REGULAR MEETING OF THE JOINT LAND USE BOARD FOR THURSDAY, SEPTEMBER 23, 2021 WAS CALLED TO ORDER AT 6:00 P.M. AT THE LINDENWOLD BOROUGH HALL.

SUNSHINE ANNOUNCEMENT

FLAG SALUTE

SWEAR IN MEMBER:

JERMAINE JACKSON

PRESENT:

KATHLEEN MCGILL GASKILL, ESQ. – BOARD SOLICITOR
JEFF HANSON, PE, CME, - BOARD ENGINEER

MEMBERS PRESENT:

MAYOR RICH ROACH
COUNCILWOMAN LINDA HESS
MR. CRAIG WELLS
MR. JOE VANDERGRIFT
MS. JOY JACKSON
MR. HOWARD DAWSON
MS. PAT STRIPPOLI
MR. JERMAINE JACKSON
MS. NANCY DIDOMENICO
MS. HEATHER PROTICH
MR. WALT LENKOWSKI

MEMBERS ABSENT:

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO APPROVE THE MINUTES FROM AUGUST 26, 2021. MS. STRIPPOLI MADE THE MOTION TO APPROVE, MOTION SECONDED BY MR. WELLS. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MR. VANDERGRIFT AND MR. JACKSON WHO ABSTAINED. MOTION CARRIED.

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO APPROVE RESOLUTION JLUB-21-6, PRODIGY GAMES (RETAIL USE ONLY), BLOCK 122, LOT 9. MR. WELLS MADE THE MOTION TO APPROVE, MOTION SECONDED BY COUNCILWOMAN HESS. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MR. VANDERGRIFT AND MR. JACKSON WHO ABSTAINED. MOTION CARRIED.

NEW BUSINESS

APPLICATION JLUB-21-6A
PRODIGY GAMES

MR. LENKOWSKI STATING I UNDERSTAND THEY ASKED FOR A POSTPONEMENT.

BOARD SOLICITOR STATING IN CASE ANYONE IS HERE FOR THIS APPLICATION, THEY ASKED FOR A POSTPONEMENT TO THE OCTOBER MEETING BECAUSE THEIR APPLICATION WAS INCOMPLETE.

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO CONTINUE. MR. WELLS MADE THE MOTION TO CONTINUE, MOTION SECONDED BY MR. DAWSON. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MR. JACKSON WHO ABSTAINED. MOTION CARRIED.

APPLICATION JLUB-21-7
UNITED PAVING
BANGOR AVENUE
BLOCK 257, LOT 1
USE VARIANCE

MAYOR ROACH AND COUNCILWOMAN HESS STEP DOWN

PATRICK MCANDREW, ESQ. – APPLICANTS ATTORNEY

MR. MCANDREW STATING MY CLIENT HAS NOT SHOWN UP YET

BOARD SOLICITOR STATING DO YOU WANT TO PROCEED WITHOUT YOUR CLIENT?
YOU CAN AT LEAST START THE ENGINEER TESTIMONY, WE DO NEED TO HEAR TESTIMONY FROM THE APPLICANT IN TERMS OF HIS OPERATION. WE CAN HEAR FROM THE ENGINEER FIRST AND HOPEFULLY HE WILL GET HERE.

BOARD SOLICITOR STATING ONE THING I DO WANT TO BRING TO YOUR ATTENTION, THE APPLICANT IS LATE ON HIS THIRD QUARTER TAXES FOR THIS YEAR. THE NON-PAYMENT OF TAXES IS A JURISDICTIONAL ISSUE AND WE CAN ELECT TO EITHER NOT HEAR THIS APPLICATION TONIGHT BECAUSE TAXES HAVEN'T BEEN PAID OR THE BOARD CAN PROCEED AND MAKE THE PAYMENT OF TAXES A CONDITION OF ANY KIND OF APPROVAL. IN LIGHT OF THE PROCEDURAL ISSUES WE HAVE HAD WITH THIS CASE AND IT'S THE THIRD TIME UP, IT IS MY RECOMMENDATION TO THE BOARD THAT WE HEAR THIS APPLICATION AND MAKE THE PAYMENT OF TAXES A CONDITION OF ANY APPROVAL.

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO HEAR THE APPLICATION WITH THE ABOVE CONDITIONS. MR. DAWSON MADE THE MOTION TO HEAR THE APPLICATION WITH THE ABOVE CONDITIONS, MOTION SECONDED BY MR. WELLS. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

MR. MCANDREW STATING THAT THIS IS AN APPLICATION THAT IS SPLIT IN (2) PARTS. WE ARE ASKING TONIGHT JUST FOR THE USE VARIANCE TO ALLOW WHAT IS PROPOSED AND IF THAT IS APPROVED, THEN THE SECOND PART WE COME BACK WITH A FULL SITE PLAN.

MR. MCANDREW GIVES OVERVIEW OF APPLICATION

MICHAEL AVELO – APPLICANTS ENGINEER/PLANNER

SWORN IN

QUESTION AND ANSWER SESSION BETWEEN APPLICANTS ATTORNEY AND PLANNER
(3 EXHIBITS THAT HE WILL REFERENCE, SEASONAL CONTRACTOR, COME IN OFF DERBY AVENUE, DOES NOT MANUFACTURE ANYTHING, IT IS NOT AN ASPHALT OR MILLING PLANT, HE PROVIDES PAVING SERVICES, THE SITE IS R1 AND AN USE VARIANCE IS NEEDED AND GOES INTO DEPTH ON OTHER USES THAT ARE ALLOWED, DESCRIBES THE SITE, POSITIVE AND NEGATIVE CRITERIA)

MR. WELLS STATING THAT DERBY AVENUE IS A DIRT ROAD, DID YOU THINK OF COMMERCIAL VEHICLES TRAVELING ON THAT DIRT ROAD, DID YOU LOOK INTO THE SEWER SYSTEM ON HOW SHALLOW IT MAY BE WITH THE WEIGHT OF COMMERCIAL VEHICLES TRAVELING ON IT.

MR. AVILA STATING NO, WE HAVE NOT LOOKED AT THAT ELEMENT YET.

MS. JACKSON STATING YOU SAID THE TRUCKS WILL BE COMING IN ON ASTON AVENUE

MR. AVILA STATING YES THEY WILL TAKE UNITED STATES AVENUE TO ASTON AVENUE.

MS. JACKSON STATING HOW MANY VEHICLES

MR. AVILA STATING, I WILL LEAVE THAT UP TO THE APPLICANT TO TESTIFY

MR. DAWSON STATING FOR WHAT YOU ARE PLANNING, HOW MANY UTILITY VEHICLES WILL FIT IN THIS PLAN AT MAX.

MR. AVILA STATING WHEN YOU LOOK AT THIS LAYOUT, I HAVE EIGHT

MR. DAWSON STATING THE MOST SOMEONE COULD PUT IN HERE IS EIGHT TRUCKS?

MR. AVILA STATING YES THAT IS WHAT WE PROPOSE AND PARKING FOR HIS EMPLOYEES AND A HANDICAP AREA.

BOARD SOLICITOR STATING IT SEEMS LIKE YOU ARE PREMISING THIS USE VARIANCE IN TERMS OF ESTABLISHING THE POSITIVE CRITERIA, IS THAT THE HARDSHIP IS THE PROPERTY CANNOT BE USED FOR ANYTHING ELSE OR SOMEBODY WOULD HAVE DONE THAT.

MR. AVILA STATING YES.

BOARD SOLICITOR STATING DID YOU DO SOME HISTORICAL RESEARCH ON THIS PROPERTY AND WHETHER IT WAS EVER UP FOR SALE. DID YOU EVER DO ANY OF THAT BEFORE YOU MADE THAT STATEMENT?

MR. AVILA STATING IN TALKING TO THE APPLICANT THAT IS THE INFORMATION.

BOARD SOLICITOR STATING OK WE CAN DISCOUNT WHAT YOU JUST SAID THEN

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC TO CROSS EXAMINE THE PLANNER AND THE FOLLOWING STEPPED FORWARD AND WERE SWORN IN

FRANK DELUCCA, NICHOLAS MUSERO, FRANK MUSERO, STEPHEN RISLEY, DEBBIE (DID NOT UNDERSTAND LAST NAME)

NOT IN FAVOR OF APPLICATION (EXPRESSING THEIR CONCERNS)

WILLIAM WILLIAMS – APPLICANT
SWORN IN

QUESTION AND ANSWER SESSION BETWEEN APPLICANT AND HIS ATTORNEY
(SOLE OWNER, TYPE OF BUSINESS, HOURS OF OPERATION, SEASONAL OPERATION, TYPE OF VEHICLES, NO MILLINGS, MINIMUM STORAGE, BUILDING WILL BE FOR STORAGE FOR WINTER, TO KEEP EQUIPMENT DRY AND OUT OF THE WEATHER, OCCASIONALLY TO WORK ON OUR EQUIPMENT, WE WOULD LIKE TO BE ABLE TO SERVICE OUR OWN VEHICLES)

QUESTION AND ANSWER SESSION BETWEEN APPLICANT, BOARD MEMBERS, BOARD SOLICITOR
(VEHICLE WORK, STORAGE BINS, REUSABLE MATERIAL, NUMBER OF MATERIALS, TRUCK WEIGHT &
DRIVING ON STREETS)

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC AND THE FOLLOWING STEPPED FORWARD AND
WERE SWORN IN OR REMINDED THEY ARE STILL UNDER OATH.

FRANK DELUCCA, DIANE EAKINS, JOHN EAKINS, FRANK MUSERO, STEPHAN RISLEY.
STRONGLY EXPRESS THEIR CONCERNS AND OBJECTIONS

MR. MCANDREW STATING THEY DO NOT HAVE ANY OTHER WITNESSES.

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC FOR GENERAL COMMENTS

DEBBIE (DID NOT UNDERSTAND LAST NAME) STILL UNDER OATH, BARBARA SUCKIEL SWORN IN
DO NOT WANT THIS IN THEIR NEIGHBORHOOD.

MR. MCANDREW SUMS UP APPLICATION

BOARD HAD NO FURTHER QUESTIONS.

MR. LENKOWSKI STATING THE BOARD WILL MAKE A DECISION AS TO WHETHER TO APPROVE OR A
MOTION TO DENY THIS APPLICATION.

BOARD SOLICITOR SUMS UP APPLICATION

MR. LENKOWSKI ENTERTAINED FOR A MOTION. MS. STRIPPOLI MADE A MOTION TO DENY THE
APPLICATION, MOTION SECONDED BY MR. DAWSON.

MR. LENKOWSKI STATING IF YOU VOTE YES IT IS TO DENY THIS APPLICATION
ROLL CALL WAS UNANIMOUS. (7) YES VOTES (0) NO VOTES. APPLICATION DENIED. MOTION CARRIED.

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC AND NO ONE STEPPED FORWARD

MEETING ADJOURNED

NANCY DIDOMENICO
BOARD SECRETARY

**RESOLUTION OF MEMORIALIZATION
BOROUGH OF LINDENWOLD JOINT LAND USE BOARD
CAMDEN COUNTY, NEW JERSEY
APPLICATION NO. JLUB-21-7**

IN THE MATTER OF

UNITED PAVING CONTRACTORS, LLC

**: JOINT LAND USE BOARD
: BOROUGH OF LINDENWOLD
: APPLICATION NO. JLUB-21-7
: BLOCK 257, LOT 1
: 1 BANGOR AVENUE
:
: DENIED: September 23, 2021
: MEMORIALIZED: October 28, 2021**

**A RESOLUTION DENYING A USE VARIANCE FOR THE OPERATION OF
A CONTRACTOR'S YARD IN THE R-1 (SINGLE FAMILY DETACHED) DISTRICT**

WHEREAS United Paving Contractors, LLC, maintaining a place of business at 707 First Avenue, Deptford, New Jersey 08096 (hereinafter referred to as the "Applicant"), has submitted an application to the Borough of Lindenwold Joint Land Use Board (hereinafter designated the "Board") for a use variance to allow for the operation of a contractor's yard for its paving business at the location known as 1 Bangor Avenue, Lindenwold, New Jersey, also known as Lot 1, Block 257 of the Official Tax Map of the Borough of Lindenwold (hereinafter the "Subject Property"), which property is located in the R-1(Single Family Detached Residential) District of the Borough of Lindenwold;

WHEREAS the Applicant has bifurcated the application pursuant to N.J.S.A. 40:55D-76b and is seeking only the aforementioned use variance relief with the understanding that should variance relief be granted that the Applicant will make a separate application for site plan approval for the proposed contractor's yard;

WHEREAS following the filing of its application on September 22, 2020, the Applicant through its attorney, Patrick F. McAndrew, Esquire, requested by letter dated November 11, 2020 that the hearing on the application be continued until in-person hearings were being conducted by the Board;

WHEREAS following the resumption of in-person hearings by the Board, the application was scheduled to be heard on July 22, 2021 and the Applicant provided notice of public meeting by publication and by certified mail to all property owners within 200 feet of the

Subject Property, more than 10 days before the date of public hearing, providing the Board with jurisdiction to hear this matter;

WHEREAS the Applicant appearing at the Board's hearing on July 22, 2021 with its counsel, Patrick F. McAndrew, Esquire, and its planner, Michael Avila, PE., PP, and with numerous members of the public in attendance, the Applicant elected to continue this matter due to the lack of a full seven (7) member Board to hear this use variance application, which use variance application requiring the affirmative vote of at least five (5) members;

WHEREAS this application was rescheduled to be hear on August 26, 2021 with the Applicant appearing with its counsel and its planner, along with numerous members of the public in attendance with the Applicant electing to continue this matter due to the lack of a full seven (7) member Board to hear this use variance application;

WHEREAS with a full seven (7) member Board in attendance, on September 23, 2021, the Board held a public hearing in connection with this application with the Applicant being represented by Patrick F. McAndrew, Esquire;

WHEREAS it was noted by counsel for the Board that certain recent taxes and assessments were outstanding on the Subject Property for the current quarter, and on motion duly made and seconded to proceed with the hearing given the prior procedural delays and to make the payment of taxes a condition of any approval pursuant to authority under N.J.S.A. 40:55D-65 and Borough Code Section 365-3, which motion was unanimously approved by the Board;

WHEREAS the Board considered the following documents submitted by the Applicant in connection with this application:

- (1) Borough of Lindenwold Development Application for Use Variance, dated September 22, 2020, docketed under Application Number JLUB 20-10 and signed by William Williams, president and sole member of the Applicant;
- (2) Borough of Lindenwold Development Application for Use Variance, dated September 22, 2020, docketed under Application Number JLUB 21-7 and signed by William Williams, president and sole member of the Applicant;
- (3) Borough of Lindenwold Affidavit of Ownership signed by William Williams, president and sole member of the Applicant;
- (4) Borough of Lindenwold Consent by Owner dated October 12, 2020 and signed by William Williams as the owner of the Subject Property;
- (5) Architectural Plans for the proposed building (8 pages);
- (6) Use Variance Plan prepared by Avila Engineering and dated September 18, 2020, Sheet No. 1 of 1;

- (7) Site Layout with Topography prepared by Avila Engineering and dated July 22, 2021, Sheet No. 1 of 1;
- (8) Borough of Lindenwold Tax Certification Form;
- (9) Publication Notification of Hearing;
- (10) Notification to Property Owners within 200 feet of Subject Property;

WHEREAS, the Board having heard the testimony and evidence and exhibits presented by the Applicant, the Applicant's Planner, Michael Avila, P.E., P.P. of Avila Engineering and the Board's engineer, G. Jeffrey Hanson, P.E., CME of Environmental Resolutions Inc., and having heard the arguments of the Applicant's counsel, Patrick F. McAndrews, Esquire; and having open the hearing for public comment and several residents appearing and speaking in opposition to this application; and having considered the application and exhibits submitted in connection herewith;

NOW THEREFORE BE IT RESOLVED that the Board makes the following findings of facts:

FINDINGS OF FACTS:

1. The Subject Property is a vacant, wooded lot containing approximately 85,377 square feet of area, located on the north side of Bangor Avenue, and situated in the R-1 (Single Family Detached Residential) District and is owned by William Williams, the president and owner of the Applicant. The Subject Property is the site of a prior mining operation. The topography of the Subject Property indicates that the site is 16 feet below the grade of the surrounding area.

2. The Subject Property is bounded by streets on three (3) sides with Bangor Avenue on the south side, Derby Avenue on the east side and Birmingham Avenue (a paper Street) on the west side. There is a residential community to the west of the Subject Property along Bangor Avenue and a station house for the Lindenwold Board of Fire Commissioner. Bangor Avenue dead-ends at its intersection of Derby Avenue.

3. The Applicant proposes to use the Subject Property as a contractor's yard for its asphalt paving business and to construct a 5000 square foot, three (3) bay garage with office. The Applicant also proposes a 22 feet by 51 feet exterior storage area along with four (4) material bins in the yard for product used in its business. A large section of the Subject Property will be improved with stone paving, and there will be parking spaces for eight (8) trucks and eight (8) employees' vehicles and one (1) handicapped space. Access to the site will be through the residential area on Bangor Avenue to the intersection with Derby Road, then down Derby Avenue, an unimproved dirt road, to a 30 foot two-way asphalt apron to the site. A residence is situated on Derby Road adjacent to the Subject Property.

4. The Applicant's owner testified that the company is a seasonal contractor for asphalt paving services operating from March through December. The hours of operation will be Monday through Friday from 6:30 am to 4:00 pm. The Applicants has 6-8 employees who will park on the site and be taken to the job site via three vehicles, a pickup truck, a dump truck, which has a weight of approximately 80,000 pounds, and a truck with a trailer to carry equipment for the job site, to include a backhoe and skid steer. The Applicant testified that they will occasionally work on vehicles in the garage and will store equipment in the garage during the winter season when they are not operating. On a typical day, the work crew will leave around 7:00 am and return to the site between 2:00 pm to 4:00 pm. They will bring back to the site stone and topsoil not used on the job site, and the Applicant intends to use clean topsoil to incrementally raise the grade of the site. The Applicant does no manufacturing on site and does not being asphalt back to the site.

5. The R-1 District provides at Borough Code Section 365-20(C) thru (G) for a few uses in addition to the detached single family residences, and permits (a) public parks, government building and utility installation, which involve no storage yards or commercial office space, (b) pubic and parochial schools, (c) day-care centers, private schools and related uses which are not operated as a business, (d) churches, synagogues, parish houses, covenants and related uses provided adequate parking is made for off-street parking as required; and (e) home occupations. The Applicant's proposed use involves a storage yard and a commercial office.

6. In addressing the positive criteria for a use variance, the Applicant's planner testified that the R-1 District does not prohibit all non-residential uses as certain commercial activity is permitted and can co-exist in this zone. The planner presented Exhibit A-1, an aerial view of the Subject Property and surrounding area taken from Google Earth dated July 22, 2021. He addressed the economic inutility of the site as it would be difficult to develop the site given the 16 foot change in grading from Bangor Street to the stone paving, creating a bowl-like site, and that it would be too expensive to make it useable as a residence. The planner argued that the fact that the site has not been developed while the surrounding area has been developed, is evidence that the site could not reasonably be developed for a permitted use, but doing cross-examination, the planner indicated that he had not done research on the sales and listing history of this property. He maintained that the best use of this site is for a contractor's yard and the site is particularly suited for that use. The planner maintained that the lower elevation of the site, along with the trees and vegetation, will hide the business operations and the garage and trucks from view from the road. The business will be operating during normal business hours and the use of the site will not be intensive with the employees arriving in the morning and returning to the site at the conclusion of the workday.

7. In addressing the negative criteria for a use variance, the planner argued that the proposed use does not take away from the zoning plan and the neighborhood, and that the use is not detrimental to the neighborhood. He noted that there will be no manufacturing on-site, that the usage will not generate noise or smoke, and that there will be little traffic generate from the site. The planner did admit through cross-examination that the impact of the heavy trucks on the unfinished dirt road and the utility lines beneath same was not examined, nor was the dust generated by the heavy trucks on this road examined.

8. Following the presentation of the Applicant's case for the granting of this requested use variance, the public comment portion of the meeting was opened to the public and several members of the public, while under oath, spoke in opposition to the application. There were no residents coming forward in favor of this application. Those residents in opposition of this application were:

(a) Frank DeLucca, residing at Ashbourne Avenue, Lindenwold, NJ, took issue with the non-payment of taxes, that the Applicant purchased the Subject Property very cheaply and purchased it knowing that his proposed use was not permitted, and that the Applicant failed to exercise due diligence in this purchase. He maintains that the Applicant has shown no hardship that would entitle the Applicant to a use variance, no positive goals of zoning are advanced by this application and the detrimental impact of the proposed use on the existing neighbors. He further questioned the Applicant about the sound decibels of the trucks, which the Applicant did not know, and whether the Applicant was disposing of asphalt into the dumpster proposed on-site, which the Applicant indicated that he will not do. He suggested the Subject Property be acquired by the Borough for open space.

(b) Nicholas Musero, residing at 2218 Bangor Avenue, Lindenwold, NJ, testified that he lives 25 feet from the site. He urged the Board to consider the impact of the traffic, the dust generated from the trucks and trailers on the road and the residual smell of asphalt from these trucks on his family's quality of life. The proposed use presents dangers to the children who ride their bike freely through this area. He also noted that the Subject Property was for sale for \$125,000 and the Applicant's owner purchased same for \$8,000.

(c) Frank Musero, residing at 803 United States Avenue, Lindenwold, NJ, testified that he knew the man who previously owned the Subject Property, and that owner was intending on building a house on the site but passed away before he could act on his plan to develop the site for residential use.

(d) Stephen Risley, residing at 15 Aston Avenue, Lindenwold, NJ, produce Exhibit marked D-1 showing a picture of the size of the dump truck which the Applicant will be using. He commented on the impact on property values of this operation, and questioned who was going to police the Applicant's operation to determine if it is being operated as indicated. He further noted that the site of this operation is a wooded area full of wildlife, and that he and others brought their property because of the wooded, quiet character of the area. The Applicant's proposed usage would impact his quality of life and that of other residents. He suggested that the site be purchased for open space.

(e) Debbie Cannan, residing at 807 United States Avenue, Lindenwold, NJ, testified that she was concerned about the lighting, traffic and drainage issues which this development would generate.

(f) Diane Eakins, residing at 975 Derby Road, Lindenwold, NJ, testified that the area has a lot of children. The site is full of animal which will be displaced by this use.

(g) John Eakins, residing at 975 Deby Road, Lindenwold, NJ, testified that he has lived there for 45 years, and he been in the business of heavy equipment repair for many years. He testified that the daily travels of the Applicant's 80,000 pound dump truck on this dirt road will cause cracks in his home's foundation.

(h) Barbara (unclear), residing on United States Avenue testified that there are several properties for sale in Lindenwold that could be used by the Applicant for his business. There is no need to develop a property in a residential area.

(i) Barbara Suckiel, residing on Aston Avenue, Lindenwold, NJ, commented on the detrimental effect on heavy trucks in this residential community.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this application for use variances under the provisions of N.J.S.A. 40:55D-70(d)(1).

2. The Board finds that the Applicant's burden of establishing special reasons for the granting of this use variance has not been established by the Applicant. The claim that the Subject Property cannot be used for one of the permitted uses was not established. There was no evidence presented as to the sale efforts to sell the site for residential development. There was evidence presented by the opposition that the owner of the site prior to his death was intending on building a house there. To the extent that the Applicant has premised its argument in part on the hardship that the Subject Property cannot reasonably be adopted to a conforming use, that argument lacks the requisite proof.

3. The Board finds that the Subject Property is not particularly suited for the proposed usage as the usage will bring heavy trucks into a quiet, somewhat secluded residential neighbor and no goal of zoning is advanced by this proposed usage. Placing a business which dispatches heavy vehicles each workday through a residential community provides no benefit to the surrounding residential neighborhood. The aesthetic of the neighborhood will be adversely effected by the elimination of this wooded area and the wildlife residing therein. As proposed this site will be accessed by heavy trucks along an unfinished dirt road causing noise and dust, and potential damage to any underlying utilities.

4. The Board also finds that there would be substantial detriment to the surrounding area and will substantially impair the intent and purposes of the zone plan for this single family residential community if this use variance is approved to allow for the operation of a contractor's yard for asphalt paving services.

NOW THEREFORE, BE IT RESOLVED, that the motion duly made by Patricia Strippoli and duly seconded by Howard Dawson that the application of the Applicant for a use variance from the provisions of §365-20 of the Borough Code to permit the construction of a

three bay garage and the operation of a contractor's yard on the Subject Property be and is hereby DENIED.

ROLL CALL VOTE ON MOTION TO DENY APPLICATION FOR USE VARIANCE FOR THE OPERATION OF A CONTRACTOR'S YARD AND THE CONSTRUCTION OF A 3BAY GARAGE IN THE R-1 (SINGLE FAMILY DETACHED) DISTRICT.

IN FAVOR: Walter Lenkowski, Pat Strippoli, Craig Wells, Joseph Vandergrift, Joy Jackson, Howard Dawson and Jermaine Jackson

OPPOSED: None

ABSTENTION: None

BE IT FURTHER RESOLVED that a certified copy of this Resolution of Memorialization be sent via regular mail to the Applicant within ten (10) days of the date of adoption, and a copy of this Resolution shall be filed with the Administrative Officer or Clerk of the Borough, Borough Construction Official, Borough Zoning Officer and make available to all other interested parties.

WALTER LENKOWSKI, Chairperson
Joint Land Use Board
Borough of Lindenwold

NANCY DIDOMENICO, Secretary
Joint Land Use Board
Borough of Lindenwold

CERTIFICATION

This Resolution of Memorialization being adopted by action of the Joint Land Use Board of the Borough of Lindenwold on this 28th day of October, 2021, is a true copy of the action taken by the Lindenwold Joint Land Use Board at its meeting held on September 23, 2021.

NANCY DIDOMENICO, Secretary
Joint Land Use Board

Borough of Lindenwold

Borough of Lindenwold

VARIANCE APPLICATION FOR: VARIANCE (☒) , USE VARIANCE (), WAIVER ()
MINOR SITE PLAN (), MAJOR SITE PLAN ()
MINOR SUBDIVISION (), MAJOR SUBDIVISION ()

APPLICATION NO. _____ DATE SUBMITTED _____

Applicant's Name David Barnes
Address 2441 PATTON STREET CAMDEN NJ 0804
(08104)
Phone Number [REDACTED] [REDACTED] , or [REDACTED] [REDACTED]

Name and address of Present Owner (IF OTHER THAN ABOVE)
Name ESTATE OF FRANK J. MOFFA & ESTATE OF ADELINE J MOFFA
Address + J. EST. MOFFA, MICHELE WALK EXECUTRIX
P.O. BOX 423 BROOMALL PA, 19008
Phone Number [REDACTED] [REDACTED]

Interest of Applicant if other than owner PARKING VARIANCE 9/NINE SPACES AVAILABLE

Location of Site 110 WHITE HORSE PIKE N LINDENWOLD NJ 08021
Neighborhood or Section _____ Street _____

Block(s) 122 Lot(s) 9 Zone B-1

Number of Proposed Lots 1 Area of entire Tract _____

DEVELOPMENT PLANS: Sell Lots Only (YES) _____ (NO) ☒
Construct Houses for Sale (YES) _____ (NO) ☒
Other N/A

Proposed Density _____

Number of Dwelling Units per Net Acre * _____

*GROSS ACRE LESS AREA FOR RIGHT-OF-WAY, EASEMENTS AND OTHER IMPROVEMENTS.

NAME AND ADDRESS OF PERSON PREPARING SKETCH PLAT.

Name N/A
Address N/A
N/A
Phone Number N/A

David Barnes, Prolegy Barnes LLP
Signature of Applicant

Borough of Lindenwold

VARIANCE APPLICATION

Applicant: Owner _____ Tenant ✓

Name DAVID BARNES Phone: (609) - 222-2222

Address 110 NORTH WHITE HORSE PIKE, LINDENWOLD
NJ, 08021

NOTE: If tenant of property is applying for this variance, they must have written permission from the owner for submission to this Board.

Applicant is the owner of the following described property:

N/A

Block 122 Lot # 9 Plate _____ Zone B-1

Existing use of Land or Building RETAIL HOBBY GAMING STORE

Proposed use of Land or Building RETAIL HOBBY GAMING STORE & GAMING LOUNGE

Use Variance required? PARKING; 9 AVAILABLE SPACES, REQUIREMENT 20 SPACES

Applicant requesting the following variance(s) from SETBACKS on: REQUIRED PARKING; PERMITS FOR ADDITIONAL PARKING

Lot Size Frontage Front Setback Rear Setback Left Side Setback Right Side Setback Total Side Setback

EXISTING PARKING 9/NINE SPACES

REQUIRED PARKING 20 SPACES

PROPOSED SHARE AUTO SHOP PARKING SPACES; DEVELOPED AGREEMENT/SHARED PARKING IN ADDITION PRODIGY GAMES CUSTOMER WILL NOT USE STREET PARKING SPACES

Where applicable: D.E.P. Wetland approval required: YES NO

Other Variances requested: N/A

Has this property ever been the subject of an application before the Planning Board? N/A

Has this property ever been the subject of an application before the Zoning Board? N/A

If yes, please give reason N/A

David Barnes, Prodigy Games LLC.
Signature of Applicant

09/02/2021
Date

Borough of Lindenwold

TO THE JOINT LAND USE BOARD PETITION FOR:

Variance PARKING VARIANCE Waiver _____

Name of Applicant DAVID BARNES ; PRODIGY GAMES LLP

Address 110 N. WHITE HORSE PIKE LINDENWOLD
NJ, 08021

Phone Number ()

Applicant is the OWNER (), TENANT (☒) of the following described property:
110 N. WHITE HORSE PIKE LINDENWOLD NJ 08021

Block(s) 122 Lot(s) #9 Plate _____

Present use of Land or Building N/A UNTIL FURTHER AUTHORIZED

Desired use of Land or Building RETAIL HOBBY STORE & GAMING LOUNGE

NOTE: Has this Property ever been the subject of an application before the Planning Board N/A or Zoning Board N/A

If YES, Please give reason N/A

Applicant desires the following **VARIANCE / WAIVER**
PARKING VARIANCE ; LOCATION HAS 9 / NINE AVAILABLE
PARKING SPACES. REQUIREMENT OF 20 PARKING
SPACES.
TENTH + ADDITIONAL PARKING SPACES REQUIRED
AUTO CAR SHOP & PRODIGY GAMES LLP HAS MADE
AGREEMENT TO SHARE PARKING SPACES THAT ARE LOCATED
ON AUTO SHOP SECTION
IN ADDITION PRODIGY GAMES WILL NOT USE STREET PARKING

David Barnes, Prodigy Games LLP.
Signature of Applicant

09/02/2021
Date

Borough of Lindenwold

AFFIDAVIT OF OWNERSHIP

"MUST BE COMPLETED AND RETURNED"

Name of Company / Organization: PRODIGY GAMES LLP

Is Company a Corporation? (YES) _____ (NO) ✓

Name of State in which incorporated: NEW JERSEY

Is Company a partnership? (YES) ✓ (NO) _____

PLEASE list any and all individuals who are "OWNERS" (Full or Part) of the Company / Organization, and if a Non-Profit Organization, list all "BOARD MEMBERS"

Name

Address

Title

DAVID BARNES 2441 PATTON STREET CAMDEN NJ 08104, CO-OWNER
MARCELLA PERRY 2441 PATTON STREET CAMDEN NJ 08104, CO-OWNER

The above information is true and correct to the best of my knowledge

David Barnes Co-Owner & Marcella Perry Co-Owner
Signature and Title

DAVID BARNES CO-OWNER & MARCELLA S. PERRY CO-OWNER
Please **PRINT** Name and Title

Borough of Lindenwold

NOTICE OF PROPERTY OWNERS

In accordance with the requirements of the Borough of Lindenwold Zoning Ordinance and Section 40:55-44 of the revised Statutes of the State of New Jersey, you are hereby notified that a "Petition of Appeal" has been filed by the undersigned with the Secretary of the Joint Land Use Board and is available for examination in the office of the Secretary.

A public hearing will be conducted before the Joint Land Use Board in connection with this appeal in the Municipal Building on:
the 23 day of SEPTEMBER 2021 at 6 P.M.

PROPERTY INVOLVED

Street and No. 110 N. WHITE HORSE PIKE LINDENWOLD, NJ 08021
Assessment Map: Plate _____, Zone B-1
Block(s) 122, Lot(s) # 9

Present Use: N/A UNTIL AUTHORIZED

Desired Use: RETAIL HOBBY GAME STORE & GAMING LOUNGE / PARKING VARIANCE

NATURE OF RELIEF OR VARIANCE DESIRED

PARKING VARIANCE: LOCATION HAS 9 / NINE PARKING
SPACES AVAILABLE ON PROPERTY. REQUIREMENT OF 20
PARKING SPACES
PRODIGY GAMES LLP HAS MADE PARKING AGREEMENT WITH
AUTO SHOP. PARKING WILL BE ALLOWED ON HIS SECTION
IN-ADDITION PRODIGY GAMES LLP PROPOSE 120 PARKING
ON STREET; WILL PROVIDE CUSTOMERS TO LEGAL PARKING
WITHIN 5-10 BLOCK RADIUS OF PRODIGY GAMES IF SHARED
PARKING SPACE FILLS UP

Daniel C. Bannay, PRODIGY GAMES LLP
Signature of Applicant

09/02/2021
Date

Address: 110 N. WHITE HORSE PIKE
LINDENWOLD NJ, 08021

Borough of Lindenwold

FORM FOR PUBLIC ADVERTISEMENT

Advertisement to appear in the newspaper at least (10) days prior to the Joint Land Use Board meeting and this will not include the meeting day. This notice must run for (1) day only.

NOTICE

Take notice that the undersigned has applied to the Joint Land Use Board of the Borough of Lindenwold for

PARKING VARIANCE, LOCATION (PRODIGY GAMES LLP) HAS
NINE (9) PARKING SPACES AVAILABLE, REQUIRES 20
PARKING SPACES.

PRODIGY GAMES LLP HAS ESTABLISHED A SHARED
PARKING AGREEMENT WITH NEIGHBORING BUSINESS
TY AND SONS AUTO REPAIR AND TOWING COMPANY/SHOP

To be built at 110 N. WHITE HORSE PIKE LINDENWOLD NJ 08021
Block(s) 122 Lot(s) #9

A public hearing will be held on SEPTEMBER 23, 2021 - 6:00 PM
Date Time

At the Municipal Building, at which time you may appear either in person or by attorney and present any objections you may have to this petition. This application and supporting documents are on file in the office of the Board Secretary and are available for inspection during normal business hours.

DAVID BARNES, PRODIGY GAMES LLP.
Name of Applicant

Address: PRODIGY GAMES LLP
110 N. WHITE HORSE PIKE LINDENWOLD NJ
08021 BLOCK 122, LOT #9

Borough of Lindenwold

TO THE JOINT LAND USE BOARD PETITION FOR:

Variance _____

Waiver X

Name of Applicant David Cherubini

Address 1202 Laurel Road

Lindenwold, NJ 08021

Phone Number

Applicant is the Owner (X), Tenant () of the following described property:

1202 Laurel Road, Lindenwold, NJ 08021

Assessment Map: Plate 16 Block(s) 238 Lot(s) 1.04

Present use of Land or Building Garden center for plant and landscaping sales, office and storage for landscaping vehicles and equipment.

Desired use of Land or Building Same use with the addition of a greenhouse, hoop houses, bin block storage area and reconfigured parking area.

NOTE: Has this property ever been the subject of an application before the
Planning Board Yes Zoning Board _____

If yes, please give reason A use variance was granted for to permit the landscaping business at the planning board meeting of March 20, 2020.

Applicant desires the following **Variance/Waiver**:

Requesting a waiver from Article XVI, Section 365-92 to omit a landscape buffer.

Requesting a waiver from Article XVI, Section 365-93.N.(2) to omit a loading and delivery area.

Requesting a waiver from the Minor Site Plan Checklist Item #7 to omit providing a Landscape Plan.

Any and all other waivers or variances deemed necessary by the board and/or it's professionals.

Date 9/23/21

Signature of Applicant 

Borough of Lindenwold

AFFIDAVIT OF OWNERSHIP

"MUST BE COMPLETED AND RETURNED"

Name of Company/Organization Sunsational Landscaping / Garden Center

Is Company a Corporation? (Yes) _____ (No) X

Is Company a Partnership? (Yes) _____ (No) X

Please list any and all individuals who are "OWNERS" (full or part) of the Company/Organization, and if a Non-Profit Organization, list all "BOARD MEMBERS".

Name	Address	Title
Dave cherubini	24 willow cedar way blakwood nj	President

The above information is true and correct to the best of my knowledge.

 President
Signature and Title

David Cherubini President
Please **PRINT** Name and Title



CHECK LIST

Details Required For

Minor Site Plans

Note: See Section 139-47.A-D of the Borough of Lindenwold Land Development Ordinance for further details of submission requirements and procedures.

Applicant David Cherubini

Block 238 **Lot** 1.04

Address 1202 Laurel Road, Lindenwold, NJ 08021

A Minor Site Plan is defined under Section 139-2 as the following:

“Development of one or more lots of an addition to an existing building or structure of less than 1,000 square feet, addition of an accessory structure of less than 1,000 square feet, addition of a handicap ramp, addition to an existing parking lot or paved area involving less than 500 square feet and does not involve planned development, any new street or extension of any off-tract improvement which is to be prorated pursuant to N.J.S.A. 40:55D-42 [Added 3-10-1993 by Ord. No. 929]

The following items shall be submitted to the Administrative Officer twenty-eight (28) days prior to the next scheduled hearing.

Item #	Provided	Not Applicable	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
1	X			A complete application form and payment of the application fees and escrows, eighteen (18) copies.
2	X			An accurate site plan at a scale of not less than one (1) inch equals fifty (50) feet. The plan should be signed and sealed by a professional licensed in the State of New Jersey, eighteen (18) copies in accordance with the New Jersey Law governing professionals 7:40..
3	*			A certificate from the Borough Tax Collector that no taxes or assessments are due or delinquent (tax search), two copies.
4	X			Camden County Planning Board Application, four (4) copies, if the proposed development will have any impact on a Camden County roadway or facility.

*Pending

The following items are required on The Minor Site Plan:

Item #	Provided	Not Applicable	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
1	x			The zoning classification of the property, the tax plate, block and lot numbers, the owners and <u>applicant's</u> names and addresses shown on the plans.
2	x			The location of any proposed buildings, structures, parking and open spaces. The location of existing buildings, structures, roadways and driveways within 50 feet of the property.
3	x			Acreage of the tract to the nearest tenth of an acre or square feet.
4	X			Existing contours with datum referenced. Spot elevations at corners of proposed structures, paved areas and handicap ramps
5	x			All lot lines, setback lines, the location and purpose of any easements, underground or overhead utility lines in any street which abuts the property.
6	x			A parking and circulation plan showing the location and arrangement of vehicular access ways and the location, size and capacity of all parking and loading areas.
7			X	A complete plan, including location, size and type of all plantings.
8	X			Pavement construction detail, and any other construction detail necessary to construction
9	x			Curbs, sidewalks and all other areas devoted to pedestrian <u>use</u> .
10	*			Preliminary Architectural Floor Plans and Elevations signed and sealed by an architect licensed in the State of New Jersey.
11	X			Key map showing the location of the site within the Borough at a scale of no less than 1 inch equals 1000 feet.
12	x			North Arrow, Scale written and graphic on each street.
13	*			A complete site lighting plan, including location, size, type and wattage of all proposed fixtures.
14	X			A copy of any protective covenant or deed restrictions applying to the tract to be developed shall be submitted along with the site plan. If no deed restrictions, covenants, easements exists, it shall be so noted on the plan.
15	X			Any other information which is deemed to be necessary for the review of the plan by the <u>Joint Land Use Board</u> .

Tom Daslick Designer
Tom Daslick

9/30/21

SIGNATURE AND TITLE OF PERSON WHO PREPARED CHECK LIST.

DATE.

*10 - Shop drawings are attached.

*13 - Existing light locations and illumination levels shown on Site Plan, no lighting is being proposed.

MINOR SITE PLAN CHECKLIST ~ PAGE 2 OF 2

March 16, 2009

September 22, 2021

VIA CERTIFIED MAIL

Joint Land Use Board
Borough of Lindenwold
Lindenwold Borough Offices
15 N. White Horse Pike
Lindenwold, NJ 08021

**ATTN: Nancy DiDomenico, Joint Land Use
Board Secretary**

SEP 27 2021

**CIVIL ENGINEERING
ENVIRONMENTAL
SURVEYING
LANDSCAPE ARCHITECTURE**

Re: Public Notification of the Rosamond Ave. Sewer Extension
Treatment Works Approval Application
Block 300 Lot 4.03
Borough of Lindenwold, Camden County, NJ

Dear Nancy DiDomenico,

This letter serves to inform the Board that E&LP is preparing a NJDEP Treatment Works Approval Application for the Rosamond Ave. Sewer Extension on behalf of Richard De Petro of Lake Worth Villas LLC, the property owner of Block 3000 Lot 4.03. The Rosamond Ave. Sewer Extension proposes to install 586 LF of new 8" sanitary sewer main along Rosamond Avenue, with 8 stubbed sanitary lateral connections and 2 full sanitary lateral connections for the 10 residences on Rosamond Avenue. The project also proposes sanitary sewer lateral to connect to the 2 residences on White Horse Pike just east of Rosamond Avenue to the sanitary sewer main in White Horse Pike. The application is being prepared in accordance with administrative and technical requirements of N.J.A.C. 7:14A-22, 23 for submission to NJDEP. We have enclosed a copy of the NJDEP Treatment Works Approval Permit Application for your records.

If you have any questions regarding this application, please contact us at (908) 238-0544.

Sincerely,
Engineering & Land Planning Associates, Inc.



Wayne J. Ingram, P.E.
Vice President

CC: NJDEP Division of Water Quality



Headquarters
140 West Main Street | High Bridge, NJ 08829
T: 908.238.0544 F: 908.238.9572

Clinton | Asbury Park | Denville | Philadelphia

September 22, 2021

VIA CERTIFIED MAIL

Joint Land Use Board
Borough of Lindenwold
Lindenwold Borough Offices
15 N. White Horse Pike
Lindenwold, NJ 08021

**ATTN: Nancy DiDomenico, Joint Land Use
Board Secretary**

SEP 27 2021

**CIVIL ENGINEERING
ENVIRONMENTAL
SURVEYING
LANDSCAPE ARCHITECTURE**

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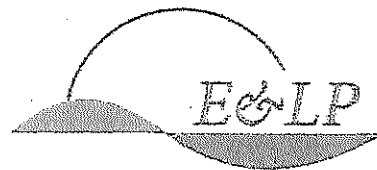
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Sincerely,
Engineering & Land Planning Associates, Inc.



Wayne J. Ingram, P.E.
Vice President

CC: NJDEP Division of Water Quality



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140 West Main Street | High Bridge, NJ 08829
T: 908.238.0544 F: 908.238.9572

Clinton | Asbury Park | Denville | Philadelphia



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER QUALITY

TWA-1

Reset form

Treatment Works Approval Permit Application

Refer to Instructions on Page 4 and Provide All Applicable Information. Please Print or Type.

1. APPLICANT/OWNER*

Name Borough of Lindenwold Telephone (856) 783-2121
Permanent Legal Address 15 N. White Horse Pike
City or Town Lindenwold State NJ Zip Code 08021 E-mail _____

* Applicant/Owner should be the eventual owner of the proposed Treatment Works.

2. LOCATION OF ACTIVITY

Name of Facility/Site Rosamond Avenue - Sewer Extension
Street Address/Location Rosamond Avenue
Lot No. 4.03 Block No. 300
City or Town Lindenwold State NJ Zip Code 08021
Municipality Lindenwold County Camden

3. NEW JERSEY LICENSED PROFESSIONAL ENGINEER

Name Wayne J. Ingram, P.E. N.J. License No. 24GB04258200
Name of Firm, if employee Engineering & Land Planning Associates
Mailing Address 140 West Main Street
City or Town High Bridge State NJ Zip Code 08829
Telephone (908) 238-0544 Fax () _____ E-Mail wayne@elp-inc.com

4. ESTIMATED CONSTRUCTION COST AND APPLICATION FEE

A. Cost of treatment works proposed in this application \$ 143,266.20
(Attach a breakdown of the cost of all items related to the construction of the proposed treatment works).
B. Application Fee \$ 2,521.49
(In accordance with N.J.A.C. 7:10-1.5 et seq., made payable to Treasurer, State of NJ, Environmental Services Fund).

5. OTHER REQUIRED PERMITS

If any of the the following applications have been submitted for this project, provide the applicable information.

Permit Type	Application Status		Application Date (or Application No.)
	Pending (check one)	Approved*	
• Treatment Works Approval	☒	☐	04/06/2021
• Exemption From Sewer Ban	☐	☐	
• Water Quality Management Plan Amendment	☐	☐	
• CAFRA	☐	☐	
• Stream Encroachment	☐	☐	
• Freshwater Wetlands	☐	☐	
• Tidal or Coastal Wetlands	☐	☐	
• Waterfront Development	☐	☐	
• NJPDES Permits	☐	☐	
• Pinelands Certificate	☐	☐	
• Delaware & Raritan Canal Commission	☐	☐	
• Hackensack/Meadowlands Commission	☐	☐	
• Other Related Approvals	☐	☐	

(* If any of the above applications were approved, please provide a copy of the approval with this application).

6. PROJECT DESCRIPTION (Brief Description of Proposed Treatment Works and Intended Use).

The project proposes to install 586 LF of new 8" sanitary sewer main along Rosamond Avenue, with 8 stubbed sanitary lateral connections and two full sanitary lateral connections for the 10 residences on Rosamond Avenue. Only two dwellings will be initially connected, the other dwellings will be connected as needed. The new main will connect to an existing main along S. White Horse Pike. The project also proposes sanitary sewer lateral to connect the two residences on White Horse Pike just east of Rosamond Avenue to the sanitary sewer main in White Horse Pike. These two residences will use existing sewer stubs to connect to the sanitary sewer main.

7. APPLICANT'S AGENT (Optional)I, Richard De Petro, Lake Worth Villas LLC

(Applicant/Owner's Name)

authorize to act as my agent/representative in all matters pertaining to my application the following person:

Name Wayne J. Ingram, P.E.Position Vice PresidentAddress 140 West Main StreetCity High BridgeState NJZip Code 08829Telephone () [REDACTED]Signature of Applicant/Owner [Signature] Date 3/30/21

Richard De Petro

Signature of Agent [Signature] Date 4/6/2021

Wayne J. Ingram

8. PROPERTY OWNER'S CERTIFICATIONI hereby certify that Richard De Petro, Lake Worth Villas LLC

(Property Owner's Name)

owns the property identified in this application. As owner, I grant permission for the activity to be permitted under this application and authorize the Department of Environmental Protection to conduct on-site inspections, if necessary. If the construction activity will take place in an easement, I certify that with this application, I presently have or will obtain permission of the property owner(s) prior to initiation of construction of this proposed treatment works.

Signature of Owner [Signature]Date 3/30/2021Print or Type: Name and Position Richard De Petro, Owner**9. STATEMENT OF PREPARER OF PLANS, SPECIFICATIONS AND ENGINEER'S REPORT AND/OR ABSTRACT**

I hereby certify that the engineering plans, specifications, and engineer's report and/or abstract applicable to this project comply with the current rules and regulations of the Department of Environmental Protection with the exceptions as noted.

Signature of Engineer [Signature]Date 4/6/2021Print or Type: Name and Position Wayne J. Ingram, P.E.

PROFESSIONAL ENGINEER'S
EMBOSSSED SEAL

10. PROPER CONSTRUCTION AND OPERATION CLAUSE

I, the Applicant/Owner, Borough of Lindenwold agree that the treatment works will be properly constructed and operated in accordance with the engineering plans, specifications and conditions under which approval is granted by the Department of Environmental Protection.

Craig Wells

Signature of Applicant/Owner

3-2-21

Date

Print or Type: Name and Position Craig Wells, Superintendent of Public Works

11. CERTIFICATION BY APPLICANT/OWNER

I certify, under penalty of law, that the information provided in this application and the attachments is true, accurate, and complete. I am aware that there are significant civil and criminal penalties for submitting false, inaccurate, or incomplete information, including fines and/or imprisonment.

Richard E. Roach Jr.

Signature of Applicant/Owner

3/2/21

Date

Print or Type: Name and Position Borough of Lindenwold Mayor Richard E. Roach Jr.

INSTRUCTIONS FOR COMPLETING FORM TWA - 1

This form should accompany all Treatment Works Approval permit applications.

1. **General Information** - (items #1 through #4, #6) Complete the requested applicant and project information.
2. **Other Required Permits** (item # 5) - Please list all permits issued for the subject project (in addition to the permits being applied for at this time).
3. **Signatures** (items #7 through #11) - All signatures must comply with N.J.A.C. 7:14A-4.9 and N.J.A.C. 7:14A-22.8. Where indicated under Items #1, #10 and #11, the applicant/owner should be the eventual owner of the proposed treatment works. Item #8 shall be completed by the owner of the property.

Should you need assistance in completing the application, please call the appropriate phone number listed below:

• Bureau of Construction & Connection Permits
(609) 984-4429
Municipal Treatment Works, Industrial
Treatment Works, Sewer Extension, Sewer Ban
Exemption, Subsurface Disposal Systems

• Bureau of Nonpoint Pollution Control
(609) 633-7021
Alternate Design Septic Systems
(design flow less than 2,000 GPD)