

RESOLUTION NO. P – 1 – 2025

NOTICE OF SCHEDULED MEETINGS

Notice is hereby given by the Planning Board of the Township of Edgewater Park that the following is a list of the regular meetings of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey.

REGULAR MONTHLY OFFICIAL PUBLIC MEETINGS

All such meetings to be held at 7:00 PM at the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. Formal action may be taken at any and all scheduled meetings. Planning Board reserves the right to enter into closed session. The Planning Board also reserves the right to schedule additional meetings on an "As Needed" basis.

RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Malecki					X
Mr. Aaronson	X				
Mrs. Cannon-Moye	X				
Mr. Smith	X				
Mr. Kauker	X				
Mr. Nolan					X
Mrs. Tumminia					X
Ms. Bonner	X				
Chairwoman Johnson	X				
Mr. Black	X				
Ms. D'Errico	X				

CERTIFICATION

I, **PATRICIA CAHALL**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 9, 2025 at the Edgewater Park Municipal Building at 7:00 p.m.



PATRICIA CAHALL
Planning Board Secretary

RESOLUTION NO. P – 2 – 2025

OPEN PUBLIC MEETINGS ACT

Whereas, The "Open Public Meetings Act" requires that advance written notice of all meetings of the Planning Board be posted in one public place designated by the Planning Board and mailed, telephoned, faxed or hand delivered to two newspapers designated by Resolution and mailed to all persons requesting a copy of the same.

Now, therefore, be it resolved by the Planning Board of the Township of Edgewater Park, County of Burlington and State of New Jersey, that,

- Section 1. All advance written notices of the Planning Board meetings shall be posted by the Secretary on the Official Bulletin Board located in the Township Municipal Building.
- Section 2. All advance written notices of the Planning Board meetings shall be given to the two newspapers: Burlington County Times & Courier Post.
- Section 3. All advance written copies notices of the Planning Board meetings through-out the year shall be mailed to all persons requesting copy of the same, after payment by such persons of fee of \$50.00, News Media shall be exempt from such fees.
- Section 4. The schedule of regular official Planning Board meetings and regular work sessions for the period from and after this reorganization meeting in January 9, 2025, shall be in accordance with Resolution #P-1-2025, designating the dates, times and places of such meetings which incorporated within this Resolution by reference.

RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Malecki					X
Mrs. Cannon-Moye	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Aaronson	X				
Mr. Nolan					X
Ms. Bonner	X				
Mrs. Tumminia					X
Chairwoman Johnson	X				
Mr. Black	X				
Ms. D'Errico	X				

CERTIFICATION

I, **Patricia Cahall**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 9, 2025 at the Edgewater Park Municipal Building at 7:00 p.m.

Patricia Cahall

Patricia Cahall
Planning Board Secretary

RESOLUTION NO. P - 3 – 2025

AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES

Whereas there exists a need for Solicitor, Engineer and Planner and;

Whereas Requests for Qualifications and Proposals were solicited through a fair and open process in accordance with N.J.A.C. 19:44A-20.5 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Edgewater Park, in the County of Burlington, and the State of New Jersey, that the Chairperson and Planning Board Secretary are hereby authorized and directed to execute agreements for the following qualified professionals:

SECTION I:

- | | | |
|----|---------------------------------|-----------|
| A: | Environmental Resolutions, Inc. | Engineer |
| B: | Environmental Resolutions, Inc. | Planner |
| C: | Raymond, Coleman, Heinhold, LLP | Solicitor |

SECTION II:

These contracts are awarded without competitive bidding as "Professional Services", in accordance with N.J.S.A. 40A: JJ-5(1) (a) et seq. of the Local Public Contract Law, and/or awarded with N.J.S.A. J9:44A-20.4 et seq.; the above named Professionals are licensed to practice in the State of New Jersey.

Pursuant to N.J.S.A. 40A: l l-5(1) (a) the following information is set forth:

- A. Duration of Contracts: All terms are for one-year.
- B. Amount of Contracts: All specified per contract and budget appropriation.
- C. This resolution and the above-mentioned contracts will be on file and available to the public inspection in the office of the Clerk of the Township of Edgewater Park.

SECTION III

This resolution shall be printed once in the "Burlington County Times" and the "Courier Post" as required by law within ten days of its adoption.

RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Malecki					x
Mr. Aaronson	x				
Mrs. Cannon-Moye	x				
Mr. Smith	x				
Mr. Kauker	x				
Ms. Bonner	x				
Mrs. Tumminia					x

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Nolan					x
Chairwoman Johnson	x				
Mr. Black	x				
Ms. D'Errico	x				

CERTIFICATION

I, **PATRICIA CAHALL**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 9, 2025 at the Edgewater Park Municipal Building at 7:00 p.m.


PATRICIA CAHALL
Planning Board Secretary

RESOLUTION NO. P – 4 – 2025

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK, ANNUAL REPORT OF VARIANCE APPLICATIONS AND FORMAL RECOMMENDATIONS TO TOWNSHIP COMMITTEE FOR CONSIDERATION OF CHANGES TO ZONING CODE

WHEREAS, N.J.S.A. 40:55D-70.1 requires the board of adjustment at least once a year, to review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendment or revision, if any and to provide the report and resolution to the governing body and the planning board; and

NOW, THEREFORE, BE IT RESOLVED by the Edgewater Park Township Planning Board, County of Burlington and State of New Jersey that in its capacity as a zoning board of adjustment heard the following variance applications during 2024 and that the memorializing resolutions are, if applicable, on file in the Township Municipal Building:

Applicant	Property	Result	Description / First Paragraph of Resolution
Hearing Date	Block & Lot	Resolution #	
Talaria NJ LLC	950 Mt. Holly Road	Approved	Use variance approval for the purpose of converting an existing 3,600 square foot building on the property for cannabis wholesale use.
6/20/2024	203 4.01	P-8-2024	
Bandhan Celebrations	826 Perkins Lane	Approved	Variance to occupy existing printing facility to store party supplies and equipment. Customer visits on a by appointment only basis. The subject property is located within the Township's R-2 zoning district.
6/20/2024	203 7.01	P-9-2024	
Edgewater Park Senior Apts. LLC	210 Delanco Road	Approved	Use variance to construct a one hundred percent age and income restricted multi family apartment building. Site improvements include parking, stormwater management, lighting, and landscape improvements. Bulk variance relief and submission waiver approvals.
7/18/2024	502 11	P-13-2024	
New Jersey American Water	102 Cooper Street	Approved	Variance to expand the existing water treatment facility. Facility is located within the R-5 (Single Family Residential) District. Improvements to include site popping, replacement of emergency generator, electrical and control systems and other utility related improvements.
7/18/2024	803 1.01 & 2	P-14-2024	
McDonalds USA, LLC	4295/4299 U.S. Route 130 South	Approved	Variance for the reconfiguration of a McDonald's restaurant freestanding business identification signage. Original plans required amended approval and granting of any variance(s).
7/18/2024	502 13.02 & 13.03	P-15-2024	

RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Malecki					X
Mr. Aaronson	X				
Mrs. Cannon-Moye	X				
Mr. Smith	X				
Mr. Kauker	X				
Ms. Bonner	X				
Mrs. Tumminia					X
Mr. Nolan					X
Chairwoman Johnson	X				
Mr. Black	X				
Ms. D'Errico	X				

CERTIFICATION

I, **PATRICIA CAHALL**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 9, 2025 at the Edgewater Park Municipal Building at 7:00 p.m.


PATRICIA CAHALL
Planning Board Secretary

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-5-2025

**CONCERNING THE APPLICATION OF
EDGEWATER PARK SENIOR APARTMENTS, LLC
FOR EXTENSION OF MINOR SUBDIVISION APPROVAL**

WHEREAS, Edgewater Park Senior Apartments, LLC (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for an Extension of Minor Subdivision Approval pursuant to N.J.S.A. 40:55d-47(g) for property located at 210 Delanco Road, known as Block 502, Lot 11 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of subdividing the Property into proposed Lots 11.01 and 11.02 and for the construction of a 58-unit age and income restricted multi-family apartment building on proposed Lot 11.01;

WHEREAS, the Planning Board, as memorialized by Resolution No. P-13-2024, adopted on August 15, 2024, granted Variances, Minor Subdivision and Preliminary and Final Site Plan Approval to the Applicant to develop a portion of the Property with the 58-unit age and income restricted multi-family apartment building; and

WHEREAS, pursuant to N.J.S.A. 40:55D-47(d), the Applicant’s minor subdivision approval is to expire on February 21, 2025, being 190 days from the date the memorializing resolution was adopted by the Board, unless a minor subdivision deed or a plat in conformity with such approval and the provisions of New Jersey’s Map Filing Law has been recorded in the Office of the Burlington County Clerk, or the Applicant has requested an extension of time pursuant to N.J.S.A. 40:55D-70(f) or (g); and

WHEREAS, prior to expiration, the Applicant requested an extension of time, as authorized by the Municipal Land Use Law of the State of New Jersey, to perfect the August 15, 2024 memorialized minor subdivision approval; and

WHEREAS, at the Board’s February 20, 2025 hearing on the Applicant’s extension request, the Applicant’s Attorney, Kristopher Berr, Esquire, Del Duca Lewis & Beer, represented to the Board that the Applicant has been unable to perfect the minor subdivision approval within the 190 day requirement due to outside agency review and that the Applicant has been diligently pursuing outside agency approval; and

EDGEWATER PARK SENIOR APARTMENTS, LLC - NO. P-5-2025

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

1. The Edgewater Park Planning Board retains jurisdiction over this application and extension request pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.;
2. Based upon the request made by Applicant's counsel in writing and on the record, and in light of the provisions of N.J.S.A. 40:55D-47 (f) and (g), the Board approves the extension for a one-year period, to expire on February 21, 2026

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, following review on the record on the 20th day of February, 2025 and memorialized by this Resolution on the 20th day of March, 2025, that the Applicant's request for an extension of its minor subdivision approval is hereby GRANTED, with all terms and conditions of the prior resolution of approval remaining in full force and effect, to expire on February 21, 2026 if no further extension is granted or the minor subdivision approval is not perfected in the interim.

ROLL CALL VOTE

Those in Favor:	8
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 Edgewater Park in accordance with its decision at its regular meeting on February 20, 2025.

**THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK**


MARIAN JOHNSON, CHAIRWOMAN

Attested:


PATRICIA CAHALL, SECRETARY

Dated: 3/30/2025

Date of Approval: February 20, 2025

Date of Memorialization: March 20, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-6-2025

**CONCERNING THE APPLICATION OF
BANDHAN CELEBRATIONS
FOR PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL**

WHEREAS, Bandhan Celebrations, LLC (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Preliminary and Final Major Site Plan Approval for property located at 826 Perkins Lane, known as Block 203, Lot 7.01 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of converting an existing one-story building into a warehouse use for the Applicant’s party supply/decorations business; and

WHEREAS, the Planning Board, as memorialized by Resolution No. P-9-2024 adopted on July 18, 2024, granted variance approval pursuant to *N.J.S.A. 40:55D-70(d)(1)* for the proposed party supply warehouse use, a use not otherwise permitted in the Township’s R-2 Zoning District; and

WHEREAS, variances pursuant to *N.J.S.A. 40:55D-70(c)* are required as the Applicant’s proposed use and development of the Property do not comply with the parking, landscaping, circulation and lighting requirements of the Township’s Land Development Ordinance; and

WHEREAS, the Application was deemed complete by the Board on February 20, 2025; and

WHEREAS, a public hearing to consider the Application was held by the Planning Board on February 20, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the following Exhibits were introduced by the Applicant during the February 20, 2025 Public Hearing:

A-1 Existing Site Conditions Aerial; and

A-2 Site Plan Rendering; and

BANDHAN - NO. P-6-2024

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support its Application for Variances and Preliminary and Final Major Site Plan Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, located in the Township's R-2 Zoning District, approximately 215,686.3 square feet in area. The Property is improved with a 1-story commercial building, a gravel driveway, concrete walkway and two (2) frame sheds. The most recent use of the Property was for a print shop.
2. The Applicant is proposing to utilize the existing building as a warehouse for its party supply/party decorations business, a use that received use variance approval from the Board and memorialized by Resolution No. P-9-2024 adopted on July 18, 2024.
3. Use variance approval included a condition requiring the Applicant to obtain site plan approval from the Board prior to commencement of the Applicant's proposed use.
4. The Applicant has provided the Board with the following:
 - a. Standard Development Application;
 - b. Preliminary and Final Major Site Plan, prepared by Samuel J. Agresta, PE, PP, CME, dated 11/08/24;
 - c. Freshwater Wetland Delineation, prepared by McLaughlin Environmental, dated 09/04/24;
 - d. Plan of Survey, prepared by Edward F. Kuhn, Jr., PLS, dated 10/01/24.
5. The taxes on the Property are current or exempt.
6. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.
7. Proper notice of the application for Variance and Preliminary and Final Major Site Plan Approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.
8. The following "C" variances are required for the proposed use and development of the Property:
 - a. Parking Area – paved surface and curbing required; Applicant is proposing no curbing and paving less than the entire parking area;

BANDHAN - NO. P-6-2024

- b. Parking in Landscape Buffer Area – parking prohibited within 30' landscape buffer area; Applicant is proposing to continue parking 23 feet from side lot line, within the required 30 foot buffer;
- c. Landscape Buffer Area – 30 feet required as Property abuts residential uses; Applicant is proposing to maintain the existing 23 foot buffer area;
- d. Internal Circulation Area – Heavy traffic areas require paving; Applicant is proposed to re-stone the ingress/egress drive(s); and
- e. Parking Area Lighting – 1 footcandle required; Applicant is proposing 0.4 footcandles at the ADA parking space.

9. The Applicant was represented at the February 20, 2025 Public Hearing by Christopher J. Norman, Esquire, Platt Law Group, with Amrit Patel, the Applicant's Representative and Samuel Agresta, PE, PP, the Applicant's Professional Engineering, appearing, each being duly sworn and Mr. Agresta recognized as an expert in support of the Application.

10. Mr. Norman represented to the Board that the Application is to satisfy the condition of use variance approval requiring the Applicant to obtain site plan approval prior to commencing use of the Property.

11. Mr. Patel provided the following sworn testimony during the February 20, 2025 Public Hearing:

- a. There is no change to the business operation as testified during the June 20, 2024 Public Hearing for use variance approval;
- b. There will be no more than one (1) or two (2) employees at the site;
- c. Customers come to the site by appointment only between the hours of 9:00 a.m. and 5:00 p.m.;
- d. Normally, the Applicant will utilize a box truck once a week;
- e. The box truck will be the only vehicle that will be parked at the site overnight;
- f. The site's existing lighting is sufficient for the proposed use of the Property.

12. Mr. Agresta provided the following sworn testimony during the February 20, 2025 Public Hearing:

BANDHAN - NO. P-6-2024

- a. He is the Applicant's professional engineer and prepared the Site Plan;
- b. Describes the existing conditions of the site and identifies the location of the wetlands located on the Property;
- c. The warehouse building is approximately 15,000 square feet with limited lighting on the building;
- d. In order to maintain the existing 23 foot buffer area, the parking stalls will be flipped to the other side of the building;
- e. A portion of the drive aisle, starting mid-way of the building and around to the back loading door, will be paved;
- f. The trash dumpster will be located to an area outside of the wetlands;
- g. The closest residence to the newly paved area is 100+ feet away;
- h. Curbing is not proposed, otherwise it will impede run-off flow;
- i. Paving is not proposed for all required areas because of the impact of the paving on environmentally sensitive areas;
- j. The Applicant is not proposing any identification signage;
- k. There will be five (5) paved parking spaces and seven (7) parking spaces, with wheel stops, in non-paved areas;
- l. Currently, the Applicant utilizes a rented box truck; if the Applicant purchases a box truck in the future, it will also be parked in the rear of the building;
- m. Signage will be added to identify employee parking and how parking is directed;
- n. The Applicant's business does not require tractor trailer deliveries;
- o. The existing septic system is being inspected.

13. The February 20, 2025 hearing was opened to the public with concerns expressed regarding environmental conditions and use of a box truck.

14. Rakesh Darji, the Board Engineer, and Edward Fox, the Board Planner, were present to review their January 23, 2025 Review Letter and were satisfied that the Applicant can and will address their review comments as the proposed improvements are limited for this existing improved site, recently used for a printing business.

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

1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to make a decision on the application for Variance and Preliminary and Final Major Site Plan Approval.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements pertaining to parking, buffer areas, and circulation, as specified herein, as requested by the Applicant.

3. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant 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 of the Township of Edgewater Park.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 20th day of February, 2025, that this Board hereby grants to the Applicant the following:

1. Variances to permit (i) uncurbed parking areas; (ii) parking areas not fully paved; (iii) parking within the required 30 foot wide buffer area, 23 feet from the side lot line; (iv) a landscape buffer width of 23 feet; (v) all heavy traffic areas not paved and (vi) a lighting level of 0.4 footcandles for the ADA parking space; and

2. Preliminary and Final Major Site Plan Approval for the development of the Property for use as a warehouse (with incidental office) use for the Applicant's party supply/party decorations business, as proposed by the Applicant, in accordance with the Plans and Testimony submitted by the Applicant, subject to the following conditions:

a. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board approval,

BANDHAN - NO. P-6-2024

Burlington County Soil Conservation District approval and Burlington County Board of Health Approval for the use of the existing septic system.

b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

c. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the required site plan be executed and building permits, certificates of occupancy or zoning permits be issued.

d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives at the June 20, 2024 and February 20, 2025 Public Hearings, whether formalized in this Resolution or not.

e. Subject to the submission of revised plans complying with the review comments of the Board's professionals and with this Resolution, as may be required.

f. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for construction of the development, as approved.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant applying for and receiving all permits that are required prior to the commencement of construction. This Approval does not guarantee the issuance of any permit as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits.

h. Subject to the review comments of the Board Engineer and Board Planner as contained in the June 13, 2024 and January 23, 2025 Review Letters of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME and Edward Fox, AICP, PP, except as same may be modified by this Resolution.

BANDHAN - NO. P-6-2024

- i. Subject to no more than two (2) employees at the site during normal business operations.
- j. Subject to the Applicant working with the Board Planner for the submission of a revised landscape plan, supplementing the site's landscaping. Failure of the Board Planner to approve the supplemental landscaping shall require further Board review.
- k. Subject to one (1) box truck, whether rented, leased or owned, permitted to be parked on-site overnight, with the parking location in the rear of the building.
- l. Subject to the driveway at the street in front of the building being paved.

ROLL CALL VOTE

Those in Favor: 8
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 Edgewater Park in accordance with its decision at its regular meeting on February 20, 2025.

**THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK**



MARIAN JOHNSON, CHAIRWOMAN

Attested:



PATRICIA CAHALL, SECRETARY

Dated: 3/20/2025

Date of Approval: February 20, 2025

Date of Memorialization: March 20, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-7-2025

**CONCERNING THE APPLICATION OF
DANIEL PARK, JR.
FOR VARIANCE APPROVAL
BLOCK 1601, LOT 34**

WHEREAS, Daniel Park, Jr. (the "Applicant") has applied to the Planning Board of the Township of Edgewater Park (the "Board") for variance approval for property located at 301 Woodlane Road, known as Block 1601, Lot 34 (the "Property"), on the Official Map of the Township, for the purpose of constructing an addition to the existing single family residential dwelling; and

WHEREAS, variances are required pursuant to *N.J.S.A. 40:55D-70(c)* because the proposed development of the Property does not satisfy the impervious coverage and accessory building setback requirements of the Zoning Ordinance; and

WHEREAS, the application was deemed complete by the Board on February 20, 2025; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Park Planning Board on February 20, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Board, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans, and other evidence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of the Application for variance approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, approximately 42,691 SF in area, located in the Township's R-1 Zoning District. The Property is improved with a 2 story single family residential dwelling, detached garage, an in-ground swimming pool, fencing and stone driveway.

2. The Applicant is proposing to construct an addition to the existing dwelling.

PARK - RESOLUTION NO. P-7-2025

3. The Applicant submitted an application to the Planning Board for variance approval, providing the Board with the following:

- a. Standard Development Application;
- b. Plan of Survey, prepared by Avi Luzon, PLS, dated 10/15/13, hand annotated by Applicant with changes proposed to the Property;
- c. Proposed additional features statement, including description of new improvements, list of improvements to be removed and a lot coverage calculation; and
- d. Plan of Survey, prepared by Cleo E. McCall, PLS, dated 11/17/24, hand annotated by Applicant.

4. The taxes on the Property are current.

5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

6. Proper notice of the Application for variance approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

7. The following variances are required for the proposed development of the Property:

- a. Impervious coverage – 10% maximum permitted, 11.12% proposed;
- b. Accessory structure side yard setback – 3.0 feet required, 1.4 feet existing.

8. The Applicant provided the following sworn testimony during the February 20, 2025 Public Hearing:

- a. The one-story addition will match the existing dwelling which was constructed in 1840;
- b. A demolition permit has been obtained to remove a portion of the existing house;
- c. The house is less than 30 feet in height;
- d. There will be no adverse run-off onto neighbor's properties as stormwater drains from Woodland Road toward the Property and lays in the Property's front yard area;

PARK - RESOLUTION NO. P-7-2025

- e. Standard house gutters will be used to direct stormwater from the addition to the Property's front yard.
- 9. The February 20, 2025 Hearing was opened to the Public without comment.
- 10. The Board Planner reviewed the January 23, 2025 letter of Environmental Resolutions, Inc. and advised the Board that the Applicant's testimony addressed the review comments provided therein.

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

- 1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements specified herein for impervious coverage and accessory structure setback, as requested by the Applicant.
- 2. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.
- 3. Relief as requested by the Applicant 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 of the Township.
- 4. The Applicant has submitted the necessary information, in the form of plans and testimony, for the Planning Board to make an informed decision on the Application.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 20th day of February, 2025, that this Board hereby grants to the Applicant variances to permit (i) an impervious coverage of 11.12% and (ii) a side yard setback of 1.4 feet for the existing detached garage, for the development of the Property to include the construction of a 1,429 square foot addition to the existing dwelling, in accordance with the application, plans and testimony submitted by the Applicant, subject to the following:

- 1. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township of Edgewater Park.

PARK - RESOLUTION NO. P-7-2025

2. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the sworn testimony of the Applicant at the February 20, 2025 Public Hearing, whether formalized in this Resolution or not.

5. Subject to the Applicant securing all permits required prior to the start of construction with the Applicant being advised that variance approval does not guarantee the issuance of any required zoning permit, construction permit or certificate of occupancy as the Applicant is subject to all applicable codes, statutes, ordinances, rules and regulation governing the issuance of said permits or certificates.

6. Subject to the Applicant assuming all risk if construction of the improvements commences prior to the expiration of the appeals period.

7. Subject to the Property's impervious coverage, post construction of the improvements referenced herein, not exceeding 11.12%

8. Subject to the comments of the Board Engineer and Planner as contained in the January 23, 2025 Review Letter of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, CME, PP, CFM and Edward Fox, AICP, PP.

ROLL CALL VOTE

Those in Favor:	8
Those Opposed:	0
Those Abstaining:	0

PARK - RESOLUTION NO. P-7-2025

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on February 20, 2025.

EDGEWATER PARK PLANNING BOARD

Attest:



PATRICIA CAHALL, Secretary

By: 

MARIAN JOHNSON, Chairwoman

Dated: 3/20/2025

Date of Approval: February 20, 2025

Date of Memorialization: March 20, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-8-2025

**CONCERNING THE APPLICATION OF
EDGEWATER PARK URBAN RENEWAL
FOR AMENDED SITE PLAN APPROVAL**

WHEREAS, Edgewater Park Urban Renewal, LLC (the “Applicant”) has applied to the Planning Board of the Township of Edgewater Park (the “Board”) for Amended Site Plan Approval for property located on U.S. Route 130 and Woodlane Road, known as Block 1202.09, Lots 2 and 11 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of modifying previously approved improvements to the Edgewater Park Commons retail center; and

WHEREAS, the Property is located in the C-3 Highway Commercial Zoning District and within the redevelopment area known as the “Non-Condensation Redevelopment Area Consisting of the Former Pathmark Shopping Center Site”; and

WHEREAS, the Board, as memorialized by Resolution No. P-10-2020, granted Minor Site Plan Approval to the Applicant for the Phase I Redevelopment of Edgewater Park Commons; and

WHEREAS, the redevelopment of Edgewater Park Commons is also the subject of a Redevelopment Agreement between the Applicant, as Redeveloper, the Township of Edgewater Park and the Township Committee, as Redevelopment Entity; and

WHEREAS, the modifications to the previously approved improvements will require variances and/or design exceptions, as the proposed Phase I modifications do not comply with all requirements or design standards of the Ordinance; and

WHEREAS, the Application for Amended Site Plan Approval was deemed complete by the Board Engineer and Planner on January 27, 2025; and

WHEREAS, a public hearing to consider the Application was held by the Planning Board on March 20, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

EDGEWATER URBAN RENEWAL – NO. P-8-2025

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the following Exhibits were introduced by the Applicant during the March 20, 2025 Public Hearing:

- A-1 Aerial Photograph of Property;
- A-2 Site Plan Rendering with Landscaping Overlay; and
- A-3 2020 Approved Site Plan; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of its Application for Amended Site Plan Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, approximately 13.90 acres in area, located in the Township's C-3 Highway Commercial Zoning District. The Property is improved with a 116,950 square foot shopping center building, a standalone Dunkin (Donuts) and an abandoned gas station¹. The Property is included in the Redevelopment Plan adopted for the "Non-condemnation Redevelopment Area Consisting of the Former Pathmark Shopping Center Site."

2. The Applicant is the Redeveloper of the Property, in accordance with a Redevelopment Agreement by and between the Township of Edgewater Park, the Township Committee of the Township of Edgewater Park and the Applicant.

3. The Applicant is now proposing to modify the site improvements to the Edgewater Park Commons retail center, previously approved as a Minor Site Plan for the Phase I Redevelopment of the Property, as memorialized by Resolution No. P-10-2020, and has provided the Board with the following:

- a. Township of Edgewater Park Development Application, dated 12/23/24;
- b. Completed Checklist;
- c. Stormwater Management Report, prepared by William C. Viola, PE, North Start Design, LLC, dated 12/24;
- d. Boundary and Topographic Survey, prepared by Thomas F. Miller, PLS, Stonefield Engineering and Design, dated 01/04/18, revised 05/20/20; and

¹ Neither the Dunkin Donuts nor the gas station sites are included with the current Application.

EDGEWATER URBAN RENEWAL – NO. P-8-2025

- e. Minor Site Plan, prepared by William C. Viola, PE, North Start Design, LLC, dated 12/17/24 (9 sheets).
4. The taxes on the Property are current or exempt.
5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.
6. The 2020 Phase I Redevelopment Approval included the following improvements to the Property:
 - a. Repair and reconstruction of portions of the parking lot, including seal coating, milling and overlay or full depth reconstruction;
 - b. Replacement of concrete parking islands with landscape islands;
 - c. Replacement of light fixtures;
 - d. Providing accessible parking spaces and ramps;
 - e. Landscaping improvements;
 - f. Parking area re-stripping; and
 - g. Installation of two (2) freestanding signs.
7. The 2020 Approval included a design standard waiver to permit 47 parking spaces located less than 10 feet from the southern property line and within a landscape buffer area.
8. The following variances/waivers are required for the modifications to the Phase 1 Redevelopment Approval:
 - a. Impervious Coverage – 85% maximum permitted, 88.3% existing, 86.4% per 2020 Approval, 85.9% now proposed;
 - b. Parking and Drive Aisle Landscape Buffer at Eastern Property Line – 10 feet minimum, 4.34 feet existing and proposed, 10.1 feet per 2020 Approval;
 - c. Landscape Buffer at Southern Property Line -10 feet minimum, 0.75 feet existing and proposed, 0.7 feet per 2020 Approval; and
 - d. Light Pole Height – 25 feet maximum, 30 feet existing, proposed and per 2020 Approval.
9. The Applicant was represented at the March 20, 2025 by Robert S. Baranowski, Jr., Esquire, Hyland Levin Shapiro LLP, with William C. Viola, Jr., PE, the Applicant's

EDGEWATER URBAN RENEWAL – NO. P-8-2025

Professional Engineer, and Max Klein, the Applicant's Representative, appearing, each being duly sworn and Mr. Viola recognized as an expert in support of the Application.

10. Mr. Baranowski made the following representations to the Board during the March 20, 2025 Public Hearing:

- a. The Redevelopment Agreement for the Property was executed in 2019;
- b. The 2020 Approval contemplated a three (3) phase redevelopment of the Property;
- c. The Applicant has not completed all of the improvements for the Phase I redevelopment of the Property; some improvements have been completed, some improvements in process and some improvements not started;
- d. The proposed modifications to the 2020 Approval are to scale down the 2020 approved improvements;
- e. The Applicant is committed to addressing the February 20, 2025 Review Letter of the Board Engineer and Board Planner;
- f. Big Lots has filed for bankruptcy and will be closing and vacating Edgewater Park Commons;
- g. The basin has been cleaned and will remain available for Township use as necessary;
- h. The Applicant has agreed to the Township placing a Welcome to Edgewater Park sign² at a location to be agreed to by the Township and the Applicant.

11. Mr. Viola provided the following sworn testimony during the March 20, 2025 Public Hearing:

- a. He is the Applicant's Professional Engineer;
- b. The Dunkin and former gas station sites are not part of the Application currently before the Board;
- c. The existing building has one (1) current tenant, a fitness center; an indoor trampoline park is a prospective tenant with its space undergoing fit-out. The space previously occupied by Big Lots is available for occupancy;

² The sign and installation shall not be the responsibility of the Applicant.

EDGEWATER URBAN RENEWAL – NO. P-8-2025

- d. The 2020 Approval improvements are described and identifies those improvements completed and the modifications proposed to the 2020 Approval;
- e. The detention basin will be restored and/or repaired, cleaned, maintained and operational;
- f. Access point improvements are not proposed;
- g. The modifications to the 2020 Approval will result in less landscaped islands throughout the parking lot but more asphalt repairs;
- h. The 2025 modifications will result in a larger reduction in the site's impervious coverage in comparison to the 2020 Approval;
- i. The lighting plan is substantially similar to the 2020 Approval with 30 foot light poles and downward facing LED fixtures;
- j. Shields will be added to the light fixtures if necessary;
- k. The current plan will channelize traffic entering the site as striping has been added around the old gas station to discourage motor vehicle traffic; a goal of the Redevelopment Plan was for the channeling of traffic entering the site;
- l. The current plan also provides ADA compliant parking spaces with accessible routes to the sidewalk in front of the building, including handicap ramps;
- m. The number of parking spaces will comply with the Ordinance requirement;
- n. The current plan provides for an 85.9% impervious coverage, less than the 86.4% from the 2020 Approval;
- o. The Applicant's responsibility is to reduce the impervious coverage to 85% when all of the redevelopment phases are completed;
- p. The current plan maintains the existing conditions of a 4.34 feet parking and drive aisle landscape buffer at the eastern property line and the 0.75 feet landscape buffer at the southern property line;
- q. Twelve (12) loading spaces are required for this center and the 2020 Approval included seven (7) loading spaces; there is sufficient space in the

EDGEWATER URBAN RENEWAL – NO. P-8-2025

rear of the building to provide twelve (12) 15 feet by 40 feet loading spaces;

- r. The Applicant will work with the Board Engineer with respect to on-going basin repairs and maintenance;
- s. The current plan utilizes the existing parking lot islands with landscaping; new islands included in the 2020 Approval have been eliminated;
- t. The fitness center operates on a 24/7 basis, 365 days per year, and employs approximately 40 employees;
- u. The fitness center generates little trash and utilizes 2-yard trash containers with once a week pick-up;
- v. The fitness center, in the normal course of business, has no delivery needs;
- w. The indoor trampoline park will have 40 employees and operates 2:00 p.m. – 9:00 p.m., Monday – Thursday; 12:00 noon – 10:00 p.m. on Friday; 10:00 a.m. - 10:00 p.m. on Saturday; and 10:00 a.m. – 9:00 p.m. on Sunday; additional hours are added in the summer;
- x. The indoor trampoline park will utilize two (2) 10-yard dumpsters for trash with twice a week pickup;
- y. The indoor trampoline park will receive food and drink deliveries as a normal part of its business;
- z. Chain link trash enclosures will be added at the rear of the building for the tenants solid waste disposal needs;
- aa. Downward facing wall packs will be added to the rear of the building to provide security lighting;
- bb. Cart corrals are not proposed in the current plan;
- cc. The Applicant will work with the Board Engineer with respect to a location for a bike rack;
- dd. Four (4) electric vehicle charging stations have been installed at the center; bollards will be added at the stations if not currently installed.

12. Mr. Klein provided the following sworn testimony during the March 20, 2025 Public Hearing:

EDGEWATER URBAN RENEWAL – NO. P-8-2025

- a. He is the Applicant's representative and project manager for the site improvements;
- b. With Big Lots' bankruptcy, it has been a struggle trying to keep the main building occupied;
- c. Space is available; an indoor trampoline park, will join the fitness center;
- d. The trampoline space is undergoing tenant fit-out with materials and supplies on order;
- e. The 2025 plan is for more paving work than the 2020 Approval as the entire parking area will be re-paved and not a mixture of re-paving and seal coating;
- f. Re-paving of the entire parking lot will have a 20 year life in comparison to a 3 year life for seal coating;
- g. The 2020 additional landscape islands have been removed, otherwise, additional work would be required to relocate lighting and electric service; the current plan allows us to utilize what's in place;
- h. In response to comments from the Board, additional islands will be added in order to reduce the speed of traffic entering the site from Woodlane Road; as the site's occupancy increases, additional parked cars will also aide in reducing the speed of vehicles circulating the site;
- i. The Applicant will request Title 39 enforcement at the center;
- j. The prior construction official issued permits for the installation of signage at the site;
- k. The Applicant acknowledges that no new certificates of occupancy will be issued for leased space unless all site improvements are completed in accordance with Board approval;
- m. The Applicant further acknowledges that it remains subject to the Redevelopment Agreement, and that the Applicant will work with the Board's Professionals as to basin repair and maintenance, landscaping, night light testing, stormwater maintenance and pre-construction coordination.

EDGEWATER URBAN RENEWAL – NO. P-8-2025

13. Board Members expressed concerns with respect to the length of time it is taking the Applicant to make the approved improvements, that not all of the improvements made comply with Township standards, that the Applicant has not received all required approvals prior to making improvements and that the Applicant has not done what is required by the 2020 Approval, the Redevelopment Agreement and the Redevelopment Plan.

14. The Board Engineer and Planner reviewed the February 20, 2025 review letter of Environmental Resolutions, Inc and testified that (i) the Applicant, for this Phase of the Redevelopment, will include a mid-block crossing in lieu of the sidewalk as recommended in Review Comment 10 as the mid-block crossing is more appropriate at this time and advised the Applicant that sidewalk along Route 130 will be required for the future redevelopment phases; and (ii) the Applicant, based on the representations of the Applicant's attorney and the testimony of the Applicant's professional engineer and project manager has or will address their review comments.

15. The March 20, 2025 Hearing was opened to the Public without comment.

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

1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to make a decision on the application for Amended Site Plan and Variance/Waiver Approval.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements/standard pertaining to impervious coverage, light pole height and parking/landscaping buffers, as specified herein, as requested by the Applicant.

3. The benefits of the deviation from the zoning ordinance requirements/standards specified herein would substantially outweigh any detriment to the public good as variance/waiver approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant 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 of the Township of Edgewater Park.

EDGEWATER URBAN RENEWAL – NO. P-8-2025

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 20th day of March, 2025, that this Board hereby grants to the Applicant the following:

1. Variances to permit (i) an impervious coverage of 85.9%, which is less than the expected impervious coverage with the original Phase I Redevelopment and (ii) the utilization of the existing 30 foot light poles;

2. Waivers to permit a 4.34 feet parking and drive aisle landscape buffer at the eastern property line and a 0.75 feet landscape buffer at the southern property line;

3. Amended Site Plan Approval for the Phase I Redevelopment of the Property as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Amended Site Plan Approval subject to the following conditions:

a. Proof that the Applicant has applied for the necessary approval(s), as may be required, from all other agencies, including Burlington County Planning Board, Burlington County Soil Conservation District, New Jersey Department of Transportation and New Jersey Department of Environmental Protection, having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

b. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall the required building permit, certificate of occupancy or zoning permit be issued.

c. Subject to the representations/testimony of the Applicant and its witnesses and representatives at the March 20, 2025 Public Hearing, whether formalized in this Resolution or not.

d. Subject to the February 20, 2025 Review Letter of Environmental Resolutions, Inc., by the Board Engineer, Ryan G. McCarthy, PE, CME, and the Board Planner, Edward Fox, AICP, PP, except as may be modified herein.

e. Subject to the submission of revised plans complying with the February 20, 2025 Review Letter and this Resolution, as required.

f. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for construction of the development as approved.

EDGEWATER URBAN RENEWAL – NO. P-8-2025

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant working with the Board Engineer and Board Planner to address all outstanding review comments and conditions of this Approval, including, but not limited to a light study confirming the adequacy of the site's lighting post-fixture replacement and the installation of light shields if necessary; location of additional landscaped islands to be added to the site; stormwater basin repair and maintenance, including the investigating and making of repairs to the existing stormwater management facilities that are deemed necessary by the Board Engineer; landscaping; the mid-block crosswalk; bike rack location; and location for the Welcome to Edgewater Park sign.

j. Subject to the Applicant working with the Township of Edgewater Park for the Township's use of the drainage basin as may be necessary to alleviate stormwater issues in that area of the Township, provided the Township's as needed use of the basin does not impact the Property.

k. Subject to the Applicant providing a landscaping plan which details the proposed landscape improvements throughout the site, including the revegetation for screening purposes surrounding the stormwater basin.

l. Subject to the Applicant having a pre-construction site meeting with the Board Engineer to delineate the grading changes required for the proposed improvements and to improve stormwater drainage and to coordinate construction activity to minimize impacts to tenants and visitors to the site.

m. Subject to the Applicant's continued compliance with the obligations and responsibilities of its Redevelopment Agreement and with the Redevelopment Plan for the Property.

n. Subject to the Applicant applying for and receiving all zoning permits and construction permits that are required prior to the commencement of construction. This Approval does not guarantee the issuance of said permits and any subsequent certificate of

EDGEWATER URBAN RENEWAL – NO. P-8-2025

occupancy as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits and certificate. The Applicant has been made aware and acknowledges that certificates of occupancy will not be issued for new tenants/occupants of the unless all site improvements approved for this Application have been completed to the satisfaction of the Board or Township Engineer.

o. Subject to the Applicant making its affordable housing development fee payment as may be required by Township Ordinance and New Jersey State Law for the redevelopment of the Property.

p. Subject to the Applicant's revised plans also including chain link fence trash enclosures for each tenant space, downward facing wall packs at the rear of the building for security lighting, identified loading areas at the rear of the building and electric vehicle charging station bollards.

q. Subject to the Applicant requesting that the Township provide Title 39 enforcement at the site.

r. Subject to the Applicant submitting an operations and maintenance manual for the stormwater management facilities at the site, to be approved by the Board Engineer. In accordance with the NJDEP's Best Management Practices, a stormwater declaration shall be recorded in the County Recording Office identifying the party responsible for and the continuing maintenance requirements. The stormwater declaration shall be submitted for the review and approval of the Board Attorney and Board Engineer prior to recording.

ROLL CALL VOTE

Those in Favor:	7
Those Opposed:	0
Those Abstaining:	0

EDGEWATER URBAN RENEWAL – NO. P-8-2025

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on March 20, 2025.

**THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK**



MARIAN JOHNSON, CHAIRWOMAN

Attested:



PATRICIA CAHALL, SECRETARY

Dated: 4/17/2025

Date of Approval: March 20, 2025

Date of Memorialization: April 17, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-9-2025

**RESOLUTION OF THE PLANNING BOARD
OF THE TOWNSHIP OF EDGEWATER PARK
FINDING TOWNSHIP ORDINANCE NO. 2025-04
CONSISTENT WITH THE MASTER PLAN OF THE
TOWNSHIP OF EDGEWATER PARK**

WHEREAS, pursuant to the Municipal Land Use Law of the State of New Jersey (*N.J.S.A.* 40:55D-26, 32, 62 and 64), the Planning Board of the Township of Edgewater Park (the “Board”) is obligated to review any and all proposed land use control ordinances, including amendments to the Official Map, and make a report of any inconsistencies with the Master Plan prior to adoption by the Township Committee of the Township of Edgewater Park;

WHEREAS, at its March 18, 2025 meeting, the Township Committee of the Township of Edgewater Park, County of Burlington, introduced Ordinance No. 2025-04, entitled “**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 310-2 AND SECTION 310-42 OF THE LAND DEVELOPMENT AND ZONING TOWNSHIP CODE OF THE TOWNSHIP OF EDGEWATER PARK**” and, by Township Resolution 2025-52, has referred Ordinance 2025-04 to the Board for the Board’s Master Plan consistency review and recommendation;

WHEREAS, through this Resolution, the Board wishes to memorialize its findings concerning the review and analysis of Township Ordinance 2025-04, amending and revising Chapter 310 (Land Development and Zoning), Article 2 (Terminology), by amending Section 2-2 (Definitions) and amending and revising Chapter 310, Article 42 (Performance Standards), by amending Section 42-6 (Alternative energy sources), of the Code of the Township of Edgewater Park.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT:

1. The amendments to Chapter 310 (**Land Development and Zoning**), Article 2 (**Terminology**), Section 2-2 (**Definitions**) and Article 42 (**Performance Standards**), Section 42-6 (**Alternative Energy Sources**) of the Code of the Township of Edgewater Park, as set forth in Township Ordinance 2025-04, introduced by the Township Committee of the Township of Edgewater Park on March 18, 2025, having been previously reviewed by the Consulting Engineer, Planner and Solicitor to the Planning Board, are hereby found by this Board to be not inconsistent with the Master Plan of the Township of Edgewater Park.

2. This Resolution shall constitute the report of the Board required pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-26) for the Board's review of Township Ordinance 2025-04.

3. The Board's Solicitor, Consulting Engineer, Planner and Secretary are hereby further authorized to undertake any and all action to forward this Resolution to the Township Committee for their consideration prior to adoption of Ordinance 2025-04.

4. This Resolution shall take effect immediately.

Board Member	Yes	No	Abstain	Absent	Motion
Marian Johnson, Chairperson	✓				
Kenneth Kauker, Vice Chairperson	✓				
Stephen Malecki	✓				
Phillip Aaronson				✓	
Sarah Cannon-Moye				✓	
Vincent Smith	✓				
Brian Nolan <i>Resigned</i>					
Gwendolyn Bonner	✓				
Bonnie Tumminia	✓				
Edward Black Alt.1	✓				
Sharon D'Errico, Alt. 2	✓				

CERTIFICATION

I, PATRICIA CAHALL, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board, at its Regular Meeting held on April 17, 2025.


PATRICIA CAHALL, Board Secretary

RESOLUTION NO. P-10-2025
FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

RESOLUTION OF THE PLANNING BOARD
OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON
ADOPTING THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on March 20, 2024, by P.L. 2024, c.2, the New Jersey Fair Housing Act (“FHA”), N.J.S.A. 52:27D-301, *et seq.*, was amended to include a methodology for the calculation of a municipalities’ Fourth Round need for providing very low-, low- and moderate-income housing; and

WHEREAS, on October 18, 2024, pursuant to the FHA, as amended, the New Jersey Department of Community Affairs (“DCA”) issued its report entitled “*Affordable Housing Obligations for 2025-2035 (Fourth Round)*” (the “Fourth Round Report”) setting forth therein the Present Need and Prospective Need obligations of all New Jersey municipalities, including the Township of Edgewater Park, for the Fourth Round housing cycle; and

WHEREAS, pursuant to the Fourth Round Report, the Township of Edgewater Park’s “present need” obligation was calculated as seventy-two (72) affordable units and the Township’s “prospective need” obligation was calculated at fifty-nine (59) affordable units; and

WHEREAS, on December 13, 2024, the New Jersey Administrative Office of the Courts adopted Directive #14-24, implementing the Affordable Housing Dispute Resolution Program (the “Program”) created by the March 20, 2024 amendments to the FHA, and established the process for municipalities to come into constitutional compliance with their Fourth Round affordable housing obligations; and

WHEREAS, in accordance with the FHA, Directive #14-24 and the Program, the Township Committee of the Township of Edgewater Park adopted Resolution No. 2025-29, on January 21, 2025, accepting the Township’s “present need” and “prospective need” affordable housing obligations as calculated and recorded in the Fourth Round Report; and

WHEREAS, on January 22, 2025, the Township of Edgewater Park filed its Complaint for Declaratory Judgment, pursuant to the FHA and in accordance with Section II.A of Directive #14-24 of the Program, seeking a certification of compliance with the FHA and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period (July 1, 2025 to June 30, 2035); and

RESOLUTION NO. P-10-2025
FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, no objections were filed challenging the Township's calculations provided for in the Township's adopted January 21, 2025 binding resolution of its Fourth Round obligations; and

WHEREAS, on April 8, 2025, the Court issued its Order entitled "ORDER FIXING MUNICIPAL OBLIGATIONS FOR "PRESENT NEED" AND "PROSPECTIVE NEED" FOR THE FOURTH ROUND HOUSING CYCLE" fixing the Township's "present need" obligation as seventy-two (72) affordable units and "prospective need" obligation as fifty-nine (59) affordable units for the Fourth Round Housing Cycle and authorized the Township to proceed with the preparation and adoption of the Housing Element and Fair Share Plan for the Fourth Round incorporating the "present need" and "prospective need" allocations on or before June 30, 2025; and

WHEREAS, the Township's Affordable Housing Planning Consultant, Mary Beth Lonergan, PP, AICP (New Jersey Professional Planner License No. 4288) with the assistance of Isabel Rodriguez, PP, AICP, Clarke Caton Hintz, PC, prepared the Township's Fourth Round Housing Element and Fair Share Plan (HEFSP), dated May 1, 2025, addressing the Township's Fourth Round "present and prospective need" affordable housing obligations; and

WHEREAS, a signed and sealed original HEFSP was on file with the Township Clerk as of May 5, 2025;

WHEREAS, on May 15, 2025, a Public Hearing, duly noticed in accordance with N.J.S.A. 40:55D-13, was held by the Planning Board for the HEFSP; and

WHEREAS, during the May 15, 2025 Public Hearing, Mary Beth Lonergan conducted a presentation to the Planning Board and interested members of the public concerning the HEFSP and Board Members and the public were afforded the opportunity to make comments and ask questions concerning the HEFSP; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park as follows:

1. **HEARING ON THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN.** The Board at its regular meeting on May 15, 2025, reviewed the HEFSP and afforded the public with an opportunity to make comments and ask questions.

2. **FINDINGS AND CONCLUSIONS OF THE BOARD.** The Board, following the opportunity for public comments, finds that the Fourth Round Housing Element and Fair Share

RESOLUTION NO. P-10-2025
FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

Plan is consistent with the goals and objectives of the Township's Master Plan and Master Plan Re-examination Report, and that the adoption and implementation of the HEFSP is in the public interest, protects public health and safety and promotes the general welfare and provides a realistic opportunity for the Township of Edgewater Park to address the Township's Fourth Round Housing Cycle present need obligation of seventy-two (72) affordable units and the prospective need obligation of fifty-nine (59) affordable units in accordance with the FHA, the Fourth Round Report, Directive #14-24 and Township Resolution No. 2025-29.

3. **ADOPTION OF THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN.** The Planning Board of the Township of Edgewater Park, by this Resolution, adopts the HEFSP as the housing plan element of the Township's Master Plan, in accordance with N.J.S.A. 40:55D-28(b)(3).

4. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

5. **AVAILABILITY OF THIS RESOLUTION.** A copy of this Resolution shall be available for public inspection at the Office of the Planning Board of the Township of Edgewater Park and shall be provided to the Township of Edgewater Park for filing with the Court within 48 hours after adoption of this Fourth Round HEFSP in accordance with the FHA, the Program's Directive #14-24 and April 8, 2025 Court Order.

6. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

Board Member	Yes	No	Abstain	Absent	Motion
Marian Johnson, Chairperson	X				
Kenneth Kauker, Vice Chairperson	X				1 st
Stephen Malecki				X	
Phillip Aaronson	X				
Sarah Cannon-Moye	X				
Vincent Smith	X				
Edward Black	X				
Gwendolyn Bonner	X				2 nd
Bonnie Tumminia	X				
Sharon D'Errico, Alt. 1				X	
Anthony Williams, Alt. 2				X	

RESOLUTION NO. P-10-2025
FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, in accordance with its decision at its regular meeting on May 15, 2025.

EDGEWATER PARK PLANNING BOARD

Attest:



PATRICIA CAHALL, Secretary

By:



MARIAN JOHNSON, Chairwoman

Dated: May 15, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-11-2025

**CONCERNING THE APPLICATION OF
MATTHEW KLISH
FOR VARIANCE AND SITE PLAN APPROVAL**

WHEREAS, Matthew Klish (the “Applicant”) has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Variance and Site Plan approval for property located at 1019 Cooper Street, known as Block 205, Lot 3.01 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of constructing an 1,800 square foot pole barn for the storage of commercial vehicles and business supplies for his plumbing business; and

WHEREAS, Variances pursuant to *N.J.S.A. 40:55D-70(d)(1)* are required as the non-residential use of the pole barn is not a permitted use on the Property and the proposed pole barn would represent a second principal structure on the Property; and

WHEREAS, a Variance pursuant to *N.J.S.A. 40:55D-70(c)(2)* is required as the proposed pole barn does not comply with the rear yard setback requirement of the Ordinance; and

WHEREAS, the Application for Variance and Site Plan Approvals was deemed complete by the Board on May 2, 2025; and

WHEREAS, a Public Hearing to consider the Application was held by the Planning Board on May 15, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support its application for Variance and Site Plan Approvals, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, approximately 38,676 square feet in area (0.89 acres) located in the Township’s R-5 (Residential-5) Zoning District. The Property is

KLISH - NO. P-11-2025

an interior lot with Cooper Street frontage and is improved with a single family residential dwelling with side entry garage and a crushed stone driveway with Cooper Street access.

2. The Applicant is proposing to construct a 16' tall, 40' by 45' pole barn on the Property for a non-residential use not permitted in the R-5 Zoning District and has provided the Board with the following:

- a. Standard Development Application for Use Variance, Bulk Variance and Site Plan Approval, received by the Board on 03/18/25;
- b. Plan of Survey, prepared by Raymond L. Girard, PLS, dated 12/22/1983, hand annotated by Applicant; and
- c. Variance checklist.

3. The taxes on the Property are current or exempt.

4. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

5. Proper notice of the application for Variance and Site Plan Approvals has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

6. The Applicant is proposing the following development of the Property:

- a. Construction of an 1,800 square foot pole barn for the storage of commercial vehicles, tools, equipment and supplies for the Applicant's plumbing business;
- b. Extension of the existing driveway for access to the proposed pole barn with a turnaround area;
- c. Additional landscaping.

7. The following variances are required for the proposed development of the Property:

- a. (D)(1) Use Variance for the non-residential use of the pole barn for storage of commercial vehicles, tools, equipment and supplies for an off-site commercial use;
- b. (D)(1) Use Variance for the proposed pole barn as a second principal structure on the Property; and
- c. (C)(2) Variance to permit a rear yard setback of 15 feet for the proposed pole barn where 30 feet is required.

KLISH - NO. P-11-2025

8. The Applicant, together with Bruce K. Easterly, PE, appearing as the Applicant's Professional Engineer, and Samuel Agresta, PP, AICP, PE, appearing as the Applicant's Professional Planner, were each duly sworn, and Mr. Easterly and Mr. Agresta qualified, and recognized as expert witnesses in support of the Application.

9. The Applicant provided the following sworn testimony during the May 15, 2025 Public Hearing:

- a. He and his wife have owned and have resided on the Property for approximately one (1) year;
- b. He is the owner of a local plumbing business, succeeding his father who owned the business for 30+ years;
- c. The proposed pole barn will be for storage and securing the commercial vehicles, tools, equipment and supplies utilized for his plumbing business;
- d. There are four (4) commercial vehicles, including a sprinter van, Ford transit van, an E-350 Van and a pick-up truck, that will be parked in the pole barn;
- e. Inside storage will also prevent PVC pipe from deteriorating in the sun;
- f. The plumbing business has two (2) employees with normal hours of 8:00 a.m. to 4:00 p.m.;
- g. His employee has his own vehicle and would normally report directly to a customer's location rather than starting the day at the Property;
- h. No work will be done at the Property, all work is at the customer's location;
- i. Deliveries will be made to the site in standard UPS/FedEx delivery vehicles;
- j. He picks up supplies from the supply house so large delivery vehicles will not make deliveries to the Property;
- k. The Property is near other residential uses, a farm, commercial uses and backs up to a cemetery;
- l. Gas and electric only will be extended to the pole barn; no water or sewer;
- m. The Property drains well, there are no stormwater issues on the Property;
- n. The pole barn will be A-framed and metal;

KLISH - NO. P-11-2025

- o. The color of the pole barn will complement the existing dwelling;
- p. There will be no outside storage of plumbing vehicles, equipment, tools or supplies;
- q. There will be no repair of the commercial vehicles at the Property;
- r. There will be no work related to the plumbing business at the site as all work is done off-site;
- s. Lights will be provided at the entry door and each of the two overhead doors.

10. Mr. Easterly provided the following sworn testimony during the May 15, 2025 Public Hearing:

- a. He is the Applicant's Professional Engineer;
- b. The size of the lots in the immediate neighborhood range from $\frac{1}{4}$ to $\frac{1}{2}$ acres; the Property is significantly larger;
- c. Non-residential uses are in close proximity to the Property;
- d. The Property drains back to front and the proposed pole barn should not create any stormwater management issues;
- e. The pole barn is in-line with the existing driveway, which will be extended to the rear location of the pole barn;
- f. A turn around area will be added to the driveway so that vehicles do not back out onto Cooper Street;
- g. Cooper Street is a County Road;
- h. Evergreen screening will be added to mitigate any negative effects of the pole barn and use;
- i. There are other similarly sized pole barns in the neighborhood;
- j. No more than two (2) trees will be removed to accommodate the location of the pole barn;
- k. He will work with the Board Planner regarding additional landscaping.

11. Mr. Agresta provided the following sworn testimony during the May 15, 2025 Public Hearing:

- a. He is the Applicant's Professional Planner;

KLISH - NO. P-11-2025

- b. The Applicant's proposed pole barn use promotes Purposes "c", "i" and "m" of the Municipal Land Use Law as the Property is large and the placement of the pole barn does not negatively impact light, air and open space, the retention of existing vegetation and trees maintains the desirable visual environment and the Property being owner occupied is a more efficient use of this particular site;
 - c. There is no negative impact as the pole barn will not impair the zone plan or neighborhood as there are other similarly sized pole barns in the area, the pole barn is not too large for the size of the Property, there will be no large truck deliveries and the pole barn will not be utilized as extra living space;
 - d. The Cooper Road location, being a County Road and proximity to transportation routes, also justifies the proposed use;
 - e. The non-complying rear yard setback is adjacent to a cemetery, which will be less of an impact than if adjacent to a residential use.
12. The May 15, 2025 Hearing was opened to the Public without comment.
13. The Board Engineer did not express any concerns regarding the Application and the Applicant agreed to work with the Board Planner to provide additional landscaping for screening; the Board Engineer also recommended a condition, if the Application is approved, that the Applicant be required to address any stormwater issue that may develop at the Property post construction.

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

- 1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to render a decision on the application for Use Variance, Bulk Variance and Site Plan Approvals.
- 2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements pertaining to use, principal structures and rear yard setback, as specified herein, as requested by the Applicant.

KLISH - NO. P-11-2025

3. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant 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 of the Township of Edgewater Park.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 15th day of May, 2025 that this Board hereby grants to the Applicant the following:

1. Variances pursuant to *N.J.S.A. 40:55D-70(d)(1)* to permit (i) the use of a proposed 1,800 square foot pole barn for the storage of commercial vehicles, equipment, tools and supplies for a plumbing business owned by the owner occupant of the Property and (ii) the pole barn as a second principal structure on the Property; and

2. A variance pursuant to *N.J.S.A. 40:55D-70(c)(2)* to permit a rear yard setback of 15 feet for the proposed pole barn; and

3. Site Plan Approval for the construction of an 1,800 square foot (40' x 45') pole barn, the extension of the existing driveway and additional landscaping, as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Variance and Site Plan approvals subject to the following conditions:

a. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board and Burlington County Soil Conservation District approvals.

b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

c. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the required site plan be executed and building permits, certificates of occupancy or zoning permits be issued.

KLISH - NO. P-11-2025

d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives at the May 15, 2025 Public Hearing, whether formalized in this Resolution or not.

e. Subject to the submission of revised plans complying with the comments of the Board Professionals and with this Resolution, as may be required.

f. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for construction of the development, as approved.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant applying for and receiving all permits that are required prior to the commencement of construction. This Approval does not guarantee the issuance of any permit as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits.

j. Subject to the review comments of the Board Engineer and Board Planner as contained in the May 8, 2025 Review Letter of Environmental Resolutions, Inc., by Ryan G. McCarthy, PE, CME and Patrick VanBernum, AICP, except as may be modified herein.

k. Subject to the Applicant working with the Board Planner regarding additional landscaping at the site.

m. Subject to the Applicant complying with the Township's Affordable Housing Development Fee requirements.

n. Subject to the pole barn not being utilized for living space.

o. Subject to all storage of commercial vehicles, equipment, tools and supplies being inside of the pole barn; no exterior storage of plumbing materials shall be permitted.

p. Subject to the pole barn being utilized for the storage requirements of the owner occupant's plumbing business. Any change in the use of the pole barn for other than residential

KLISH - NO. P-11-2025

purpose or from storage for the Applicant's plumbing business shall require prior Board approval to determine if said change is substantially similar to this Approval.

q. Subject to the Applicant addressing any stormwater issue that my develop post construction of the pole barn.

ROLL CALL VOTE – VARIANCE APPROVAL

Those in Favor:	7
Those Opposed:	0
Those Abstaining:	0

ROLL CALL VOTE – SITE PLAN APPROVAL

Those in Favor:	8
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 Edgewater Park in accordance with its decision at its regular meeting on May 15, 2025.

**THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK**


MARIAN JOHNSON, CHAIRWOMAN

Attested:


PATRICIA CAHALL, SECRETARY

Dated: 6/19/2025

Date of Approval: May 15, 2025

Date of Memorialization: June 19, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-12-2025

**CONCERNING THE APPLICATION OF
BARIS USLU
FOR VARIANCE APPROVAL
BLOCK 802, LOT 8**

WHEREAS, Baris Uslu (the “Applicant”) has applied to the Planning Board of the Township of Edgewater Park (the “Board”) for variance approval for property located at 26 Washinton Avenue, known as Block 802, Lot 8 (the “Property”), on the Official Tax Map of the Township of Edgewater Park, for the purpose of constructing a front porch addition to the existing single family residential dwelling; and

WHEREAS, variances are required pursuant to *N.J.S.A. 40:55D-70(c)* because the proposed development of the Property does not satisfy the front yard setback requirement of the Township Zoning Ordinance and existing conditions do not comply with the driveway setback and accessory building/structure requirements; and

WHEERAS, the Application was deemed complete by the Board on August 7, 2025; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Park Planning Board on September 18, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Board, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans, and other evidence; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant in support of the Application for variance approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, approximately 8,450 square feet in area, located in the Township’s R-4 Zoning District. The Property is improved with a split-level single family residential dwelling, concrete driveway, patio and walkway and two (2) sheds.

USLU - RESOLUTION NO. P-12-2025

2. The Applicant is proposing to construct a front porch addition to the existing dwelling, approximately 19 feet by 8 feet, and a walkway from the proposed porch to the driveway.

3. The Applicant submitted an application to the Planning Board for variance approval, providing the Board with the following:

- a. Standard Development Application;
- b. Property Owner List;
- c. Annotated Survey, prepared for Joseph and Joyce Zahorsky, by William J. Robins, PLS, Robins Associates Land Surveying, dated June 3, 2025; and
- d. Tax Certification prepared by the Township Tax Assessor, dated July 29, 2025.

4. The taxes on the Property are current.

5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

6. Proper notice of the Application for variance approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

7. The following variances are required for the proposed development of the Property:

- a. Front yard setback – 30 feet required, 24.3 feet existing condition, 16.3 feet proposed with front porch addition;
- b. Driveway setback – 5 feet from property line required, approximately 4 feet existing; and
- c. Accessory structures – one (1) permitted, two (2) existing.

8. The Applicant provided the following sworn testimony at the Public Hearing held on September 18, 2025:

- a. He purchased the Property in 2019;
- b. Approximately one-half of the porch has been completed;
- c. He was advised by his contractor that a permit was not required for the front porch;
- d. A permit for the concrete work was obtained by his contractor;
- e. The porch will be open on three (3) sides with no roof and a black railing;

USLU - RESOLUTION NO. P-12-2025

- f. The dwelling's attached garage was converted into a laundry room and the second shed is required for storage of lawn equipment, bikes, and other household items;
- g. The concrete work was to increase the size of the driveway in order to provide additional off-street parking;
- h. He is not aware of the distance between the concrete and the property line common with 28 Washington Avenue;
- i. The porch will be an aesthetic improvement to the front of his Property, a benefit to the neighborhood.

9. Board Members expressed their opinion that the concrete driveway is approximately four (4) feet from the Property line, less than required.

10. The Board Engineer expressed concerns that permits were not obtained prior to construction and that the survey was not prepared for the Applicant and lacked a surveyor's official seal. The Board Engineer recommended that the Applicant submit an updated, sealed property survey showing all improvements on the Property and that a Grading Plan be submitted for review and approval by the Board Engineer prior to construction activity re-starting.

11. The September 18, 2025 Hearing was opened to the Public without comment.

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

1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements specified herein for front yard setback, driveway setback and accessory structures, as set forth herein and requested by the Applicant.

2. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health, and general welfare of the Township.

3. Relief as requested by the Applicant 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 of the Township.

USLU - RESOLUTION NO. P-12-2025

4. The Applicant has submitted the necessary information, in the form of plans and testimony, for the Planning Board to make an informed decision on the Application.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 18th day of September, 2025, this Board hereby grants to the Applicant variances to permit (i) a front yard setback of approximately 16.3 feet for the new front porch; (ii) a 4 foot driveway setback to the property line common with 28 Washington Avenue and (iii) two (2) accessory structures for the existing sheds, in accordance with the application, plans and testimony submitted by the Applicant, subject to the following:

1. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township of Edgewater Park.

2. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the sworn testimony of the Applicant at the September 18, 2025 Public Hearing, whether formalized in this Resolution or not.

5. Subject to the Applicant securing all permits that were otherwise required prior to the start of construction with the Applicant being advised that variance approval does not guarantee the issuance of any required zoning permit, construction permit or certificate of occupancy as the Applicant is subject to all applicable codes, statutes, ordinances, rules and regulation governing the issuance of said permits or certificates.

6. Subject to front porch not being larger than 19 feet by 8 feet with the front yard setback upon completion of construction being not less than 16.3 feet +/-.

7. Subject to the Property's impervious coverage, upon completion of construction not exceeding 50%. If the Property's impervious coverage exceeds 50%, the Applicant will be

USLU - RESOLUTION NO. P-12-2025

required to remove such impervious coverage to comply with the 50% maximum or apply for and receive variance approval from the Board for the excessive impervious coverage.

8. Subject to the Applicant submitting an updated and sealed Property Survey showing all improvements to the Property.

9. Subject to the Applicant submitting a Grading Plan for the review and approval of the Board Engineer prior to the re-start of construction activity on the site. The Applicant is hereby advised that additional grading work may be required due to construction activity commencing prior to the issuance of the required permits.

10. Subject to the comments of the Board Engineer and Planner as contained in the August 12, 2025 Review Letter of Environmental Resolutions, Inc., by Ryan G. McCarthy, PE, CME and Patrick Van Bernum, AICP.

ROLL CALL VOTE

Those in Favor: 8

Those Opposed: 0

Those Abstaining: 1

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on September 18, 2025.

EDGEWATER PARK PLANNING BOARD

Attest:

By: 
MARIAN JOHNSON, Chairwoman


PATRICIA CAHALL, Secretary

Dated: 10/16/2025

Date of Approval: September 18, 2025

Date of Memorialization: October 16, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-13-2025

**CONCERNING THE APPLICATION OF
EPS HOLDINGS, LLC
FOR VARIANCE
AND
PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVALS**

WHEREAS, EPS Holdings, LLC (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Preliminary and Final Major Site Plan Approval for property located at 801 Bridgeboro Road, known as Block 204, Lot 2 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of renovating an existing building and constructing site improvements for a self-storage use facility and use; and

WHEREAS, variances pursuant to *N.J.S.A. 40:55d-70(c)(2)* are required as the proposed development of the Property does not comply with the buffer, impervious coverage, accessory structure and signage requirements of the Township’s Land Development Code; and

WHEREAS, the Application was deemed complete by the Board on October 16, 2025; and

WHEREAS, a public hearing to consider the application was held by the Planning Board on October 16, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the following Exhibits were introduced by the Applicant during the October 16, 2025 Public Hearing:

- A-1 Pre-renovation Photograph of the Subject Building;
- A-2 Post Renovation Rendering of Subject Building;
- A-3 Color rendering of Site Plan;
- A-4 Photographs of proposed Outside Storage Units; and

EPS HOLDINGS – RESOLUTION NO. P-13-2025

A-5 Photographs of Black Aluminum Fence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support its Application for Preliminary and Final Major Site Plan and Variance Approvals, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, approximately 15.97 acres, located in the Township's General Industrial ("I") Zoning District. The Property is improved with (i) an approximate 169,119SF multi-story warehouse building; (ii) an approximate 169,119SF one-story brick building; (iii) an approximate 68,457SF one-story metal building; (iv) an approximate 66,278SF one-story metal building; and (v) site improvements for parking, lighting, landscaping, stormwater management and utilities.

2. The Applicant is proposing to renovate the existing multi-story warehouse building and utilize a portion for a self-storage warehouse use, a permitted use. Other improvements proposed by the Applicant include external site improvements for outdoor self-storage units, signage, lighting, landscaping and parking.

3. The Applicant has filed an Application with the Board for Preliminary and Final Major Site Plan and Variance Approvals, providing the Board with:

- a. Standard Development Application, with Site Plan Checklists, dated 10/17/24;
- b. Preliminary and Final Site Plan, prepared by Gregg Bogia, PE, Bogia Engineering, Inc., dated 03/28/25, last revised 09/17/25 (11 sheets);
- c. Architectural Floor Plans & Elevations, prepared by Enrico M. Fumo, AIA, PP, Fumo Associates, Inc., dated 02/28/25 (7 sheets);
- d. Phase I Environmental Site Assessment, prepared by Stout and Caldwell Engineers, LLC, dated 10/13/22, last revised 03/09/23; and
- e. Engineer's Response Letter, prepared by Bogia Engineering, Inc., dated 09/25/25.

4. The taxes on the Property are current or exempt.

5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

EPS HOLDINGS – RESOLUTION NO. P-13-2025

6. Proper notice of the Application has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

7. The Applicant is proposing the following development of the Property:

- a. Renovating the existing multi-story building;
- b. Converting a portion of the interior of the multi-story building to accommodate a self-storage use;
- c. Constructing/installing site improvements for exterior self-storage units, parking, lighting, landscaping and signage.

8. The proposed development of the Property requires the following variances:

- a. Residential Zone Landscape Buffer – 30 feet required, 11.67 feet existing and proposed;
- b. Impervious Coverage – 65% maximum permitted, 75.2% existing condition, 75% proposed;
- c. Accessory Structure Area – 1,000 square feet maximum, 2,414 square feet proposed for outdoor self-storage units;
- d. Number of mounted signs – One (1) permitted; four (4) proposed;
- e. Sign area for mounted signs – 40 square feet maximum permitted, 104.5 SF proposed.

9. The Applicant was represented at the October 16, 2025 Public Hearing by Richard Roy, Esquire, with George DeHart appearing as the Applicant's Facilities Manager, Donald Haas, ALSA, CBLP, appearing as the Applicant's Landscape Architect and Gregg Bogia, PE, appearing as the Applicant's Professional Engineer, each being duly sworn with Mr. Bogia qualified, and recognized as an expert witness in support of the application.

10. Mr. Roy represented to the Board that the Applicant has expended in excess of one million dollars renovating/rehabilitating the existing buildings.

11. Mr. DeHart provided the following sworn testimony during the October 16, 2025 Public Hearing:

- a. He is the Applicant's facilities manager;

EPS HOLDINGS – RESOLUTION NO. P-13-2025

- b. He described the existing conditions of the site and the recent improvements made to the site by the Applicant, including the removal of over 100 dumpsters of debris;
- c. The Applicant has changed the visual image of the site from a junk yard appearance to a more aesthetic appearance;
- d. A black aluminum fence, similar to Exhibit A-5, will be utilized to fence in the outdoor self-storage units and the parking area for the self-storage use; and
- e. Other existing uses at the Property include dry chemical storage, warehouse storage and paper storage.

12. Mr. Haas provided the following sworn testimony during the October 16, 2025 Public Hearing:

- a. He is the Applicant's Landscape Architect, not licensed in the State of New Jersey, but has previously testified before New Jersey Land Use Boards;
- b. Exhibits A-1 and A-2 show the improvements made to the physical appearance of the multi-story building;
- c. He utilized Exhibit A-3 to show the flow of the site;
- d. The outside storage units are easily maneuvered by fork lift;
- e. The Applicant would prefer for the outside storage units to be placed directly on the asphalt surface, rather than a concrete pad;
- f. The Landscaping Plan has been revised to address the comments of the Board Engineer and Board Planner;
- g. The landscaping will be watered by the Applicant's employees at the site; an irrigation system is not proposed to minimize disturbance;
- h. The site has been improved with the removal of the junk cars and will be further improved with the additional landscaping now proposed;
- i. There is a demand in the community for smaller storage units;
- j. In comparison to other storage facilities, the proposed self-storage use is on the small side;

EPS HOLDINGS – RESOLUTION NO. P-13-2025

- k. The self-storage use will have one employee and will not generate a large volume of trash;
 - l. Customers, in accordance with their contract, will be responsible for removal of their own trash from the site; however, a 30 foot dumpster will be provided under the car port for trash left in storage units;
 - m. The largest truck anticipated is a box truck, not exceeding 30 feet;
 - n. The facility will be a Cube Smart storage facility, initially proposed for the first floor of the multi-story building;
 - o. Cube Smart is a national chain and will only permit the storage of household goods; the storage of boats, cars and flammable or hazardous materials is not permitted;
 - p. Mini eBay or Amazon Studio sales will also be prohibited;
 - q. The self-storage facility will include a fire suppression system and will offer climate-controlled units;
 - r. The self-storage facility will close at 11:00 p.m., and with the exception of a security light on the door, all lights will be shut off at 11:00 p.m.;
 - s. Each exterior storage unit will have its own light;
 - t. The depressed area identified in comments 37 and 38 of the Review Letter will be filled in; and
 - u. The improvements proposed to the site will not change the drainage flow.
13. Mr. Bogia provided the following sworn testimony during the October 16, 2025 Public Hearing:
- a. He is a Professional Engineer licensed in the State of New Jersey;
 - b. He confirmed the testimony of Mr. Haas;
 - c. The signage proposed for the self-storage use is appropriate for the use at the Property;
 - d. The Applicant will comply with the October 9, 2025 Review Letter;
 - e. There will be no substantial detriment to the zone plan, the zoning ordinance and the surrounding area resulting from the proposed development of the Property as the Property is zoned for industrial uses and the proposed self-storage facility is permitted;

EPS HOLDINGS – RESOLUTION NO. P-13-2025

- f. The area of the Property with the existing residential landscape buffer of 11.67 feet will remain as is, the Applicant is not proposing any work in that area of the Property;
 - g. The Applicant will require approval from the Willingboro MUA and the Edgewater Park Sewer Authority;
 - h. The Applicant will work with the County as it relates to a storm sewer easement, if required by either Burlington County or the Applicant;
 - i. The sign lights will also be turned off at the 11:00 p.m. closing time; and
 - j. The New Jersey Department of Environmental Protection previously determined that a Phase 2 Environmental Assessment is not required.
14. The October 16, 2025 Hearing was opened to the Public without comment.
15. The Board Planner opined that the testimony offered by the Applicant's representatives satisfied the requirements for c(2) variance relief.
16. The Board Engineer recommended to the Board that the outside storage units be placed on concrete pads if the Board were to act favorably on the Application.

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

- 1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to make a decision on the application for Preliminary and Final Major Site Plan and Variance Approvals.
- 2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements pertaining to Residential Landscape Buffer, Impervious Coverage, Accessory Structures and Signage, as specified herein, as requested by the Applicant.
- 3. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

EPS HOLDINGS – RESOLUTION NO. P-13-2025

4. Relief as requested by the Applicant 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 of the Township of Edgewater Park.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 16th day of October, 2025, that this Board hereby grants to the Applicant Variance Approval to permit (i) the width of the landscape buffer adjacent to the residential zone to remain 11.67 feet; (ii) an impervious coverage not to exceed 75%; (iii) an accessory structure area of 2,414 square feet for the exterior self-storage units; (iv) four (4) wall mounted signs, with one mounted sign identifying the office area and (v) the aggregate area of the four mounted signs not to exceed 104.5 squares and Preliminary and Final Major Site Plan Approval to develop a portion of the Property for a self-storage facility and use, as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Variance and Site Plan Approvals subject to the following conditions:

a. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board, Burlington County Soil Conservation District, Willingboro MUA and Edgewater Park Sewage Authority approvals.

b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

c. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the Site Plan be signed and building permits, certificates of occupancy or zoning permits be issued.

d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives made on the record at the October 16, 2025 Public Hearing, whether recorded in this Resolution or formally imposed as a condition of Approval.

e. Subject to the submission of revised plans complying with the comments of the Board Professionals and with this Resolution, as required.

EPS HOLDINGS – RESOLUTION NO. P-13-2025

f. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for construction of the development, as approved.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to remain current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant applying for and receiving all permits that are required prior to the commencement of construction. This Approval does not guarantee the issuance of any zoning permit, construction permit or certificate of occupancy as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits or occupancy certificate.

j. Subject to the review comments of the Board Engineer and Board Planner as contained in the October 9, 2025 Review Letter of Environmental Resolutions, Inc., by Ryan G. McCarthy, PE, CME and Patrick VanBernum, AICP, PP, except as may be modified herein.

k. Subject to the approval of the Board Planner of the revised landscaping plan for the site.

l. Subject to the Applicant complying with the Affordable Housing Development Fee requirements of the applicable Township Ordinances or State law, rule or regulation.

m. Subject to the exterior self-storage units each being placed on concrete pads.

n. Subject to all landscape plantings being maintained and replaced if necessary within a 2-year period commencing with planting.

o. Subject to a dumpster being provided for the solid waste disposal of trash left within the storage units.

p. Subject to the storage of cars, boats and hazardous/flammable materials being prohibited.

q. Subject to the self-storage facility and use not operating after 11:00 p.m. with all non-security lighting extinguished no later than 11:00 p.m.

EPS HOLDINGS – RESOLUTION NO. P-13-2025

r. Subject to the Applicant coordinating with the County of Burlington the need for a storm water easement.

s. Subject to the Applicant providing the NJDEP Approval Letter or Update and if not deemed acceptable by the Board Engineer, the Applicant will work with the Board Engineer to determine whether a Phase 2 Environmental Assessment is required for the proposed development of the Property for a self-storage facility and use.

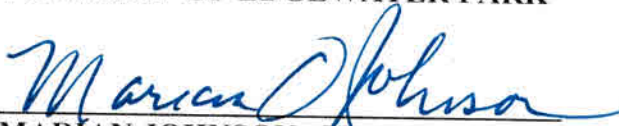
ROLL CALL VOTE

Those in Favor: 7
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 Edgewater Park in accordance with its decision at its regular meeting on October 16, 2025.

**THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK**


MARIAN JOHNSON, CHAIRWOMAN

Attested:


PATRICIA CAHALL, SECRETARY

Dated: 11/20/2025

Date of Approval: October 16, 2025

Date of Memorialization: November 20, 2025

**TOWNSHIP OF EDGEWATER PARK
PLANNING BOARD**

NOVEMBER 20, 2025

RESOLUTION NO. P-14-2025

**RESOLUTION OF THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK
RECOMMENDING THAT TOWNSHIP COMMITTEE
ADOPT TOWNSHIP ORDINANCE NO. 2025-11
AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON AND STATE OF NEW JERSEY
APPROVING AND ADOPTING
AMENDMENT #1 TO THE
EDGEWATER PARK PLAZA REDEVELOPMENT PLAN
PURSUANT TO N.J.S.A. 40A:12A -7**

WHEREAS, at its November 10, 2025 meeting, the Township Committee of the Township of Edgewater Park introduced Ordinance No. 2025-11, entitled “AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY REFERRING PROPOSED AMENDMENT #1 TO THE EDGEWATER PARK PLAZA REDEVELOPMENT PLAN TO THE EDGEWATER PARK PLANNING BOARD FOR REVIEW AND PREPARATION OF A REPORT PURSUANT TO N.J.S.A. 40a:12-7(e) AND APPROVING AMENDMENT #1 TO THAT REDEVELOPMENT PLAN” (the “First Amendment to the Edgewater Park Plaza Redevelopment Plan”) and has referred Ordinance No. 2025-11 to the Planning Board (the “Board”) pursuant to the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12-1) for the Board’s report and recommendation as required by N.J.S.A. 40A:12A-7(e); and

WHEREAS, on November 20, 2025, the Board held a hearing and reviewed the First Amendment to the Edgewater Park Plaza Redevelopment Plan entitled “AMENDMENT #1 NON-CONDEMNATION REDEVELOPMENT PLAN FOR THE AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT CONSISTING OF THE FORMER PATHMARK SHOPPING CENTER SITE BLOCK 1202.09. LOTS 2 & 11 (NOW KNOWN AS BLOCK 1202.09 LOTS 3 AND 4) EDGEWATER PARK TOWNSHIP BURLINGTON COUNTY, NEW JERSEY” prepared for The Township of Edgewater Park by Patrick VanBernum, AICP, PP (Professional Planner License No. 33LI00656400), dated November 10, 2025; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park as follows:

1. **HEARING ON THE FIRST AMENDMENT TO THE EDGEWATER PARK PLAZA REDEVELOPMENT PLAN.** The Board at its regular meeting on November 20, 2025 reviewed the First Amendment to the Edgewater Park Plaza Redevelopment Plan and afforded the public with an opportunity to make comments and ask questions, in accordance with N.J.S.A. 40A:12A-7(e).

2. **FINDINGS AND CONCLUSIONS OF THE BOARD.** The Board, following the opportunity for public comments, finds that the First Amendment to the Edgewater Park Plaza Redevelopment Plan satisfies the requirements of N.J.S.A. 40A:12-7(a) and that said Plan is substantially consistent with the Master Plan of the Township of Edgewater Park.

3. **BOARD RECOMMENDATIONS.** The Board resolves that Township Ordinance No. 2025-11 and the First Amendment to the Edgewater Park Plaza Redevelopment Plan, as considered by the Board at its November 20, 2025 hearing, and after the opportunity for public comments, be ADOPTED by the Township Committee. This Resolution shall constitute the Planning Board's Report and Recommendation required in accordance with N.J.S.A. 40A:12A-7(e).

4. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

5. **AVAILABILITY OF THIS RESOLUTION.** A copy of this Resolution shall be available for public inspection at the Office of the Planning Board of the Township of Edgewater Park.

6. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

Board Member	Yes	No	Abstain	Absent	Motion
Marian Johnson, Chairperson	✓				
Kenneth Kauker, Vice Chairperson	✓				
Stephen Malecki	✓				
Phillip Aaronson	✓				
Sarah Cannon-Moye	✓				
Vincent Smith	✓				
Edward Black	✓				
Gwendolyn Bonner	✓				
Bonnie Tumminia	✓				
Sharon D'Errico, Alt.1	N/A				
Anthony Williams, Alt. 2	N/A				

CERTIFICATION

I, **PATRICIA CAHALL**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board at its regular meeting held on November 20, 2025.


PATRICIA CAHALL
 Planning Board Secretary

Dated: November 20, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-15-2025

**CONCERNING THE APPLICATION OF
JONATHAN AND CAITLIN McLAUGHLIN
FOR VARIANCE APPROVAL
BLOCK 1702, LOT 6**

WHEREAS, Jonathan and Caitlin McLaughlin (hereinafter, the “Applicant”) have applied to the Planning Board of the Township of Edgewater Park (the “Board”) for variance approval for property located at 303 Warren Street, known as Block 1702, Lot 6 (the “Property”), on the Official Map of the Township, for the purpose of an in-kind replacement of existing fencing; and

WHEREAS, variances are required pursuant to *N.J.S.A. 40:55D-70(c)* because the proposed fence does not comply with the location, setback and height requirements of the Township’s Zoning Ordinance; and

WHEREAS, the Application was deemed complete by the Board on November 20, 2025; and

WHEREAS, a public hearing to consider the Application was held by the Edgewater Park Planning Board on November 20, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Board, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans, and other evidence, introducing the following Exhibits during the public hearing:

- | | |
|-------|---|
| A-1 | Aerial photo of the Property; |
| A-2-A | Photo of Front of Property; |
| A-2-B | Photo of New Fence; |
| A-2-C | Photo of Old Fence; |
| A-2-D | Photo of New Fence along Warren Street; |
| A-2-E | Photo of New Fence along Warren Street; |
| A-3 | Property Survey; and |

McLAUGHLIN - RESOLUTION NO. P-15-2025

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of the Application for variance approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, approximately 39,339 square feet in area, located in the Township's R-2 Zoning District. The Property has frontages along Warren Street, Woodlane Road and Cliff Avenue and is improved with a 2-story single family residential dwelling with attached deck, inground swimming pool, brick patio, concrete walkways, a bituminous driveway and fencing.

2. The Applicant replaced existing fencing with new vinyl fencing in-kind.

3. The Applicant applied to the Planning Board for variance approval, providing the Board with the following:

- a. Standard Development Application, dated 08/08/25, including Checklists and supplemental materials;
- b. Land Survey, prepared by William J. Robins, PLS, Robins Associates, dated 08/08/25; and
- c. Applicant's response to Review Letter #1, prepared by the Applicant's attorney, Niall J. O'Brien, Esquire, Archer & Greiner, PC, dated 11/18/25.

4. The taxes on the Property are current.

5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

6. Proper notice of the Application for variance approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

7. The following variances are required for the installation of the new replacement fence:

- a. Fence Location – Prohibited outside of property lines; a portion of the fence along the Woodlane Road frontage extends approximately 0.50 feet into the right-of-way;
- b. Fence Setback for lots abutting more than one roadway – prohibited closer to roadway than the front or side building line; fence is located within a front yard area; and

McLAUGHLIN - RESOLUTION NO. P-15-2025

- c. Fence Height in Residential Districts/Residential Uses – 4-foot maximum height permitted; fence along Woodlane Road frontage is 6 feet in height.

8. The Applicant was represented at the November 20, 2025 Public Hearing by Victoria Cascio, Esquire, Archer & Greiner, with Jonathan McLaughlin, the Applicant appearing and Samuel Agresta, PP, appearing as the Applicant's Professional Planner, each being duly sworn with Mr. Agresta qualified, and recognized as an expert witness in support of the application

9. Ms. Cascio made the following representations to the Board and the public during the November 20, 2025 Public Hearing:

- a. The old fence was installed prior to 2001;
- b. The Applicant purchased the Property in 2019;
- c. The fence contractor informed the Applicant that the fence contractor itself would secure the necessary permits and/or approvals required for installation of the new fence;
- d. The Township Zoning Officer has issued zoning violations for the fence improvements.

10. Mr. McLaughlin provided the following sworn testimony during the November 20, 2025 Public Hearing:

- a. He confirmed the representations made by Ms. Cascio;
- b. The prior fence was in very poor condition and an eyesore;
- c. Their goal was just to replace the exiting fence in kind with fence more durable than the fence that existed when they purchased the Property;
- d. The Property has an inground swimming pool and a new fence was needed to secure the pool;
- e. A new fence was also needed because their dog was able to jump through the old fence;
- f. He and his wife are willing to indemnify and hold harmless the Township for the portion of the fence constructed within the right-of-way, as recommended in the Engineering and Planning Review Letter.

11. Mr. Agresta provided the following sworn testimony during the November 20, 2025 Public Hearing:

McLAUGHLIN - RESOLUTION NO. P-15-2025

- a. He is the Applicant's Professional Planner and was previously qualified by the Board for prior development applications;
- b. He is also a Professional Engineer licensed in the State of New Jersey;
- c. The variances requested by the Applicant can be granted under the c(1) criteria as the Property's unusual and irregular shape and three (3) frontages, one of which is a County road, contribute to non-compliance with the fence requirements of the Ordinance;
- d. The variances also address the c(2) criteria as public safety is enhanced by securing the existing inground pool and the new fence is an aesthetic improvement of the Property and the neighborhood;
- e. The variances will not be a substantial detriment to the public good, as site triangles are not impacted by the new fence and the fence does not impair the zone plan and zoning ordinance of the Township;
- f. The fence installed by the Applicant was simply an in-kind replacement of a fence that existed on the Property for a number of years with a new, more aesthetically pleasing fence.

12. During the public portion of the November 20, 2025 hearing, neighboring property owners, Brian and Jennifer Shuck, Janise Shank and Mrs. Lachanse, testified that they were in support of the new fence installed by the Applicant.

13. The Board Engineer and Planner reviewed their October 17, 2025 Review Letter and had no objections to the Application.

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

1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements specified herein for fencing, as requested by the Applicant.

2. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.

McLAUGHLIN - RESOLUTION NO. P-15-2025

3. Relief as requested by the Applicant 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 of the Township.

4. The Applicant has submitted the necessary information, in the form of plans and testimony, for the Planning Board to make an informed decision on the Application.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 20th day of November, 2025, that this Board hereby grants to the Applicant variances to permit (i) a portion of the fence along Woodlane Road to extend approximately 0.50 feet into the right-of-way; (ii) a portion of the fence to be located within a front yard setback area, closer to the road than the front or side building line of the existing dwelling; and (iii) a fence height of six (6') feet for the fence along Woodlane Road, for the new fence installed by the Applicant as an in-kind replacement of a fence that was installed on the Property prior to 2001, in accordance with the Application, Plans, Exhibits, Response to Review Letter #1 and testimony submitted by the Applicant, subject to the following:

1. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township of Edgewater Park.

2. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the sworn testimony of the Applicant at the November 20, 2025 Public Hearing, whether formalized in this Resolution or not.

5. Subject to the comments of the Board Engineer and Planner as contained in the October 17, 2025 Review Letter #1 of Environmental Resolutions, Inc., by Ryan G. McCarthy, PE, CME and Patrick Van Bernum, PP, AICP.

McLAUGHLIN - RESOLUTION NO. P-15-2025

6. Subject to the Applicant indemnifying and holding the Township of Edgewater Park harmless for any damage resulting from the portion of the fence encroaching into the Woodlane Road right-of-way. This indemnification and hold harmless requirement shall be coordinated with the Township's governing body.

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 Edgewater Park in accordance with its decision at its regular meeting on November 20, 2025.

EDGEWATER PARK PLANNING BOARD

Attest:



PATRICIA CAHALL, Secretary

By: 

MARIAN JOHNSON, Chairwoman

Dated: 12/18/2025

Date of Approval: November 20, 2025

Date of Memorialization: December 18, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-16-2025

**CONCERNING THE APPLICATION OF
AION WOODLANE CROSSING LLC
FOR MINOR SITE PLAN WITH BULK VARIANCES**

WHEREAS, AION Woodlane Crossing LLC (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Minor Site Plan Approval for property located at 1020 Woodlane Road, known as Block 1801, Lot 2 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of constructing a 600 square foot pavilion on a 1,200 square foot concrete patio within the Orchard Parks Apartments development; and

WHEREAS, variances pursuant to *N.J.S.A. 40:55D-70(c)* are required as the Applicant’s proposed development of the Property does not comply with the impervious coverage and accessory structure requirements of the Township’s Zoning Ordinance; and

WHEREAS, the Application was deemed complete by the Board on November 20, 2025; and

WHEREAS, a public hearing to consider the Application was held by the Planning Board on November 20, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the following Exhibit was introduced by the Applicant during the November 20, 2025 Public Hearing:

A-1 Site Plan - Color Rendering; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support its Application for Variances and Minor Site Plan Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

AION Woodlane Crossing – No. P-16-2025

1. The Applicant is the owner of the Property, approximately 18.7 acres in area, located in the Township's R-MF Zoning District. The Property is improved with the Orchard Park Apartments and related site improvements and amenities.

2. The Applicant is proposing to construct a 600 square foot pavilion (20' x 30'), fifteen (15') feet in height, on a 1,200 square foot concrete patio (30' x 40'). The concrete patio and pavilion will be adjacent to the swimming pool located at the Apartments.

3. The Applicant applied to the Board for Minor Site Plan and Bulk Variance Approvals, providing the Board with the following:

- a. Standard Development Application with Checklists, dated 08/04/25;
- b. Site Plan, prepared by J.B. Anderson, PE, Cornerstone Consulting Engineers & Design Services, Inc., dated 07/28/25;
- c. Grading Plan and Details, prepared by J.B. Anderson, PE, Cornerstone Consulting Engineers & Design Services, Inc., dated 07/28/25; and
- d. Boundary, Topographic and Location Survey, prepared by Jack W. Shoemaker, PLS, Valley Land Services, dated 07/29/25.

5. The taxes on the Property are current.

6. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

7. Proper notice of the application for Variance and Minor Site Plan Approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

8. The following variances are required for the proposed development of the Property:

- a. Impervious Coverage – 20% maximum permitted, 56.1% existing condition, 56.3% proposed;
- b. Number of Accessory Structures on Residentially Zoned Lots – One (1) permitted, one (1) existing, two (2) proposed (one existing plus proposed pavilion).

9. The Applicant was represented at the November 20, 2025 Public Hearing by A. Koutsaulis, Esquire, Calli Law, with John Anderson, PE, appearing as the Applicant's Professional Engineer, being duly sworn, qualified and recognized as an expert witness in support of the Application.

AION Woodlane Crossing – No. P-16-2025

10. Mr. Anderson provided the following sworn testimony during the November 20, 2025 Public Hearing:

- a. He is the Applicant's Professional Engineer and preparer of the Site Plan before the Board;
- b. The Property is almost 19 acres with plenty of parking throughout the site for the needs of the Apartments' residents;
- c. The Applicant is proposing the concrete patio and pavilion to offer its residents an additional summer amenity;
- d. The patio and pavilion will provide a safer grilling area outside of the pool area;
- e. The proposed development will be a significant improvement for the site's residents;
- f. The increase in impervious coverage is less than one (1.0%) percent and will not have a significant impact to the surrounding area;
- g. The lot area is almost four (4) times the minimum lot area required in the R-MF Zone, more than justifying a second accessory structure for the site;
- h. The pavilion will be ADA accessible;
- i. The pavilion will have electric service with security lighting in the pavilion's joist area; gas service will be provided for the grills available for residents' use;
- j. The architectural appearance of the pavilion has not been finalized but the color scheme of the pavilion will match the apartments;
- k. The pavilion will be accessible to the residents year-round;
- l. The concrete patio will have a slight 1% pitch to address stormwater runoff.

11. The November 20, 2025 hearing was opened to the public without comment.

12. The Board Engineer and Planner reviewed their October 17, 2025 Review Letter and had no objection to the Application.

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

AION Woodlane Crossing – No. P-16-2025

1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to make a decision on the application for Variance Minor Site Plan Approvals.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements pertaining to impervious coverage and accessory structures, as specified herein, as requested by the Applicant.

3. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant 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 of the Township of Edgewater Park.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 20th day of November 2025, that this Board hereby grants to the Applicant the following:

1. Variances to permit (i) an impervious coverage of 56.3% and (ii) a second accessory structure for the proposed construction of a 600 square foot pavilion on a 1,200 square foot concrete patio at the Orchard Park Apartments and

2. Minor Site Plan Approval for the development of the Property as specified herein, as proposed by the Applicant, in accordance with the Plans and Testimony submitted by the Applicant, subject to the following conditions:

a. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board, Burlington County Soil Conservation District and Burlington County Board of Health Approvals.

b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

AION Woodlane Crossing – No. P-16-2025

c. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the required site plan be executed and building permits, certificates of occupancy or zoning permits be issued.

d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives at the November 20, 2025 Public Hearing, whether formalized in this Resolution or not.

e. Subject to the submission of revised plans complying with the review comments of the Board's professionals and with this Resolution, if required.

f. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees, if required by the Municipal Land Use Law of the State of New Jersey for construction of the approved improvements.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant applying for and receiving all permits that are required prior to the commencement of construction. This Approval does not guarantee the issuance of any permit as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits.

j. Subject to the review comments of the Board Engineer and Board Planner as contained in the October 17, 2025 Review Letters of Environmental Resolutions, Inc., by Ryan G. McCarthy, PE, CME and Patrick VanBernum, PP, AICP, PP, except as same may be modified by this Resolution.

k. Subject to tamper proof controls required for any gas apparatus to be used by the site's residents.

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 Edgewater Park in accordance with its decision at its regular meeting on November 20, 2025.

**THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK**



MARIAN JOHNSON, CHAIRWOMAN

Attested:



PATRICIA CAHALL, SECRETARY

Dated: 12/18/2025

Date of Approval: November 20, 2025

Date of Memorialization: December 18, 2025

PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK

RESOLUTION NO. P-17-2025

**CONCERNING THE APPLICATION OF
DOLGENCORP, LLC
FOR MINOR SITE PLAN APPROVAL**

WHEREAS, Dolgencorp LLC (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Minor Site Plan Approval for property located at 1147 Cooper Street, known as Block 502, Lot 29.02 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of constructing site improvements at the existing Dollar General Market; and

WHEREAS, variances pursuant to *N.J.S.A. 40:55d-70(c)* are required as the proposed development of the Property does not comply with the residential buffer, impervious coverage, parking and signage requirements of the Township’s Land Development Code; and

WHEREAS, the application for Minor Site Plan Approval was deemed Complete by the Board on December 18, 2025; and

WHEREAS, a public hearing to consider the application was held by the Planning Board on December 18, 2025, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, during the December 18, 2025 Public Hearing, the Applicant introduced an aerial photograph of the site as Exhibit A-1;

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support its application for Variance and Minor Site Plan Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is a leaseholder of the Property, located in the Township’s C-2 Downtown Commercial Zoning District, with frontage along Cooper Street. The Property is

DOLGENCORP - NO. P-17-2025

approximately 47,787 square feet in area and is improved with a Dollar General Market and related site improvements.

2. The Applicant is proposing to construct site improvements for the Dollar General Market that will include installing one (1) new illuminated façade sign, re-facing the existing freestanding pylon sign, designating a loading area, installing a cart coral and repairing an existing solid waste and recycling enclosure.

3. The Applicant has filed an Application with the Board for Variance and Minor Site Plan Approvals, providing the Board with the following:

- a. Application Transmittal Letter, prepared by Prime Tuvel & Muceli, dated 08/13/24;
- b. Application Checklist, prepared by the Applicant, dated 09/07/24;
- c. Development Checklist, prepared by the Applicant, dated 08/15/24;
- d. Site and Signage Plan, prepared by Everbrite, LLC, dated 11/05/22;
- e. Property Owner List, prepared by the Township Tax Assessor, dated 07/23/24;
- f. Receipt of Application, dated 08/15/24;
- g. Minor Site Plan, prepared by Olivia Kononiuk, PE, Stonefield Engineering and Designs, dated 10/02/25 (6 sheets); and
- h. Applicant's Response Letter to Engineering and Planning Review #1, prepared by Olivia Kononiuk, PE, Stonefield Engineering and Designs, dated 10/03/25.

4. The taxes on the Property are current or exempt.

5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

6. Proper notice of the Application for Variance and Minor Site Plan Approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

7. The proposed development of the Property requires the following "C" variances:

- a. Parking Spaces – 61 required, 51 existing, 50 proposed;
- b. Impervious Coverage – 65% maximum, 90% existing and proposed;

DOLGENCORP - NO. P-17-2025

- c. Residential Landscape Buffer – 10 feet required between non-residential uses abutting residential uses or residential zones, 8 feet existing and proposed;
- d. Attached Sign Area – lesser of 30 square feet or 10% of façade that the sign is attached, 122 square feet proposed;
- e. Façade Sign Projection – 6 to 18 inches permitted, 5 inches proposed.

8. The Applicant was represented at the December 18, 2025 Public Hearing by Stephen Slaven, Esquire, Prime Tuvel and Miceli, with Olivia Kononiuk, PE, appearing as the Applicant's Engineer and Tiffany Morrissey, PP, AICP, appearing as the Applicant's Professional Planner, each being duly sworn, qualified and recognized as an expert witness in support of the Application.

9. Ms. Kononiuk provided the following sworn testimony during the December 18m 2025 Public Hearing:

- a. She is the Applicant's Professional Engineer;
- b. She utilized Exhibit A-1 to orient the Board and public with the site and surrounding land uses;
- c. The Dollar General Market was originally a Rite-Aid Drug Store;
- d. The existing drive-up window and concrete pad will remain but will not be utilized for the Dollar General;
- e. The addition of the cart coral will result in the loss of one (1) of the 51 existing parking spaces;
- f. The Dollar General's hours of operation will be 8:00 a.m. to 10:00 p.m., 7 days per week;
- g. Deliveries to the Dollar General will be scheduled for off-peak a.m. hours with several box truck deliveries per week and one tractor trailer delivery per week anticipated;
- h. The existing loading ramp will be repaired;
- i. Solid waste and recyclables will be removed at least several times a week in accordance with Dollar General's corporate policy;
- j. Parking spaces will be repaired where necessary;

DOLGENCORP - NO. P-17-2025

- k. Landscaping will be provided along Cooper Street and the Applicant will work with the Board Engineer and Planner regarding plantings;
- l. The Applicant will work with the Board Engineer for the submission of new lighting plans as well as a retesting of the site's lighting;
- m. The façade sign will be 122 square feet in area and will not exceed a height of 5.33 feet;
- n. The circulation template will be updated.

10. Ms. Morrissey provided the following sworn testimony during the December 18, 2025 Public Hearing:

- a. She is the Applicant's Professional Planner;
- b. The existing freestanding sign is only being refaced; a variance is not required;
- c. The façade sign will be 5.33 feet in height and 23 feet in length, approximately 122 square feet in area;
- d. The proposed size of the façade sign is necessary to allow for easier and safer identification of the building and use from the street as the building is located 120 feet from the highway and the façade is 100 feet in length.
- e. The proposed façade sign is proportionate to the façade it will be attached to;
- f. There is sufficient parking at the site; the loss of one parking space will not have a negative impact on the parking needs of the Dollar General Market;
- g. Dollar General's repurposing of the existing building is a more efficient use of land;
- h. The Applicant's proposed development of the Property advances purposes "a" and "m" of the Municipal Land Use Law and will not substantially impair the zone plan or the Township's Zoning Ordinance; and
- i. The existing site includes non-conforming conditions, not altered by the Applicant's proposed site improvements; the proposed site improvements are not substantial.

11. The December 18, 2025 Hearing was opened to the public without comment.

DOLGENCORP - NO. P-17-2025

12. The Board Engineer and Planner reviewed their November 24, 2025 Minor Site Plan Review Letter No. 2 and had no objections to the Minor Site Plan as the Applicant's witnesses and representatives, during a prior site meeting and as testified to during the Public Hearing, agreed to comply with the outstanding review comments identified in Review Letter No. 2.

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

1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to act on the Application for Variance and Minor Site Plan Approval.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements pertaining to number of parking spaces, impervious coverage, residential landscape buffer, and signage, as specified herein, as requested by the Applicant.

3. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant 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 of the Township of Edgewater Park.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 18th day of December, 2025, that this Board hereby grants to the Applicant (i) Variances to permit 50 parking spaces, an impervious coverage of 90%, a sign area of 122 square feet and a 5 inch projection for the façade sign and a residential landscape buffer width of 8 feet as specified herein and (ii) Minor Site Plan Approval for site improvements at the Dollar General Market, as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Variance and Minor Site Plan Approval subject to the following conditions:

DOLGENCORP - NO. P-17-2025

a. Subject to the Applicant obtaining all other approvals that may be required for the development of the Property, including, but not limited to Burlington County Planning Board approval, and Burlington County Soil Conservation District approval.

b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

c. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the required site plan plat be executed and building permits, certificates of occupancy or zoning permits be issued.

d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives at the December 18, 2025 Public Hearing, whether formalized in this Resolution or not.

e. Subject to the Applicant's escrow account for the review of its Application being current.

f. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtains from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

g. Subject to the review comments of the Board Engineer and Board Planner as contained in the November 24, 2025 Review Letter No.2 of Environmental Resolutions, Inc., by Ryan G. McCarthy, PE, CME and Patrick VanBernum, AICP, PP, except as same may be modified by this Resolution.

h. Subject to Minor Site Plan Approval not guaranteeing the issuance of zoning permits, construction permits or certificates of occupancy for the Dollar General Market. The Applicant is subject to all applicable statutes, codes, ordinances, rules and regulations for the issuance of such permits or certificates.

i. Subject to the submission of revised plans, as required by this Resolution and Review Letter No. 2.

j. Subject to the Applicant working with the Board Engineer to limit access to the Dollar General site from adjacent properties.

DOLGENCORP - NO. P-17-2025

- k. Subject to the Applicant repairing the rear steps to a safe condition.
- l. Subject to the parking space within the easement areas being reflected in the revised plans.
- m. Subject to the Applicant repairing the asphalt in the easement areas to the satisfaction of the Board Engineer.
- n. Subject to the Applicant being advised that failure of the Applicant to address all outstanding issues to the satisfaction of the Board Engineer and Board Planner will require the Applicant to reappear before the Board for resolution of any outstanding issue as identified by the Board Engineer and Board Planner.

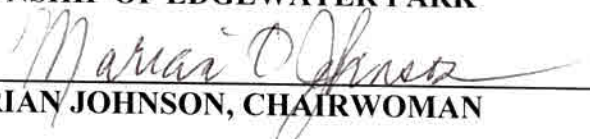
ROLL CALL VOTE

Those in Favor: 8
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 Edgewater Park in accordance with its decision at its regular meeting on December 18, 2025.

**THE PLANNING BOARD OF THE
TOWNSHIP OF EDGEWATER PARK**



MARIAN JOHNSON, CHAIRWOMAN

Attested:



PATRICIA CAHALL, SECRETARY

Dated: 1/15/2026

Date of Approval: December 18, 2025

Date of Memorialization: January 15, 2026