

QUINTON TOWNSHIP PLANNING BOARD

RESOLUTION # 2024-12

APPEAL NO. 2023-03

NATIVE AMERICAN ADVANCEMENT CORPORATION

BLOCK 57, LOT 17 AND BLOCK 67, LOTS 21, 22, 22.01, 23, AND 25

62 GRAVELLY HILL ROAD

**RESOLUTION MEMORIALIZING DECISION
ON APPEAL FROM ZONING OFFICER**

WHEREAS, Native American Advancement Corporation (the “Appellant”), is the owner of the property known as Block 57, Lot 17 and Block 67, Lots 21, 22, 22.01, 23 and 25 located at 62 Gravelly Hill Road, Township of Quinton (the “Property”). The structure on the Property was previously used as a house of worship by its prior owner and the land comprising the Property is subject to a deed of conservation held by the New Jersey Conservation Foundation; and

WHEREAS, the Appellant is represented by counsel, Heather Kumar, Esquire; and

WHEREAS, the Appellant made application to the Zoning Officer of the Township of Quinton for a zoning permit to use the Property as a house of worship and conservation area; and

WHEREAS, the Property is located in the P-BR Zoning District, in which houses of worship are conditionally permitted pursuant to Quinton Code §170-23(B)(12) and conservation areas are permitted “by right” pursuant to Quinton Code §170-23(A)(4); and

WHEREAS, on October 27, 2023, the Zoning Officer determined that the Appellant’s proposed use as a house of worship required conditional use approval, regardless of the previous use of the Property by the prior owner; and

WHEREAS, the Zoning Officer further determined that the Appellant’s proposed use as a house of worship and a conservation area required site plan review and approval, or a waiver of site plan review, regardless of the prior use of the Property and whether any new buildings, structures or site improvements were contemplated, and

WHEREAS, on November 14, 2023, Appellant filed an appeal of the Zoning Officer’s decision pursuant to Quinton Code 170-60A; and

WHEREAS, a hearing on the appeal was held on May 14, 2024, and

WHEREAS, at the hearing Attorney Kumar represented that her client is looking for a continued use of the existing house of worship previously used by the Morning Star Fellowship

Church. Attorney Kumar represented that the matter before the Board involves a change of ownership only, and that Appellant will be using the structure and the property in the same manner as the prior church. Indeed, in the Power Point presentation given the Board, Attorney Kumar specifically represented that “the applicant is purely a new owner with the intention to continue an existing use in an existing structure....”; and

WHEREAS, the Board’s Planner noted that from a planning perspective, because the building had been vacant for two years the Zoning Officer believed he could not approve the request without the planning board obtaining additional information concerning the use of the Property; and

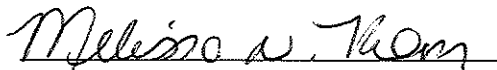
WHEREAS, based on the foregoing representations of and the information supplied by the Appellant, the Board determined that the approval of a zoning permit on appeal was appropriate in a manner akin to the approval of a conditional use variance with a waiver of site plan review; and

NOW THEREFORE BE IT RESOLVED, the Board hereby grants the issuance of a zoning permit for the Property for use of the Property as a house of worship and conservation area in a manner consistent with the representations made by the Appellant on the record at the hearing.

BE IT FURTHER RESOLVED, that the approval is conditioned upon the Appellant satisfying all escrow account obligations, and obtaining all other permits and approvals that may be necessary from municipal, county or state authorities having jurisdiction.

The undersigned Chairperson of the Quinton Township Planning Board hereby certifies that the above is a true copy of a resolution adopted by said Board on June 11, 2024 to memorialize action taken by the Board on May 14, 2024.

Attest:


Melissa M. Thom, Board Secretary
Quinton Township Planning Board


John Allen, Chairperson
Quinton Township Planning Board