

**Borough of Pitman
Combined Planning/Zoning Board Meeting
Council Chambers
Minutes of October 16, 2023**

CALL TO ORDER:

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

ATTENDANCE:

Chairman Aspras, Mrs. Stech, Council President Fitzpatrick, Mr. Ryder, Mrs. Kelley, Mr. Slenkamp, Mr. Romick, Mr. Franchi

ADVISORS PRESENT:

Solicitor: Mr. Clancy, Historic Commission: Walt Madison, Zoning Officer: Roy Duffield

ABSENT MEMBERS:

Mayor Razze, Mr. Fijalkowski, Mr. Owen, Mr. Scutt, Mr. Austin

APPROVAL OF SEPTEMBER, 2023 MINUTES

Mrs. Stech motioned, second by Mr. Ryder to approve the September 2023 minutes.

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Council President Fitzpatrick: **ABSTAIN**

Mr. Ryder: **YES**

Mrs. Kelley: **ABSTAIN**

Mr. Slenkamp: **ABSTAIN**

Mr. Romick: **ABSTAIN**

Mr. Franchi: **YES**

PUBLIC COMMENTS:

None

HISTORIC PRESERVATION COMMISSION:

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

Mr. Madison advised that at the October 12 meeting, the Commission reviewed 10 applications. All the applications were approved, (some with conditions).

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

Application No. 2023-36 Corey Matthew Monteleone-Haught 115 2nd Ave. Block 12, Lot 5	Roof, paint
Application No. 2023-37 Martini's on Broadway 47 S Broadway Block 74, Lot 7	Outdoor refrigerator, fence
Application No. 2023-38 Maria Szalma 131 7th Avenue Block 19, Lot 23	Front door
Application No. 2023-39 Thomas J & Beth A Ronketty 6 E Holly Ave Block 114, Lot 6	Sign
Application No. 2023-40 Robin Mollenhauer 113 9th Ave Block 21, Lot 13	Deck repairs, replace porch rails
Application No. 2023-41 Bernard F Ganski 30 4th Avenue Block 6, Lot 8	Siding
Application No. 2023-42 20-22 Pitman Ave Block 74, Lot 11	Roof
Application No. 2023-43 Bancrest Realty Investment Group 78 West Ave Block 188, Lot 3	New construction

Application No. 2023-44
Krystyna Corwin
102 West Avenue
Block 188, Lot 5

Replace window with door, paint shed

Application No. 2023-45
Royal Properties Inc.
127 First Ave.
Block 13, Lot 11

Paint, windows, rear porch repair

Chairman Madison reviewed all the applications. Madison noted that Application 2023-43 is new construction, and was approved with some changes, including the shake siding, eyebrows on the windows and the back door. Chairman Aspras asked if there was any discussion on the elevations for the construction. Madison advised that the proposed elevations are in harmony with the buildings next to it. Mr. Ryder asked if the old house has been torn down – Chairman Madison advised it has been and the garage is also now gone.

Chairman Madison noted that the work on Application 2023-45, 127 First Ave, was started with no permits and a stop work order was issued. All issues related to that have been resolved. The porch floor paint, window replacement and rear roof replacement were all approved.

Chairman Aspras asked if a variance will be required for the new house – Chairman Madison advised that a variance will be needed.

Zoning Officer Duffield advised that the house at 78 West Avenue is going to be built on the same footprint as the previous structure. Mr. Madison advised that a survey of the property has been completed. Mr. Duffield noted that variances may be needed and Chairman Aspras advised that the approval before the Board for this application is for Historic Preservation approval only.

Motion made by Mrs. Stech, second by Mr. Slenkamp to approve Historic Preservation Commission Applications 2023-36 through 2023-45.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Council President Fitzpatrick: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Mr. Romick: **YES**

Mr. Franchi: **YES**

Solicitor Clancy briefed the Board on his office’s review of the Borough ordinance with regard to awnings. Solicitor Clancy advised that the code allows 2 types of awnings – angled or rounded. Without a variance, lettering is permitted on the fringe (perpendicular area) of the awning. Anything on the angular area of the awning requires a variance. Chairman Aspras asked - if there is any difference between the Historic Preservation Commission Guidelines and the Planning Board regulations - do the Planning Board regulations take precedent? Solicitor Clancy advised that is correct – the Planning Board regulations take precedent.

Solicitor Clancy swore in Zoning Officer Roy Duffield. Mr. Duffield asked if a sign permit is required for lettering on the awning. Solicitor Clancy advise yes, a sign permit is required but not necessarily a variance. Council President Fitzpatrick asked if there is a question on what is permitted, could the Zoning Officer send the applicant to this Board – Zoning Officer Duffield advised that is correct.

Chairman Aspras noted that the next agenda item is an update on the status of the Armory property. Council President Fitzpatrick provided some background. The National Guard came to a Borough Council meeting in September to discuss options for the property. The front part of the property is clean and can be subdivided for sale. After that discussion, Council decided to do some research to see if the whole parcel is more valuable without a subdivision. Chairman Aspras noted that the “front part” of the property is on Delsea Drive.

Borough Engineer/Planner Tim Kernan reviewed the survey handout he prepared and explained the various areas on the property. Mr. Kernan took the survey, calculated the 150 foot wetland buffer and the developable areas. The south parcel, which is 1.37 acres, does not have access – it is land locked. The north parcel (2.41 acres) is developable. Based on this, finding a user for the north parcel would be the highest, best use of the property, and using the buildings in the back for storage, etc.

Chairman Aspras noted that demolishing the existing buildings and remediating all issues would expensive. Mr. Kernan agreed that using the already existing buildings with minimal remediation would be the best use.

Extensive discussion on the property, including questions on the wetlands, asbestos in the buildings, possible contamination on the site, buffers (and possible encroachment) and wildlife on the property. Mrs. Kelley noted that a paper road appears to go through the buffer. Chairman Aspras noted this could be adverse condemnation and referred this question to Solicitor Clancy. Solicitor Clancy advised that could be the case. In the case of wetland buffers, rules are amended over time and that is how situations like this occur.

Additional review of Mr. Kernan’s detail, and the pros and cons of subdividing the property. Mr. Romick asked if the only interested party would be adjacent property owners, and if the Borough has any need for the property. Council President Fitzpatrick noted that there is some interest in the property, and the Borough currently uses one building for storage so if that is not available to the Borough, a pole barn would be needed at Public Works.

Mr. Kernan noted that if the property is reconfigured, the wetlands buffers would be a consideration. Solicitor Clancy agreed that repairing and using what is existing streamlines the process and eliminates the need for subdivision, wetlands research and meeting current stormwater regulations.

Council President Fitzpatrick thanked all for their input and advised he will take these points back to Council.

Chairman Aspras advised the next item on the agenda is encroachment on Borough property at 130 First Avenue. Zoning Officer Duffield advised he can provide background on the issue and the property owners are also in attendance.

Mr. Duffield advised that the fence on the east side of this property is on the property, but the fence on the north side of the property is on Borough property. Based on this, Mr. Duffield denied the

application for a fence permit. The property owners approached Borough Council on the matter and Borough Council asked for the Planning/Zoning Board input on the issue.

Solicitor Clancy swore in Borough Clerk/Administrator Sandi McCafferty. Ms. McCafferty stated that she has discussed this issue with Mr. Dasti (and Mr. Clancy's) office and it appears there are two options:

1. Issue an easement for the fence which will remain in effect until voided by new ownership of the property.
2. Do a lot line adjustment (minor subdivision) and sell the property needed to the property owners.

Mr. Duffield noted that the fence and sidewalk encroach on Borough property. Ms. McCafferty advised that the fence and sidewalk were done by a previous owner and the encroachment was discovered when the current owners came in for permits.

Property owner Nathan Vettese was sworn in by Solicitor Clancy. Mr. Vettese testified that the fence was existing and there is some documentation on that. The previous owner applied for approval from the Historic Preservation Commission for replacement of panels. When Mr. Vettese submitted the zoning application, this issue came up.

Chairman Aspras asked if the title company picked this up at settlement – Mr. Vettese advised no.

Chairman Aspras asked what is on the other side of the fence. Mr. Vettese stated between First and Second Avenues is a strip of grass. The property line is on an angle. Mr. Romick asked how critical is the fence?

Mr. Vettese stated there is a lot of foot traffic in that area and the property owners use it for parking. There was a shed and some other unusual situations on the property. Mr. Vettese stated he would prefer a fence to eliminate other issues. Chairman Aspras asked Solicitor Clancy if the Borough would be liable for a slip and fall incident on the property if the Borough extended an easement – Solicitor Clancy advised yes, liability attaches as the owner. Solicitor Clancy advised that if not sold, all rights and responsibilities come with the property. Mr. Kernan stated that based on Mr. Clancy's comment, the Borough should sell the property. Mrs. Kelley asked if there is any purpose to the Borough keeping the property – Administrator/Clerk McCafferty advised there is not. Ms. McCafferty stated that the responsibility for the subdivision would be on the property owner. She will verify this with Borough Council.

Additional discussion on options, cost, etc. Ms. McCafferty stated that the property owner has been advised that he will be responsible for the additional taxes due if he buys the property from the Borough. Mr. Vettese advised he understands that and is ready to pay for the cost of the subdivision. Mr. Ryder asked Mr. Vettese if he did not know that the fence was not on his property – Mr. Vettese advised he did not and the existing survey was not done particularly well.

Mr. Romick stated that the cleanest thing to do is the lot line adjustment. Chairman Aspras asked if a lot line adjustment would have any effect on the adjacent property owners. Mr. Vettese advised it would not. The consensus of the Board is to subdivide and sell the property that is the subject of the encroachment.

Chairman Aspras noted that the property owners will have to come back to the Board for the lot line adjustment. Administrator/Clerk McCafferty thanked the Board and advised she will take their recommendation back to Borough Council.

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.

Council President Fitzpatrick asked for an update on 401 South Broadway. Mr. Duffield advised the property owner is working on a plan to restore the buffer. If Mr. Duffield does not hear from the property owner by the end of the month, he will send a violation notice.

Chairman Aspras inquired on the cyclone fence at 560 N Broadway. Mr. Duffield advised that fence has been removed. Mr. Duffield noted that the fence company (Berger) has been notified twice of fence regulations.

SITE PLAN COMMITTEE

Mr. Fijalkowski is not in attendance, and the Chairman is not aware of any applications.

SUBDIVISION COMMITTEE

Mrs. Kelley advised no applications yet.

ENVIRONMENTAL COMMISSION

Mr. Slenkamp advised that coir logs have been installed at the Alcyon Lake plantings to supplement the plantings to minimize erosion. The silt fence came down, and some of the plantings did not survive. The silt fence has been re-installed.

The Environmental Commission has been awarded an ANJEC grant, in an amount between \$1,000.00 - \$1,500.00. This grant will be used for habitat restoration and to identify invasive species. The money will be used to remove those species. Chairman Aspras inquired on the use of bamboo on properties in the Borough. It is being used in several locations in the Borough. Council President Fitzpatrick noted that the Environmental Commission also received a separate award from ANJEC for the Bio Blitz event. Mr. Slenkamp noted that a member of the Commission will be attending a Council meeting to present the award.

MASTER PLAN COMMITTEE

Mr. Ryder advised that he has no report.

ECONOMIC DEVELOPMENT COMMITTEE

Mr. Owen was not in attendance, and Council President Fitzpatrick noted that at this month's EDC meeting, a speaker will do a presentation on business and funding opportunities.

COUNCIL REPORT

Council President Fitzpatrick advised that the potential buyer for the Sony property will be attending the next Borough work session meeting to discuss uses for the property. The discussion includes mixed use - apartments and warehouses and/or a life sciences building.

OTHER OLD OR NEW BUSINESS

Chairman Aspras noted that the Board needs to review fees. The last adjustment was done over 10 years ago. Mrs. Stech and Mrs. Kelley agreed to assist in the process.

ADJOURNMENT

Mrs. Stech motioned, second by Chairman Aspras to adjourn at 8:06 pm.

All in favor.

Respectfully submitted,

Maureen Abdill
Recording Secretary