

**Borough of Pitman
Combined Planning/Zoning Board Meeting
Council Chambers
Minutes of November 20, 2023**

CALL TO ORDER:

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

ATTENDANCE:

Chairman Aspras, Mrs. Stech, Mayor Razze, Mr. Ryder, Mrs. Kelley, Mr. Slenkamp, Mr. Owen, Mr. Romick, Mr. Franchi, Mr. Austin

ADVISORS PRESENT:

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

ABSENT MEMBERS:

Council President Fitzpatrick, Mr. Fijalkowski, Mr. Scutt,

APPROVAL OF OCTOBER, 2023 MINUTES

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

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mayor Razze: **YES**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Mr. Owen: **YES**

Mr. Romick: **YES**

Mr. Franchi: **YES**

Mr. Austin: **ABSTAIN**

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 November 9 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. 2023-44 **Spindles**
Krystyna Corwin
102 West Avenue
Block 188, Lot 5

Chairman Madison advised that this application was previously approved using turned spindles. Ms. Corwin attended the November 9 meeting to request that her approval be amended to specify square spindles to match the existing spindles on the house. Chairman Aspras asked if this is consistent with the Ordinance, and Mr. Madison confirmed it is.

Application No. 2023-46 **Sign, lights**
Denise Richmond
18 Pitman Avenue
Block 74, Lot 10

Application No. 2023-47 **Screen door**
Noelle Sofia
3 2nd Avenue
Block 1, Lot 19

Application No. 2023-48 **Roof, siding**
Grove 185 LLC/ Dave Cutler
85 Northwest Ave
Block 18, Lot 16

Application No. 2023-49 **Siding**
Joseph J Campellone II
115 W Jersey Avenue
Block 83, Lot 3.01

Application No. 2023-50 **Roof, paint, windows**
Elizabeth Sztenderowicz
210 Boulevard Ave
Block 36, Lot 2

Application No. 2023-51 **Roof**
Shein Property Solutions

Mr. Buelow testified that after the approval in 2017, he poured a concrete pad from the back side of building A to building B.

Mr. DeClement asked Mr. Buelow to confirm that the first picture presented to the Board was the drawing used in the 2017 application to show how the building would look. Mr. Buelow confirmed it is and Mr. DeClement asked that this picture be marked Exhibit A. Mr. DeClement asked Mr. Buelow to confirm that the second picture is how the building and concrete pad currently look. Mr. Buelow confirmed that is correct. Mr. DeClement asked that this picture be marked Exhibit B.

Solicitor Dasti asked for clarification on the reference to buildings A and B. Mr. Buelow provided the explanation.

Mr. Buelow clarified that the ISO container is what he refers to as Building A.

Mr. Shah testified that the 2017 application contemplated that the area from building A to building B would be developed.

Mr. DeClement read from Item 9 of the 2017 approval Resolution with regard to the then Zoning Officer's statement that at that time, there was no side yard violation with respect to the garage.

Mr. Shah illustrated on the drawing that the proposed development will not change the footprint of the approval at all.

Discussion on the rear yard setbacks. Mr. DeClement asked Mr. Shah if, in his professional opinion, a variance is required. Mr. Shah testified a variance is not required.

Solicitor Dasti asked for clarification – the proposed development of the property would connect building A to building B? Mr. Buelow testified that is correct. Mr. Dasti asked for confirmation that it would then be one building. Mr. Buelow testified it would.

Mr. DeClement noted that the 2017 approval, Resolution 2017-11, granted approval for everything that is proposed. In Mr. DeClement's opinion, a building permit should have been issued for the proposed improvements.

Chairman Aspras asked if the concrete pad is consistent with what was approved. Mr. DeClement read from the Zoning Officer's denial: due to the rear and side yard setbacks, a variance is required. The Applicant's position remains that there are no changes from the 2017 approval and no need for any variances.

Mr. Romick noted that since a building is being constructed, wouldn't a site plan be needed. Mr. DeClement advised it would not.

Solicitor Dasti recommended that the Applicant finish his case and then the Board could ask questions. Mr. DeClement advised that the application was denied by the Zoning Officer because in the Zoning Officer's opinion, rear and side yard variances are needed. The Applicant's position is that no variance was granted in 2017, so what variances would be needed now?

Chairman Aspras asked Zoning Officer Duffield to present his position.

Mr. Duffield stated that the C 2 zoning regulations for side yards do not require a side yard, but if there is a side yard, the side yard shall not be less than 10 feet in width. In Mr. Duffield's opinion, what was approved in 2017 was not a blanket application for a reduced side yard for that entire side of the property. The proposed improvement is more of a building than what was approved. He mentioned the rear yard to point out the existing rear yard deficiency. This additional development should have site

plan approval. This is an expansion of what was approved in 2017. Solicitor Dasti asked Mr. Duffield if the outward size of the building hasn't changed – Mr. Duffield advised that is correct.

Borough Planner/Engineer Tim Kernan advised that he agrees with the Zoning Officer – putting a building in between buildings A & B triggers another review. This building that is proposed was not contemplated in 2017 and a concrete pad is not a structure.

Chairman Aspras and Solicitor Dasti summarized the situation.

Solicitor Dasti stated that there were bulk variances granted in 2017 for one of the building and the pad site. The Applicant disagrees with the Zoning Officer's decision that the proposed improvement triggers the need for additional variances. The setbacks remain the same, but expanding the size of the building requires new variances for the rear and side yard for the improved pad site.

The new application is to connect buildings A & B with the part in the middle. A variance is required for the new building.

Mr. Kernan reviewed the notice requirements. To the extent that the 2017 notice includes "any and all additional variances", this matter could be dealt with tonight.

Mr. DeClement reviewed the notice language and confirmed that the notice does contain that statement. Solicitor Dasti advised if it does, the Board can proceed.

Chairman Aspras opened the hearing to public comment. There being no public comment, Chairman Aspras closed the public comment portion.

Mayor Razzo asked for clarification – the proposed building is in between buildings A & B. Mr. DeClement advised that is correct. For discussion purposes, Mayor Razzo referred to this building as building F.

Borough Planner/Engineer Kernan advised that a C 1 C variance does apply to peculiar situations uniquely affecting a particular property. This situation is a unique situation affecting this property.

Chairman Aspras asked if the Board can also grant site plan waiver on this application – Solicitor Dasti advised yes.

Mr. Owen asked for confirmation on where and why a side yard variance is needed. If the pad was there, the Applicant is proposing to use that area.

Chairman Aspras asked how long buildings A & B have been on the property. Mr. Buelow testified that building A was there and building B was added in 2017 and his intention was to extend it over.

Chairman Aspras asked for the size of the buildings – Mr. Shah testified 9' X 24'.

Mr. Ryder stated that the 2017 variance was for the existing building, there was nothing noting intentions for another building. Mr. Ryder stated that a concrete pad does not give the property owner the right to build whatever he wants on it. Mrs. Stech asked how the space would be filled in with the difference in the roof lines. Mr. Buelow testified that the small building will be demolished and then he will have a contiguous roof line. Mrs. Stech asked if building A is going to be torn down – Mr. Buelow advised yes, it will. Solicitor Dasti stated that tearing down a building leads to a site plan.

Mr. DeClement restated that this is the same pad, same footprint.

Chairman Aspras asked if the waiver of site plan review is appropriate. Mr. Kernan stated that he does not see the site plan waiver as an issue, if using the same pad and footprint. Chairman Aspras inquired on the height of the building, etc. Chairman Aspras asked for confirmation that this is not going to be a 3 story building, etc. Solicitor Dasti recommends noting these conditions in the Resolution – that the new

building will have the same detail as building B. Mr. DeClement confirmed that the building will be the same height, have the same façade and other details of the existing building.

Mr. Romick asked for confirmation that this would be bulk variances and waiver of site plan review.

Solicitor Dasti confirmed that is correct.

Mrs. Kelley reviewed the site plan waiver regulations.

Additional discussion on drainage, impervious coverage and building dimensions.

Mr. DeClement confirmed there are no drainage issues, no impervious coverage changes. Mr. Franchi asked if building B is bigger and higher than building A – Mr. DeClement advised that is correct.

Chairman Aspras asked Mr. Kernan if, in his opinion, the proposed improvements present any drainage or impervious coverage issues – Mr. Kernan advised they do not.

Mr. Owen asked Solicitor Dasti to recap the motion that is before the Board.

Solicitor Dasti stated that the motion to be considered may be to approve the variance application for rear yard setback that matches the 2017 approval of 20.3 feet, a side yard setback of 1.76 feet , permission to tear down building A, continue building B past building “F”, the little pod site to where building A was. The footprint will not exceed what is presently there, including where building A currently is. The motion also includes a waiver of site plan.

Mrs. Kelley asked what will happen to the storage pod – Mr. Buelow advised he will remove it.

Motion made by Mr. Owen, seconded by Mr. Romick to approve the application based on Solicitor Dasti’s summary of the motion.

Roll call:

Chairman Aspras: **YES**

Mrs. Stech: **YES**

Mayor Razze: **ABSTAIN**

Mr. Ryder: **YES**

Mrs. Kelley: **YES**

Mr. Slenkamp: **YES**

Mr. Owen: **YES**

Mr. Romick: **YES**

Mr. Franchi: **YES**

Mr. Austin: **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.

Chairman Aspras inquired on the business that is coming in to 55 Holly Avenue. This was Review Printing and now coming in as a proposed gym. Is parking needed? Mr. Duffield advised that he reviewed the application only with regard to the use – parking will be dealt with at site plan review. Chairman Aspras advised that parking needs will have to be reviewed. Additional discussion on parking. Mr. Owen noted that his understanding is that this will not be a typical gym – it will be more of a training facility.

Additional discussion on the site plan review process.

Mayor Razze noted that the Lutheran Church has made application for solar panels. Mr. Duffield advised that is correct. Mr. Duffield provided a review of the zoning and construction permits required for solar panels.

SITE PLAN COMMITTEE

No applications.

SUBDIVISION COMMITTEE

Mrs. Kelley advised there is nothing to report.

ENVIRONMENTAL COMMISSION

Mr. Slenkamp advised there was a tree and shrub planting at Alcyon Park on November 4. The Commission is also entertaining a proposal to identify and remove invasive species at the area of the Park known as the Meadow. Working with a company named Enviroscapes. There will be removal of some trees and mow down from the 3 foot height. Mayor Razze asked if this will impact the retention purpose – Mr. Slenkamp advised it should not.

MASTER PLAN COMMITTEE

Mr. Ryder advised that he has no report.

ECONOMIC DEVELOPMENT COMMITTEE

Mr. Owen advised that the Committee has finalized the design for a digital sign. The Committee is also going to buy 10 lamp post banner sets for the posts. Eventually these will be installed in a larger area of the Borough. Also may be purchasing sale shades for Theatre Avenue and will have a discussion with the Borough Engineer regarding an anchor system for installation.

Before moving on to other business, Solicitor Dasti advised it has been brought to his attention that Mr. Buelow's application involves property within 200 feet of Borough owned property. If this is correct, Mayor Razze should have abstained from the vote.

Mr. Kernan confirmed that there is Borough owned property directed behind Mr. Buelow's property. Mayor Razze amended his vote to an abstention.

COUNCIL REPORT

Mayor Razze advised that at the work session meeting, the Borough authorized sale of Borough owned properties in the Grove. Mayor Razze provided detail on the lots. Chairman Aspras asked if there would be an opportunity for open space, like a pocket park. Mayor Razze advised that was discussed, as was

potential parking. Borough Council was charged with looking at the properties to facilitate the discussion.

Mayor Razze advised that Borough Council authorized hiring Special Council for the PFAS litigation on the recommendation of the E-JIF. The Borough regularly tests for pfas and is well below the acceptable levels for the water.

Mayor Razze advised there is nothing new on the Sony property.

OTHER OLD OR NEW BUSINESS

Mr. Owen advised that the Sorella Market on Broadway may be up for sale. The building next to the Pitman Jewelry Shop.

Mr. Owen also advised that Woodlynne Avenue at 3:00 pm is a problem. A sidewalk is needed in many locations in the Borough, but particularly at this location near the High School.

Zoning Officer Duffield advised he has received an inquiry regarding the Linden Avenue parking area.

ADJOURNMENT

Mrs. Stech motioned, second by Chairman Aspras to adjourn at 8:15 pm.

All in favor.

Respectfully submitted,

Maureen Abdill
Recording Secretary