

**ZBA EXHIBIT 1**  
**1988 RESOLUTIONS**

#239-SP

MONROE TOWNSHIP PLANNING BOARD

RECEIVED 9/19/88

ZONING BOARD OF ADJUSTMENT

TOWNSHIP OF MONROE

APPLICATION NO. 8804

RESOLUTION NO. 8809

WHEREAS, an application has been submitted by JAMES AND BRENDA DICCIO for an interpretation of the Land Management Ordinances with respect to property known as Plate 5, Block 501, Lot 36, on the official tax map of the Township of Monroe; and

WHEREAS, the property in question is in a CC zone; and

WHEREAS, a public hearing was held concerning said application on February 23, 1988; and

WHEREAS, the property is owned by Jacob and Elaine Spiggel; and

WHEREAS, the applicant testified with respect to this as follows:

1. The applicant states that he wishes to put a commercial use on the property, specifically, repairing cars and trucks (up to tractor trailers), sell tires, operate his truck business and provide a parking lot for trucks.

WHEREAS, the Board, having heard testimony first and considering th facts, makes the following findings and conclusions:



1. The Board finds that the proposed use is a permitted commercial use under the Land Management Ordinance of the Township of Monroe.

NOW, THEREFORE, be it resolved by the Zoning Board of Adjustment of the Township of Monroe that pursuant to the applicant's request for an interpretation of the Land Management Ordinance, the requested use is a permitted commercial use and the applicant is allowed to operate the business on the property.

ADOPTED at a meeting of the Zoning Board of Adjustment of the Township of Monroe, held on February 23, 1988.

ZONING BOARD OF ADJUSTMENT

TOWNSHIP OF MONROE

ATTEST:

*Jeanne Zaroff*  
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JEANNE ZAROFF, SECRETARY

BY: *H. Douglas Ramseur*  
-----  
H. DOUGLAS RAMSEUR, CHAIRMAN

LAW OFFICES  
MARTIN J. ABRAMSON  
29 SOUTH BROAD STREET  
P. O. BOX 312  
WOODBURY, NEW JERSEY 08096



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PB-73-88

RESOLUTION OF FINDINGS AND CONCLUSIONS  
OF PLANNING BOARD OF TOWNSHIP OF MONROE  
FOR PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL

DICCIO - #239SP

RESOLUTION

WHEREAS, James Diccio, has applied to the Planning Board of the Township of Monroe for preliminary and final major site plan approval for property located on the Black Horse Pike, known as Block 501, Lot 36, on the Official Tax Map of the Township of Monroe, for the purpose of constructing a commercial use on the property for repairing cars and trucks (including tractor trailers), selling tires, operating a truck business and providing a parking lot for trucks; and

WHEREAS, the Zoning Board of Adjustment, by Resolution No. 8809 concluded that the applicant's proposed use is a permitted use under the Land Management Code; and

WHEREAS, certain waivers of design standards are required in connection with the proposed development inasmuch as not all of the design standards of the ordinance are met by the proposed design; and

WHEREAS, the Planning Board has deemed to grant the applicant a waiver for these design standards; and

WHEREAS, the application was deemed complete by the Planning Board on October 13, 1988; and

WHEREAS, the Planning Board, after carefully considering the evidence presented by the applicant in support of his application for development as aforesaid, and after the meeting was opened to the public and adjoining land owners, has made the following findings of fact:

1. The applicant has submitted an application for preliminary and final major site plan approval, providing the Board with a proposed set of plans.

2. The taxes on the subject property are current.

3. The applicant has paid and/or posted all required fees.

4. Proper notice of the application for preliminary and final major site plan approval has been given, as based upon the list from the Tax Assessor's Office.

5. The applicant is proposing the construction of a commercial use to repair cars and trucks (including tractor trailers), sell tires, operate a truck business and provide a parking lot for trucks.

6. The Zoning Board of Adjustment by Resolution No. 8809 concluded that the proposed use is a permitted use under the Land Management Code.

7. The proposed use is on the Black Horse Pike in an area where little or no sidewalks presently exist.

8. The applicant's engineer Henry J. Haley of Consulting Engineer Services testified that the 300 foot requirement relating to Wetlands has been satisfied.

9. A stone parking area has been proposed for the truck parking area only.

AND, WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. The Planning Board has granted a waiver to the applicant for the following design standards in connection with the proposed development:

(a) Waiver of the standard that sidewalks be installed on all roads; applicant's proposal of no sidewalks along the Black Horse Pike has been accepted.

(b) Waiver of the standard that all parking areas be paved; applicant's proposal of a stone surface parking area for the truck parking area only is accepted.

2. This application was deemed complete by the Planning Board on October 13, 1988.

3. The applicant has satisfied all requirements imposed upon him by the Planning Board, and/or in accordance with the ordinance, except for any conditions as herein contained.

4. It is understood and concluded that the Planning Board has specifically approved the applicant's plans designated as #239-A-092288.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Monroe on the 13th day of October, 1988 that this Board hereby grants to the applicant preliminary and final major site plan approval, subject to the following conditions:

1. Subject to Gloucester County Planning Board approval.
2. Subject to Gloucester County Soil Conservation Office approval.

3. Subject to Gloucester County Board of Health approval for private on site facilities.

4. Subject to any and all other approvals or permits required by law by other governmental agencies or by the Planning Board and the Township in general.

5. Subject to the comments of compliance by the applicant and/or its agents at the hearing on October 13, 1988.

6. Subject to the comments of the Board's Engineer as contained in the October 7, 1988 correspondence of Adams, Rehmann & Heggan by George McCaughey, III, P.E., P.P.

7. Subject to the condition that safe on site lighting of the property is the sole responsibility of the owner and must not reflect onto adjacent properties and cause a nuisance.

8. Subject to the maintenance of and safety considerations for the proposed stormwater basins and related facilities being the sole responsibility of the owner.

9. Subject to this approval not being approval for any signs on the site; applicant will be required to comply with the sign ordinance or apply for approval if applicant's proposed signs do not comply with the ordinance.

10. Subject to the application being signed by Mrs. Diccio, as owner of the property.

11. Subject to site plan approval not to be inferred until all costs assessed by the Planning Board and all Escrow Fees for the professional review of the application for site plan approval have been paid.



12. Subject to New Jersey Department of Transportation approval for site access and curb construction.

## ROLL CALL VOTE

THOSE IN FAVOR: 9

THOSE OPPOSED: 0

THOSE ABSTAINING: 0

## CERTIFICATION

I hereby certify that this foregoing resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Monroe in accordance with its decision at its regular meeting on October 13, 1988.



CAROLYN FARRELL, Secretary  
Monroe Township Planning Board

Dated: 11/14/88