

**RESOLUTION OF FINDINGS AND CONCLUSION**

**JOINT LAND USE BOARD**

**BOROUGH OF STRATFORD**

**RESOLUTION # 2022-08**

**ICP STRATFORD GP, LLC, SB STRATFORD PROPCO & HEARTLAND  
STRATFORD SPE  
Block 87.01, Lots 4.01 & 6.03**

**WHEREAS**, the applicants, ICP Stratford, SB Stratford Propco, LLC and Heartland Stratford SPE, LLC (the “applicants”), the owners of the land and premises located at 710 W. Laurel Road in the Borough of Stratford, New Jersey, having made application to the Stratford Joint Land Use Board in the Borough of Stratford, Camden County, for an amended Preliminary and Final Major Site Plan and an amended D-1 and D-6 Use Variance , as needed for the property located upon Block 87.01, Lots 4.01 & 6.03 as shown on the Official Map of the Borough of Stratford, located in a O Zoning district, said application being represented by Damien Del Duca, Esquire ; and

**WHEREAS**, the Board after carefully considering the representations made by the applicant at the public hearing held on January 27, 2022 as well as having reviewed the application and evidential exhibits at said hearing, has made the following factual findings and conclusions based thereon;

1. The applicants are the owners of the land and premises located at 710 W. Laurel Road, designated as Block 87.01, Lots 4.01 & 6.03, on the Official Tax Map of the Borough of Stratford, located in an O Zone.

2. Proper notice was afforded all adjacent property owners as provided by the applicable statutes and ordinances, and the applicant provided proof of said notice.

3. All property taxes were paid to date.

4. Mr. Del Duca stated they appeared before this Board on July 22, 2021, and at the time the Board granted Preliminary Major Site Plan approval for a 187 unit senior living community with supportive services providing a continuum of care in age restricted housing, 62 years old and older. The Board also granted the waivers and variances requested. There was a D-1 Use to permit the use and a D-6 variance to permit a building height of 57 feet. None of those items have changed. There are only limited changes as outlined in Mr. Bach's report dated January 24, 2022 which is incorporated herein.

5. After being sworn, Alex Tweedie, a Professional Engineer, introduced into evidence exhibit A-1, an aerial photo showing the property to be 11.2 acres and is L- shaped and fronts on Laurel Road. The three buildings in the back have been demolished and the fourth building is the Tomlinson Mansion which remains today however they do have permit for demolition. The proposed building, as shown on exhibit A-9, will be built using some of historical elements of the Tomlinson Mansion that are identified by the applicant and the Borough of Stratford Historical Society; they will be harvested from the Tomlinson Mansion building and archived for display at the new facility. A historical marker per the standards of Camden County Historical society shall be displayed on the property. Exhibit A-2 is the previous approved plan, A-3 is a color rendering of the proposed amended Preliminary Site Plan and Final Major Site Plan, A-6 is the building rendering the Board saw and approved in July and in the center you can see the reconstructed Mansion and A-9 is the amended rendering as currently proposed. The newly constructed façade of the prior building is still in the center with the main building behind it.

6. Mr. Tweedie next reviewed the seven changes to the original plan as enumerated in Mr. Bach's letter of January 24, 2022. First, the building footprint got slightly smaller by 138 square feet. Second, the dumpster enclosure and loading zone that were in the rear of the building have been converted to resident and employee parking and are now on the southeast corner which increases the separation from the residential homes. Third the rear yard setback has been changed from 48.56 to 38.27 feet and still meets the required 25 feet and more buffering has been added. Fourth, the storm water collection system has been redesigned to eliminate discharge into the designated wetlands buffer area and to now discharge in to the existing storm water management system in West Laurel Road; the Boroughs of Stratford, Lindenwold and Laurel Springs have approved this redesign. Fifth, handicapped parking spaces have been relocated from the northerly side of the building to the front of the building. Sixth, the number of parking spaces have been reduced from 101 to 96 allowing for improvement access into the canopy and entrance and created a green space in the center. Lastly the front parking area was bifurcated into 2 separate parking areas. One area is for employee parking, loading and trash collection and the other area is for the general public. There were no other substantive changes to the plan.

7. Mr. Tweedie testified there are three conditions for approval in Mr. Bach' letter. The first has to do with fencing. The applicant is proposing to remove the old chain link fence and any overgrown brush, clean up the area completely and put new fencing in that location. The applicants agreed to work with the owners that have existing fencing so there is no need to duplicate fencing back to back. The northern western portion of the property where the applicants show the proposed landscape buffering will also include fencing. Mr. Feranda will address the traffic signal and the third condition concerns the Fire Marshal. His concern about

providing the fire hydrant in the rear of the building remains as proposed and the traffic circulation has been satisfied. The applicant agreed with all of the other conditions in Mr. Bach's most recent report and also agreed that the trash enclosure will be masonry on three sides and have an opaque front gate and that fencing will be installed on both the westerly and northern entire property lines that are adjacent to the Saratoga neighbors back yards and then potentially continue past a neighbors fence if the applicant can provide a written acknowledgment from individual residents that they want their fencing to remain.

8. Andrew Feranda, a Professional Traffic Engineer, testified at the July hearing one of the conditions of approval was to evaluate the traffic signal at the intersection of Laurel Road and Saratoga Road for the purpose of determining if the proposed community will require a time modification to the signal. The study concluded that no signal timing adjustments are warranted. Mr. Morello asked even though the study concluded no adjustment was needed would safety be increased if one or two seconds were added. Mr. Feranda said it would need County approval. The applicant agreed to contact the County to see if this is agreeable to them and if so the applicant would pay for the reprogramming of the current signal controls to meet the modified timing requirement.. Finally, Mr. Feranda stated the reduction in parking spaces are adequate to accommodate parking demand and site access and onsite circulation will be safe and efficient.

9. Jim Miller, a Professional Planner, testified that no variances or waivers are required as a result of these minor changes to the plan. He stated there were no adverse impacts on surrounding neighborhood or results in increase negative impact to the neighbors and the proposed changes will not have any type of detriment to the public good or impair the purpose and intent of the zone plan and zoning ordinance.

10. Mr. Adin Mickle, of Somerdale, N.J., asked whether proper notice was given for this meeting and it was determined that it was, then he asked questions pertaining to the historical significance of the Mansion and it was determined that these questions were addressed at the prior hearing when the D variances were granted. The use and building height have not changed. Admitted into evidence and marked M-1 was a petition that was introduced at the July meeting and Exhibit M-2, two pages of e-mails.

11. Although the Board concluded that the use and building height was not changing, the applicants asked the Board to consider granting amended D variance approvals in an abundance of caution. The Board agrees with Mr. Miller's testimony that the amended plan is a preferable plan to what was previously approved; it is less impactful overall to the residential neighbors; the use is not changing or becoming more intense; the building height is the same. As a result, amended D variance can and should be granted, for the same reasons expressed when originally approved in July 2021.

**UPON MOTION** duly made and seconded to grant the applicant the amended Preliminary Site Plan and Final Major Site Plan, amended D(1) and (6) variance approvals, the Board voted seven (7) in favor, none (0) against and zero (0) abstentions, thus granting the relief requested; and

**WHEREAS**, the Board has determined that, for the reasons set forth above and for the reasons testified to by the applicants and Board professionals, the relief requested by the applicant may be granted without substantial detriment to the public good and otherwise without impairing the intent and purpose of the Zoning Plan and Ordinances of the Borough of Stratford because of the size and shape of the lot and the Board was of the opinion that the benefits exceed any detriment. The use is inherently beneficial, the impact to neighbors is less with the changes

to the plan and, in general, are not material; the plan is largely consistent with the remaining ordinance provisions; and, when balancing the public benefits of the use against any detriment or impairment, the benefits certainly outweigh any detriments or adverse impacts or inconsistencies with the ordinance or master plan; and


**WHEREAS**, the statutory purposes of zoning will be advanced by the granting of the relief requested;

**NOW THEREFORE BE IT RESOLVED**, by the Joint Land Use Board of the Borough of Stratford on this 24th day of February, 2022, the applicant is hereby granted the aforesaid amended Preliminary Site Plan and Final Major Site Plan conditioned upon complying with Mr. Bach's suggestion about fencing, the applicant will contact the County regarding the Laurel Road traffic signal and pay for the cost of reprogramming the signal timing equipment involved if approved and the trash enclosure will be masonry on three sides with an opaque gate for the property located upon Block 87.01, Lots 4.01 & 6.03 as shown on the Official Tax Map of the Borough of Stratford, consistent with the testimony, application and exhibits, some of which are incorporated herein and the Board determined that the changes did not affect the use an amended Use Variance is not required.

**ROLL CALL:**

**LIST NAMES**

Mr. McGovern	Yes
Mr. Hall	Yes
Mr. Morello	Yes
Ms. Campbell	Yes
Mr. St. Maur	Yes
Mr. Botterbrodt	Yes
Mr. Mancini	Yes



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Michael Mancini **Chairperson**

I, Sharon McCart, Secretary of the Joint Land Use Board of the Borough of Stratford, do hereby certify the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Joint Land Use Board of the Borough of Stratford on the 24th day of February, 2022.



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Sharon McCart Secretary

Prepared by:  
**ANTHONY P. COSTA, Esquire**