

**Borough of Pitman
Combined Planning / Zoning Board**

Minutes of November 18, 2019

Call to Order:

Chairman Aspras called the meeting to order at 7:00 pm

Attendance:

Chairman Aspras, Councilman Weng, Mrs. Kelley, Mr. Owen, Mr. Ryder, Mr. Slenkamp, Mrs. Stech, Mr. Romick, Mr. Franchi, Mr. Scutt, Mrs. Cioffi

Absent Members:

Mr. Fijalkowski

Advisors Present:

Mr. MacDonald, Solicitor, Mr. Tim Kernan, Planner/Engineer, Mr. Walt Madison, Historic Preservation Commission

Approval of October 2019 Minutes:

Mr. Ryder motioned and second by Mr. Romick to approve the October 2019 minutes.

Chairman Aspras: **Yes**

Mrs. Kelley: **Yes**

Mr. Ryder: **Yes**

Mr. Romick: **Yes**

Councilman Weng: **Yes**

Mr. Owen: **Yes**

Mr. Slenkamp: **Yes**

Public Comments:

None

Historic Preservation Commission:

Mr. MacDonald swore in Mr. Walt Madison, Chairman of the Historic Preservation Commission.

Application No. 2019-43

Dr. Hung D. Luong

107 W. Jersey Ave

Bl-83 / L-2

Sign/Interior Lit

Application No. 2019-44

Aaron Haines

113 Seventh Ave.

Bl-19 / L-27

Wood Storage Shed

**Application No. 2019-45
Pitman Realty LLC
56-58 S. Broadway
BI-2 / L-3**

Painting Top Cornice

Mrs. Stech motioned and second by Mr. Ryder **to approve Application No. 2019-43 through 2019-45.**

Chairman Aspras: **Yes**
Mr. Owen: **Yes**
Mr. Slenkamp: **Yes**
Mr. Romick: **Yes**
Mrs. Kelley: **Abstained**

Councilman Weng: **Yes**
Mr. Ryder: **Yes**
Mrs. Stech: **Yes**
Mr. Franchi: **Yes**

**Public Hearing – Use Variance & Site Plan
Chapman Realty Holdings, LLC
330 North Woodbury Road
BI-115 / L-2.01 & 3**

Councilman Weng and Mrs. Kelley left Chambers as this is a Use Variance.

Mr. Dale Taylor, a licensed attorney in the state of New Jersey, then introduced himself as representing the applicant Chapman Realty.

Mr. Taylor explained that the application is rather complicated. It is first a Use Variance application. The property was once used as a trash disposal business and is now used as a landscaping business. The rear lots are in the residential zone district and are currently used for parking vehicles for the business. The applicant wants to put up a pole barn to store the vehicles. This is an expansion of a pre-existing nonconforming use, triggering the need for a Use Variance.

The Site Plan that will follow the Use Variance will explain how the property will be configured and used by the applicant.

In addition, the Borough Code indicates that any time there is a lot line adjustment it triggers a minor subdivision.

He further explained that the applicant is also trying to seek approval to have the Borough vacate a portion of Magnolia Ave., a paper street. In April the applicant appeared before Mayor and Council to informally talk about this action. He explained by vacating this portion it would allow him to merge the two lots together, helping the business to function more efficiently. Mr. Taylor stated that Mayor and Council were in favor but wanted the applicant to first come before this board to seek approval for the Use Variance and Site Plan.

Mr. Taylor then introduced Mr. David Kreck of The Pettit Group, Barnsboro, the applicants professional engineer. Mr. Combs, licensed professional planner, with the Pettit Group and the applicant Mr. Chris Chapman.

Mr. Kreck and Mr. Combs then stated their qualifications.

Mr. Taylor then asked Mr. Kernan if he had any questions regarding the qualifications of these two professionals. Mr. Kernan said that he did not. Mr. Taylor then asked the board members if there were any questions for these two gentlemen. There were no questions.

Mr. MacDonald then swore in Mr. Kreck, Mr. Combs and the applicant Mr. Chris Chapman.

Mr. Taylor began with the Use Variance

Mr. Kreck testified to the primary reason for the Use Variance. He explained that the applicant wants to move his equipment inside to protect it from the elements and preserve their life.

Mr. Taylor then presented the elevations. A1 Elevations - He explained that the proposed size of the pole barn would require a sprinkler system, which would be cost prohibitive to the applicant. The applicant is working with the Borough Fire Marshall to either reduce the size of the building or construct firewalls to meet the approval. They are asking tonight that the board grant the Use Variance subject to the approval of the Boroughs Fire Marshall.

Mr. Combs then testified to the positive criteria to the Use Variance. A2 Site Plan – A3 Aerial View He explained that the front portion of the property is in the transitional residential/office district. The rear portion is in the residential district which is where the proposed building will be constructed. He explained that this site is surrounded by properties that are either vacant or non-residential properties and is suited for the Use Variance.

Mr. Combs testified that he did not see any detriment to the public or surrounding areas. And, although it does not conform to the intended use of the zone, it has already been approved for the use. This is just an expansion of said use. By removing these vehicles and moving them inside to the proposed building would just improve the property.

Chairman Aspras then asked for clarification of a wetlands area. Mr. Kreck said that they did not do any wetlands investigation as this is preexisting wetlands and is a substantial distance from the application.

Mr. MacDonald then swore in Mr. Tim Kernan, Planner/Engineer for the Planning/Zoning Board. B1 USGS Stream Stats Map and B2 DEP GEO Web Map of the Wetlands

Mr. Kernan explained that in preparing he had looked at the USGS Stream Stat Map. The Sony property is to the North, he then pointed out Woodbury Glassboro Rd and the subject property in question. He further explained the blue line stream flows from the Sony Property then under Woodbury - Glassboro Rd. and ties into the stream that forms the boundary between Washington Township and Pitman. There is quite a big area that has potential for wetlands but seems to stop at Woodbury Glassboro Rd. and then picks up at the east side of Bethel Mill Rd. He further stated that this area is well removed from the area that is proposed to be improved.

Mr. Taylor then stated that they had met with the Site Plan Committee and had spent some time going over what the applicant proposed to do and felt that the Committee was satisfied. Mr. Taylor then stated that Mr. Chapman was not intending to grow the business, his intention is to improve the current situation.

Mr. MacDonald then recognized Mr. Chapman, the applicant, who testified that he wasn't intending to expand the business he just wanted to protect his equipment and organize.

Chairman Aspras then asked if they would explain the drainage. Mr. Kreck stated that they had regraded the site to direct the runoff towards the wooded area with the ravine. The amount of runoff increase is not all that much, with stone paving and no asphalt paving being proposed.

Chairman Aspras then asked about an outbound survey. And asked if they were any easements. Mr. Combs stated that to the best of their knowledge there were no easements. Mr. Taylor said that he would look at the deeds and see if there were any recorded easements. Mr. MacDonald then asked that Mr. Taylor provide the deeds and the existing title report for the property. Mr. Taylor agreed that he would do that as a condition of approval.

Chairman Aspras then recognized Mr. Tim Kernan. Mr. Kernan asked about the proposed lighting. Mr. Kreck stated that one of the current pole lights will be taken down. They are then proposing to erect 2 new lights on the building above the 3 overhangs. The lighting would affect just the business itself. There will be no splash over lighting and will be used just for security and for lighting the yard itself for the crews.

Chairman Aspras then opened the floor to the public.

Mr. MacDonald swore in Mr. David Ortega 304 N. Woodbury Rd.

Mr. Ortega stated that he lives next to the property where the pole barn is being proposed. He is concerned that the size of the pole barn, which is twice the size of his home will affect the aesthetics of his home. Although he has trees at the back of his property on the corner, now with the large building proposed he feels it will affect his view. Mr. Chapman then stated that he could plant additional trees to work with Mr. Ortega.

Chairman Aspras then asked if anyone else from the public would like to speak. There was no one.

Mr. Ryder motioned second by Mr. Slenkamp to approve the **Use Variance for Chapman Realty Holdings, LLC. as there is a benefit to the applicant and to the town and suitable to the proposed site.**

Chairman Aspras: Yes – No substantial detriment. It's positive as it will be a dramatic improvement

Mr. Owen: Yes – No substantial detriment and an improvement

Mr. Ryder: Yes

Mr. Slenkamp: Yes

Mrs. Stech: Yes – No substantial detriment and the applicant is willing to work with his neighbor

Mr. Romick: Yes- For the reasons already given and it will be an improvement

Mr. Franchi: Yes – No detriment and an improvement. He feels that as long as the applicant does as he stated; that he will work with Mr. Ortega. Anything that the applicant can do to improve and maintain Mr. Ortega's privacy.

Site Plan

Mr. Kernan presented the requirements that needed to be shown on the Site Plan.

Item E: he stated, is not totally shown. Everything is shown on the plan just not necessarily within 100 feet. He stated that there is enough information provided to evaluate the site plan.

He would recommend a waiver.

- He then noted that there is one item that was discussed at the sub-committee meeting on Thursday evening regarding the paper street of Magnolia. At both Edgemoor and the paper street of Magnolia there is an inlet. Out of the back of the inlet there is a storm pipe that is somewhere located between Edgemoor and the subject's property, there is another inlet in the paper street. He feels that if the paper street is vacated and there is a Borough storm pipe crossing into that property there, it may cause a problem. Mr. Taylor then stated that if there is an easement then it would remain. Mr. Kernan agreed. Both Mr. Kernan and Mr. Taylor agreed that they should investigate the situation and show it on the plan.

Mr. Kernan then continued to review the remaining requirements of the site plan.

Item F: location of all proposed fixtures on the site and the outside dimensions, this is found on the proposed structure but not on the existing structures. He would recommend a waiver.

Item I: Topography. Contours shall extend sixty ft. beyond the property line. He would recommend a waiver.

Mr. Romick motioned second by Mrs. Stech to waiver Items E, F, and I.

Chairman Aspras: Yes

Mr. Owen: Yes

Mr. Ryder: Yes

Mr. Slenkamp: Yes

Mr. Stech: Yes

Mr. Romick: Yes

Mr. Franchi: Yes

Mr. Kreck then presented **Exhibit A3-Aerial View**. He covered access, parking, overflow parking, equipment and the traffic flow throughout the site. Drainage, he pointed out doesn't impact anyone as it will be going into the wooded area. The only utilities will be lighting. There is already a fair amount of landscaping and he stated that they will work with the adjacent neighbor to provide some sort of evergreen screening.

Water & Sewer Utilities will be in the existing building and there will be no changes.

Mr. MacDonald swore in Mr. Ryan Pierson, Fire Code Official for the Borough of Pitman.

Mr. Pierson explained that any building 5,000 sq. ft. or over would require a fire suppression system with a fire hydrant located within 100 ft of the building. He was curious as to where the hydrant would be located as the building proposed is 6,000 sq. ft. Mr. Taylor stated that they are working with Mr. Pierson to create the building architecturally to avoid the fire system, and if not, they will reduce the size of the proposed building.

Mr. Pierson then stated that there are no other objections to the project.

There was then discussion regarding LED and HPS lighting. Mr. Kreck stated that because of the testimony of the neighbor that they will probably go with the HPS lighting.

Mr. Kernan then moved onto parking, loading and unloading and stated that he can confirm that the applicant will meet the design requirements in the Boroughs code.

Mr. Owen motioned, second by Mr. Romick to approve the site plan with the following conditions: A parking plan be provided, a lighting plan to be provided, location of the refuse container, a drainage plan, determination if handicap parking is required, approval by fire, police and county approvals as required, title report/deed, and additional landscaping as a buffer.

Chairman Aspras: Yes

Mr. Ryder: Yes

Mrs. Stech: Yes

Mr. Franchi: Yes

Mr. Owen: Yes

Mr. Slenkamp: Yes

Mr. Romick: Yes

Mr. Owen then left the meeting at 8:40

Minor Sub-division

Mr. Slenkamp motioned and second by Mr. Ryder that the proposed lots 2.01 and 3 be merged into one lot, be approved as the minor sub-division.

Chairman Aspras: Yes

Mr. Slenkamp: Yes

Mr. Romick: Yes

Mr. Scutt: Yes

Mr. Ryder: Yes

Mrs. Stech: Yes

Mr. Franchi: Yes

Review of Land Use Liability Document

Mr. Mac Donald presented the Municipal Joint Insurance Funds, Land Use Liability Training Booklet, to all Board members present. The booklet covered the topic of Risk Management principles associated with Land Use Liability.

Historic Commission Liaison:

Mrs. Stech stated that there was nothing new to report.

Updated plans of Merryman's Pub were viewed by the board members.

Economic Development Committee:

Chairman Aspras reported that there was nothing new other than the new Historic Street Signs are in place.

New Use Waiver Committee:

No report

Site Plan Committee:

No Report

Subdivision Committee:

Mrs. Kelley – Nothing to Report

Master Plan Committee:

Mr. Ryder- Nothing to Report

Environmental Commission:

Mr. Slenkamp reported that several members of the Commission unloaded and planted approximately 2 dozen trees in October and November throughout the Borough.

Council Report:

Councilman Weng stated that the Borough did receive the Green Acres Funding to purchase the 3 acres adjacent to the Motus Project. The Borough is still attempting to talk to the owner of the property.

He also reported that Council passed a resolution awarding the Boroughs liquor license to Merryman's Pub. The license was purchased for the price of \$301,000.00

Other Business:

Chairman Aspras stated that the by-laws need to be revised and a Committee should be set up. Mr. Ryder will Chair the Committee with Mrs. Kelley and Mr. Aspras serving.

Adjournment:

Mrs. Stech motioned and second by Mrs. Kelley to adjourn.

All in favor

Respectfully submitted,
Connie Anderson