

MANTUA TOWNSHIP MUNICIPAL LAND USE BOARD
May 20, 2025 7:00 P.M.
MINUTES

The Mantua Township Municipal Land Use Board meeting was called to order on May 20, 2025 at 7:00 P.M. The Board Secretary called the meeting to order, led the Board members in a flag salute. The open public meeting statement was read: adequate notice of this meeting has been provided in the following manner: by providing written notice to the Clerk of the Township of Mantua on January 6, 2025, by posting notice on the official bulletin board on January 6, 2025 and by notifying the South Jersey Times and Courier Post.

Roll Call:

Present: Berenato, deMers, Huston, Lukens, Moscatelli, Wilkinson, Shast, J. Moore
Absent: Legge, Rainier, K. Moore

Minutes:

A motion was made by Mr. deMers to approve the April 15, 2025 minutes, the motion was seconded by Mr. Wilkinson. Roll Call Vote: 5 yes, 0 no.

Solicitor Hyatt swore in the Board Professionals.

Solicitor Hyatt announced that Application 2025-007, submitted by 11 Enterprise LLC has been postponed to the June 17, 2025 meeting. No further notice is required.

Old Business: None

New Business:

Application 2025-006 Bulk Variance - Continued

James Capate 865 Bridgeton Pike, Block 273, Lot 2.05, Tax Map 50, Zone PC

Action Requested: Approval of a bulk variance to allow the construction of a wood frame pole barn measuring 84 feet by 40 feet in the rear yard. The structure will consist of a 60-foot by 40 foot main building with two 12-foot overhangs, one at each end. This building would constitute a third accessory structure on the property, exceeding the maximum allowed number of two.

James Capate was sworn in by the Solicitor. Mr. Capate provided testimony to construct a pole barn measuring 84 feet by 40 feet, which will be located in the middle of his rear yard. The structure will consist of a main building that is 60 feet by 40 feet, with two 12-foot overhangs, one at each end, and it will be placed on a slab foundation. Mr. Capate also mentioned that he would be extending his stone driveway to provide access, using standard stone. The pole barn will be used for personal storage and vehicles, not for commercial purposes.

Solicitor Hyatt had questions about the survey, as the pole barn would be the fourth accessory structure, with other accessories not noted on the survey.

Mr. Capate mentioned that he has a 26x24 detached garage, along with several small sheds. Solicitor Hyatt noted that the properties zoned for single-family residences prior to December 31, 2021, are subject to R-11 Residential District regulations. According to the R-11 zoning

regulations for accessory structures under Section 230-46, for properties between 3 to 4.99 acres, the maximum size for the first accessory structure is 2,000 square feet, with side and rear setbacks of 30 feet. The second structure is allowed to be 1,000 square feet. However, the proposed pole barn would be 3,360 square feet.

Mr. Huston stated that the maximum height should not exceed 22 feet. Mr. Capate mentioned that the maximum height would be around 20 to 21 feet at its peak and that he was unaware of the accessory structure ordinance.

The meeting was opened to the public following a motion made by Mr. J. Moore, which was seconded by Ms. Lukens. All board members voted in favor. Since no one came forward to address the board, Mr. J. Moore made a motion to close the public portion of the meeting, and Mr. Wilkinson seconded it.

The board had questions regarding the survey, particularly about the absence of other accessories and the driveway. Additionally, there were concerns about impervious coverage.

Mr. Capate stated that he is surrounded by farmland and only wants to proceed with this once to obtain the necessary storage. He would like his testimony to be continued until he can provide an updated survey for the board.

Solicitor Hyatt summarized the requirements for the survey, which must include the following: setbacks, the dimensions of buildings, fencing, impervious coverage, and the driveway. She noted that Mr. Capate needs to clarify whether he is requesting a hardship for a C1 variance or a C2 variance. Additionally, the survey must be submitted at least 10 days before the next hearing to be considered.

Board Member J. Moore recused himself from the meeting.

Application 2025-008 Minor Site Plan - Approved

Caroline Blue 692 Lambs Rd, Block 254.01, Lot 36, Tax Map 45, Zone CC

Action Requested: Approval of a minor site plan to permit a more permanent structure in place of the existing +/- 1,165sf, semi-permanent outdoor seating enclosure, being utilized for overflow and/or outdoor seating for the restaurant aspect of the project site. Due to the age/condition of the noted semi-permanent structure, a replacement is necessary at this time. The applicant is also summarily addressing many of the underlying, existing, non-conforming site conditions that may not comply with the current zoning ordinance, and therefore any variances as may be required by the board.

Kevin Diduch from KD Law Group LLC represented Bradley Cook in the matter concerning Carolina Blue. Both Bradley Cook (the applicant) and Bruce McKenna from Monarch Surveying and Engineering LLC were sworn in for the proceedings. Mr. Diduch presented the project, explaining that the applicant is seeking numerous bulk c variance approvals and a waiver for minor site plan approval to replace an existing semi-permanent seating enclosure and outdoor patio area with a permanent structure due to changes in weather patterns. Currently, the applicant utilizes the existing semi-permanent outdoor seating enclosure and covered patio for overflow and outdoor seating. There will be no other site improvements, and the parking situation will remain unchanged.

The Applicant requests the following bulk c variances:

- 230-20.C.(6) – Minimum Front Yard: A variance is requested to permit a minimum front yard setback of 6.7 feet, along Lambs Road, for the project site, whereas a minimum front yard setback of 50 feet is required.
- 30-20.C.(6) – Minimum Front Yard: A variance is requested to permit a minimum front yard setback of 4.0 feet, along Holly Avenue, for the project site, whereas a minimum front yard setback of 50 feet is required.
- 230-20.C.(11) – Distance to Another Building: A variance is requested to permit a distance to another building of 2.5 feet, whereas 15 feet is required.
- 230-20.C.(11) – Accessory Structures: A variance is requested to permit an accessory structure being 7.9 feet from a side property line, whereas a minimum distance from a side property line of 10 feet is required.
- 230-20.C.(11) – Accessory Structures: A variance is requested to permit an accessory structure being 7.9 feet from a side property line, whereas a minimum distance from a side property line of 10 feet is required.
- 230-20.D.(1).(a) – Buffers and Landscaping: A variance is requested to permit a landscape buffer adjacent to a street line being less than 25 feet, whereas a minimum landscape buffer of 10 feet is required.
- 230-20.D.(1).(c) – Buffers and Landscaping: A variance is requested to permit a landscape buffer adjacent to a non-residential zoned or use being less than 10 feet, whereas a minimum landscape buffer of 10 feet is required.
- 230-20.D.(2) – Buffers and Landscaping: A variance is requested to permit the existing buffer plantings and interior parking lot landscaping, as may be required and specified in 230-31, et seq. in the code of Mantua Township.

The Property has the following pre-existing non-conforming conditions:

- 230-20.C.(10) – Maximum Impervious Coverage: A variance is requested to permit a maximum impervious site coverage of 87.1%, for the project site, whereas a maximum impervious site coverage of 80% is allowed.
- 230-28.B.(2) – Off-Street Parking: A waiver is requested to permit the existing off-street parking spaces dimensions less than the required minimum dimensions of 9-foot wide by 18-feet long.
- 230-28.B.(3) – Off-Street Parking: A waiver is requested to permit a two-way access aisle width(s) of less than 24 feet in the existing parking lot for 60 and 90 degree angle of parking.
- 230-28.B.(5) – Off-Street Parking: A waiver is requested to permit the existing off-street parking area to be located less than 20 feet of a public street.
- 230-28.B.(8) – Off-Street Parking: All parking lots shall be connected to the use or structure which it is intended to serve by means of a sidewalk. A system of sidewalks and/or walkways shall be provided within parking lots of 50 or more spaces to provide effective internal pedestrian circulation. A waiver is requested to permit no sidewalk within the existing parking lot.
- 230-28.B.(11) – Off-Street Parking: A waiver is requested to allow parking less than 5 feet of any structure. There are two (2) existing parking spaces, adjacent to Holly Avenue, that are less than 5 feet from the building.
- 230-28.B.(12)(c) – Off-Street Parking: A waiver is requested to permit no curb for the parking lot, loading areas, and driveways.

- Section 230-29A(2), one off-street loading space (10 feet wide and 25 feet long) should be designated for all non-residential uses, whereas the Applicant has not proposed a loading space.
- 230-28.B.(14) – Off-Street Parking: A waiver is requested to allow the Lambs Road driveway being less than 3 feet to the side yard line.
- 230-30.B.(2)(c) – Signs: A waiver is requested to permit the existing monument sign within the Lambs Road right-of-way.
- 230-30.B.(11) – Signs: No roof signs shall be permitted, and no sign shall project above the main cornice line of the building to which a sign is affixed. Waiver is requested to permit two (2) existing roof signs.
- 230-30.F.(2)(a)(2) – Signs: In no case shall the total area of freestanding signs on any single sign pylon exceed 50 square feet. A waiver is requested to permit existing sign area for the monument sign along Lambs Road to exceed 50 square feet.
- 230-31.B.(2)(b) – Landscape and Buffer Standards: Interior parking lots containing 40 or more parking spaces shall provide internal landscaping equal to or exceeding 5% of the gross square footage of the paved area of the parking lot. No row of parking spaces shall be permitted to exceed 20 spaces without interruption by a minimum ten-foot-wide landscaped island. Every fourth double-loaded bay of parking shall be separated with a landscaped ten-foot-wide separation island. A waiver is requested to permit no landscaping or landscaped islands in the parking lot.
- 230-33.B. – Lighting: A waiver is requested to allow average illumination levels in the existing parking lot to be less than the minimum required 0.6 footcandles.
- 230-39.E. – General Design Requirements: Trash enclosures must be enclosed behind an opaque fence or wall at least five feet in height, with an opaque self-closing gate. The swing gates on the existing trash enclosure appear to be damaged and non-operational. A waiver is requested to allow a trash enclosure without an opaque gate.

berMr. McKenna noted that the site is approximately 40 years old. The previous owners obtained a use variance and site plan approval in the 1980s to rebuild the restaurant after a fire occurred on the property, as revealed by a County OPRA request. Additionally, there is a roadway easement on Pitman Barnsboro Road from the 1990s.

Mr. McKenna presented four exhibits: A1 - Aerial View, A2 - Site Plan, A3 - Architectural Designs, and A4 - a historic aerial image of the site from Google Earth dated 2004.

Ashton Jones, the Board Planner, reviewed the letter dated 5/19/25. He identified the variances and numerous pre-existing non-conforming conditions. The applicant agreed to comply with Mr. Jones's letter and stated that the landscaping and buffer would remain since they were pre-existing non-conforming.

Board Engineer Blake Fitzgerald reviewed a letter dated May 20, 2025. Mr. Fitzgerald noted that all variances are non-conforming and pre-existing. He stated that the site waiver was not appropriate because Mantua Township ordinance section 230-81(B) allows for exemptions to the site plan review. However, the project does not qualify for one of these exemptions since it requires new variances, and it is unclear whether the pre-existing non-conforming conditions were ever approved.

The upgrade to the existing structure will maintain the original footprint, and the design will be more aesthetically pleasing.

The applicant has removed the request for a site plan waiver and has requested that the application be reviewed as a site plan approval.

Mr. Fitzgerald informed the applicant that they would need to apply for the Gloucester County Planning application.

The meeting was opened to the public following a motion from Dr. Berenato, which was seconded by Mr. Moscatelli. All board members approved the motion. Since no one came forward to address the board, Dr. Berenato made a motion to close the public portion of the meeting, and Mr. Moscatelli seconded it.

After concluding the testimony, Mr. deMers motioned to approve Application 2025-008, which was seconded by Mr. Wilkinson. The Roll Call Vote: 7 yes, 0 no.

Correspondence: None

Public Portion: None

Resolutions:

Resolution 2025-17, memorializing Ruth Thornton 214 Barnsboro Rd, was motioned by deMers, seconded by Mr. Wilkinson.

Roll Call Vote: 4 yes, 0 no.

With no further business, a motion was made by Dr. Berenato to adjourn the meeting, seconded by Mr. Moscatelli. All Board Members were in favor.

Respectfully Submitted,
Jessica Taylor
Land Use Board Secretary

Adopted on: 6/17/25