

**Borough of Pitman
Combined Planning/Zoning Board Meeting
Council Chambers
Minutes of April 17, 2023**

CALL TO ORDER:

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

ATTENDANCE:

Chairman Aspras, Mrs. Stech, Mr. Ryder, Mrs. Kelley, Mr. Slenkamp, Mr. Owen, Mr. Romick, Mr. Franchi (arrived 7:06 pm)

ADVISORS PRESENT:

Solicitor: Mr. Dasti, Engineer/Planner: Tim Kernan, Historic Commission: Walt Madison, Zoning Officer: Roy Duffield

ABSENT MEMBERS:

Mayor Razze, Council President Fitzpatrick, Mr. Fijalkowski, Mr. Austin, Mr. Scutt

APPROVAL OF FEBRUARY, 2023 MINUTES

Mrs. Kelley motioned, second by Mrs. Stech to approve the March 2023 minutes.

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Mr. Owen: **YES**

Mr. Romick: **YES**

PUBLIC COMMENTS:

None

Chairman Aspras advised that the next item will be the memorialization of the denial of the Historic Preservation Commission application for Nicholas Renn, 178 West Avenue. Solicitor Dasti recapped the application that was denied by the Historic Preservation Commission. The application was to address outstanding violations with regard to fence and lattice.

Motion by Chairman Aspras, to approve the memorialization of the denial, without prejudice, of Historic Preservation Commission Application No. 2023-11. Second by Mr. Owen.

Roll call:

Chairman Aspras: **YES**
Mr. Ryder: **YES**
Mr. Owen: **YES**

Mrs. Stech: **YES**
Mrs. Kelley: **YES**

HISTORIC PRESERVATION COMMISSION:

Mr. Dasti swore in Walt Madison, Chairman of the Borough of Pitman Historic Preservation Commission.

Mr. Madison advised that at the April 13 meeting, the Commission reviewed 4 applications. All the applications were approved.

Mr. Madison presented the following Historic Preservation Commission applications for approval:

Application No. 2023-12 **Fence**
Alyssa McConnell/Colton Rivera
196 West Ave
Block 188 Lot 27

Application No. 2023-13 **Lattice, paint, steps**
Cheryl P. Johnson
41 Circle Ave
Block 17 Lot 4

Application No. 2023-14 **Stain brick on outside of building**
Lana Pacitti
146 S Broadway
Block 25/Lot 6

Application No. 2023-15 **Porch railing, spindles, treads and deck boards**
Donna Guilfooy
47 Webb Ave
Block 6/Lot 25

Mr. Madison reviewed the applications for the Board and entertained questions from the Board.

Motion made by Mrs. Stech, second by Mr. Ryder **to approve Historic Preservation Commission Applications 2023-12 through 2023-15 as presented.**

Roll call:

Chairman Aspras: **YES**
Mr. Ryder: **YES**
Mr. Slenkamp: **YES**
Mr. Romick: **Yes**

Mrs. Stech: **YES**
Mrs. Kelley: **YES**
Mr. Owen: **YES**
Mr. Franchi: **Yes**

Chairman Aspras advised that the next agenda item is the memorialization of the approval of the use variance for Courtney Tarpy, 113 West Jersey Avenue.

Solicitor Dasti reviewed the application and the use variance requested. The use variance is for a party event space. Mr. Dasti reviewed the conditions of approval included in the resolution.

Motion made by Mrs. Kelley, second by Mr. Slenkamp to approve the memorialization of this resolution.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Chairman Aspras advised that the next agenda item is the memorialization of the approval of the bulk variance for Robert Sykes, Jr. 509 South Woodbury Road.

Solicitor Dasti reviewed the application and the bulk variance requested. This is a height variance for a pole barn on the property. Mr. Dasti reviewed the conditions of approval included in the resolution.

Motion made by Mr. Ryder, second by Chairman Aspras to approve the memorialization of this resolution.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mr. Ryder: **YES**

Mr. Slenkamp: **YES**

Mr. Owen: **YES**

Mr. Romick: **YES**

Chairman Aspras advised that the next agenda item is the memorialization of the approval of the site plan waiver request for A-1 Auto, 511 Beechwood Ave. Solicitor Dasti advised that this site plan waiver approval has been recommended by the Site Plan Review Committee.

Motion made by Mr. Owen, second by Chairman Aspras to approve the memorialization of the resolution for this site plan waiver.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Mr. Owen: **YES**

Chairman Aspras advised that the next agenda item is the memorialization of the approval of the site plan waiver request for Crystal Jays Salon and Spa, 57 South Broadway. Solicitor Dasti advised that this site plan waiver approval has been recommended by the Site Plan Review Committee.

Motion made by Mrs. Stech, second by Chairman Aspras to approve the memorialization of the resolution for this site plan waiver.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Chairman Aspras advised that the next agenda item is the memorialization of the approval of the site plan waiver request for an art studio at 57 South Broadway. Solicitor Dasti advised that this site plan waiver approval has been recommended by the Site Plan Review Committee.

Motion made by Chairman Aspras, second by Mrs. Stech to approve the memorialization of the resolution for this site plan waiver.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Chairman Aspras advised that the next agenda item is the memorialization of the denial of the site plan waiver request from Babubahi Patel, 101 North Woodbury Road. Solicitor Dasti advised that this site plan waiver denial has been recommended by the Site Plan Review Committee.

Motion made by Chairman Aspras, second by Mr. Owen, to approve the memorialization of this resolution of denial.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Mr. Owen: **YES**

Chairman Aspras advised that the next item on the agenda is a Use Variance application for the property at 55 East Holly Avenue. This matter is continued from the March 20, 2023 meeting.

Mrs. Kelley and Mr. Franchi stepped down from hearing this application.

The Applicant's Attorney, David DeClement, addressed the Board. The Applicant intends to use the building on the property as a woodshop. This is not a permitted use in this C-1 zone.

Board Solicitor Dasti swore in Richard Myers, the Applicant.

Mr. DeClement asked Mr. Myers questions with regard to his business. Mr. Myers stated that this building has historically had a commercial use. Mr. Myers provided testimony on his business. He takes large slabs of wood and planes them to level. He is currently working out of a garage with no air conditioning or heat, and this building would be better suited for his work. There is no retail component to his business. The only employees are his son and himself. There will be no changes made to the outside of the building. With regard to noise from the equipment, Mr. Myers ran the loudest piece of equipment he has and measured the decibel level of noise outside the building. The decibel level was 63, which is on average lower than a normal conversation.

Mr. DeClement advised the Board that this building originally was a dry cleaners, then Review Printing. The building has always had a commercial use, it is a C-1 zone; the C-2 Zone were Mr. Myers business would be a permitted use is across the street. There are no detrimental components to the proposed use of the building.

Mr. Ryder asked for a description of the pieces of wood – logs or slabs? Mr. Myers testified that he works with slabs of wood. He works with another gentlemen who does other work on the wood. There will be not a lot of delivery traffic – he picks up what he needs in a large van and loads it in the front of the building. The longest slab he works with is approximately 10 feet long.

Mr. Ryder asked about dust from the planing of the wood. Mr. Myers testified that he uses a dust collector and the building has very good ventilation.

Solicitor Dasti asked the Applicant several questions:

In his opinion, is the building well suited to this use – Mr. Myers testified it is.

How much off street parking will be needed – Mr. Myers testified no off street parking will be needed, there are no retail sales and there will be only 2 employees, with an occasional third worker, who lives locally and walks to the location.

Mr. Owen asked if the business will be using the 2 existing parking spaces – Mr. Myers testified that is correct.

Chairman Aspras asked the Applicant how he will interface with the public. Mr. Myers testified that he is early in the process, but intends to do most of the advertising through social media platforms. If a customer has a question on a design, most of the time Mr. Myers will meet with the customer in another wood workers shop.

Engineer/Planner Kernan reviewed his report. Most of the comments in his report have already been addressed. The most important issue would be parking, but with no retail component to the business, the existing parking spaces will accommodate the need.

Chairman Aspras opened the meeting up to the public.

Solicitor Dasti swore in Mark Peterson. Mr. Peterson stated that there were concerns with the noise, but the building has cinder block walls with foam insulation and he never had a noise complaint in the 40 years he operated out of the building. Mr. Dasti asked for clarification on the relationship Mr. Peterson has to the building – Chairman Aspras advised that Mr. Peterson owns the building. Mr. Peterson stated that the Applicant will be purchasing the building.

Chairman Aspras asked Mr. DeClement to summarize the application. Mr. DeClement stated that this use will be a continuation of the commercial use of the building, with no detriment to the surrounding businesses or property owners. There will be no parking impact from this business.

Mr. Ryder asked for clarification on the product that will be sold. Mr. Myers provided pictures of the wood he works on and the finished product(s). Mr. Ryder asked for confirmation that there will be no show room or customer foot traffic to the building. Mr. Myers testified that is correct.

Mr. Romick asked if there will be any changes to the outside of the building – including signage. Mr. DeClement stated that there will be no changes to the outside of the building and if Mr. Myers decided to add signage, the sign(s) will comply with code. Mr. Dasti marked the pictures provided as Exhibits A1 through A6.

Chairman Aspras asked if there is a request for site plan waiver as part of this application – Mr.

DeClement advised there is. Chairman Aspras asked if the Site Plan Committee approves waiving the site plan – all agreed.

Solicitor Dasti advised that the voting will be separated to address the use variance, bulk variance and site plan waiver request.

Motion made by Mr. Owen, second by Mr. Slenkamp to approve the application for a use variance, with the condition of approval that there will be no retail component to the business and other conditions required by State and Local agencies.

Roll call:

Aspras: **YES**

Stech: **YES**

Ryder: **YES**

Slenkamp: **YES**

Owen: **YES**

Romick: **YES**

All voting members stated on the record the reasons for their votes. The proposed use is well suited to the location, there is no detriment to Borough ordinance, the business is a benefit to the Borough and there will be no impact on parking.

Solicitor Dasti reviewed the request for a bulk variance for parking. Engineer Kernan's report states that the parking required based on the square footage of the building has not been met, but given the Applicant's testimony of no retail component and the limited number of employees, the parking required by ordinance is not a factor.

Motion made by Chairman Aspras, second by Mr. Owen to approve the request for bulk variance for parking.

Roll call:

Aspras: **YES**

Stech: **YES**

Ryder: **YES**

Slenkamp: **YES**

Owen: **YES**

Romick: **YES**

Solicitor Dasti reviewed the request for waiver of site plan review. There will be no changes to the layout of the building or to the outside of the building so site plan review is not necessary.

Motion made by Mr. Romick, second by Mrs. Stech to approve the request for waiver of site plan review.

Roll call:

Aspras: **YES**

Stech: **YES**

Ryder: **YES**

Slenkamp: **YES**

Owen: **YES**

Romick: **YES**

ZONING OFFICER REPORT

Mr. Duffield stated that everyone should have a copy of his report. Mr. Duffield advised he would entertain any questions at this time, and he is available to Board members at any time in addition to the meeting.

Mr. Owen inquired on the denial of the zoning permit application from Martini's for a deck. Mr. Duffield advised that the proposed deck was to be in the space between the two buildings. Martini's was going to enter in to a lease agreement with the owners of the MAC building for the deck.

Mr. Duffield advised that with regard to 3 South Broadway, the owner was given a 60 day time limit on the temporary repair, and has not come back with a permanent repair. Mr. Duffield has filed a complaint in municipal court on this matter.

Mr. Slenkamp inquired on the denial of the gas station on North Broadway. Chairman Aspras noted that was denied without prejudice, so the Applicant can come back to the Board.

Mr. Duffield noted that that with regard to the property owned by Mr. Renn, Mr. Duffield will have to consult with the Board Attorney for direction on how to proceed with this matter. The property owner has a new attorney, and has indicated that a new application will be filed. The previous applications submitted to the Planning Board and the Historic Preservation Commission were both denied. Chairman Aspras asked if this is the 1st or 2nd action(s) on this property. Mr. Duffield advised these were the 2nd actions on this property. Chairman Aspras advised that the property owner will have to come back to the Board. Solicitor Dasti advised that if the new applications are the same as the previously submitted applications (with at least one violation outstanding for a year), the applications would not be approved. Mr. Duffield confirmed that if the application submitted for the fence is the same as the previously submitted fence applications; it would be denied by him and the conflict zoning officer. Mr. Ryder inquired if any action has been taken on the garage on Ardmore Avenue. Mr. Duffield advised that he sent the property owner a notice to cease any commercial activity and asked that he schedule an inspection of the interior of the garage with Mr. Duffield. There has been no response. Mr. Ryder asked what would be the difference between storage of items in the garage and commercial activity. Mr. Duffield advised that if the items stored in the garage are then loaded in to a truck for delivery to customers, he would consider that commercial activity.

SITE PLAN COMMITTEE

Mrs. Stech reported that there is no report for the Site Plan Committee.

SUBDIVISION COMMITTEE

No report

ENVIRONMENTAL COMMISSION

Mr. Slenkamp advised that there are three upcoming events. Earth Day activities will be held at the Dell on April 22 from 10:00 am to noon. On May 20, household hazardous waste day will take place in Clayton, and on May 4 at 7:00 pm, there is a webinar on the New Jersey Plastic Reduction Law.

MASTER PLAN COMMITTEE

Mr. Ryder noted that the accessory structure ordinance is in limbo with Borough Council. Chairman Aspras advised that is no longer the case, the ordinance is moving forward. Mr. Ryder noted that he does understand the issue in the Grove – any accessory structure will impact coverage in the Grove because the lots are small to begin with. Chairman Aspras advised that Borough Council's concerns were with overall regulations in the RH zoning district, not just accessory structures. Mr. Ryder noted that any storage building will be an issue. If anyone would like to meet the Master Plan Committee for additional discussion on this, the Committee would be happy to do that.

ECONOMIC DEVELOPMENT COMMITTEE

Mr. Owen reported that the EDC meets this Thursday, and County Commissioner Heather Simmons will be in attendance. Part of the discussion will be loan opportunities and other programs for small businesses. Also scheduled is a discussion on the South Jersey Film Co-Operative and the possibilities this program presents to communities like Pitman. Filming locations in the Borough bring income to the commercial businesses. Chairman Aspras noted that the studio concept for the Sony property presents very good possibilities. Mr. Owen agreed that those types of situations would benefit businesses in the Borough.

COUNCIL REPORT

No report

OTHER OLD OR NEW BUSINESS

Zoning Officer Duffield advised that he sent out 14 notices to business owners who are using sandwich board signs. It appears to him that there are fewer signs out. He has 2 new applications for the signs and 2 of the signs had prior approval. Mr. Owen noted that he is not against signage in the Borough - this is a safety issue that had to be addressed. He is still concerned with the big white sign at the corner of 2nd and Broadway. Mr. Duffield noted that the owner of that building may be getting a violation notice. Mr. Owen advised that he has been making some notes with regard to signage in the Borough and he will do a list for discussion purposes.

Chairman Aspras asked everyone to review the memo sent to the Board from the Board Solicitor with regard to voting procedures.

Chairman Aspras noted that he forwarded to the Board a memo from Matt Ganghi with regard to the School District. Mr. Aspras does not think that matter will come before the Board, but he wanted to share the information.

Chairman Aspras also noted he had a conversation with former Board Solicitor MacDonald regarding a get together with the Board.

ADJOURNMENT

Mrs. Stech motioned, second by Chairman Aspras to adjourn at 8:00 pm.

All in favor.

Respectfully submitted,

Maureen Abdill
Recording Secretary