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## Memorandum

To: Ms. Jill Torpey, Eastampton Township Land Use Planning Board Secretary (via email)

From: Stacey Arcari, PE, PP, PTOE, CME,  
Eastampton Township Land Use Planning Board Engineer

Date: August 4, 2021

Re: Flynn's Towing  
**Proposed Fence Plan**  
2619 NJSH Route 206  
Block 700, Lot 10  
ERI File # 43118 00

### Submission Items:

1. Land Use Development Application
2. Proposed Fence Location Plan, 4 Sheets, prepared by Kluk Consultants, LLC, dated July 19, 2021.
3. Letter of Permission from the Property Owner, dated June 25, 2021.
4. Wetlands Plan, prepared by Kluk Consultants, dated August 10, 2010
5. Letter of Interpretation/Line Verification, Approved by NJDEP, July 28, 2010 (Expired July 28, 2015)

### Comments

1. The LOI approval provided expired in 2015. The plan shows the fence to be located in the existing stone area and then deviating to the grass area near the wetlands. The approved LOI indicated no wetlands buffer in this area. Since the fence is not to be installed within the existing developed area, the engineer should provide an updated LOI from the NJDEP or the fence should be moved to the existing stone area.
2. The location of the fence on the north side deviates from the developed stone parking lot into the grassed area. It is a concern that there will be parking in the grass area or that the stone area will eventually expand to the new fence location. It is recommended that any fence be installed solely within the already developed area and the plan be modified to show this recommendation.
3. The fence detail does not indicate a concrete footing. The engineer should discuss whether the site soils were reviewed to determine as to whether a lack of footings is suitable for the existing conditions.
4. The proposed gate is shown on the plan to be located 99.09-feet from the existing NJSH Route 206 right-of-way. The applicant should discuss operations of the business, including how many trucks enter and exit the site at any given time, hours of operation, how the gate will function (i.e. will it be driver activated or remain open during the day), etc. The width of the driveway should also be discussed and whether two (2) vehicles can pass each other entering/exiting the site.
5. The proposed fence on the south edge of the site appears to encroach within the existing tree line. The applicant should discuss whether any trees are proposed to be removed. The plan also seems to indicate a treeline within the asphalt area, which is confusing. This should be clarified.

6. The plan should indicate the 50-foot wetlands buffer on the south side of the site on the Fence Plan.
7. The plan should indicate the dimension between the edge of the driveway to the proposed fence on the south side for construction purposes. The plan should also indicate dimensions on the north side between the edge of the stone to the proposed fence. The applicant should discuss the proposed setbacks and the reasons for the proposed setbacks with the Board.
8. A detail should be provided as to how the fence posts will be installed within the asphalt.
9. We recommend that the Police and Fire Departments review the plan and provide any comments.

**Ordinance Requirements.** Ordinance Section 540-56 has standards for industrial versus non-industrial uses. While this site is certainly commercial in nature, we do not consider it an industrial use.

1. In accordance with Ordinance Section 540-56.B. the fence is in compliance with the fence types permitted.
2. In accordance with Ordinance Section 540-56.E.(1)., fences shall not be within 20-feet from the Township Right-of-way. The fence is set back from the right-of-way 99.09-feet (according to the plan), which conforms to the ordinance.
3. Ordinance Section 540-56.E.(2)., fences not exceeding 36 inches in height above ground level are permitted in the required front yard. A fence up to 6-feet in height may be erected between the building and 15-feet from the right-of-way or 20-feet from the roadway when a right-of-way does not exist. We interpret the ‘required front yard’ to mean the ‘front yard setback’, which is 50-feet for the BP (Business Park) Zoning District.

The fence is setback 99.09-feet, well out of the ‘front yard setback’; therefore, we interpret this section to allow the 6-foot fence to the ‘front yard setback’ of 50-feet.

4. In accordance with Ordinance Sections 540-56.E.(4) and (8), fences may not exceed 6-feet above ground level, said 6-feet to include ornamental tops and cappers. The fence height proposed appears to be 6-feet in height, but the decorative cappers appear to exceed a 6-foot height (the plan indicates 73.5 inches (6.125-feet)), which exceeds the permitted height. **A variance for fence height is required.**
10. The fence is proposed to be installed a distance of 4.51-feet at its closest point to the southern property line. There is no specified ordinance requirement for setback from a property line; therefore, we take no issue as long as the comments in letter have been addressed regarding the tree line and dimensions to the driveway.

Should you have any questions, please feel free to call or email me at [sarcari@erinj.com](mailto:sarcari@erinj.com)

cc: David Serlin, Esquire (via email)  
Kim Marie-White (via email)  
Pat McAndrew, Esquire (via email)  
Kris Kluk (via email)