

March 10, 2021

Dawn M. Farrell, Administrative Clerk
Township of Monroe Zoning Board
125 Virginia Avenue, Suite 5A
Williamstown, NJ 08094-1768

Use Variance (1st Review)
Block 15202, Lot 17
1623 Glassboro Road
Zone: C, Commercial & BP, Business Park
Applicant: Tilghmans Auto Parts II
Application No. 21-15
Colliers Engineering & Design Project No. MMZ-089

Dear Ms. Farrell,

The above referenced application is a request for a use variance application review.

1.0 Project Description

1.1 Proposal

The applicant seeks use variance approval to purchase used cars and dismantle them as a secondary use to his junk yard business, known as Tilghman's Used Auto Parts II. A used car license is required to acquire used cars to dismantle. The applicant is currently in a lease purchase agreement and the owner, formerly known as Midway Auto, previously held the used car license required by New Jersey Motor Vehicle Commission. The property is located at 1623 Glassboro Road and the applicant proposes no other material changes. The property has a well and septic system.

1.2 Existing Conditions

The 9.17± acre parcel fronts on the south side of Glassboro Road and contains an auto salvage business known as Tilghmans Auto Parts II, formerly Midway Auto. The property appears to have at least four (4) metal garage type structures, some asphalt along its frontage, a concrete and gravel/stone surfaced storage yard, perimeter fencing as well as other improvements. The property is split zoned C, Commercial and BP, Business Park districts.

1.3 Surrounding Land Uses

The surrounding area contains largely residential uses. Immediately adjacent, parcels include residential uses to the east and west which is also split zoned C,

Commercial / BP, Business Park. Parcels across from the PIQ are split-zoned C, Commercial / R-3, Residential and contain primarily residential uses. To the rear of the site are the Monroe Township Bikeway and the Glassboro Fish and Wildlife Management Area which border on the Borough of Glassboro.

2.0 Materials Reviewed

We have reviewed the referenced submission, encoded by the Zoning Board as #21-15, received March 5, 2021 via email, consisting of the following:

Sheet	Title	Date
---	Application	March 1, 2021
---	Application Narrative	---
---	Certificate of Formation	March 10, 2020
---	Payment Confirmation	February 24, 2021
---	Copy of Survey	---
---	Lease Agreement with Option to Purchase	July 25, 2020
---	Junkyard License	December 2, 2020
---	B&W Site Photos (12)	---

3.0 Zoning Requirements

3.1 Use

1. In accordance with § 175-127, no lot shall have upon it more than one principal permitted use, except that a single dwelling unit may be permitted on a lot used primarily for a nonresidential use in the C, Commercial zoning district; provided, however, that the site plan shall indicate adequate parking for both uses. The applicant indicates that the used car license is needed to buy and dismantle cars onsite. As proposed, a use variance is required.
2. In addition, in accordance with § 175 Attachment 6, used auto sales are a conditional use in a C zone and not permitted in a BP zone. As proposed, with the additional use of buying and dismantling cars which requires a used car license, a use variance is required.

The applicant should clarify if they also intend to sell used vehicles. If proposed, the requirements of § 175-163.2 will also need to be addressed.

4.0 Master Plan Consistency

1. The proposed use is not consistent with the goals and objectives of the Master Plan. Should the use variance be granted, site improvements and physical impacts of the use need to be addressed and mitigated.

5.0 Fees, Contributions, and Obligations

5.1 Escrow

The applicant must contact the Township's Finance Office to settle any outstanding review escrow accounts prior to any approval taking effect.

6.0 General Comments / Recommendations

- 1 In accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-76b), the applicant may elect to submit an application requesting approval of the use variance and a subsequent application for the approval of a site plan, if required, provided that the approval of the variance is conditioned upon the applicant obtaining all required subsequent approvals from the Zoning Board. No such subsequent approval shall be granted unless such approval can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance.

Consequently, any variance granted permitting the proposed use must be conditioned upon the applicant obtaining the necessary site plan approval, if deemed required, from the Zoning Board.

- 2 The applicant must demonstrate sufficient "special reasons" why the proposed use carries out a purpose of zoning, or how the refusal to allow the project would impose on the applicant an undue hardship. In addition, the applicant must demonstrate that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

The above comments and/or recommendations are submitted for your review and consideration. Should you have any questions with regard to this matter or require additional information, please do not hesitate to contact our office at (609) 910-4068.

Sincerely,

Colliers Engineering & Design



Pamela Pellegrini, PE, PP, CME
Senior Project Manager

cc: Richard P. Coe, Esquire

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