

LAND DEVELOPMENT

Appendix A-4  
C Variance (Bulk Variance)

CHECKLIST C VARIANCE

Revised 4-13-2004

Revised 12-8-2004

SUBMISSION CHECKLIST  
TOWNSHIP OF SOUTHAMPTON, NEW JERSEY  
APPLICATION FOR BULK VARIANCES-(C) VARIANCE  
ZONING BOARD OF ADJUSTMENT

(ORIGINAL AND 15 COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY APPLICANT.)

BLOCK 2902.03 LOT(S) 17

APPLICANT/DEVELOPER'S NAME STEVE CREEL

PROPERTY LOCATION ADDRESS: 34 CONSTITUTION DR.

DATE OF SUBMISSION: \_\_\_\_\_

- \_\_\_\_\_ Required Application.
- \_\_\_\_\_ Required Application Fee and Escrow Deposit. (See attached Fee and Escrow Ordinance.)
- \_\_\_\_\_ Certification by the Tax Collector that all taxes on said property are paid to date.
- \_\_\_\_\_ Current Survey (Within one year of date of application.) showing proposed development.
- \_\_\_\_\_ Architectural elevations for proposal.
- \_\_\_\_\_ Escrow Agreement.
- \_\_\_\_\_ LEISURETOWNE APPLICATIONS ONLY: Copy of Letter of Approval from the Architectural Review Committee of the Leisuretowne Association.
- \_\_\_\_\_ Written request for any waiver(s).

This checklist is not a substitute for any specific submission requirement of our Ordinances. See Ordinances for details. For any of the above requirements not submitted, a statement requesting a waiver and reason(s) must be submitted.

All applications received by the Zoning Board will be reviewed for completeness. No application will proceed to the Board until deemed complete by the review staff.

Pursuant to N.J.S.A. 40:55D-70(c) "The Zoning Board of Adjustment shall have the power to: (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to Article 8 of this act

TOWNSHIP OF SOUTHAMPTON  
5 Retreat Road  
Southampton, New Jersey 08088  
609-859-2786  
FAX 609-388-5532

The application, with supporting documentation, must be filed with the Office of the Planning and Zoning Board Administrator. Determination of completeness will be made within forty-five (45) days. Any additional information provided will be subject to a forty-five (45) days determination of completeness. After a meeting is scheduled, any documents submitted must be delivered to the Board and professionals no later than fifteen (15) days prior to the meeting scheduled.

PLANNING BOARD & ZONING BOARD APPLICATION FORM

Date Filed: \_\_\_\_\_ Application No. \_\_\_\_\_  
Planning Board: \_\_\_\_\_  
Zoning Board of Adjustment: \_\_\_\_\_  
Application Fees: \_\_\_\_\_  
Scheduled for: Review for Completeness: \_\_\_\_\_ Hearing: \_\_\_\_\_

1. SUBJECT PROPERTY:

Property Location Address: 34 CONSTITUTION DRIVE

Tax Map: Page \_\_\_\_\_ Block 2902.03 Lot(s) 17

Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions: Frontage 167.8 Depth 271.85 Total Area 47,614  
Zoning District RC-PL

2. APPLICANT/OWNER/DEVELOPER:

Name: STEVE CREEL

Address: 34 CONSTITUTION DR., SOUTHAMPTON, NJ 08088

Telephone No: 856-261-4042 Fax No.: \_\_\_\_\_ Email: scree1@gmail.com

Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual

Corp., Partnerships & LLC's, please provide a W-9 form.

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirements applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to fully comply.)

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Fax No.: \_\_\_\_\_

5. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING: SUBDIVISION:

- Minor Subdivision Approval
- Subdivision Approval (Preliminary)
- Subdivision Approval (Final)

Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
 (including remainder lot) (if applicable)

**SITE PLAN:**

- Minor Site Plan Approval
- Preliminary Site Plan Approval {Phases (if applicable) \_\_\_ }
- Final Site Plan Approval {Phases (if applicable) \_\_\_\_\_ }
- Amendment or Revision to an Approved Site Plan
- Area to be disturbed (square feet) \_\_\_\_\_
- Total number of proposed dwelling units \_\_\_\_\_
- Request for Waiver from Site Plan Review and Approval

Reason for request: \_\_\_\_\_

- Informal Review (Planning Board only)
- Appeal decision of an Administrative Officer (N.J.S. 40:55D-70a)
- Map or Ordinance Interpretation of Special Question (N.J.S. 40:55D-70b)
- Variance Relief (hardship) (N.J.S.40:55D-70c(1))
- Variance Relief (substantial benefit) (N.J.S.40:55D-70c(2))
- Variance Relief (use) (N.J.S. 40:55D-70d)
- Conditional Use Approval (N.J.S.40:55D-67)
- Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin (N.J.S. 40:55D-34)
- Direct issuance of a permit for a lot lacking street frontage (N.J.S.40:55D-35)

6. Attach in paragraph form, an explanation of the exact nature of the application and the changes to be made, including proposed use of the premises, and why any variances or waivers should be granted: (Attach separate sheet)

7. **PROPERTY INFORMATION:**

Restrictions, covenants, easements, association by-laws, existing and proposed on the property:

Yes(attach copies) \_\_\_\_\_ No  Proposed \_\_\_\_\_

**Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.**

Present use of the premises: INSTALL INGROUND POOL 18' X 36'

8. **APPLICANT'S ATTORNEY:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Fax \_\_\_\_\_

email: \_\_\_\_\_

9. APPLICANT'S ENGINEER: JAMES E. MACCARIELLA, JR  
 Address: 38 COUNTRY SQUIRE LANE, MARLTON, NJ 08053  
 Telephone No.: 609-560-1845 Fax \_\_\_\_\_  
 email: macc5@comcast.net
10. APPLICANT'S PLANNING CONSULTANT: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
11. APPLICANT'S TRAFFIC ENGINEER: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
12. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)  
 Name: \_\_\_\_\_  
 Field of Expertise: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
13. Section(s) of Ordinance from which a variance is requested: 2020-08
14. Waivers Requested of Development Standards and/or Submission Requirements:  
 (attach additional pages as needed)
15. **Attach a copy of the Notice to appear in the official newspaper of the municipality (The Central Record or The Burlington County Times or the Courier Post) and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.**  
**The publication and the service on the affected owners must be accomplished at least ten (10) days prior to the date scheduled by the Administrative Officer of the hearing.**  
**An affidavit of service on all property owners and a proof of publication must be filed at least three (3) days prior to meeting before the application will be complete and the hearing can proceed.**
16. Is a public water line available? NO
17. Is public sanitary sewer available? NO
18. Does the application propose a well and septic system on site? EXISTING
19. Have any proposed new lots been reviewed with the Township Engineer to determine appropriate lot and block numbers? N/A
20. Are any off-tract improvements required or proposed? N/A
21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? \_\_\_\_\_

23. Other approvals which may be required and date plans submitted:

	Yes	No	Dates Plans Submitted
Burlington County Board of Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Burlington County Planning Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Burlington County Soil Conservation District	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
NJ Dept. of Environmental Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Pinelands Commission	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Stream Encroachment Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Wetlands Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
NJ Dept. of Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Public Service Electric & Gas Company	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
County 9-1-1 Coordinator, Street Name Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

26. The applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals: Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicants  
Professional

Reports Requested

Attorney

\_\_\_\_\_

Engineer

\_\_\_\_\_

**CERTIFICATION**

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

(If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this 6th Day of July, 2021.

Rosemary G. Franco  
Notary Public

[Signature]  
Signature of Applicant

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.  
(If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this

6th Day of July, 2021.

Rosemary G. Franco  
Notary Public

[Signature]  
Signature of Owner

29. I understand that the sum of \$ 500 has been deposited in an escrow account. In accordance with the Ordinance of the Township of Southampton, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned under the procedures in the ordinance. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I understand that no further review of my application will be made until such time as my escrow account is current.

7/6/21  
Date

[Signature]  
Signature of Owner

30. I agree to be responsible for all bills against this development's escrow account. In the event that this project is sold or my interest is transferred to another party, my obligation can only be relieved if all outstanding escrow bills are paid and the new principal obligates himself to the responsibility of all future bills in an agreement with the Township.

7/6/21  
Date

[Signature]  
Signature Developer/Applicant

**SOUTHAMPTON TOWNSHIP PROFESSIONAL STAFF**

**PLANNING BOARD ENGINEER**

Environmental Resolutions, Inc  
815 East Gate Drive, Suite 103  
Mount Laurel, NJ. 08054  
Rakesh Darji, Engineer

856-235-7170  
Fax: 856-273-9239  
  
rdarji@erinj.com

**PLANNING BOARD PLANNER**

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815 East Gate Drive, Suite 103  
Mount Laurel, NJ 08054  
Edward Fox, III, Planner

856-235-7170  
Fax: 856-273-9239  
  
efox@erinj.com

**PLANNING BOARD ATTORNEY**

The Law Offices of Peter Lange  
150 Himmellen Road  
Medford, NJ 08055  
Peter Lange, Esq.

609-654-6300  
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plange@langelaw.biz

**ZONING BOARD OF ADJUSTMENT ENGINEER**

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**ZONING BOARD OF ADJUSTMENT ATTORNEY**

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Thomas Coleman, Esq.

856-222-0100  
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tomcoleman@rclawnj.com

**ZONING OFFICERS**

Denise Schmied & Thomas Boyd

609-859-2786  
construction@southamptonnj.org

**SECRETARY OF PLANNING BOARD**

Michele Gittinger

609-859-5570  
planning@southamptonnj.org

**SECRETARY OF ZONING BD OF ADJUSTMENT**

Maryalice Brown

609-859-2786  
zoning@southamptonnj.org

We are requesting relief from ordinance 2020-8, which requires 10% maximum impervious coverage, to install an inground pool and pool deck, bringing the coverage 16.1%

Our property is already over the maximum allowable coverage by 2.5%. Therefore, any improvement will require a variance.

Adding an inground pool is in line with my neighborhood. There are other inground pools in my neighborhood.

An inground pool will not be detrimental to our property or neighboring properties. Per the pool grading plan done by James Maccariella, PE, indicates the pool will not affect the existing grade and our property will continue to drain to the street and will not affect neighboring properties.

An inground pool will not bring our property value or neighboring properties down.

We are hoping to provide a recreation and exercise in our back yard for our family.



## ESCROW AGREEMENT

THIS AGREEMENT made this 6<sup>th</sup> day of July, 2021

between

STEVE CREEL

(name of applicant)

hereinafter referred to as "Applicant", and the PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT of the TOWNSHIP OF SOUTHAMPTON, hereinafter referred to as the "Board".

WHEREAS, Applicant is currently seeking to make an application to the PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT of the TOWNSHIP OF SOUTHAMPTON, and;

WHEREAS, the Board desires to establish an escrow whereby work required to be performed by professionals employed by the Board will be paid by the Applicant as required under the provisions of the Ordinances of the TOWNSHIP OF SOUTHAMPTON, and;

WHEREAS, both parties feel it is appropriate to reduce this understanding to written form.

WITNESSETH:

IT IS mutually agreed between the parties that:

**1. PURPOSES.**

The Board authorizes its professional staff to review, inspect, report and study all plans, documents, statements, improvements and provisions made by the Applicant in conforming to the requirements of the Ordinances of the Township. The Board directs its professional staff to make all oral and/or written reports to the Board or its conclusions and findings derived from the review, study, investigation and like or similar duties performed as elsewhere authorized. The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of the duties outlined above.

**2. ESCROW ESTABLISHED.**

Applicant and the Board in accordance with the provisions of this agreement hereby create an escrow to be established by the Board in a depository selected by the Township Committee.

**3. ESCROW FUND.**

Applicant by execution of this agreement shall pay to the Township Treasurer, to be deposited in the depository referred to in Section 2, such sums as are required by Schedule 1, which is attached hereto and made a part hereof by reference. Execution of this agreement by the Board acknowledges receipt of the sums referred to under this paragraph.

**4. INCREASE IN ESCROW FUND.**

If during the existence of this escrow agreement the funds held by the escrow holder shall be insufficient to cover any voucher or bill submitted by the professional staff and reviewed and approved by the Board, Applicant shall within fifteen (15) days from the date of receipt of written notice, deposit additional sums with the escrow holder to cover the amount of the deficit referred to above. The written notice referred to in this paragraph shall be sent to:

**5. TIME OF PAYMENT.**

The professionals referred to in this agreement, upon the conclusion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Board and/or Township Committee for vouchers or the type and kind referred to under this paragraph. Said vouchers shall include the amounts of all fees and costs incurred as a result of the services set forth under Paragraph 1 of this agreement.

**6. BOARD OF REVIEW.**

The Township Committee shall review the vouchers submitted by the professionals to determine whether the services have been performed in the manner and to the degree required by this agreement. Upon

making a determination that said services have been performed properly, the Treasurer shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for performance for the Board. At the conclusion of this processing the amounts specified in said vouchers shall be deducted by the escrow holder from the escrow established pursuant to this agreement.

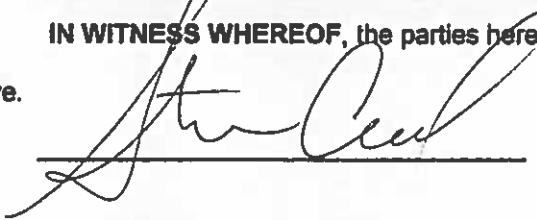
**7. APPLICANT'S OBJECTION.**

The Applicant shall have the right to make periodic inquiries of the records maintained by the escrow holder to determine the status of the escrow at any point in time. Where the Applicant objects to the payment of any voucher from the escrow fund, he shall have the right to appeal, upon three (3) days written notice to all professionals, to the **TOWNSHIP COMMITTEE** (Board) to determine whether the payments or payment are objected to be proper. The standards of review to be utilized by the **TOWNSHIP COMMITTEE** (Board) in determining whether said payments are proper and whether the fees incurred are reasonable and whether the work has been performed properly.

**8. INTEREST ALLOCATIONS.**

Any and all interest which would result from or arise out of the deposits being made and held in escrow by the Applicant shall revert to the use of the escrow holder as compensation for the services rendered in connection with this escrow agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the date first written above.



(Applicant)

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Administrative Officer of  
Planning and Zoning