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**Via Email**

Chairperson George Johnstone and Members  
Eastampton Land Use Planning Board  
12 Manor House Court  
Eastampton, New Jersey 08060

Re: Total Site Improvements

Dear Chairperson Johnstone and Planning Board Members:

Total Site Improvements, LLC ("Applicant") in 2017 applied for a use variance for a construction office and self-storage facility in the Planned Office Zoning District where neither use is permitted. As the property was not subdivided the two uses were to be conducted on Lot A and Lot B. The existing 6,217 square foot building was to be converted to a construction office with areas for maintenance and storage of equipment. A separate two story building was to serve as the residence and office for the operator of the self-storage facility. Board Engineer Stacey Arcari, PE, PP, CME, PTOE, issued a review letter dated August 2, 2017.

Resolution #16-2017, adopted on December 4, 2017, memorialized the approval on October 18, 2017 of the use variance for the contractor's office and yard. The resolution incorporated the Board Engineer's review letter. The approval was conditioned upon the Applicant receiving all

required subsequent approvals, including minor subdivision approval. The property is owned by M & M Land Development, LLC, and at the hearing the Applicant testified that the owner had not informed it that the use was not permitted. Resolution #16-2017 expressly noted that any detrimental impacts could be minimized by controls imposed as a condition of site plan approval. The Applicant was permitted to continue the application for the self-storage facility.

On February 21, 2018 the Applicant appeared before the Board seeking approval to construct the self-storage facility. The approval granting the use variance was memorialized in Resolution #7-2018 adopted on April 18, 2018. Resolution #7-2018 incorporated Resolution #16-2017 and provided that both approvals were "conditioned upon the granting of subdivision and site plan approvals for which the Applicant must demonstrate the absence of both substantial detriment to the public good and substantial impairment of the intent and purpose of the zone plan and zoning ordinance." The applications for site plan approval were to be "submitted together for Board consideration."

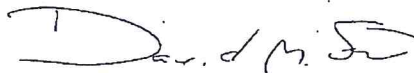
By letter dated September 17, 2019, Travis J. Richards, Esquire on behalf of the Applicant informed the Board that the investor for the self-storage facility had withdrawn, however, another party had expressed interest. He requested attending a future meeting to advise the Board. Mr. Richards provided a more detailed explanation in a letter to the Board dated November 26, 2019.

Eastampton Code Section 47-17 permits the Board to extend a use variance, which otherwise expires in two years due to inaction, for three one year terms:

Unless otherwise specified by the Land Use Planning Board, any variance from the terms of Chapter 540 Zoning, granted by the Land Use Planning Board permitting the erection or alteration of any structure or structures or specified use of any premises shall expire and become null and void two years from the date of authorization by the Land Use Planning Board unless such construction, alteration or use shall have been actually commenced on or in each and every structure permitted by such variance within said period. The Land Use Planning Board, upon application, notice and for good cause and within said period, may extend said period for one year, but not to exceed three extensions.... Each request for extension shall be subject to the same fee and escrow requirements as those applicable to a variance application.

Neither Mayor Apgar nor Councilman Santillo can participate in consideration of this application for a one year extension of each use.

Sincerely,



David M. Serlin, Esquire

DMS/lg

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