

THE FOLLOWING WILL BE ON THE AGENDA FOR THE REGULAR MEETING OF THE JOINT LAND USE BOARD FOR THURSDAY, MARCH 25, 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 FEBRUARY 25, 2021
6. RESOLUTION:

 JLUB-20-4B
 SUNSATONAL LANDSCAPING
 BLOCK 238 LOT 1.04
7. OLD BUSINESS

 APPLICATION JLUB-21-1
 JOSE JIMENEZ
 307 N. WHITE HORSE PIKE
 BLOCK 111, LOT 9
 CHANGE IN USE
 EMPTY BUILDING TO BEAUTY SALON
8. NEW BUSINESS

 APPLICATION JLUB-21-2
 WP LINDENWOLD, LLC
 1410 LAUREL ROAD
 BLOCK 238, LOTS 1.02, 1.06 & 1.07
 CHANGE IN USE
 EMPTY BUILDING TO BLOOD PLASMA DONATION CENTER
9. COURTESY REVIEWS

 LINDENWOLD BOARD OF EDUCATION
 1. EARLY LEARNING CENTER
 2. MIDDLE SCHOOL (TEMPORARY CLASSROOM UNITS)
10. REVIEW BOROUGH NEW STORM WATER CONTROL ORDINANCE
11. OPEN MEETING TO THE PUBLIC
12. ADJOURNMENT

THE REGULAR MEETING OF THE JOINT LAND USE BOARD FOR THURSDAY, FEBRUARY 25, 2021 WAS CALLED TO ORDER AT 6:00 P.M. AT THE LINDENWOLD BOROUGH HALL. THIS MEETING WAS BY PHONE CONFERENCE DUE TO THE CORONA VIRUS.

SUNSHINE ANNOUNCEMENT

FLAG SALUTE

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 VANDERGRIFF
MS. JOY JACKSON
MS. KATHY FITZPATRICK
MS. PAT STRIPPOLI
MS. NANCY DIDOMENICO
MS. HEATHER PROTICH
MR. WALT LENKOWSKI

MEMBERS ABSENT:

MR. HOWARD DAWSON

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO APPROVE THE MINUTES FROM JANUARY 28, 2021.
MS. STRIPPOLI MADE THE MOTION TO APPROVE, MOTION SECONDED BY MR. WELLS. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO APPROVE RESOLUTION #1-2021, ZONING REPORT FOR 2020. MAYOR ROACH MADE THE MOTION TO APPROVE, MOTION SECONDED MS. STRIPPOLI. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

NEW BUSINESS

APPLICATION JLUB-21-1
JOSE JIMENEZ
307 N. WHITE HORSE PIKE
BLOCK 111, LOT 9
CHANGE IN USE
EMPTY BUILDING TO BEAUTY SALON

APPLICANT WAS NOT ON THE CALL

BOARD SOLICITOR STATING I DID CALL HIM THIS MORNING TO TELL HIM THAT THE TAXES WERE OUTSTANDING AND TO CALL MYSELF OR NANCY.

BOARD SECRETARY STATING, I DID NOT HEAR FROM HIM AND FOR THE RECORD THE APPLICANT WAS SENT A LETTER JANUARY 11TH WITH TONIGHT'S DATE, TIME AND CALL IN AND ACCESS. I WILL TRY TO CONTACT HIM TOMORROW TO SEE WHAT IS GOING ON.

APPLICATION JLUB-20-4B
SUNSATONAL LANDSCAPING
1202 LAUREL ROAD
BLOCK 238, LOT 1.04
REQUEST FOR TEMPORARY SPRING/SUMMER SALES

DAVE CHERUBINI – SWORN IN

BOARD SECRETARY STATING I DID TALK TO AND RECEIVED AN EMAIL FROM HIS ENGINEER WHICH I FORWARDED TO THE SOLICITOR AND BOARD MEMBERS

MR. CHERUBINI EXPLAINING HOW HIS ENGINEER IS WAITING TO HEAR BACK FROM THE STATE IN REGARDS TO THE STREAM THAT RUNS ALONG THE SIDE OF THE PROPERTY. THIS IS THE HOLD UP. WHAT WE WOULD LIKE TO DO IS SIMILAR TO WHAT WE DID AT CHRISTMAS AND GOING INTO MORE DETAIL OF THE LAYOUT

BOARD ENGINEER STATING I WOULD LIKE TO MAKE ONE CLARIFICATION ON THE STONE YOU ARE PROPOSING, THAT IS JUST TEMPORARY FILL TO MAKE A SMOOTHER SURFACE. WHEN YOU COME IN FOR THE SITE PLAN, IT'S GOING TO BE PAVED RIGHT?

MR. CHERUBINI STATING THAT IS WHAT I AM WORKING ON WITH SCOTT (APPLICANTS ENGINEER)
BOARD ENGINEER STATING I JUST WANTED TO MAKE CLEAR THE ORDINANCE DOES REQUIRE PAVED SURFACE OR YOU WOULD HAVE TO COME WITH A DESIGN WAIVER OR VARIANCE FROM THAT REQUIREMENT.

MR. CHERUBINI STATING I WILL LOOK TO SCOTT FOR THE GUIDANCE AND THE BOARDS GUIDANCE ON WHAT NEEDS TO BE DONE.

BOARD SOLICITOR STATING WHAT IS THE PERIOD OF TIME YOU WANT TO BE OPERATING.
DISCUSSION BETWEEN APPLICANT, BOARD ENGINEER AND BOARD SOLICITOR
(TIME FRAME FOR TEMPORARY SALE, LAYOUT, CONSTRUCTION OFFICIAL TO INSPECT)

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC AND NO ONE SPOKE.

BOARD SOLICITOR SUMS UP REQUEST

MR. LENKOWSKI ENTERTAINED FOR A MOTION. MAYOR ROACH MADE THE MOTION TO APPROVE TEMPORARY SALES, MOTION SECONDED BY COUNCILWOMAN HESS. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MS. STRIPPOLI WHO DID NOT RESPOND. MOTION CARRIED.

MR. LENKOWSKI STATING WE WILL GO BACK TO THE APPLICATION JLUB-21-1, JOSE JIMENEZ, IS MR. JIMENEZ HERE.

BOARD SOLICITOR STATING WE CAN CONTINUED IT

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO CONTINUE APPLICATION JLUB-21-1.
COUNCILWOMAN HESS MADE THE MOTION TO CONTINUE, MOTION SECONDED BY MR. WELLS. ROLL
CALL WAS UNANIMOUS WITH THE EXCEPTION OF MS. STRIPPOLI WHO DID NOT RESPOND. MOTION
CARRIED.

SECRETARY STATING I WILL SEND A LETTER OUT TOMORROW TO THE APPLICANT THAT THIS IS
CONTINUED TO THE MARCH MEETING.

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC AND NO ONE SPOKE.

MEETING ADJOURNED

NANCY DIDOMENICO
BOARD SECRETARY

**RESOLUTION OF MEMORIALIZATION
BOROUGH OF LINDENWOLD LAND USE BOARD
CAMDEN COUNTY, NEW JERSEY
APPLICATION NO. JLUB-20-4B**

**IN THE MATTER OF
DAVID CHERUBINI
(SENSATIONAL LANDSCAPING)**

**: LAND USE BOARD
: BOROUGH OF LINDENWOLD
: BLOCK 238, LOT 1.04
: 1202 LAUREL ROAD
:
: GRANTED: February 25, 2021
: MEMORIALIZED: March 25, 2021**

**A RESOLUTION AUTHORIZING THE EXTENSION OF TEMPORARY
OPERATIONS OF A BUSINESS FOR THE SALE OF SEASONAL ITEMS ON THE
SUBJECT PROPERTY IN ADVANCE OF FINAL SITE PLAN APPROVAL
SUBJECT TO CERTAIN TERMS AND CONDITIONS.**

WHEREAS David Cherubini, residing at 24 Willow Cedar Way, Blackwood, New Jersey, 08012, and doing business as Sensational Landscaping (hereinafter designated the "Applicant") having previously submitted an application for a use variance and having received such approval on April 23, 2020 from the Borough of Lindenwold Joint Land Use Board (hereinafter the "Board") under Application No. JLUB 20-4 allowing for a multiple use garden center, nursery and landscaping business at the property known as 1202 Laurel Road, Lindenwold, also known as Block 238, Lot 1.04 on the Official Tax Map of the Borough of Lindenwold (hereinafter referred to as the "Subject Property");

WHEREAS the Applicant had previously sought relief from the Board with respect to the condition imposed with respect to that approval which requires the submission by the Applicant of a site plan and receipt of final site plan approval for said garden center, nursery and landscaping business before the Subject Property could be utilized as proposed by the Applicant and did received authorization to use a portion of the Subject Property for a stand to sell seasonal items, such as pumpkins, corn stalks, fall plantings and Christmas trees prior to obtaining final site plan approval from September 15 through December 31, 2020 subject to the terms and conditions set forth in Resolution JLUB 20-4A;

WHEREAS the Applicant is seeking an extension of that temporary authorization to use the same portion of the Subject Property for a stand to sell seasonal items, such as flowers and plants for spring and summer to include the holidays of Easter and Mother's Day, which application was heard by the Board at the public meeting held on February 25, 2021 with the chairman and secretary of the Board and Board members Mayor Richard Roach, Jr. and

Councilwoman Linda Hess appearing, and the balance of the Board participating through telephone conferencing and with the Applicant also appearing by telephone conferencing;

WHEREAS, the Applicant submitted the following documentation in connection with his application:

- (1) The Applicant's letter dated January 10, 2021;
- (2) The proposed garden center general arrangement with aerial view of site showing the area for flower and plant sales and the associated parking;
- (3) Email from R. Scott Smith, P.L.S., P.P., of Key Engineers Inc. to the Board dated February 25, 2021;
- (4) Email from R. Scott Smith, P.L.S., P.P., of Key Engineers Inc. to Dhruv Patel of NJDEP dated January 29, 2021;
- (5) Copies of the FEMA Flood Hazard Map, and NJDEP Wetlands Map applicable to the Subject Property;

WHEREAS, the Board having heard and considered the testimony presented by the Applicant, and having open the hearing for public comment and no members of the public wishing to comment, and having considered the Applicant's request;

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

FINDINGS OF FACT

1. The Applicant is the owner of the Subject Property, which is a 3.5 acres triangular parcel of land, situated on the westerly side of Laurel Road (County Route No. 673) with the frontage along Laurel Road to the depth of 145 feet being located in the OP-1 (Office Professional) District, and with the balance of the Subject Property to the rear being located in the R-1 (Single Family Detached Residential) District. The Subject Property is designated as Lot 1.04 of Block 238 on the Borough of Lindenwold Official Tax Map. It is further noted that historically the Subject Property had been the site of a produce stand known as "Buck's Produce" since 1963, which has been closed for several years.
2. In his application before this Board on April 23, 2020, the Applicant had elected to bifurcate his application and to seek a use variance for the operation of a multiple use garden center, nursery and landscaping business prior to making application before the Board for site plan approval.
3. A use variance was granted to the Applicant at the April 23, 2020 meeting of the Board to allow for the operation of a multiple use garden center, nursery and landscaping business at the Subject Property subject to the Applicant obtaining final site plan approval.

4. The Applicant thereafter sought a temporary waiver of a full site plan of the Subject Property for his proposed garden center, nursery and landscaping business and permission to operate a stand in a designated area on the Subject Property to sell seasonal items, such as pumpkins, corn stalks, fall plantings and Christmas trees. The Applicant testified that his business has been adversely impacted by the COVID 19 pandemic and the restrictions imposed by Executive Order 104 and 107 issued by Governor Murphy, which involve the closure of all non-essential retail businesses. These restrictions in connection with the ongoing coronavirus public health emergency have caused an economic hardship on the Applicant, and as such, he was not financially able to incur the additional costs of a full site plan at this time. The Applicant testified that this economic hardship could be mitigated by the limited operation of a stand on the Subject Property to sell seasonal items, such as pumpkins, corn stalks, fall plantings and Christmas trees and sought and did receive temporary relief from the requirement of a full site plan and authorization to operate the proposed stand for the sale of the aforementioned seasonal items, from September 15, 2020 to December 31, 2020, which stand will be located along the frontage of Laurel Road in the OP-1 District. That temporary authorization required that the layout of the retail stand and associated parking had to be reviewed and approved by the Construction Code Official for public safety concerns.

5. It is noted that the layout of this temporary stand was approved by the Borough's Construction Code Official and the stand was operated by the Applicant during the permitted time period without incident.

6. The Applicant is presently seeking an extension of that limited authorization to allow this stand to be used to sell spring and summer seasonal items, such as flowers and plants for the holidays of Easter and Mother's Day. In support of that request, the Applicant indicated that he has started the process of developing the site plan, which has become more complicated and expensive than anticipated. The Applicant planner indicates that the site plan will likely require several types of environmental permits related to freshwater wetlands and the flood hazard area program as it related to riparian zones associated with a deep ravine along the Subject Property's northerly boundary, the center or bottom of which is the actual property line. The Applicant's planner is seeking guidance from NJDEP as to whether the Flood Hazard Rules apply, and due to the remote working conditions of NJDEP imposed as a result of COVID 19 they are encountering delays in their inquiry responses.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the site plan approval process and the authority to grant exceptions and/or waivers of the provisions for site plan approval under N.J.S.A. 40:55D-51 and under Borough Code Section 190-34 which provides the Board with authority to grant exceptions from the requirements of site plan approval as may be reasonable and within the general purpose and intent of the provisions for site plan approval.

2. The Board has determined that extraordinary circumstances have occurred by virtue of the COVID 19 and the governmental restrictions imposed on businesses during this time to include the closure of nonessential retail businesses and remote working conditions for government agencies, which have resulted in financial hardships and delays for the business

community. It is further noted that in an effort to assist their business community during these difficult times, municipalities have temporarily relaxed ordinances and also procedural formalities associated with governmental land use review to provide assistance to local retail businesses to financially survive during these difficult times such as the closure of public streets and parking lots to accommodate outdoor restaurant seating.

3. The Board has further determined that it is in the best interest of the Borough to assist and promote the development of businesses in this community in these extremely difficult times, and when warranted, to relax some procedures for site development and exceptions to site plan approval. Due to the financial hardship that has ensued by virtue of the ongoing coronavirus public health emergency to the Applicant, the Board recognized the cost associated with the development of a site plan and the harsh economic realities confronting the Applicant and finds that it is both reasonable and appropriate to temporarily relax its procedures associated with site plan review of the Applicant's proposed limited business operation under specific terms and conditions. The Board also finds that any adverse impact that the Applicant's proposed retail stand for seasonal items may have on the surrounding community in the absence of final site plan approval can be addressed and minimized and the needs of public safety met by subjecting the Applicant's temporary stand to review by the Borough's Code Enforcement Officer as was done previously. It is further noted that given the Subject Property's prior use as a produce stand, the temporary use of the Subject Property for a stand for the retail sale of seasonal items is not a departure from its prior use.

NOW THEREFORE, BE IT RESOLVED, that the motion duly made by Mayor Richard Roach, Jr. and duly seconded by Councilwoman Linda Hess that this application to grant an exception from the requirement of site plan approval to allow for a temporary stand for the retail sale of seasonal items on the Subject Property be and is hereby GRANTED subject to the following terms and conditions.

1. That the application, all exhibits, testimony, maps and other documents submitted, and all representations made, and all testimony given before the Board at its meeting of February 25, 2021 are true and accurate of the facts relating to the Applicant's request for relief. In the event that it appears to the Board, on reasonable grounds, that the application, exhibits, testimony, maps and other documents submitted are not accurate, are materially misleading, or are the result of mistake, and the same have been relied upon by the Board as they bear on facts which were essential in the granting of the relief sought, the Board may rescind its approval and rehear the application, or any part of said application, either upon the application of an interested party or on its own motion, when unusual circumstances so require, or where a rehearing is necessary and appropriate in the interest of justice.

2. The authorization to operate the requested stand for the retail sale of seasonal items shall be subject to the following terms and conditions:

A. The Applicant shall submit a drawing depicting the proposed layout and location of this retail stand and all associated parking to the Borough's Construction Code Official for review, and the Board hereby grants to said Construction Code Official the authority and discretion to approve such a plan and to require any and all revisions to such

plan as the Construction Code Official deems necessary to meet public safety concerns. Any such approvals for this temporary operation are not binding upon the Board in its review of the final site plan of the Subject Property.

B. The operation of this retail stand shall be temporary in duration and the Applicant shall have authority, once approval is received from the Borough's Construction Code Official, to operate said stand from April 1, 2021 to May 31, 2021, at which time all retail sales activities shall cease pending final site plan approval from this Board of the Applicant's garden center, nursery and landscaping business at the Subject Property.

C. This authorization is limited to the operation of a retail stand for the sale of seasonal items as noted herein and the Subject Property shall not be used in any manner for the establishment of a nursery or the landscaping business by the Applicant until final site plan approval is granted and a Certificate of Occupancy is issued.

3. The Applicant shall indemnify and hold the Borough of Lindenwold harmless from any claims whatsoever which may be made as a result of the relaxation of the site plan review and approval process, or as to any representation made by the Applicant.

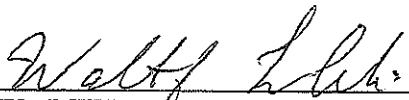
ROLL CALL VOTE ON MOTION TO GRANT USE VARIANCE AS HEREIN ABOVE SET FORTH.

IN FAVOR: Mayor Richard Roach, Jr., Councilwoman Linda Hess, Chairperson Walter Lenkowski, Craig Wells, Joseph Vandergrift, Kathy Fitzpatrick, and Joy Jackson (Pat Strippoli while in attendance on the telephone conference call did not respond to the roll call on this vote)

OPPOSED: None

ABSTENTION: None

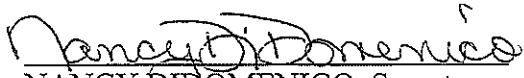
BE IT FURTHER RESOLVED that a certified copy of this Resolution of Memorialization be sent via regular mail to the Applicant within ten (10) days of the date of adoption, and a copy of this Resolution shall be filed with the Administrative Officer or Clerk of the Borough, Borough Construction Official, 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 25th day of March, 2021, is a true copy of the action taken by the Lindenwold Joint Land Use Board at its meeting held on February 25, 2021.


NANCY DIDOMENICO, Secretary
Joint Land Use Board
Borough of Lindenwold

Pl. # 5295

Borough of Lindenwold

JOINT LAND USE BOARD APPLICATION FOR:

Minor Site Plan

Waiver

Variance

Amended Site Plan

Date submitted 1/8/01

Application No. JLUB-01-1

Applicant's Name Jose Jimenez

Address 2034 Tyson Ave Philadelphia PA 19149

Phone Number 856-558-4800

Name and address of present owner (if other than above)

Name _____

Address _____

Phone Number _____

Interest of applicant if other than owner _____

Location of site 307 N White Horse Pike

Block(s) 111 Neighborhood or Section _____ Street _____ Zone _____

Lot(s) 9

Number of proposed lots _____

Area of entire tract _____

Development Plans: Sell lots only (Yes) _____ (No) ✓

Construct houses for sale (Yes) _____ (No) ✓

Other Beauty Salon

Proposed Density _____

Number of dwelling units per net acre* 11

*Gross acre less area for Right-Of-Way, Easements and other Improvements.

NAME AND ADDRESS OF PERSON PREPARING SKETCH PLAT

Name _____

Address _____

Phone Number _____

Signature of Applicant _____

I Certify that this application and map attached hereto (was or was not) duly approved by Resolution of the Joint Land Use Board of the Borough of Lindenwold at a meeting held on _____

Board Secretary _____ Borough of Lindenwold

Borough of Lindenwold

TO THE JOINT LAND USE BOARD PETITION FOR:

Variance _____

Waiver ☒ _____

Name of Applicant Jose Jimenez

Address ~~20215 5th St~~

307 N White Horse Pike

Phone Number 856-558-4800

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

Assessment Map: Plate _____ Block(s) _____ Lot(s) _____

Present use of Land or Building empty

Desired use of Land or Building Beauty Salon

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

If yes, please give reason _____

Applicant desires the following Variance/Waiver:

Date _____

Signature of Applicant Jose Jimenez

CHECK LIST

Details Required For Minor Site Plans

Applicant Jose Jimenez Block Lot
 Address 307 N White Horse Rd

A Minor Site Plan is defined 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	✓			A complete application form and payment of the application fees and escrows, eighteen (18) copies.
2	✓			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, 24" x 36" three (3) copies, 11" x 17" fifteen (15) copies and one (1) digital 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		✗		Camden County Planning Board Application, four (4) copies, if the proposed development will have any impact on a Camden County roadway or facility.

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	✓			The zoning classification of the property, the tax plate, block and lot numbers, the owners and applicant's names and addresses shown on the plans.
2	✓			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		✗		Acreage of the tract to the nearest tenth of an acre or square feet.
4		✗		Existing contours with datum referenced. Spot elevations at corners of proposed structures, paved areas and handicap ramps
5		✗		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			✓	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	✓			A complete plan, including location, size and type of all plantings.
8		✗		Pavement construction detail, and any other construction detail necessary to construction
9		✗		Curbs, sidewalks and all other areas devoted to pedestrian use.
10	✓			Preliminary Architectural Floor Plans and Elevations signed and sealed by an architect licensed in the State of New Jersey.
11		✗		Key map showing the location of the site within the Borough at a scale of no less than 1 inch equals 1000 feet.
12		✗		North Arrow, Scale written and graphic on each sheet.
13	✓			A complete site lighting plan, including location, size, type and wattage of all proposed fixtures.
14		✗		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	✓			Any other information which is deemed to be necessary for the review of the plan by the Joint Land Use Board.

Jose J. Garcia

SIGNATURE AND TITLE OF PERSON WHO PREPARED CHECK LIST.

DATE.

Borough of Lindenwold

AFFIDAVIT OF OWNERSHIP

"MUST BE COMPLETED AND RETURNED"

Name of Company/Organization Jose Jimenez

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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Jose Jimenez
Signature and Title

Please **PRINT** Name and Title

BOROUGH OF LINDENWOLD

AGREEMENT

THIS AGREEMENT MADE THIS 8th DAY OF Jan. 2021

BETWEEN Jose Jimenez
(APPLICANT'S NAME)

HEREINAFTER REFERRED TO AS "APPLICANT" AND THE JOINT LAND USE BOARD OF THE BOROUGH OF LINDENWOLD, HEREINAFTER REFERRED TO AS "BOARD".

WHEREAS, APPLICANT IS CURRENTLY SEEKING (MINOR/MAJOR SITE PLAN, MINOR/MAJOR SUBDIVISION PLAN) FROM THE JOINT LAND USE BOARD OF THE BOROUGH OF LINDENWOLD AND;

WHEREAS, THE BOARD DESIRES TO ESTABLISH AN ESCROW WHEREBY WORK REQUIRED TO BE PERFORMED BY PROFESSIONALS EMPLOYED BY THE BOARD WILL BE PAID FOR BY THE APPLICANT AS REQUIRED UNDER THE PROVISIONS OF THE ORDINANCE OF THE BOROUGH OF LINDENWOLD, AND;

WHEREAS, BOTH PARTIES FEEL THAT IT IS APPROPRIATE TO REDUCE THIS UNDERSTANDING TO WRITTEN FORM.

WITNESSED:

IT IS MUTUALLY AGREED BETWEEN PARTIES THAT:

SECTION 1. PURPOSES

THE BOARD AUTHORIZES ITS PROFESSIONAL STAFF TO REVIEW, INSPECT, REPORT AND STUDY ALL PLANS, DOCUMENTS, STATEMENTS, IMPROVEMENTS, AND PROVISIONS MADE BY THE APPLICANT IN CONFORMING TO THE REQUIREMENTS OF THE BOROUGH ORDINANCES. THE BOARD DIRECTS ITS PROFESSIONAL STAFF TO MAKE ALL ORAL AND/OR WRITTEN REPORTS TO THE BOARD OF ITS CONCLUSIONS AND FINDINGS DERIVED FROM THE REVIEW, STUDY, INVESTIGATION AND LIKE OR SIMILAR DUTIES PERFORMED AS ELSEWHERE AUTHORIZED. THE APPLICANT AGREES TO PAY ALL REASONABLE PROFESSIONAL FEES INCURRED BY THE BOARD FOR THE PERFORMANCE OF THE DUTIES OUTLINED ABOVE.

SECTION 2. ESCROW ESTABLISHED

APPLICANT AND THE BOARD IN ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT HEREBY CREATE AN ESCROW TO BE ESTABLISHED BY THE BOARD IN A DEPOSITORY SELECTED BY THE BOARD.

SECTION 3. ESCROW FUNDED

APPLICANT BY EXECUTION OF THIS AGREEMENT SHALL PAY TO THE BOARD, TO BE DEPOSITED IN THE DEPOSITORY REFERRED TO IN SECTION 2, SUCH SUMS AS ARE REQUIRED. EXECUTION OF THIS AGREEMENT BY THE BOARD ACKNOWLEDGES RECEIPT OF THE SUMS REFERRED TO UNDER THIS PARAGRAPH.

SECTION 4. INCREASE IN ESCROW FUND

IF DURING THE EXISTENCE OF THIS ESCROW AGREEMENT THE FUNDS HELD BY THE ESCROW HOLDER SHALL BE INSUFFICIENT TO COVER ANY VOUCHER OR BILL SUBMITTED BY THE PROFESSIONAL STAFF AND REVIEWED AND APPROVED BY THE BOARD, APPLICANT SHALL WITHIN (14) DAYS FROM THE DATE OF RECEIPT OF WRITTEN NOTICE, DEPOSIT ADDITIONAL SUMS WITH THE ESCROW HOLDER TO COVER THE AMOUNT OF THE DEFICIT REFERRED TO ABOVE.

SECTION 5. TIME OF PAYMENT

THE PROFESSIONALS REFERRED TO IN THIS AGREEMENT UPON THE CONCLUSION OF THEIR SERVICES OR PERIODICALLY DURING PERFORMANCE OF THEIR SERVICES, SHALL SUBMIT VOUCHERS CONFORMING TO THE REQUIREMENTS ESTABLISHED BY THE BOARD FOR VOUCHERS OF THE TYPE AND KIND REFERRED TO UNDER THIS PARAGRAPH. SAID VOUCHERS SHALL INCLUDE THE AMOUNT OF ALL FEES AND COSTS INCURRED AS A RESULT OF THE SERVICES SET FORTH UNDER SECTION 1 OF THIS AGREEMENT.

SECTION 6. BOARD OF REVIEW

THE BOARD SHALL REVIEW THE VOUCHERS SUBMITTED BY THE PROFESSIONALS TO DETERMINE WHETHER THE SERVICES HAVE BEEN PERFORMED IN THE MANNER AND TO THE DEGREE REQUIRED BY THIS AGREEMENT. UPON MAKING A DETERMINATION THAT SAID SERVICES HAVE BEEN PERFORMED PROPERLY, THE BOARD SHALL PROCESS SAID VOUCHERS IN THE SAME MANNER AND UNDER THE SAME TERMS AS ARE

NORMALLY EMPLOYED FOR VOUCHERS SUBMITTED FOR WORK PERFORMED FOR THE JOINT LAND USE BOARD. AT THE CONCLUSION OF THIS PROCESSING, THE AMOUNTS SPECIFIED IN SAID VOUCHERS SHALL BE DEDUCTED BY THE ESCROW HOLDER FROM THE ESCROW ESTABLISHED PURSUANT TO THIS AGREEMENT.

SECTION 7. APPLICANT'S OBJECTION

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SECTION 8. INTEREST ALLOCATIONS

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IN WITNESS WHEREOF THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THE DATE FIRST WRITTEN ABOVE.

Jose Pinero S.
APPLICANT'S SIGNATURE

Nancy Di Domenico
BOARD SECRETARY



Borough of Lindenwold

15 N. White Horse Pike
Lindenwold, New Jersey 08021
Nancy DiDomenico
Phone: 856/ 783-2121 Ext. 223
Fax: 856/783-2540

BOROUGH OF LINDENWOLD

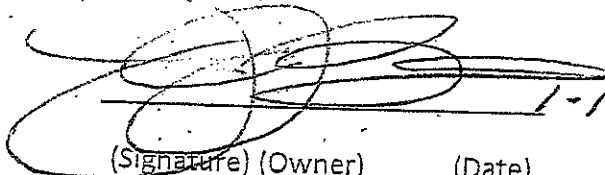
JOINT LAND USE BOARD

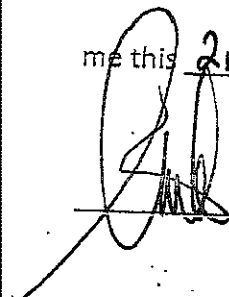
Consent by Owner

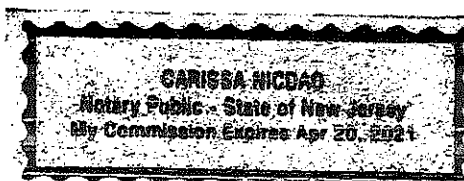
I certify that I am the Owner of the property which is the subject of this application and I hereby consent to the making of this application and the approval of the plans submitted herewith. I further consent to the inspection of the property in connection with this application as deemed necessary by the Municipal agency.

SWORN & SUBSCRIBED to before

me this 2nd day of January, 20 21


(Signature) (Owner) (Date) 1-1-21


(Notary)



JOHN J. BERTINO

(Print Name)

Borough of Lindenwold

JOINT LAND USE BOARD APPLICATION FOR:

Minor Site Plan XXX
Waiver
Variance
Amended Site Plan
Date submitted 3/3/21

Application No. WLB-21-2

Applicant's Name WP Lindenwold, LLC

Address P.O. Box 1908
Media, PA19063

Phone Number

Name and address of present owner (if other than above)

Name Blume-Chapel LLC % Rite Aid

Address P.O. Box 3165
Harrisburg, PA 17105

Phone Number

Interest of applicant if other than owner Contract Purchaser

Location of site 1410 Laurel Road, Lindenwold

	Neighborhood or Section	Street	Zone
Block(s) <u>238</u>	Lot(s) <u>1.02, 1.06, 1.07</u>	<u> </u>	<u>B2</u>

Number of proposed lots 1

Area of entire tract approximately 1.65 acres

Development Plans: Sell lots only (Yes) (No) XXX
Construct houses for sale (Yes) (No) XXX
Other See attached Cover Letter.

Proposed Density N/A

Number of dwelling units per net acre* N/A

*Gross acre less area for Right-Of-Way, Easements and other Improvements.

NAME AND ADDRESS OF PERSON PREPARING SKETCH PLAT

Name Jeffrey Martell, PE, PP, CME, LEED AP

Address Stonefield Engineering - 92 Park Avenue
Rutherford, NJ 07070

Phone Number

Signature of Applicant Carl Wright

I Certify that this application and map attached hereto (was or was not) duly approved by Resolution of the Joint Land Use Board of the Borough of Lindenwold at a meeting held on

Board Secretary

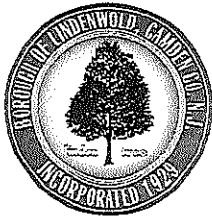
Borough of Lindenwold

CORPORATE DISCLOSURE

WP Lindenwold, LLC

The names and address of all those persons owing a 10% or greater interest in and to WP Lindenwold, LLC are as follows:

1. Carl Wright
20 S. Olive Street, Suite 203
Media, PA 19063
2. Bradley E. Midgette, Jr.
125 Rutgers Ave.
Swarthmore, PA 19081



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 WP Lindenwold, LLC
Address 1410 Laurel Road

Block 238 **Lot**

1.02, 1.06, 1.07

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	X			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.

The following items are required on The Minor Site Plan:

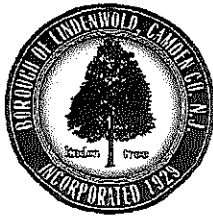
Item #	Provided	Not Applicable	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
1	X			The zoning classification of the property, the tax plate, block and lot numbers, the owners and <u>applicant's</u> names and addresses shown on the plans.
2	X			The location of any proposed 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 <u>lot</u> 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	X			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 sheet.
13			X	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> .

Jeffrey Harker

02/18/2021

SIGNATURE AND TITLE OF PERSON WHO PREPARED CHECK LIST.

DATE.



Borough of Lindenwold

15 N. White Horse Pike
Lindenwold, New Jersey 08021
(856) 783-2121

AGREEMENT

THIS AGREEMENT MADE THIS 23rd DAY OF February 2021
BETWEEN WP Lindenwold, LLC
(APPLICANT'S NAME)

HEREINAFTER REFERRED TO AS "APPLICANT" AND THE JOINT LAND USE BOARD OF THE BOROUGH OF LINDENWOLD, HEREINAFTER REFERRED TO AS "BOARD".

WHEREAS, APPLICANT IS CURRENTLY SEEKING (MINOR/MAJOR SITE PLAN, MINOR/MAJOR SUBDIVISION PLAN) FROM THE JOINT LAND USE BOARD OF THE BOROUGH OF LINDENWOLD AND;

WHEREAS, THE BOARD DESIRES TO ESTABLISH AN ESCROW WHEREBY WORK REQUIRED TO BE PERFORMED BY PROFESSIONALS EMPLOYED BY THE BOARD WILL BE PAID FOR BY THE APPLICANT AS REQUIRED UNDER THE PROVISIONS OF THE ORDINANCE OF THE BOROUGH OF LINDENWOLD, AND;

WHEREAS, BOTH PARTIES FEEL THAT IT IS APPROPRIATE TO REDUCE THIS UNDERSTANDING TO WRITTEN FORM.

WITNESSED:

IT IS MUTUALLY AGREED BETWEEN PARTIES THAT:

SECTION 1. PURPOSES

THE BOARD AUTHORIZES ITS PROFESSIONAL STAFF TO REVIEW, INSPECT, REPORT AND STUDY ALL PLANS, DOCUMENTS, STATEMENTS, IMPROVEMENTS, AND PROVISIONS MADE BY THE APPLICANT IN CONFORMING TO THE REQUIREMENTS OF THE BOROUGH ORDINANCES. THE BOARD DIRECTS ITS PROFESSIONAL STAFF TO MAKE ALL ORAL AND/OR WRITTEN REPORTS TO THE BOARD OF ITS CONCLUSIONS AND FINDINGS DERIVED FROM THE REVIEW, STUDY, INVESTIGATION AND LIKE OR SIMILAR DUTIES PERFORMED AS ELSEWHERE AUTHORIZED. THE APPLICANT AGREES TO PAY ALL REASONABLE PROFESSIONAL FEES INCURRED BY THE BOARD FOR THE PERFORMANCE OF THE DUTIES OUTLINED ABOVE.

SECTION 2. ESCROW ESTABLISHED

APPLICANT AND THE BOARD IN ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT HEREBY CREATE AN ESCROW TO BE ESTABLISHED BY THE BOARD IN A DEPOSITORY SELECTED BY THE BOARD.

SECTION 3. ESCROW FUNDED

APPLICANT BY EXECUTION OF THIS AGREEMENT SHALL PAY TO THE BOARD, TO BE DEPOSITED IN THE DEPOSITORY REFERRED TO IN SECTION 2, SUCH SUMS AS ARE REQUIRED. EXECUTION OF THIS AGREEMENT BY THE BOARD ACKNOWLEDGES RECEIPT OF THE SUMS REFERRED TO UNDER THIS PARAGRAPH.

SECTION 4. INCREASE IN ESCROW FUND

IF DURING THE EXISTENCE OF THIS ESCROW AGREEMENT THE FUNDS HELD BY THE ESCROW HOLDER SHALL BE INSUFFICIENT TO COVER ANY VOUCHER OR BILL SUBMITTED BY THE PROFESSIONAL STAFF AND REVIEWED AND APPROVED BY THE BOARD, APPLICANT SHALL WITHIN (14) DAYS FROM THE DATE OF RECEIPT OF WRITTEN NOTICE, DEPOSIT ADDITIONAL SUMS WITH THE ESCROW HOLDER TO COVER THE AMOUNT OF THE DEFICIT REFERRED TO ABOVE.

SECTION 5. TIME OF PAYMENT

THE PROFESSIONALS REFERRED TO IN THIS AGREEMENT UPON THE CONCLUSION OF THEIR SERVICES OR PERIODICALLY DURING PERFORMANCE OF THEIR SERVICES, SHALL SUBMIT VOUCHERS CONFORMING TO THE REQUIREMENTS ESTABLISHED BY THE BOARD FOR VOUCHERS OF THE TYPE AND KIND REFERRED TO UNDER THIS PARAGRAPH. SAID VOUCHERS SHALL INCLUDE THE AMOUNT OF ALL FEES AND COSTS INCURRED AS A RESULT OF THE SERVICES SET FORTH UNDER SECTION 1 OF THIS AGREEMENT.

SECTION 6. BOARD OF REVIEW

THE BOARD SHALL REVIEW THE VOUCHERS SUBMITTED BY THE PROFESSIONALS TO DETERMINE WHETHER THE SERVICES HAVE BEEN PERFORMED IN THE MANNER AND TO THE DEGREE REQUIRED BY THIS AGREEMENT. UPON MAKING A DETERMINATION THAT SAID SERVICES HAVE BEEN PERFORMED PROPERLY, THE BOARD SHALL PROCESS SAID VOUCHERS IN THE SAME MANNER AND UNDER THE SAME TERMS AS ARE NORMALLY EMPLOYED FOR VOUCHERS SUBMITTED FOR WORK PERFORMED FOR THE JOINT LAND USE BOARD. AT THE CONCLUSION OF THIS PROCESSING, THE AMOUNTS SPECIFIED IN SAID VOUCHERS SHALL BE DEDUCTED BY THE ESCROW HOLDER FROM THE ESCROW ESTABLISHED PURSUANT TO THIS AGREEMENT.

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WP Lindenwold, LLC

By:

Carl Wjst
APPLICANT'S SIGNATURE

Nancy J. Domenech
BOARD SECRETARY