

Zoning Board of Adjustment

City of Millville

June 4th, 2020 Agenda

Teleconference due to Covid-19 Pandemic

6:30 PM

1. Open Public Meeting Act Statement Of Conformance-COVID-19

1. Open Public Meetings Act Statement of Conformance:

“This meeting is being conducted by teleconference due to the COVID-19 PANDEMIC, was advertised, posted, and made available to the public to attend and provide public comment during the public portion of the meeting in accordance with the Open Public Meetings Act, Chapter 231, Public Laws of 1975, as required by Statute. The secretary is directed to include a statement in the minutes of this meeting.”

Please join the meeting from your computer, tablet or smartphone using the following URL or access phone number:

<https://www.gotomeet.me/SamanthaSilvers/Junezoning>

United States: +1 (786) 535-3211

- One-touch: tel:+17865353211,,157902765#

Access Code: 157-902-765

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <HTTPS://GLOBAL.GOTOMEETING.COM/INSTALL/157902765>

When the hearing is opened to the public you may comment or by agent or attorney and present any objections which you may have to the granting of the relief sought in the petition.

The following described maps and papers are on file on the municipal website at <HTTP://WWW.MILLVILLENJ.GOV/313/ZONING> for viewing. If a member of the public does not have access to a computer, please contact Kristine Klawitter, Board Secretary, to make arrangements to access plans noted below at (856) 825-7000 ext. 7288 or KRISTINE.KLAWITTER@MILLVILLENJ.GOV.

2. ROLL CALL

John Worthington, Chairman	(12/31/22)
Robert Conner, Vice-Chairperson	(12/31/21)
Veronica Chainey	(12/31/22)
Brian McGahhey	(12/31/20)
George LaTore	(12/31/22)
Pauline Velez	(12/19/21)
Timothy Carty	(02/07/21)
Sheila Roselle, Alt. 1	(08/01/21)
Sharleen Johnson, Alt. 2	(01/02/22)
Vacant, Alt. 3	(01/02/19)

3. MINUTES OF THE PREVIOUS MEETING

3.I. MINUTES OF THE PREVIOUS MEETING

Regular Zoning Board Meeting Minutes May 7th, 2020.

4. CORRESPONDENCE

5. PRESENTATIONS

6. RESOLUTIONS

6.I. RESOLUTIONS*

5.1 Resolution # 06-2020 Granted Janet and Jason Woodward Approval for a "C" Variance for an 9" foot(max) privacy fence Located at 512 N. 10th Street in Block 399 Lot 6 Neighborhood Business.

5.2 Resolution # 07-2020 Granted Diane Millman Approval for a "D" Variance for a commercial assembly use in conjunction with a community center located at 10 E. Broad Street in Block 313 Lot 6 Neighborhood Business.

7. APPLICATIONS

7.I. APPLICATIONS*

6.1 Jose Nunez 408 N High Street, Millville in Block 364 Lot 8

Jose Nunez located at 408 N High Street in Block 364 Lot 8, B-3 Central Business District. Requesting "D" Variance for retail firearms shop.

Documents:

[364.00_0008.00_2020_NUNEZ APPLICATION.PDF](#)
[NUNEZ - PLANENG REPORT \(002\).PDF](#)
[IMAGE001.JPG](#)
[IMAGE002.JPG](#)
[IMAGE003.JPG](#)
[IMAGE004.JPG](#)
[IMAGE005.JPG](#)

8. OTHER BUSINESS

9. ADJOURNMENT

Date Application Received: 3/6/2020

Application # _____

Fee Paid: 350.00

**CITY OF MILLVILLE
ZONING BOARD OF ADJUSTMENT**

APPLICATION FORM

Please type or print all information

1. Application Information

Name: Jose Nunez

Address: 1039 North St

City Millville State NJ Zip 08332

Phone 856-502-2626

2. Applicant's Attorney Information

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

3. Property Information

Street Address 408 N High St, Millville, NJ 08332

Block 364 Lot 8 Zone _____

Lot Area _____ Frontage _____ Depth _____

4. The appropriate Plan has been filed with the Secretary of the Zoning Board of Adjustment of the City of Millville which may be examined at the Office of the Secretary on the 5th floor of City Hall 12 S. High Street, Millville, New Jersey between the hours of 8:30 AM and 4:30 PM Monday through Friday. The map or sketch indicates the existing locations of boundary lines and structures and the changes requested to be granted herein by this Application.

Jose N 76123@yahoo.com

- 5) The present use of the land is 4A commercial
- 6) Description of proposed use or change to the property 4A commercial

7) The changes requested (are/are not) (circle one) permitted in this zone by the Development Regulations of the City of Millville. If permitted, set forth the Section of the Regulation by which such use is permitted.

Such use is permitted: yes

- 8) Type of Variance requested:
- A B C D (Circle appropriate variance type)

9) Set forth reasons why the Zoning Board of Adjustment should grant your application. Specify in detail all facts and reasons you intend to rely upon in support of the request.

Occupy one of many vacancies on High street. Brings more value to a great city. Making accessible to those with a permit to shop closer to home. Bring more income value to the city of Millville.

10) Date(s) and result(s) of any previous applications(s) to this Board for the above described property.

- A. _____ B. _____ C. _____

11) A hearing on this Application will take place at 6:30 PM on _____ in the 4th floor Richard C. McCarthy Commission Chambers in Millville City Hall, 12 S. High Street, Millville, New Jersey.



Signature of Applicant(s) _____ Date _____

THIS IS TO CERTIFY THAT NO TAXES OR ASSESSMENTS FOR LOCAL IMPROVEMENTS ARE DUE OR DELINQUENT ON THE PROPERTY IN QUESTIONS – if applicable.

 Nancy L. Gregoire _____ March 2, 2020 _____
 Signature of Tax Collector Date

DISCLOSURE STATEMENT

(If applicant is a corporation or partnership)

NAME OF DEVELOPMENT

APPLICATION

- A. Is this application to subdivide a parcel or parcels of land into six (6) or more lots?
 YES _____ NO ✓
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
 YES _____ NO ✓
- C. Is this application for approval of a site or sites to be used for commercial purposes?
 YES _____ NO _____

IF ANY OF THE ABOVE ANSWERS WERE YES, PROCEED TO D. IF NOT, SIGN AND SUBMIT

- D. Is the applicant a corporation or partnership?
 YES _____ NO X

IF YES:

- 1. List the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be
(Use extra sheets if necessary)

- 2. Does a corporation or partnership own 10% or more of the stock of this corporation or partnership? of any class or at least 10% of the interest in the partnership, as the case may be
(Use extra sheets if necessary)

YES _____ NO X

IF YES:

List the names and addresses of the stockholders of that corporation holding 10% or more of the stock or of 10% or greater interest in that partnership, as the case may be. This requirement is to be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the noncorporate stockholders and individual partners exceeding 10% ownership criterion established in L. 1997, C.336 have been listed *(Use extra sheets if necessary)*.

DATE: _____ **APPLICANT:** _____

SIGNATURE: _____

NOTICE SERVED ON OWNERS WITHIN 200 FEET ETC.

City of Millville
ZONING BOARD OF ADJUSTMENT
NOTICE OF HEARING ON APPLICATION

TO: _____ OWNER OF PREMISES: _____

PLEASE TAKE NOTICE:

That the undersigned has filed an application for development with the Board of Adjustment of the City of Millville for a D Variance from the requirements of the Zoning Ordinance so as to permit

A&J Tactical 408 High Street Millville NJ 08332

on the premises at 408 N High Street Millville NJ 08332 and designated as Block _____ Lot _____ on the City of Millville Tax Map, and this notice is sent to you as an owner of property in the immediate vicinity.

A public hearing has been set down for April 2, 2020, 6:30 P.M., in the 4th Floor Richard C. McCarthy Commission Chamber, 12 S. High Street Millville, New Jersey, and when the case is called you may appear either in person, or by agent or attorney, and present any objections which you may have to the granting of the relief sought in the petition.

The following described maps and papers are on file in the office of the Secretary of the Board and are available for inspection.

(Here insert description of documents)

This notice is sent to you by the applicant, by order of the Board of Adjustment.

Respectfully,

Joe Long
Applicant

NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER (DAILY JOURNAL)

City of Millville
Zoning Board of Adjustment

TAKE NOTICE that on the ____ day of ____ 20____, at 6:30 PM, a hearing will be held before the City of Millville Zoning Board of Adjustment in the 4th Floor Richard C. McCarthy Commission Chamber, 12 S. High Street, Millville, New Jersey on the application of the undersigned for a variance or other relief so as to permit _____

on the premises located at _____

and designated as Block _____ Lot _____ on the City of Millville Tax Map.

The following described maps and papers are on file in the office of the Secretary of the Board and are available for inspection.

(Herein insert description of documents)

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Zoning Board of Adjustment.

Name of Applicant

Publication Date: _____

State of New Jersey

SS

County of Cumberland

_____ being duly sworn upon this deposes and says:

On _____, I sent copies of the foregoing notice and of the Application for Variance by certified mail. Return receipt requested to the persons whose names and addresses appear on the attached list. Attached are receipts returned by the Post Office to me.

Sworn to and subscribed before me:

This _____ day of _____ 20__.

NOTE: *This form must be signed by a Notary Public and turned in to the Secretary of the Zoning Board of Adjustment with the list of persons to whom notice was sent and receipts 4 days before the meeting date.*

Request for List of Property Owners within 200 Feet of:

Block: _____

Lot: _____

Property Owner: _____

Mailing Address: _____

Property Address: _____

Phone: _____

Requested by: _____ Date of Request: _____

Picked up: _____

Mailed: _____

Paid by: Check _____

Cash: _____

Date: _____

Signature: _____

OFFICIAL USE ONLY

Received by: _____

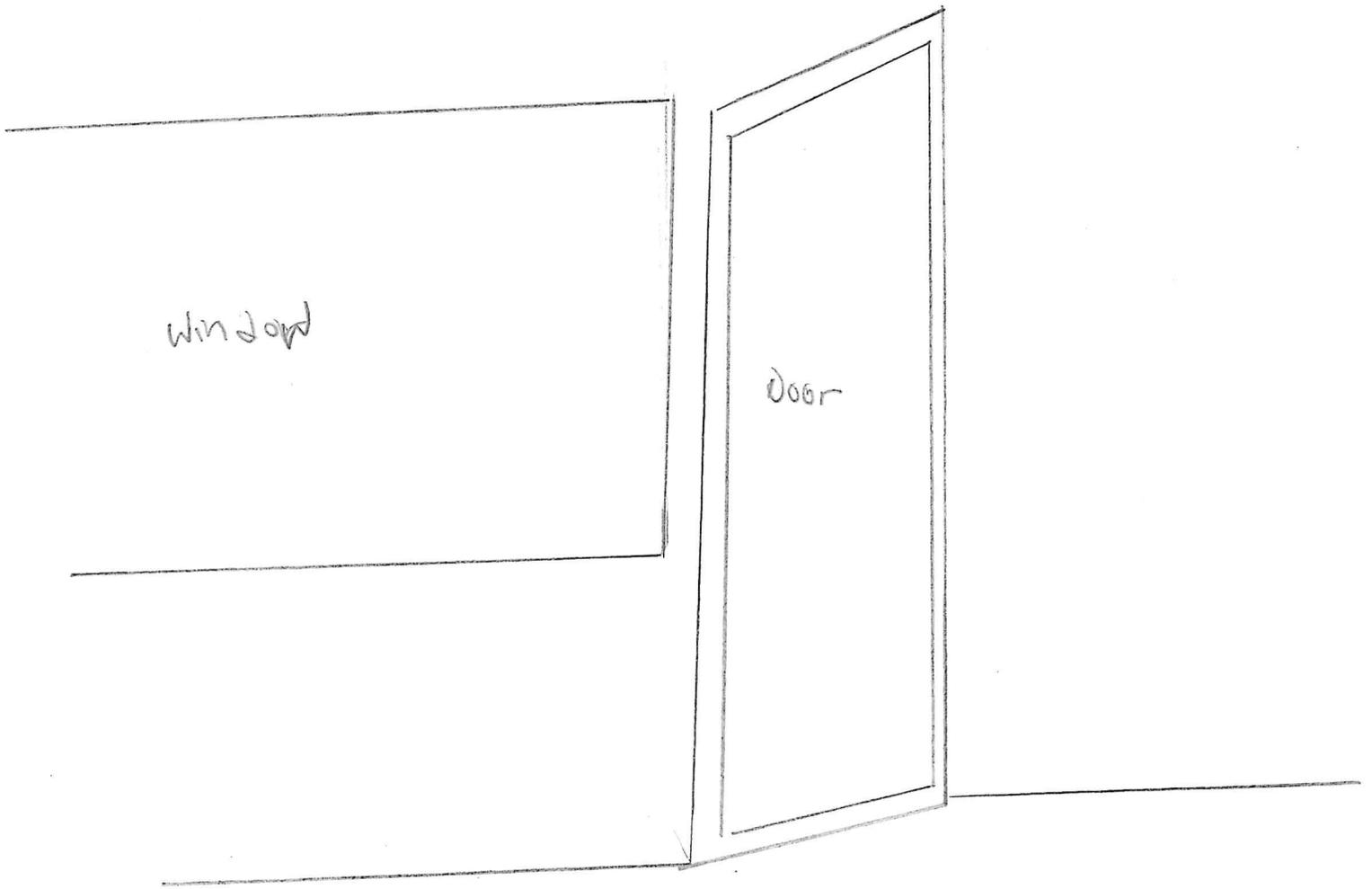
Date: _____

List prepared by: _____

Date: _____

Released by: _____

Date: _____



Window

Door

Back Door

Door
to Heating
Room

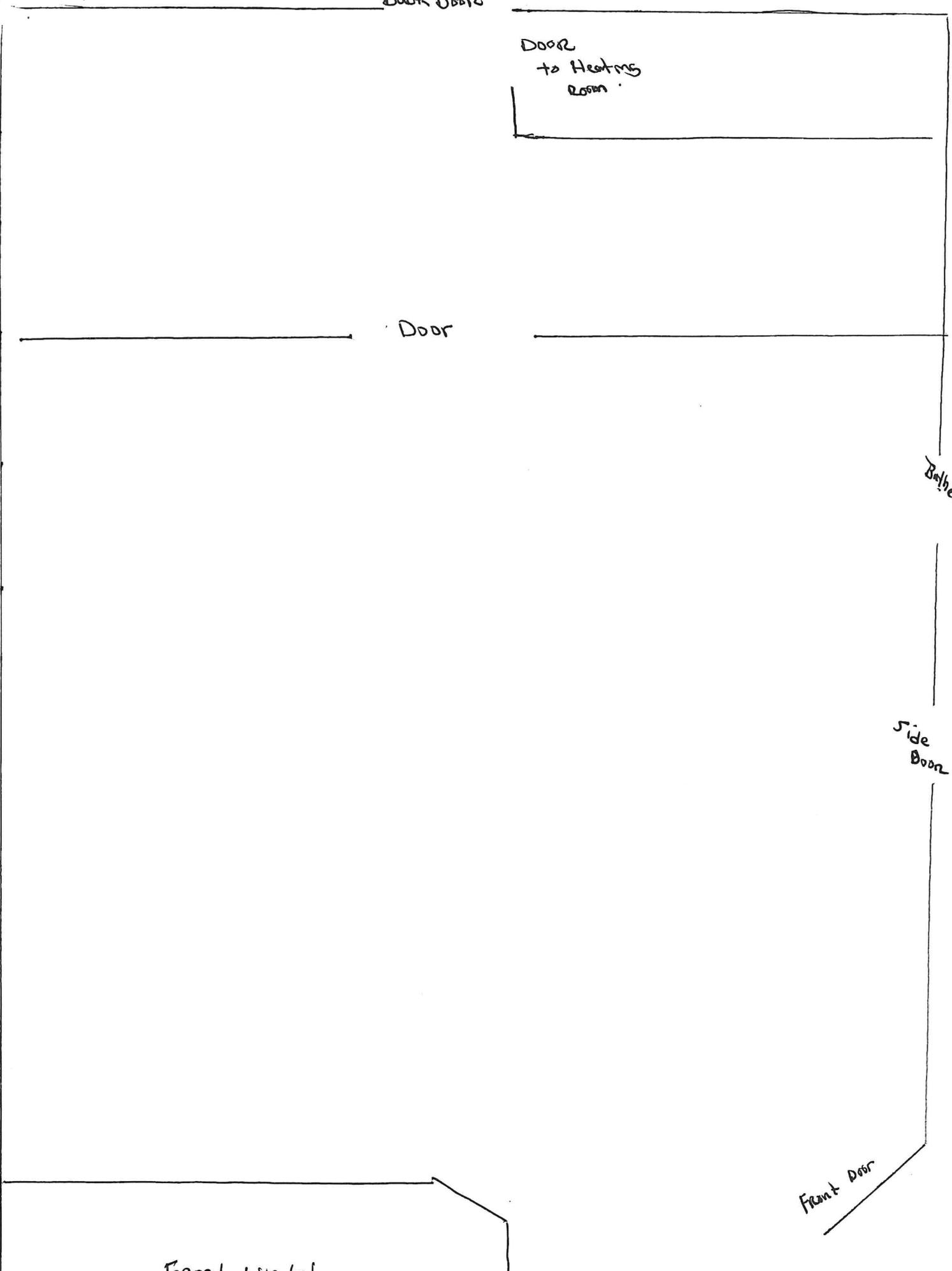
Door

Bathroom

Side
Door

Front Door

Front Window



3-5-2020

To whom it may concern,

I Steve Alicea am the owner of the building approves of A&J Tactical to operate a gun store at 408 High street if the city of Millville approve them. Please call me if you have any questions or concerns.

Thank you,

Steve Alicea

To whom it may concern : [REDACTED]

From: Jose Nunez (josen76123@yahoo.com)

To: josen76123@yahoo.com

Cc: anndjtactical@gmail.com

Date: Friday, March 6, 2020, 10:17 AM EST

To whom it may concern :
A&J Tactical

Will have top of the line surveillance cameras throughout the entire store. While providing well lite areas from the outside as well as the inside. The front door will remain securely locked at all times and individuals will only be allowed to enter the store when bussed in by staff. The back door will remain locked at all times and will have continuous surveillance.

The store will have safety tinting within regulations for security purposes. Every firearm will be stored and locked in a approved safe and be continuously monitored.

Every individual who enters the business must provide a state issued driver's license as well as a valid firearm license. Valid ID must be shown before handling any firearm. Valid ID's will remain with owner until the firearm is either put back or purchased.

Every firearm within the premises will be locked rather in a secured safe or secured display case and under constant surveillance.

Respectfully ,

Jose nunez

Sent from my iPhone

Zoning Board Review – Planning & Engineering Report

Parcel: Block 364, Lot 8
Applicant: Jose Nunez
Owner: Jose Nunez
Attorney: N/A
Project: 408 N. High Street | A&J Tactical
Zone: Central Business (B-3)
Action Sought: D Variance Approval
Existing Streets: North High Street (Major Collector)
East Vine Street (Local)
East Oak Street (Local)

Report Date: 6/01/2020

Meeting Date: 6/7/2020

Upon review of the application regarding the above-mentioned project, the following report has been offered for the Board's consideration with respect to the Site Plan application.

ENGINEERING REPORT

Documents Reviewed:

- City of Millville Zoning Board of Adjustment Application Form, signed March 2, 2020
- Sketch of existing High Street main entrance
- Sketch of existing floor plan
- Photos of facility
- Written statement from building owner, Steve Aicea, dated March 5, 2020
- Emailed written description of proposed use of building, dated March 6, 2020

Existing Land Use & Zoning

The site is located on North High Street in the Central Business (B-3) Zone, between East Vine Street and East Oak Street. The site was previously occupied by a retail store. The proposed use is to operate A&J Tactical, a retail firearms store. The Applicant proposes interior renovations along with exterior safety enhancements.

Proposal & Variances

The Applicant seeks a D variance for the site to permit a firearms store where the Central Business zone (B-3) does not permit this use.

In order to grant a use variance under the Municipal Land Use Law, the applicant must meet three criteria to the Board's satisfaction:

- The positive criteria:
 - There must be a "special reason" for granting the variance; absent an "inherently beneficial use," the development must show how this site particularly fulfills one of the purposes of zoning as identified in the MLUL (see N.J.S. 40:55D-2), or that general welfare will be promoted because the proposed site is particularly suitable for the proposed use, or demonstrate that the property has no economic utility under any permitted use; **and**
- The negative criteria:

- The proposed use must not cause substantial detriment to the public good, i.e., the neighborhood's welfare; **and**
- The proposed use is not inconsistent with and must not bring about substantial impairment to the intent and purpose of the Zoning Ordinance, which is based on the Master Plan.

Engineering Comments

1. Testimony shall be given as to the security improvements that will be installed in order to comply to government regulations for firearms retailers. Any construction permits shall be applied for as to comply with the City Construction Department.
2. Apartments are located above the retail space in question. Testimony shall be given regarding the security and accessibility of the retail space from the apartments above.
3. There is no off-street parking required in this zone. The property is generally built out to property lines. How will loading and unloading be handled?
4. Testimony shall be given regarding any sewer and water demands that will change from the different use before, if applicable.

Other approvals: This application may be subject to review and approval by the following outside agencies:

City of Millville Department of Public Works
New Jersey State Police

This office recommends that any approval granted by the Board be subject to submission revised plans, calculations, and information noted above.

This office reserves the right to make additional comments pending the receipt of any revised plans, reports, correspondence, and testimony of the applicant or professionals employed by the applicant. The Applicant's Engineer is advised that all plan revisions must be detailed in a cover letter and a revision date must be included on the plan with every revision.









