

TOWNSHIP OF QUINTON
COUNTY OF SALEM
RESOLUTION OF THE PLANNING BOARD OF QUINTON TOWNSHIP APPROVING
THE USE APPLICATION OF THE APPLICANT
WALLACE V. WRIGHT, JR.,
RESOLUTION NO. 2016 - 08

WHEREAS, Wallace V. Wright, Jr., made an application to the Quinton Township Planning Board for a use variance in regard to property located at 682 Salem-Quinton Road, Quinton, New Jersey also known as Block 12, Lot 33 on the Municipal Tax Map of Quinton Township; and

WHEREAS, the applicant initially appeared before the Quinton Township Planning Board on October 10, 2014 to obtain direction from Board as to his proposed occasional sale of barbequed food prepared on the premises and offered for sale to the public; and

WHEREAS, the Board advised Mr. Wright that he would need to apply for a use variance and would need to obtain an access permit issued from NJDOT; and

WHEREAS, Mr. Wright presented information supporting the following: he obtained an access permit from NJDOT dated December 2, 2015; and

WHEREAS, G. Philip Lewis, Esquire, the attorney for Wallace V. Wright, Jr., submitted an application for the use variance on February 22, 2016 along with an explanation of the proposed use; and

WHEREAS, Larry M. DiVietro, Jr., PLS, PP, AICP and Andrew Hogg, PE jointly issued a review letter dated May 3, 2016 which letter is incorporated herein by reference thereto; and

WHEREAS, Wallace V. Wright, Jr., appeared before the Planning Board on May 10, 2016, being represented by G. Philip Lewis, Esquire; and

WHEREAS, the applicant gave proper public notice of his application for the use variance; and

WHEREAS, the Planning Board heard the testimony of the applicant, as well as, the representations of his attorney and both participants engaged in discussions between the board members and made the following findings of fact and reached the following conclusions of law in regard to the application:

1. The Board determined that the application was complete.
2. The property is located in an LI/O Zoning District where roadside sales are not

permitted. The proposed use is less intense than some of the permitted uses.

3. The applicant proposes to cook and sell barbequed food on the premises on a part-time basis, normally on Friday, Saturday and Sunday. Applicant will barbeque on his days off, including vacations and holidays and when he is not cooking at other locations and events.

4. The applicant would begin the barbeque around 8:00 a.m. and end by dark with the expectation that customers would begin arriving around noon.

5. The applicant presently cooks and sells barbequed food at other places and events. The applicant has a Board of Health permit for the sale of food.

6. The barbeque grill, sign in regard to the availability of barbequed foods, trash cans and temporary tent would be set out in the morning and would be put away in the evening with no permanent improvements being made. There would be no on street parking since the applicant's driveway has room for several cars to pull in and turn around.

7. The sale of food would be strictly for take out with no eating taking place on site.

8. The applicant would maintain a fire extinguisher on site.

9. There is an open field on one side of his property and a church across the street.

10. No one appeared to oppose the application. John Bobbitt stated that he has known the applicant for ten years and spoken favor of the grant of the variance. Wallace Wright, Sr., the father of the applicant stated that he has turned his barbeque business over to the applicant.

11. The Board determined that there was a need for this type of business, the property was suited for said use and that the use would not non-substantially impair the intent and purpose of the zone plan and zoning ordinance.

NOW THEREFORE BE IT RESOLVED BY the Quinton Township Planning Board that the use variance be and hereby is approved with the finding that said use would not be inconsistent with the master plan and zoning ordinance and would not be a substantial detriment to the public good nor substantially impair the intent and purpose of the zone plan and zoning ordinance subject to the following conditions:

A. The barbeque cooker, tent, trash cans and sign would be placed on the property in the morning and with all these items being removed at the end of the day.

B. The applicant will maintain all of the required permits licenses and certifications necessary for his operation.

C. The food would be strictly take-out. No chairs or tables would be provided for the customers.

D. The applicant would comply with all of his sworn testimony and the representations made by his attorney as well as with all documents submitted.

E. The applicant shall replenish the escrow funds as needed for payment of the Board's professionals.

Dated: June 14, 2016

ATTEST Bonita K. Bell
Bonita K. Bell, Secretary

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 June 14, 2016 in the Quinton Township Municipal Building.

Bonita K. Bell
Bonita K. Bell, Secretary