

SECOND SUPPLEMENT TO AMEND APPLICATION FOR MINOR SITE PLAN AND BULK  
VARIANCES TO THE  
EVESHAM TOWNSHIP ZONING BOARD OF ADJUSTMENT

APPLICANT: Belly Rubs Senior Dog Sanctuary, Inc. - a NJ non-profit entity

Submitted by Attorneys for Applicant

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Date: November 11, 2025

Site Area: Block 38, Lots 8.01, 9.01 and 10

ZB Hearing for Minor Site Plan: November 17, 2025

Zoning Districts: RD-1 (Rural Development 1)

Use Variance Approval: Application for use variance approved on June 16, 2025

Resolution No. 2025-ZB-15 adopted on July 21, 2025

**AMENDMENT TO THE PROPOSED SITE PLAN APPLICATION**

The Pinelands Commission review letter, dated September 30, 2025 determined that the Applicant's proposed development does not require any development application to be submitted to the Pinelands Commission; except, however, the Commission questioned whether a further development application with the Pinelands is

needed for the proposed installation of eight (8) dog runs to be located within the required 300 foot buffer to the wetlands and the addition of an office in the second floor of the kennel.

To avoid the time and expense for a further application with the Pinelands, the Applicant hereby amends its application for minor site plan to: (1) withdraw the proposed installation of eight (8) dog runs to be located within the required 300 foot buffer to the wetlands. Rather, the Applicant proposes exercising dog by walking with them on leashes; and (2) withdraw the proposed addition of an office in the second floor of the existing kennel. With these changes, the Pinelands determines that no further application is required to be submitted to the Pinelands Commission.

Since the proposed development will not result in a significant adverse impact to wetlands or the environment, this Board should approve the application for minor site plan with bulk variances.

## HISTORICAL USES AND REVISED PROPOSED CHANGES TO SUBJECT LOTS

### Summary of Historical use - Lot 10

- Existing three (3) bedroom residential dwelling and paved driveway
- Dwelling footprint is approximately 2,500 SF
- Owner intends to use and occupy the property as a single-family residence
- Currently – existing water well and onsite aging septic system

### Proposed Use and Changes- lot 10

- Applicant proposes the right to install a new septic system
- Owner intends to use and occupy the single-family residence
- Greg Fox will manage and work at the proposed Dog Sanctuary
- Owner supports the proposed parking area for four (4) vehicles at end of paved driveway and two (2) additional vehicle parking spaces in the driveway to support the operation of the Dog Sanctuary. The driveway will continue to have a 13 feet travel width for vehicle passage.
- Owner supports the exercise of senior dogs by walking on leashes along the grassy areas.
- As a condition to the Use Variance, the installation of an approximately 350 foot long split rail fence along the front property line to buffer the view.

- As a condition for approval, Applicant agrees to submit for review by the Board's professionals a proposed easement on Lot 10 to allow the additional vehicle parking spaces and exercise of dogs.

#### Summary of Historical use - Lot 8.01

- There is an existing dog kennel structure
- Upon information and belief, the prior owner operated the dog kennel on lot 8.01
- There is an existing walking path between the residential lot 8.01 and the existing dog kennel on lot 10
- There is an approved and installed septic system supporting the kennel, designed to service over 50 dogs

#### Proposed Use and Changes- lot 8.01

- Applicant proposes renovating the existing kennel structure
  - Second floor will continue to include storage area
  - First floor will include a maximum of 50 senior dog kennels; Storage area; existing grooming area and existing reception area
  - See proposed floor plan
- Propose site improvements on lot 8.01 to include:
  - Additional gravel area for turnaround for solid waste trash truck
  - Addition of a 120 sq. ft. Dumpster pad enclosure
  - Placement of a 200 sq. ft. Shed
  - Addition of a 120 sq. ft. platform for proposed raised AC units
- No changes proposed for the exterior of the existing kennel
- No changes proposed to the footprint of the existing kennel

#### Lot 9.01

- Vacant land, undeveloped and land locked
- No development proposed on lot 9.01
- This lot will be maintained as open space

REQUEST FOR BULK VARIANCES:

- § Attachment 4: Minimum Side Yard: 100'
  - Lot 10 – Pre-Existing Non-Conformance: 20.6'
    - Statement of Support: No change is proposed.
  - Lot 8.01 – Pre- Existing Non-Conformance: 45.9'; 16.6' proposed (accessory structure)
    - Statement of Support: The accessory structure is a small shed for the operations of the kennel.
- § Attachment 4: Minimum Rear Yard: 75'
  - Lot 10 – Pre- Existing Non-Conformance: 74'; No change proposed

Statement of Support: No change proposed

The New Jersey Pinelands Comprehensive Management Plan (CMP) authorizes the designation of "protection areas" for promotion of agriculture, horticulture, and "appropriate patterns of compatible residential, commercial and industrial development in or adjacent to areas already utilized for such purposes." *N.J.S.A. 13:18A-9b*. The Statutory goals under the CMP includes the following goal with respect to the entire pinelands area:

Promote compatible agricultural, horticultural and recreational uses, including hunting, fishing and trapping with the framework of maintaining a pinelands environment.

*N.J.S.A. 13:18A-9(c)(2)*

This statutory framework explicitly recognizes that development can occur within Pinelands area when it follows "appropriate patterns of compatible" uses in an orderly way, while also protecting the Pinelands environment from individual and cumulative adverse impacts. See, Environmental Defense Fund, Inc. et al, Petitioner v. Oxly, In and Pinelands Commission, Respondents, 1984 N.J. Env, Lexis 18, OAL DKT. NO, EPC 828-83, Agency Dkt. No. 81-1050.

**The proposed senior dog shelter is in keeping with such paramount objective of protecting the Pinelands from overdevelopment and consequent ecological degradation. The Applicant proposes to walk dogs on leashes which represents a compatible recreational use that aligns with the statutory framework governing the Pinelands protection areas. The proposed senior dog shelter will not encroach upon critical habitats or disrupt the ecological balance of the wetlands. The**

exercising of senior dogs is a passive activity, which will not result in a significant adverse impact to the wetlands or the environment, as they are designed and will be managed in compliance with the CMP and relevant Evesham Township zoning ordinances.

Additionally, under N.J. Stat. § 13:18A-9, the goals of the CMP include preserving the natural state of the Pinelands environment, protecting surface and groundwater quality, and *promoting compatible uses that do not impair the ecological integrity of the area* N.J. Stat. § 13:18A-9. The proposed senior dog shelter is designed to align with these goals by incorporating measures such as proper waste management, minimal land disturbance, and maintaining sufficient buffer zones to protect the wetlands. Here, the Applicant proposes that all dog feces will be collected and disposed into the existing dog septic system at the property, which was approved by the Burlington County Board of Health.

Evesham Township zoning ordinances also emphasize the importance of preserving open space and ensuring that developments are consistent with the Master Plan. The proposed senior dog shelter further such goals since the exercise of dogs clearly ensures continuation of open grass space.

### CONCLUSION

The Evesham Zoning Board of Adjustment granted the Applicant's application for a use variance which expressly permits the proposed senior dog shelter, with the flexibility to establish appropriate conditions during the review of the Applicant's minor site plan application. The proposed senior dog shelter represents a compatible recreational use that preserves the essential character of the pinelands environment. Unlike intensive commercial or residential development, the proposed senior dog shelter requires limited infrastructure, generates minimal traffic and maintain substantial open space. The proposed senior dog shelter will not compromise the plant and wild animal species indigenous to the area or their habitat, as the proposed recreational use will involve controlled, temporary presence of domestic dogs in designated areas.

The proposed senior dog shelter directly advances the statutory policies and local ordinance objectives by providing recreational facilities that serves the community's needs while respecting environmental constraints.

For the forgoing reasons, the Applicant respectfully requests for this Zoning Board grant the Applicant's application for minor site plan with bulk variances.