

DORAN

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840 NORTH MAIN STREET • PLEASANTVILLE, NJ 08232
(609) 646-3111 FAX (609) 641-0592

MEMO TO: City of Northfield Planning/Zoning Board

FROM: Matthew F. Doran, Board Engineer

DATE: April 27, 2026

RE: ACCC Properties, LLC
Doran #9757

LOCATION: 101 Hemsley Place
Block: 175; Lot: 48.01

STATUS: “D-1” Use Variance to allow the existing dwelling to be used for commercial purposes.

BASIS FOR REVIEW: Plans prepared by Arthur Ponzio CO.
Property Survey, Sheet 1 of 1, dated 11-08-24
Cover letter from Nehmad Davis & Goldstein, dated 3/17/26
Copy of Tax Map Sheet 21
Aerial Photos, two sheets of the site
Planning Board Application, dated 3/12/26
Certificate of Compliance, supplied by the city, dated 10/28/24
Discloser Statement, dated 8/08/24
Property Detail Report prepared by Emanuel Sanfilippo
200’ property owners list – To be supplied under separate cover
Proof of Paid Taxes – To be supplied under separate cover

USE: Proposed Commercial Use of a single family dwelling

ZONING REQUIREMENTS: This property is in the R-1, Residential Zone, which allows for Single Family uses. The following is a review of the bulk requirements for the proposed project.

ITEM	REQUIRED	EXISTING	CONFORMITY
LOT AREA	10,000 SF	17,500 SF	C
LOT WIDTH	100’	125’	C
SETBACKS:			
FRONT	25’	59.60’	C
FRONT -	-	-	-

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SIDE	10'	18.10'	C
SIDE (both)	25'	46.50	-
REAR	25'	15.0' to open deck	ENC
HEIGHT	2 STY/25'	2 STY'	C
MIN. GROSS FLOOR AREA:			
ONE STORY	1,500 SF	-	-
TWO STORY	1,350 SF	> 1,350 SF	C
BLDG. COVERAGE	25%	19%	C
TOTAL COVERAGE	40%	25%	C
BUFFER	15'	Not Supplied	

ENC – Existing Non-Conformity

PROJECT DESCRIPTION:

The applicant has made application for a “d” (1) Use Variance, to allow the existing single-family dwelling to be utilize the dwelling for occasional commercial purposes in conjunction with the overall Atlantic City Country Club Site.

There presently exists an existing 2-story single family building at the site which is utilized.

ZONING REVIEW:

1. The Applicant is proposing to use the existing single-family home for occasional commercial purposes in conjunction with the overall Atlantic City Country Club., which will require a “d” (1) use variance.

The applicant should supply testimony as to which types of Commercial Uses are proposed. These uses will determine items, such as parking, buffers, hours of operation, etc.

2. Following is a list of variances associated with the application:

- a) “d” (1) variance, for a Commercial Use in the R-1 residential zone.

3. A use variance falls under the jurisdiction of the Zoning Board as permitted in NJS 40:55D-60.a and 40:55D-70.d, the Board may “in particular cases and for special reasons grant a variance to allow departure from regulations pursuant to Article 8 of this act to permit; (1) a use or principal structure in a district restricted against such use or principal structure, (2) an expansion of a non-conforming use, (3) deviation from a specification or standard pursuant to Section C. 40:55D-67 pertaining solely to a conditional use, (4) an increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, c. 291 (C. 40:55D-4), (5) and increase in the permitted density as defined in section 3.1 of P.L. 1975, c. 291 (C. 40:55D-4), except as applied to the required lot area for a lot or lots detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision or (6) a height of a principal

structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure. A variance under this subsection shall be granted only by affirmative vote of at least five members, in the case of a municipal board, or 2/3 of the full authorized members, in the case of a regional board, pursuant to article 10 of this act [40:55D-77 to 40:55D-88].

The applicant must prove, and the Board must find “quality of proof as well as clear and specific findings” that the granting of this variance will not be inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance. This is commonly known as the Negative Criteria.

The applicant must also show “special reasons” for the Board to grant this variance. Special reasons have been defined as those reasons that carry out a purpose of zoning.

The applicant needs to provide additional testimony as to how the “d” (1) variance can be granted in accordance with the criteria outlined above and within the M.L.U.L.

The Municipal Land Use Law (N.J.S.A. 40:55d-2) enumerates the Purpose of Zoning as:

- a To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b To secure safety from fire, flood, panic and other natural and man-made disasters;
- c To provide adequate light, air and open space;
- d To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f To encourage the appropriate and efficient expenditure of public funds by coordination or public development with land use policies;
- g To provide sufficient space in appropriate locations for variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h To encourage the location and design of transportation routes, which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i To promote a desirable visual environment through creative development techniques and good civic design and arrangement;

- j To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l To encourage senior citizen community housing construction;
- m To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n To promote utilization of renewable energy resources;
- o To promote the maximum practicable recovery and recycling of recyclable materials from solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

The Board has the power to grant the bulk variances provided the applicant can demonstrate to the Board's satisfaction that either:

- 1) By reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or (c) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of the zoning regulations would result in the peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the development of the property.
- 2) C (2) where an application of appeal to a specific piece of property, the purpose of this act would be advanced by a deviation from the zoning ordinance requirement and the benefits of the deviation would substantially outweigh any detriment.

All site issuers will be reviewed separately in the following plan review.

- 4. The applicant shall also address the negative criteria, where no variance may be granted under the terms of this section without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.

Engineering Review- Article VIII of the Ordinance:

- 1. The plan should be submitted to the Fire Chief for review and comment.
- 2. The applicant should itemize the type of uses proposed at the site in order to determine if buffers should be installed along the adjoining properties.
- 3. The hours of operation for the commercial aspect of the site should be identified for the record.
- 4. The applicant should discuss with the board the amount and types of traffic that can be anticipated for a commercial event that will take place at the property.

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5. The applicant shall contact the City of Northfield Sewer Department and apply for a Change of Use at the site.
6. Hemsley Place has a 50' Right of Way width, which would permit shoulder parking, if needed.
7. The ordinance requires concrete curbing and sidewalks across the frontage of the property. The applicant should install the improvements of request a waiver from the board. Hemsley Place is a well-established street where no curbs or sidewalks are existing in the immediate area.
8. The ordinance requires three shade trees across the frontage of the property. This property has well established landscaping plantings around the site, including three large trees, which complies.

If you have any questions or require further information, please do not hesitate to contact me.

Very truly yours,



Matthew F. Doran, P.E., P.P., P.L.S. C.M.E.
Engineer