

**WEST DEPTFORD TOWNSHIP**

**RESOLUTION #2017- 140**

**RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING THE RELEASE OF GUARANTEE BOND NO. K09023744 IN THE AMOUNT OF \$14,405.04 POSTED BY JOHNSON MATTHEY (1911 NOLTE DRIVE – BLOCK 350.02/LOT 2)**

**WHEREAS**, pursuant to Resolutions R. 2015-2 adopted on January 13, 2015, the West Deptford Zoning Board of Adjustment granted a temporary use permit to Johnson Matthey to install a 24' x 60' temporary double wide trailer for use as temporary office space on the property known as 1911 Nolte Drive for a period of eighteen (18) months; and

**WHEREAS**, to ensure the removal of the temporary trailer, Johnson Matthey posted a Guarantee Bond in the amount of \$14,405.04; and

**WHEREAS**, pursuant to Resolutions R. 2016-7 adopted on June 16, 2016, the West Deptford Zoning Board of Adjustment granted a one (1) year extension of the temporary use permit to Johnson Matthey for the installation of a 24' x 60' temporary double wide trailer for use as temporary office space on the property known as 1911 Nolte Drive to continue through June 2017; and

**WHEREAS**, the Guarantee Bond posted to ensure removal of the temporary trailer remained in place; and

**WHEREAS**, Ron Snyder, the Township Construction Official, has made an inspection of the property located at 1911 Nolte Drive and has confirmed that the temporary trailer has been removed; and

**WHEREAS**, the Township Zoning Officer/Land Use Administrator, by Memo dated March 15, 2017, recommends the release of the original Guarantee Bond posted by Johnson Matthey in the amount of \$14,405.04 due to the temporary trailer being removed.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of West Deptford, County of Gloucester and State of New Jersey on this 5th day of April 2017 that the Township of West Deptford does hereby authorize the release of the Guarantee Bond No. K09023744 in the amount of \$14,405.04 posted by Johnson Matthey.

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby authorized to return said original Guarantee Bond to Johnson Matthey.

**ADOPTED** at the meeting of the Township Committee of the Township of West Deptford held on April 5, 2017.

**TOWNSHIP OF WEST DEPTFORD**



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DENICE DICARLO, Mayor

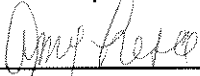
**ATTEST:**



\_\_\_\_\_  
AMY LESO, RMC

**CERTIFICATION**

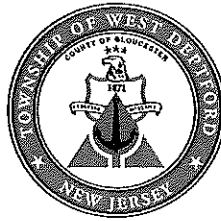
I, AMY LESO, Registered Municipal Clerk, of the Township of West Deptford, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township of West Deptford held on April 5, 2017.



\_\_\_\_\_  
AMY LESO, RMC

**MAYOR**  
Denice DiCarlo

**TOWNSHIP COMMITTEE**  
Megan Kerr  
James Mehaffey  
Adam Reid  
Jim Robinson




**WEST DEPTFORD TOWNSHIP**

**Municipal Building**  
400 Crown Point Road  
West Deptford, New Jersey 08086  
Phone (856) 845-4004

**Township Administrator**  
Deborah Turner-Fox

**Chief Finance Officer**  
Christine Greenwood

**Registered Municipal Clerk**  
Lee Ann DeHart

**TO:** Lee Ann DeHart, RMC  
**FROM:** Sandi Rost, Zoning Officer   
**DATE:** March 15, 2017  
**RE:** Johnson Matthey Bond Release

I am requesting the release of the original bond for Johnson Matthey #K09023744 in the amount of \$14,405.04.

This bond was put in place for assurance of removal of a temporary use permit for an office trailer (Resolution 2015-2 and extension 2016-7 of the Zoning Board of Adjustment)

An inspection was performed by Ron Snyder, Construction Official compliance has been met. Please let me know if you have any questions.

**RESOLUTION OF THE WEST DEPTFORD ZONING BOARD OF ADJUSTMENT  
GRANTING TEMPORARY USE APPROVAL  
IN FAVOR OF JOHNSON MATTHEY  
Block 350.02, Lot 2  
(1991 Nolte Drive)**

**WHEREAS**, the Applicant, Johnson Matthey, submitted an application seeking temporary use variance relief for property known on the tax maps of West Deptford Township as Block 350.02, Lot 2 to be considered at the meeting of Tuesday, May 10, 2016; and

**WHEREAS**, the Applicant has filed an Application dated April 21, 2016 supported by a plan depicting the location of a proposed double wide office trailer; and

**WHEREAS**, the application was deemed administratively complete, the Applicant provided public notice as required and the Applicant appeared at the regular meeting of the West Deptford Township Zoning Board of Adjustment on May 10, 2016 and was represented at the time by John Khan, Esquire; and

**WHEREAS**, the Applicant offered the testimony of Clem Van Zelst, a representative of the Applicant who, having first been duly sworn, testified in pertinent part as follows:

1. The Applicant has been in the process of converting its computer system and requires additional space for employees for what was believed to be a period of 18 months.
2. The Applicant received temporary use variance approval from the West Deptford Zoning Board of Adjustment on January 13, 2015 to install a 24' x 60' double wide trailer at its facilities located at 1991 Nolte Drive for use as temporary office space. This trailer shall be made ADA compliant if the need arises.
3. Pursuant to the approval the Applicant did install the described trailer and began the computer system conversion and related projects but has not completed its work and continues to require the double wide trailer.
4. The Applicant is willing to post a bond to ensure the removal of the trailer after the 12 month extension term has expired; and

**WHEREAS**, the Applicant now returns to the Board seeking a temporary use variance in the form of an extension of the existing temporary use permit (#20150095) for the period of one (1) year under the same terms and conditions of the existing temporary use variance; and

**WHEREAS**, the original temporary use approval was granted on January 13, 2015 for a period of 18 months or until June of 2016. However, the Applicant has not finished the intended project and requests an extension of the approval through June of 2017; and

**WHEREAS**, Resolution 2015-2 is hereby incorporated by reference; and

**WHEREAS**, once the project is complete, this space will no longer be needed and the trailer will be removed; and

**WHEREAS**, the matter was opened to the public and no members of the public testified with regard to the application; and

**WHEREAS**, the Zoning Board of Adjustment of West Deptford Township makes the following finds of fact conclusions of law:

1. The temporary trailer sought to be installed will be completely buffered from view by any residents of West Deptford Township.
2. The one year extension is necessary in order to allow the Applicant to upgrade its computer system.
3. If the need arises the temporary trailer can be made ADA compliant.
4. The Board has jurisdiction to consider and permit temporary uses by virtue of Section 166-35 of the West Deptford Township Code. Said Code, however, limits temporary uses to one year with subsequent extensions of not more than three years in total.
5. The Board finds and concludes that since the Applicant seeks this temporary use for an additional period of one (1) year, i.e. until June of 2017, the Board finds and concludes that the one (1) year extension can be permitted and that the benefits of this deviation, in supporting a local business as it upgrades its technology will outweigh any detriment to the zone plan or zoning ordinance as to which the board finds there is no adverse impact.

**NOW, THEREFORE, BE IT RESOLVED**, by the West Deptford Township Zoning Board of Adjustment hereby grants the Applicant to keep the existing temporary use permit (#20150095) for the 24' x 60' temporary doublewide trailer for continued temporary office

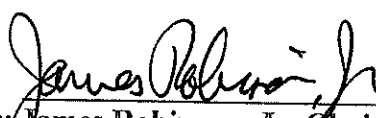
space for the period of one (1) year, i.e. until June of 2017, on the property known as 1991 Nolte Drive and designed on the tax maps as Block 350.02, Lot 2 consistent with the representations made by the Applicant, the hearing and consistent with the drawings attached to and made a part of the application materials which are incorporated herein by reference subject to the following terms and conditions:

1. Payment of any and all outstanding application or escrow fees associated with this application.
2. The posting of a surety bond in favor of the Township in an amount sufficient to ensure the removal of the trailer which is the subject of this extension of a one year period.
3. In the event that handicap access is required for the said temporary trailer the Applicant shall provide same in accordance with the rules of regulations of the Americans with Disabilities Act.
4. This approval is expressly subject to any and all outside agencies which may have jurisdiction over this application including, but not limited to the Gloucester County Planning Board.


**WHEREAS**, this resolution memorializes action taken at a regular meeting of the West Deptford Township Zoning Board of Adjustment held on May 10, 2016 by a vote of 7 to approve and 0 to oppose.

**THIS RESOLUTION DULY ADOPTED** at a regular meeting of the West Deptford Township Zoning Board held on Tuesday, June 14, 2016.

Township West Deptford Zoning Board of Adjustment

  
By: James Robinson, Jr. Chairman

Attest:

  
Richard Nichols, Secretary

**WEST DEPTFORD TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**

**RESOLUTION OF THE WEST DEPTFORD TOWNSHIP ZONING BOARD OF  
ADJUSTMENT GRANTING TEMPORARY USE APPROVAL IN FAVOR OF  
JOHNSON MATTHEY FOR PROPERTY COMMONLY KNOWN AS 1991  
NOLTE DRIVE AND DESIGNATED ON THE TAX MAPS OF WEST  
DEPTFORD TOWNSHIP AS BLOCK 350.02, LOT 2**

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**WHEREAS**, Johnson Matthey (hereinafter the “applicant”) as filed application seeking variance relief for property known on the tax maps of West Deptford Township as block 350.02, lot 2; and

**WHEREAS**, the Applicant has filed an Application of Appeal dated December 29, 2014 supported by drawings depicting the location of a proposed double wide office trailer and the existing site plan; and

**WHEREAS**, the application was deemed administratively complete, the Applicant provided public notice as required and the Applicant appeared at the regular meeting of the West Deptford Township Zoning Board of Adjustment on January 13, 2015 and was represented at that time by John Kahn, Esquire; and

**WHEREAS**, the Applicant offered the testimony of Ann Halle, a representative of the Applicant who, having first been duly sworn, testified in pertinent part as follows:

1. The Applicant is in the process of converting its computer system and requires additional space for employees for a period of 18 months.
2. The Applicant proposes to install a double wide trailer for use as temporary office space.
3. The office trailer will be ADA compliant if the need arises.
4. The trailer will have dimensions of 24' x 60' and will be removed at the end of the lease term said lease term being 18 months. the lease term shall be

5. The Applicant is willing to post a bond to ensure the removal of the trailer after the 18 month term has expired; and

**WHEREUPON**, the Board solicited the testimony of its Planner and Engineer,

both having been duly sworn as follows:

1. Joe Augustyn, the Board Planner offered testimony that the location of the trailer as proposed by the Applicant is completely buffered from view by any member of the public and will only be visible internally by the Applicant.
2. It appears, based upon the testimony and the drawings, that there is sufficient parking for the addition of this improvement.
3. Hugh Dougherty, the Board Engineer inquired as to additional impervious surfaces and was satisfied that drainage will not be impacted by virtue of this temporary use; and

**WHEREUPON**, the matter was opened to the public and no members of the public testified with regard to the application; and

**WHEREAS**, the Zoning Board of Adjustment of West Deptford Township makes the following findings of fact conclusions of law:

1. The temporary trailer sought to be installed will be completely buffered from view by any residents of West Deptford Township.
2. The temporary use is necessary in order to allow the Applicant to upgrade its computer system.
3. If the need arises the temporary trailer can be made ADA compliant.
4. The matter has been reviewed by the Fire Marshal who offered no comment.
5. The Board has jurisdiction to consider and permit temporary uses by virtue of Section 166 – 35 of the West Deptford Township Code. Said Code, however, limits temporary uses to one year with subsequent extensions of not more than three years in toto.
6. The Board finds and concludes that since the Applicant seeks this temporary use for 18 months that it would be a waste of resources to require the Applicant to return to the Board for an extension after one year and therefore the Board finds and concludes that the temporary use permit can be permitted.



for a period of 18 months and that the benefits of this deviation, in supporting a local business as it upgrades its technology will outweigh any detriment to the zone plan or zoning ordinance as to which the board finds there is no adverse impact.

**NOW, THEREFORE, BE IT RESOLVED**, by the West Deptford Township Zoning Board of Adjustment that a temporary use permit is hereby granted to permit the applicant to install a 24' x 60' temporary double wide trailer for use as temporary office space on the property known as 1991 Nolte Drive and designated on the tax maps as Block 350.02, Lot 2 consistent with the representations made by the Applicant, the hearing and consistent with the drawings attached to and made a part of the application materials which are incorporated herein by reference subject to the following terms and conditions:

1. Payment of any and all outstanding application or escrow fees associated with this application.
2. The posting of a surety bond in favor of the Township in an amount sufficient to ensure the removal of the trailer which is the subject of this application 18 months after it is installed.
3. The amount of the bond referenced in paragraph 2 above shall be reviewed and approved by the Board Engineer.
4. In the event that handicap access is required for the said temporary trailer the Applicant shall provide same in accordance with the rules of regulations of the Americans with Disabilities Act.
5. This approval is expressly subject to any and all outside agencies which may have jurisdiction over this application including, but not limited to the Gloucester County Planning Board.

This resolution memorializes action taken at a regular meeting of the West Deptford Township Zoning Board of Adjustment held on Tuesday, January 13, 2015 by a vote of 7 to approve and 0 to oppose and 0 to abstain, as follows:

This resolution memorializes action taken at a regular meeting of the West Deptford Township Zoning Board of Adjustment held on Tuesday, January 13, 2015 by a vote of 7 to approve and 0 to oppose and 0 to abstain, as follows:

**THOSE IN FAVOR:** Chairman McManamy, Mr. Bondar, Mr. Robinson, Mr. Leise, Mr. Wallowich, Mr. Nichols, Mr. Colone

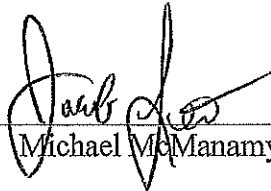
**THOSE OPPOSED:** None

**THOSE ABSTAINING:** None

**DATE OF RESOLUTION:** February 10, 2015

**West Deptford Township Zoning Board of Adjustment**

By: \_\_\_\_\_



Michael McManamy, Chairman

ATTEST:



Bill Bondar, Board Secretary