

**IN THE MATTER OF THE APPLICATION OF
LONGO HOMES, LLC**

**FOR USE VARIANCE RELIEF
FOR THE PROPERTY LOCATED AT**

**256 SOUTH WHITE HORSE PIKE
BOROUGH OF AUDUBON, NJ
BLOCK 57 – LOT 21**

**BOROUGH OF AUDUBON
JOINT LAND USE BOARD
RESOLUTION OF
MEMORIALIZATION**

RESOLUTION NUMBER 2026-09

WHEREAS, Longo Homes, LLC, whose address is 220 Kings Highway East, Suite 139, Haddonfield, New Jersey 08033, hereinafter referred to as the “Applicant”, is the contract purchaser of the property located at 256 South White Horse Pike, Audubon, New Jersey, which property is also designated on the Tax Map of the Borough of Audubon as Block 57, Lot 21, hereinafter referred to as the “Property”; and

WHEREAS, the Applicant was represented by Robert A. Gleaner, Esquire of Robert A. Gleaner, P.C. Legal Solutions, with offices located 415 South White Horse Pike, Audubon, New Jersey 08106; and

WHEREAS, the Property is owned by Kathleen Cuneo who has consented to the Applicant making the present application; and

WHEREAS, the Property is located in the Business (B) Zoning District; and

WHEREAS, the Property consists of an interior tax lot located on the southern side of the White Horse Pike, with dimensions of seventy five feet wide by two hundred feet deep (75’ x 200’), which has an overall area of 15,000 square feet, upon which is situate three (3) attached

structures consisting of a one story structure of approximately 1,000 square feet located on the eastern side of the Property, which had formerly been used as a travel agency and a used golf supply retail store; a three-story single-family home structure attached to the one-story structure; and a two-story block building at the rear of the single-family home structure, which is attached to both the single family home and the one-story structure, the first floor of which had formerly been used as a daycare and the second floor of which contains a one-bedroom residential apartment, along with a driveway and parking facilities servicing the Property; and

WHEREAS, the Applicant proposes to renovate, repurpose, and convert the existing three structures on the Property in order to convert the two-story block building at the rear of the Property into two (2) residential apartments, each of which will contain one (1) bedroom; to convert the former single-family dwelling into three (3) residential apartments, two (2) of which will be two-bedroom apartments and one (1) of which will be a one-bedroom apartment; and to convert the former retail space into an office for use by Longo Homes, LLC, the Applicant herein, which owns and manages rental properties in the South Jersey area; and

WHEREAS, the Borough of Audubon Land Development Ordinance § 113-385(1), as supplemented by reference with Ordinance §§ 113-383(1) and 113-382(1), provides that a building may be altered or used and a lot may be used or occupied for certain enumerated uses and no others and does not expressly permit the use of the Property as five (5) residential apartments combined with an office use; and

WHEREAS, the Applicant's proposed use of the Property, therefore, is not expressly permitted in the Business (B) Zoning District by the governing Zoning Ordinances and, as such,

the Applicant's proposal requires use variance relief in accordance with N.J.S.A. 40:55D-70(d)(1); and

WHEREAS, Steven M. Bach, P.E., P.P., C.M.E., Engineer/Planner for the Joint Land Use Board of the Borough of Audubon, has submitted two (2) separate reports dated June 4, 2026 and July 2, 2026, respectively, which reports are incorporated herein by reference; and

WHEREAS, the application came before the Joint Land Use Board of the Borough of Audubon for a Public Hearing on Wednesday, July 8, 2026 with the following members being present: Mayor Robert Jakubowski; Commissioner David Alemi; Chairman David Thompson; Vice-Chairman, Mark Owens; Jim Kindya; Dan Gaspari; Kevin Moran; and Jodi Clark, along with Craig Reilly, PE, CME, Engineer for the Joint Land Use Board; and Matthew P. Madden, Esquire, Solicitor for the Joint Land Use Board; and

WHEREAS, Mayor Jakubowski and Commissioner Alemi recused themselves from the hearing and vote on the application based upon the nature of the application and relief sought by the Applicant and their positions as Class 1 and Class 3 members of the Board, respectively; and

WHEREAS, the Applicant submitted with this application the following:

- a. Borough of Audubon Land Development Application dated April 4, 2026.
- b. Summary of proposed use and nature of application consisting of one (1) page.
- c. List of Waivers & Variances Requested consisting of one (1) page.
- d. Certification of Entity Membership.
- e. Certificate of Formation for Longo Homes LLC dated January 14, 2018.
- f. Audubon Borough Land Development Checklist.

- g. Plan entitled “Variance Plan” prepared by Samuel J. Agresta, P.E., P.P., C.M.E., of AEP, Agresta Engineering & Planning dated April 24, 2026, consisting of one (1) sheet.
- h. Property Survey.
- i. Proofs of service and publication of public notice.
- j. Notice of hearing to property owners.

WHEREAS, at the time of the June 8, 2026 public hearing, the Applicant’s counsel submitted additional exhibits, which were duly marked and entered into evidence as follows:

Exhibit A-1: Aerial Photo of the Property and surrounding environs.

Exhibit A-2: Color rendering of Site Plan.

WHEREAS, the Board duly considered the application and exhibits in detail and;

WHEREAS, appearing at the public meeting to testify on behalf of the application were Francis Longo of Longo Homes LLC, along with Philip Sartorio, P.P., who were each duly sworn along with the Board Engineer and, the Professional Planner being duly qualified by the Board, the Applicant and Applicant’s representatives testified and responded to the questions from their counsel and the members of the Joint Land Use Board and Board Professionals; and

WHEREAS, at the time of the public hearing, the following testimony was taken from the Applicant and Applicant’s representatives:

- 1. The Property is located in the B Zone which contains a mix of residential and commercial uses.
- 2. The Applicant is the contract purchaser of the Property.

3. The Applicant seeks use variance relief for the full residential use of the Property and acknowledges that, should they receive approval, they will have to return to the Board for site plan approvals.
4. The Property is 75 by 200 feet and contains three (3) attached structures.
5. At the rear of the Property is a two-story block building which contains an apartment on the second floor and which the Applicant proposes to convert into two (2) apartments, a first floor apartment and a second floor apartment.
6. The single-family home structure contains three (3) floors, and the Applicant seeks to convert that structure into three (3) apartments.
7. The single-family home structure will contain one (1) two-bedroom apartment on the first floor; one (1) two-bedroom apartment which will be located on both the second and third floors; and one (1) one-bedroom apartment on the third floor.
8. The two-story block building at the rear of the Property will contain two (2) one-bedroom apartments.
9. The Property will contain a total of three (3) one-bedroom apartments and two (2) two-bedroom apartments along with the office use.
10. The remaining structure is a one-story building consisting of approximately 900 square feet which the Applicant proposes to use as his business office.
11. The principal of the Applicant, Francis Longo, proposes to use the one-story, 900 square foot structure as the office for his real estate development company.

12. Mr. Longo has a virtual assistant for his business who is located in Florida and he will be the only person occupying the office.
13. Mr. Longo will occupy the office for approximately three to four (3-4) days per week.
14. Mr. Longo does have one (1) employee who may stop in from time to time but, the majority of the time, he will be the only one in the office.
15. Generally, Mr. Longo does not meet with clients at his office.
16. Inasmuch as Mr. Longo will be the only one occupying the office at the Property and, as a general matter, does not have clients or patrons visiting his office, the request for relief from the parking requirements is appropriate.
17. The Property is in a commercial zoning district, but that zone allows residential uses in various forms.
18. Multifamily uses are permitted in the B Zone.
19. Apartments are permitted in the B Zone, but they are required to be located above a professional office use.
20. The proposed use is compatible with the surrounding area because in the area near the Property there are a mix of commercial, multi-family, and single-family properties.
21. The proposal will represent the adaptive reuse of an existing structure which is promoted in the Master Plan and the existing structure can be renovated with minimal disturbance to the exterior or site.
22. The Property has access to public transportation.

23. The Applicant requires a parking variance inasmuch as 19 parking spaces are required and only 13 parking spaces are proposed.
24. The Applicant will ensure that ten (10) parking spaces will be reserved for the use of the residential tenants in accordance with the R.S.I.S.
25. In light of the limited nature of the proposed office use, there is adequate parking on the Property to accommodate all uses.
26. The Applicant's proposal advances purposes A and G of the Municipal Land Use Law 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 and to provide sufficient space in appropriate locations for a 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.
27. The Applicant's proposal advances a purpose of the updated State Redevelopment Plan to provide housing for all New Jersey residents.
28. In light of there being several residential uses in the general area, the proposal will not operate as a substantial detriment to the public good or substantial impairment of the master plan or zoning ordinance.
29. The proposal advances certain goals and objective of the Borough Master Plan in that it presents an opportunity for a mixed-use development; the adaptive reuse of an existing structure; and addresses commercial vacancies.

30. The site is particularly suitable for the proposed use.
31. The Applicant is committed to providing some sort of trash enclosure for the Property and intends to work out the specifics for that proposal during the site plan review process.
32. The Applicant will comply with affordable housing requirements.

WHEREAS, the meeting was opened to the public and the following member of the public, who was duly sworn, appeared to comment on the application:

- Valerie Mayo of 17 West Pine Street, Audubon, New Jersey appeared to comment on the application. Ms. Mayo testified that she had come to the hearing with a number of concerns but that the Applicant had satisfied her concerns during the course of their testimony. Ms. Mayo further testified that she was looking forward to the beautification of the Property.

WHEREAS, there being no further members of the public who appeared to question the Applicant or to provide comments on the application, the public portion of the hearing was duly closed; and

WHEREAS, the application was reviewed and discussed at length at the meeting; and

WHEREAS, upon Motion duly made by David Thompson to approve the application for use variance relief for the conversion of the Property into five (5) residential apartments along with an office use and bulk variance relief permitting the provision of thirteen (13) parking spaces where nineteen (19) are required, as presented, contingent upon the Applicant's compliance with the testimony and plans presented to the Board and the Applicant returning to the Board for site plan approval along with approval of any and all other necessary variances and waivers, which motion was duly seconded by James Kindya, the Joint Land Use Board of the

Borough of Audubon approved the application by a vote of six in favor and zero opposed (6 – 0) based upon the sworn testimony of the Applicant and the Applicant’s representatives, the Applicant’s submission materials and exhibits and the conditions as set forth above and hereafter.

The voting on the motion to approve the application was as follows:

Mayor Jakubowski:	Recused
Commissioner Alemi:	Recused
David Thompson:	Yes
Mark Owens:	Yes
Dan Gaspari:	Yes
James Kindya:	Yes
Kevin Moran:	Yes
Jodi Clark:	Yes

NOW THEREFORE, The Joint Land Use Board of the Borough of Audubon makes the following findings of fact and conclusion of law with respect to the use variance sought by the Applicant as described herein, *to wit*:

1. The application and public notices are in proper order as required by statute and ordinance.
2. The Applicant is the contract purchaser of the Property; the owner of the Property has consented to the Applicant making the present application; and the Applicant, thus, has standing to pursue the approvals described herein.
3. The Applicant seeks use variance relief pursuant to N.J.S.A. 40:55D-70(d) permitting the Property to be converted into five (5) residential apartments (two (2) two-bedroom apartments and three (3) one-bedroom apartments), along with one (1) office use consisting of 900 square feet as more specifically detailed herein.

4. The Applicant seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting the provision of thirteen (13) parking spaces where nineteen (19) parking spaces are required with the understanding that the Applicant will reserve ten (10) parking spaces for the exclusive use of the residential tenants.

5. The Applicant has demonstrated the requisite proofs in accordance with the Municipal Land Use Law and the Borough of Audubon land development ordinance for the granting of the use variance relief and the proposed use described herein. Specifically, the Applicant has demonstrated that special reasons exist for the granting of the use variance, that the application promotes the general welfare because the Property is particularly suited for the proposed use; the Board agrees that the Applicant's proposal advances certain purposes of the Municipal Land Use Law; and that the granting of such use variance relief will not substantially impair the intent and purpose of the zone plan and zoning ordinance or the Borough Master Plan and that the granting of such relief will not operate as a substantial detriment to the public good. The Board found the testimony of the Applicant's witnesses to be credible; it agrees with those witnesses testimony and grants the use variance for the reasons testified.

6. The Applicant has further demonstrated that the proposed use is consistent with goals of the Borough Master Plan.

7. The Applicant has demonstrated the requisite proofs in accordance with the Municipal Land Use Law and the Borough of Audubon land development ordinance for the granting of the bulk variance relief for parking. Specifically, the Applicant has demonstrated that the proposal benefits the general welfare in that it advances certain purposes of the Municipal Land Use Law and

the Master Plan as a result of the beautification of the Property and adaptive reuse of the structures on the Property and that the benefits in granting the requested relief substantially outweigh any detriments; and that the granting of such variance relief will not substantially impair the intent and purpose of the zone plan and zoning ordinance and that the granting of same will not operate as a substantial detriment to the public good.

8. The Joint Land Use Board of the Borough of Audubon grants approval of the requested use variance and bulk variance as more specifically described in the plans, exhibits and testimony as detailed herein.

NOW THEREFORE BE IT RESOLVED that the Application of Longo Homes, LLC for use variance and bulk variance relief, as aforesaid and as described herein is hereby approved as noted above.

BE IT FURTHER RESOLVED that the approvals are expressly conditioned and contingent upon (a) the Applicant obtaining site plan approval and approval of any and all necessary additional bulk variances from the Joint Land Use Board; (b) the Applicant obtaining any and all necessary permits and outside agency approvals; and (c) the Applicant complying with any and all comments and conditions identified within the reports dated June 4, 2026 and July 2, 2026 prepared by Steven M. Bach, P.E., P.P., C.M.E. except as modified by the plans, exhibits and/or testimony provided to the Board.

BE IT FURTHER RESOLVED that the Applicant comply with all the other terms and conditions of the Zoning Ordinance and Building Code of the Borough of Audubon, and the Statutes of the State of New Jersey.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Applicant following its adoption.

The foregoing is a true and memorializing resolution adopted by the Borough of Audubon Joint Land Use Board and is in accordance with its decision at its regular monthly meeting of July 8, 2026.

The effective date of this Resolution shall be August 12, 2026.

AUDUBON JOINT LAND USE BOARD

Dated: August 12, 2026

DAVID THOMPSON, CHAIRMAN

CERTIFICATION

I hereby certify that the foregoing resolution is a true memorialization of the Joint Land Use Board hearing on this application held on July 8, 2026, as memorialized by the Joint Land Use Board of the Borough of Audubon at the regular meeting of the Joint Land Use Board held on August 12, 2026.

Dated: August 12, 2026

STEPHANIE JENNETTA, SECRETARY