

**TOWNSHIP OF QUINTON  
COUNTY OF SALEM  
RESOLUTION OF THE PLANNING BOARD  
OF QUINTON TOWNSHIP  
RESOLUTION NO. 2013-08**

**WHEREAS**, Arthur Peterson, of 193 Quinton- Alloway Road, Quinton, New Jersey made an application to the Quinton Township Planning Board for a Minor Subdivision as well as for Hardship Variances in regard to a property located at 193 Quinton - Alloway Road, also being known as Block 31, Lot 1 on the Quinton Township Municipal Tax; and

**WHEREAS**, the applicant was represented by Frank J. Hoerst, III, Esquire and initially appeared with the applicant before the Quinton Township Planning Board on November 13, 2012 at which time the application was deemed complete subject to several issues set forth hereinafter; and

**WHEREAS**, the applicant submitted the following information:

1. Quinton Township Application for a Minor Subdivision and Hardship Variances, including the following information:
  - a. Quinton Township Planning Board Application Cover Sheet.
  - b. Planning Board Application Form
  - c. Checklist, Schedule A- General Requirements
  - d. Checklist, Schedule C- Land Subdivision, Plat Details and Information Requirements.
2. Minor Subdivision Plan for Arthur Peterson, Prepared by Land Engineering, LLC, dated 07/18/2012, revised on 11/28/2012, including soil test locations.
3. Deed of Easement, State of New Jersey, Agricultural Retention and Development Program.
4. Salem County Planning Board- Conditional Approval.
5. Aerial Photograph of the site showing perimeter overlap of 500 feet beyond the perimeter of the property; and

**WHEREAS**, the property is owned by Arthur Peterson with the applicant proceeding pursuant to the authority given to his agent Kenneth Peterson under a Power of Attorney; and

**WHEREAS**, Lawrence M. DiVietro, Jr., P.L.S., P.P, A.I.C.P. and Andrew Hogg, P.E. of Land Dimensions Engineering submitted review letters dated November 7, 2012 and December 5, 2012 which letters are incorporated herein by reference thereto; and

**WHEREAS**, proper notice of the hearing was given by the applicant; and

**WHEREAS**, the applicant appeared at the hearing and was duly sworn and was represented by Frank J. Hoerst, III, Esquire, said hearing taking place on December 11, 2012; and

**WHEREAS**, The Quinton Township Planning heard the testimony of the applicant and representations from the applicant's attorney and the comments of the Board's Professional's and Members making the following findings of fact and reaching the following conclusions of law:

1. The present tract of land is located partially in Quinton Township and partially in Alloway Township, the existing dwelling being located mainly in Alloway Township and the Alloway Township Lot being Block 20, Lot 1 remaining unchanged.

2. The portion of the Tract in Quinton Township being Lot 1, Block 31 consists of approximately 24.91 acres, the proposal being to create a new proposed Lot 1.01, Block 31 completely in Quinton Township consisting of 3 acres.

3. The proposed new lot would have 300 feet of frontage on County Route 581 also known as Quinton- Alloway Road.

4. The applicant is not seeking approval for the construction of a single family dwelling at the present time although plans to do so in the future.

5. The existing tract consists of a single family dwelling, masonry garage, masonry building, two metal and frame buildings, old frame building, metal, concrete pads and a grain bin.

6. One metal and frame building and the concrete pads and the grain bin would be located on the proposed new 3 acre lot. The remaining buildings are located are located on the original tract. The metal and frame building on the proposed new lot has a side yard setback of 25.3 feet whereas a 50 foot side yard setback is required.

7. The main tract less the proposed 3 acre lot is part of the New Jersey Agricultural Retention and Development Program.

8. The applicant had a limited choice as to the location of the proposed 3 acre lot due to wetlands.

9. The property is located in a PB-R Zone where the existing use and proposed use for the new lot is permitted.

10. The frame building, masonry building and one metal and frame building located on the remaining lot in Quinton Township do not meet the side yard setbacks of 50 feet to the proposed new 3 acre lot.

11. The applicant agreed that when a single family dwelling is built on the proposed 3 acre lot that the dwelling will be connected to the Quinton Township Sewer line if possible.

12. The applicant agreed that the future driveway for the single family dwelling on the proposed lot would not require an easement for access.

13. The applicant would need approval by the Salem County Planning Board which applicant represented was received by letter dated September 28, 2012.

14. The subdivision would be done by Deed, which Deeds would need a metes and bounds legal description with closure for review and approval by the Board's Professional's and signatures of the Chairperson and Secretary.

15. Nobody from the public objected to the approval of the application.

**NOW THEREFORE BE IT RESOLVED** after the Quinton Township Planning Board Member's considered and discussed the testimony and representations made in regard to the minor subdivision and the hardship variance, the Board determined that the relief could be granted without impairing the intent and purpose of the land use ordinance of Quinton Township subject to the following conditions:

A. The driveway for the proposed Lot 1.01, Block 31 will not require an easement.

B. When a single family dwelling is constructed on Lot 1.01 Block 31, it will be connected to the Quinton Township Sewer System if possible.

C. The application is subject to the approval of the Salem County Planning Board.

D. The Applicant shall submit a metes and bounds legal description with closure for approval by the Board's Professional's.

E. The applicant shall submit Deeds for the modified lots for review by the Board's Professional's and signature by the Chairperson and Secretary.

F. The applicant shall replenish the escrow funds as needed for the payment of the Board's Professionals and the Deeds shall not be signed until this has been accomplished.

Dated: January 8<sup>th</sup>, 2013

ATTEST: Bonita K. Bell  
Bonita K. Bell, Secretary

Dr. Margaret Maxwell-Mood  
Dr. Margaret Maxwell- Mood, Chairperson

Certification

I hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Planning Board of Quinton Township at a regular meeting held on January 8<sup>th</sup>, 2013 in the Quinton Township Municipal Building.

Bonita K. Bell  
Bonita K. Bell, Secretary