IN THE MATTER OF THE APPLICATION OF **GREGORY BARBYE** **FOR USE VARIANCE AND BULK VARIANCE RELIEF FOR THE PROPERTY LOCATED AT** **317 EAST ATLANTIC AVENUE BOROUGH OF AUDUBON, NJ BLOCK 58 – LOT 2.01**	**BOROUGH OF AUDUBON JOINT LAND USE BOARD RESOLUTION OF MEMORIALIZATION** **RESOLUTION NUMBER 2026-15**

WHEREAS, Gregory Barbye, whose address is 317 East Atlantic Avenue, Audubon, New Jersey 08106, hereinafter referred to as the "Applicant", is the tenant of the property located at 317 East Atlantic Avenue, Audubon, New Jersey, which property is designated on the Tax Map of the Borough of Audubon as Block 58, Lot 2.01, hereinafter referred to as the "Property"; and

WHEREAS, the Property is owned by S.P.P., LLC, which 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 lot located on the northern side of East Atlantic Avenue, which has dimensions of 24.58 feet wide by 60.85 feet deep, and is improved with a two-story structure, which has a residential apartment on the second floor and a commercial space on the first floor; and

WHEREAS, the Applicant proposes using the first floor commercial space to conduct 12-step meetings; and

WHEREAS, the Borough of Audubon Land Development Ordinance § 113-385(1) enumerates the permitted uses in the B Zoning District and does not expressly permit the use of the Property for holding 12-step meetings and, therefore, the Applicant requires use variance relief in accordance with N.J.S.A. 40:55D-70(d); and

WHEREAS, the Applicant's proposal further results in the requirement to provide off-street parking; the Property does not include any off-street parking spaces; and the Applicant, therefore, will require bulk variance relief in accordance with N.J.S.A. 40:55D-70(c) permitting the provision of no off street parking spaces; 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 a report dated October 8, 2026, which report is incorporated herein by reference; and

WHEREAS, the Application came before the Joint Land Use Board of the Borough of Audubon for Public Hearing on Wednesday, October 14, 2026 with the following members being present: Mayor Robert Jakubowski; Commissioner David Alemi; Chairman David Thompson; Vice-Chairman, Mark Owens; Steve Connelly; Dan Gaspari; Paul Hartstein; James Rossell, Jr.; Kevin Moran; and Jodi Clark along with Steven M. Bach, PE, RA, PP, CME, Engineer for the Joint Land Use Board; Matthew P. Madden, Esquire, Solicitor for the Joint Land Use Board; and Lisa Bauman, Acting Secretary 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 D variance relief sought by the Applicant and said members' respective positions as the Class 1 and Class 3 members of the

Board; and

WHEREAS, the Applicant submitted with this application the following upon which the Board relied, in part, in rendering its decisions:

a. Borough of Audubon Land Development Application dated September 29, 2026.

b. Commercial Lease Agreement dated May 1, 2025.

c. Property Survey prepared by Richard S. Humphries, P.L.S. of Walter H. Macnamara Assoc., Inc. entitled "Survey of Premises, No. 317 E. Atlantic Ave., Borough of Audubon, Camden Co., New Jersey" dated August 3, 2007.

d. Property Deed dated August 30, 2007.

e. Proofs of Service and Publication of Public Notice.

f. Notice of Hearing to Property Owners.

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

WHEREAS, appearing at the public meeting to testify on behalf of the application was Gregory Barbye, tenant of the Property, operator of the 12-step meetings, and the Applicant herein, who was duly sworn, along with the Board Engineer, and testified and responded to the questions from the members of the Joint Land Use Board and Board Professionals; and

WHEREAS, testimony was provided by the Applicant regarding the application, with such testimony being provided as follows:

1. The Applicant respectfully requests use variance relief to allow him to hold 12-step meetings at the Property.
2. The Property will not be a treatment facility but, rather, will be used for organized gatherings in an existing commercial space.

3. The Applicant has hosted recovery meetings at the Property since approximately May of 2025.
4. The Applicant is committed to being a responsible neighbor and maintaining a quiet and orderly environment.
5. Meetings are held five (5) days per week and consist of two (2) meetings on Mondays, which take place from 6:00 pm to 7:00 pm and 7:30 pm to 8:30 pm; one (1) meeting on Tuesdays, Wednesdays, and Fridays, which take place from 7:00 pm to 8:00 pm; and one (1) meeting on Saturdays, which takes place from 11:00 am to 12:00 pm.
6. On average, approximately fifteen (15) individuals attend each meeting, although the Applicant has conducted meetings with fewer people present and, at times, as many as twenty-five (25) people present.
7. The Tuesday and Friday meetings are usually the larger meetings, with an average of fifteen (15) people in attendance.
8. Many of the individuals who attend the meetings carpool, with three to four (3-4) people arriving in a single vehicle, while certain attendees are from recovery homes or other group settings, and arrive in vans.
9. The Applicant lives in the apartment above the adjacent property and is familiar with the parking situation in the general area of the Property.
10. The 12-step meetings will be the only use operating out of the first floor of the Property.
11. There is a residential apartment above the proposed use and no alterations to the apartment use are proposed.

12. The Applicant has been conducting 12-step meetings at the Property since May of 2025 and the upstairs residential occupants have never complained.
13. The 12-step meetings are conducted during hours which are generally not peak activity hours for the area businesses.
14. There are twenty-four (24) parking spaces across the street, adjacent to the train tracks, which include two (2) handicapped parking spaces.
15. The proposed use promotes the general welfare and health of the community; serv es Audubon and surrounding communities; encourages positive community outreach; will make beneficial use of an existing commercial property and will provide multiple individuals and their families with a much-needed support system.
16. There will be no overnight occupancy on the first floor; no medications distributed; limited activity based on the limited hours of operation; and minimal parking impact due to the limited hours of operation and off-peak-hours times that meetings are held.
17. The proposed use will not utilize hazardous substances or increase municipal services demand.
18. The Applicant maintains an outdoor ashtray to ensure that there is no littering in the neighborhood.
19. All meetings are conducted outside of normal business hours, thereby limiting the impact the proposed use has on adjacent properties, the neighborhood, and the nearby businesses.

WHEREAS, the meeting was opened to the public and the following members of the public, each of whom was duly sworn, appeared to comment on the application:

• William Jensen of 323 East Atlantic Avenue, Audubon, New Jersey testified that he operates Luke's Place which is in close proximity to the Property, which use serves young adults with special needs. Mr. Jensen testified that he was 100% in favor of the application but that safety for his clients was his number one concern. In that regard, Mr. Jensen testified that some of his clients have mobility issues and that, in the past, there have been obstructions on the sidewalks adjacent to the Property, including a motorcycle parked on the sidewalk. Mr. Jensen testified that it is crucial that the right-of-way/sidewalks around the Property remains clear and unobstructed so his clients can safely travel by foot around the neighborhood.

• Lisa Marie Varsaci of 315 East Atlantic Avenue, Audubon, New Jersey testified that she operates the "Doghouse" out of the adjacent 315 East Atlantic Avenue property and that the Applicant's use, which has been ongoing since 2025, did not negatively impact her business at all, including on its busiest day, Saturday.

• Christina Jenkins of 434 Conger Avenue, Collingswood, New Jersey testified that she has been a member of "Club 317" since February of 2026, in the recovery community for the past seven (7) years, and that the Applicant provides a vital community service. Ms. Jenkins further testified that she attends upwards of three (3) meetings per week, she usually arrives at meetings via carpooling, and that the use was crucial to the recovery of many individuals.

• David Jones of 6136 Magnolia Avenue, Pennsauken, New Jersey testified that the Applicant's use saved his life, helped him reclaim his marriage, and honors the last of the 12-steps, to help others.

• Ann Lyons of 309 East Atlantic Avenue, Audubon, New Jersey testified that the use was a positive for the neighborhood, that she has had no issues with the use or any of the clients who attend meetings; and that the parking demand for the use was off-hours, and did not negatively impact the neighborhood.

• Jacob Jackson of 802 Station Avenue, Haddon Heights, New Jersey testified that he has been a member of Club 317 since December of 2025, that he runs a group home in Haddon Heights for individuals experiencing alcohol abuse issues, and that the Applicant's use was crucial to the recovery of his residents.

• Melissa Luyster of 1100 Collings Avenue, Apartment A-6, Oaklyn, New Jersey testified that she has been a member of Club 317 since September of 2025; that the use is crucial to her recovery; that the use saved her life; that the use is entirely self-supporting; and that individuals who attend meetings keep each other in check.

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, which motion was duly seconded by Steve Connelly, the Joint Land Use Board of the Borough

of Audubon unanimously approved the application by a vote of seven in favor and zero opposed (7-0) based upon the sworn testimony of the Applicant, the Applicant's submission materials and the conditions as set forth above and hereafter.

The voting on the application was as follows:

Mayor Jakubowski:	Recused/Abstained
Commissioner Alemi:	Recused/Abstained
David Thompson:	Yes
Mark Owens:	Yes
Steve Connelly:	Yes
Dan Gaspari:	Yes
James Rossell, Jr:	Yes
Paul Hartstein:	Yes
Kevin Moran:	Yes
Jodi Clark:	Abstained

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 and bulk variances sought by the Applicant and 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 tenant of the Property, the Property owner 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 use of the Property for 12-step meetings in accordance with the parameters described in the Applicant's testimony all as more specifically described herein.

4. The Applicant seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting the provision of zero (0) parking spaces for the proposed use where twelve (12) parking spaces are required.

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 described herein. Specifically, the Applicant has demonstrated through competent testimony which was accepted by the Board, that the proposed use is a beneficial use; that special reasons exist for the granting of the use variance relief; that the Property is particularly suitable for the proposed use; that the Applicant's proposal advances certain purposes of the Municipal Land Use Law, including advancing the promotion of the general welfare of the community at large; that, in light of the limited nature of the use and off-peak-hours nature of the use, 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 be a benefit to the public good and, therefore, will not operate as a substantial detriment to the public good.

6. The Applicant has additionally demonstrated that the proposed use is not inconsistent with the Borough Master Plan.

7. The Applicant has further demonstrated the requisite proofs in accordance with N.J.S.A. 40:55D-70(c)(2) of the Municipal Land Use Law for the granting of the bulk variance 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 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 described herein permitting the use of the Property for 12-step meetings as described in the Applicant's submissions and testimony all as more specifically detailed herein.

NOW THEREFORE BE IT RESOLVED that the application of Gregory Barbye for use variance and bulk variance relief, as aforesaid and described herein, is hereby approved as noted above.

BE IT FURTHER RESOLVED that the approvals granted herein are expressly conditioned and contingent upon (a) the Applicant complying with all testimony, submissions and representations made at the time of the public hearing; (b) the use operating in accordance with the parameters described in the Applicant's testimony; (c) the Applicant obtaining any and all necessary permits and outside agency approvals; and (d) the Applicant ensuring that the sidewalk remain clear of obstructions.

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 October 14, 2026.

The effective date of this Resolution shall be November 5, 2026.

AUDUBON JOINT LAND USE BOARD

Dated: November 5, 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 October 14, 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 November 5, 2026.

Dated: November 5, 2026

LISA BAUMANN, SECRETARY