DELANCO TOWNSHIP
JOINT LAND USE BOARD
2015 ANNUAL REPORT OF VARIANCES
(Corrected version)

1. APPLICANT – MY FATHER'S HOUSE MINISTRIES

Property Designation – Block 2000, Lot 9.01, I-1 Zone, 989 Coopertown Road

The Board denied a use variance to permit a house of worship in an industrial zone. The Board found that the applicant did not establish that the variance could be granted without substantially impairing the intent of the master plan and zoning ordinance. This finding was based on the following facts: (1) the zoning ordinance permits churches in every zone in the Township with the exception of the industrial zone; (2) the I-2 zone district provides opportunities for heavier industrial uses than those permitted in the I-1 zone; (3) the continued conversion or utilization of industrial space for non-industrial uses will erode the economic viability of the industrial zone; and (4) a stated goal of the master plan is to "retain and enhance existing industrial uses and attract new compatible industrial and commercial uses".

2. APPLICANT – WHITESELL CONSTRUCTION CO., INC.

Property Designation – Block 1602, Lot 20, C-2 Zone, 801 Burlington Avenue

The Board granted minor site plan approval with a design exception and bulk variances for proposed changes to the Camp Meeting Grounds strip mall area previously occupied by a Beneficial Bank branch to accommodate a Dunkin' Donuts. The proposed signage required a number of variances. The proposed use and signage accessory to that use are both permitted in the zone and so the Board found that the variances could be granted without substantial detriment to the public good.

3. APPLICANT – CORNERSTONE AT DELANCO, LLC

Property Designation – Block 2100, Lot 1, PD/AH3 Zone, 200 Rhawn Street

The Board granted preliminary major site plan approval for a 64-unit apartment complex with a variance/*de minimus* exception for a reduction in parking spaces. The zoning ordinance allows a reduction of up to 40% in appropriate circumstances. The Board found that the circumstances more than justified a reduction of 9%.

4. APPLICANT – GRAVELLY HOLLOW ROAD ASSOCIATES, LLC

Property Designation – Block 2100.01, Lot 50, PRD/AH Zone, Newton's Landing Blvd at Creek Road

The Board granted preliminary and final major subdivision approval along with variances from the strict application of §110-33D(2) regarding landscape buffering and §110-33E(1.2)(a) regarding drainage easements because there was a genuine practical impediment to strict compliance with the requirements of the ordinance. In addition, the applicant expressed a desire and a willingness to provide "the full amount of landscaping required by the ordinances in question" and offered to "work in the field with the board planner to properly locate the required materials."

5. APPLICANT – NASSAU HOLDINGS 2001, LLC

Property Designation – Block 1701, Lot 3, C-2 Zone, 925 Burlington Avenue

The Board granted a use variance to permit the building's use as a two-family detached home. The historic use of the property is clouded but the building is designed and constructed and is, in fact, a two-family home which is permitted in the C-2 zone. The Board felt that the alternative to the proposed use, a vacant building, will have more of a negative impact on the neighborhood than the conversion of a single family home into apartments.

CONFORMING MINOR SUBDIVISION APPLICATIONS

A. Nicola, Alan C., Block 303, Lot 4, 313 Princeton Avenue – proposed lots conform in all respects to the bulk requirements of the zoning ordinance.
B. Zell, John D., Block 403, Lot 4, 404 Iowa Avenue – both resulting lots conform in all respects to the bulk requirements of the zoning ordinance.

The Municipal Land Use Law allows that notice and public hearings for minor subdivisions may be waived if authorized by ordinance. The Board or a subdivision committee of the Board may, pursuant to N.J.S. 40:55D-12a and 40:55D-47, waive notice and public hearing if the application for development conforms to the definition of "minor subdivision". If all lots are conforming, no public notice and no hearing would be necessary. Depending on the wording of the ordinance, minor subdivision approval would be granted by either the Board or a subcommittee.

While the Delanco Township Joint Land Use Board does not recommend any changes to the Township Ordinance based on the variances that were granted in 2015, the Board does recommend that Chapter 100 Subdivision of Land of the Township Ordinance be amended to permit conforming minor subdivisions to be approved by the Board or by a subcommittee without the need for notice and public hearings.