

**Borough of Pitman  
Combined Planning/Zoning Board  
Meeting Via Zoom  
Minutes of April 19, 2021**

**Call to Order:**

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

**Chairman Aspras read the Open Public Meetings Act.**

**Attendance:**

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

**\*Mr. Owen arrived at 7:06**

**Absent Members:**

Mr. Fijalkowski, Mr. Scutt

**Advisors Present:**

Mr. MacDonald, Solicitor, Mr. Madison, Chairman, Pitman Historic Preservation Commission, Mr. Kernan, Planner/Engineer, Mr. Roy Duffield, Zoning Officer

**Approval of March 2021 Minutes:**

Mr. Slenkamp motioned, second by Mr. Romick **to approve the Minutes of March 2021** with two corrections.

Chairman Aspras: **Yes**

Mrs. Stech: **Yes**

Mayor Razze: **Yes**

Councilman Fitzpatrick: **Yes**

Mr. Ryder: **Yes**

Mrs. Kelley: **Yes**

Mr. Slenkamp: **Yes**

Mr. Romick: **Yes**

Mr. Franchi: **Yes**

**Setback Variance**

**Eric Bailey**

**440 Elm Ave.**

**BI 152 / L 7**

Mr. MacDonald advised the Board that the advertised notices for the Setback Variance did not contain the information that the meeting would be held virtually via Zoom. The Board therefore cannot hear the application this evening. The reapplication should be within the next 30 days and there will be no charge for this second application.

Mrs. Kelley motioned, second by Mrs. Stech **to deny the application without prejudice and there will be no additional fees if the application is made within 30 days.**

Chairman Aspras: **Yes**

Mrs. Stech: **Yes**

Mayor Razze: **Yes**

Councilman Fitzpatrick: **Yes**

Mr. Ryder: **Yes**

Mrs. Kelley: **Yes**

Mr. Slenkamp: **Yes**

Mr. Romick: **Yes**

Mr. Franchi: **Yes**

**Public Comments:**

None

**Historic Preservation Commission:**

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

Mr. Madison presented the following applications.

**Application No. 2021-09**

Casey Murphy & Conor Mackesy

29 S. Oak Ave

Bl 4 / L 14

Painting/Doors/Shutters/Trim

**Application No. 2021-10**

Daniel Mills & Keith Armstrong

105 W Holly Ave.

Bl 5 / L 1

Painting

**Application No. 2021-11**

Tony & Emily Stefanelli

201-203 W. Jersey Ave.

Bl 89 / L 1

Roofing/windows/Porch/Painting

**Application No. 2021-12**

Mike Rumpf & Dana Gura

214 Embury Ave.

Bl 27 / L4

Siding

**Application No. 2021-13**

Chris Miller

38 S. Oak

Bl 5 / L 10

Fencing

Chairman Aspras motioned, second by Mrs. Stech to approve Applications No. 2021-09 through 2021-13.

Chairman Aspras: Yes

Mayor Raze: Yes

Mr. Ryder: Yes

Mr. Slenkamp: Yes

Mr. Franchi: Yes

Mrs. Stech: Yes

Councilman Fitzpatrick: Yes

Mrs. Kelley: Yes

Mr. Romick: Yes

**Setback Variance for Shed**

**Brenden Petersen**

**327 Crafton Ave.**

**BI 96 / L 6**

**Mr. MacDonald swore in Mr. Brendan Petersen, 327 Crafton Ave.**

**\*Mr. Slenkamp and Councilman Fitzpatrick both recused themselves stating Conflict of Interest.**

Mr. Duffield stated that he had received a call about the construction of the shed without a zoning or construction permit at 327 Crafton Ave. The survey of the property that Mr. Petersen provided to Mr. Duffield indicated that the shed was a few inches short of the required distance from the property line. Based upon this information Mr. Duffield denied the Zoning application.

Mr. Petersen testified to the installation of the shed, describing the construction and materials that were used.

Mr. Kernan shared a copy of the survey with a sketch of the shed highlighted.

There were no comments from the public.

Chairman Aspras motioned, second by Mrs. Kelley **to approve the Setback Variance for BI 96 / L 6.**

Chairman Aspras: **Yes**

Mayor Razze: **Yes**

Mrs. Kelley: **Yes**

Mr. Romick: **Yes**

Mr. Austin: **Yes**

Mrs. Stech: **Yes**

Mr. Ryder: **Yes**

Mr. Owen: **Yes**

Mr. Franchi: **Yes**

**Side Yard Variance for Garage**

**Samuel T. Flamma Sr.**

**600 Pitman Ave.**

**BI 152 / L 7**

**Mr. MacDonald swore in Mr. Flamma, 600 Pitman Ave.**

Mr. Kernan shared a copy of the property survey with the sketch of the proposed building. Mr. Flamma testified that this sketch reflects a compromise to his original plan. Mr. Flamma read the Code for Yard Exceptions from the Borough Code and how he interpreted that Code.

Mr. MacDonald explained that the variance is for the distance between the property line and the building. The distance should be 25 ft. from the property line and Mr. Flamma states that the distance is 10 ft. from the property line.

Chairman Aspras opened the meeting to the public.

Mr. MacDonald swore in Mrs. Valerie Furlong, 604 Pitman Ave.

Mrs. Furlong testified that she lives next door to Mr. Flamma, and walks and drives the area in which Mr. Flamma wants to put the building. She stated that she supports the variance and feels that it is consistent with the neighborhood.

**Chairman Aspras closed the Public Portion.**

Chairman Aspras motioned, second by Mr. Franchi **to approve the Side Yard Variance for 10 ft vs 25 ft for 600 Pitman Ave. Bl 152 / L 7.**

Chairman Aspras: **Yes**

Mayor Razze: **Yes**

Mr. Ryder: **No**

Mr. Slenkamp: **Yes**

Mr. Romick: **Yes**

Mrs. Stech: **Yes**

Councilman Fitzpatrick: **Yes**

Mrs. Kelley: **Yes**

Mr. Owen: **Yes**

**Recreational Marijuana Legislation/Recommendation to Borough Council**

Mr. Kernan explained the options for Municipalities for the recreational Marijuana Legislation. Outright Ban of any use, manufacturing/processing/dispensing, however the Borough cannot ban deliveries into the Borough.

If the Borough does nothing, all these uses would be permitted and would be in place for 5 yrs.

Chairman Aspras recognized Detective Nick Barbetta, Pitman Police Dept.

Detective Barbetta explained that the Department is still getting guidance from the Attorney General's Office, but he would answer any questions the best he could.

Mayor Razze stated that he felt that neither this Board nor Borough Council should be making this decision for the residents of Pitman. He feels that the only way would be for Council to pass a prohibition for this in August and then bring it forward later in a referendum.

Mr. Owen explained that there are 6 different licenses available for Recreational Marijuana, one of them being transportation. The smart decision would be to say no at this point, and it should be a town wide decision.

Mr. Austin agreed that it would be wise of us to delay and bring it up later.

Mr. Slenkamp said that Ocean City NJ has passed an outright ban. He asked if Detective Barbetta knew how many towns have made the same decision. Detective Barbetta said that he would check.

There was then discussion of the recent decisions and ruling in neighboring Mantua.

Mrs. Kelley motioned, second by Mr. Owen for recommendation to Council for a ban on recreational marijuana at this time, pending further information from the State.

Chairman Aspras: **Yes**

Mayor Razze: **Yes**

Mr. Ryder: **Yes**

Mr. Slenkamp: **Yes**

Mr. Romick: **Yes**

Mrs. Stech: **Yes**

Councilman Fitzpatrick: **Yes**

Mrs. Kelley: **Yes**

Mr. Owen: **Yes**



**Chairman Aspras reopened the Public Portion.**

**Mr. Macdonald swore in Daniel Mills, 105 W. Holly Ave.**

Mr. Mills stated that he arrived late at the meeting and wanted to check on the approval of his application. He had been approved and he thanked the members of the Board.

**Chairman Aspras closed the Public Portion.**

**Update on Potential Chicken Pilot Program**

Chairman Aspras reported that Council is working on a draft of the Chicken Pilot Program. Councilman Fitzpatrick stated that since they just received the draft today, they should table it and revisit it again next month in order to give time for review.

There was discussion of the potential problems with licensing, enforcement and limits with the program.

**Electric Vehicle Charging Stations**

Chairman Aspras reported that Electric Vehicles are taking off and our Ordinance does not address everything. Mr. Kernan is on the State Committee that is looking at Electric Vehicle Legislation.

Mr. Owen stated that he would be willing to be involved in this since EDC is looking at charging stations as a marketing tool.

**Zoning Officer Report:**

Mr. Duffield reported that he had submitted his report via email earlier and if there were any questions, he would be happy to answer them.

Mrs. Kelley asked about a garage on Franklin Ave. that is very large, and it does not appear that it would meet the requirements for our setbacks. Mr. Duffield said that they did apply for a permit and were issued a Zoning permit for a private garage. It does adhere to the 25 ft. setback and 5 ft. property line. He did report that he has been told that there is a Commercial business being operated out of the garage and he is addressing the issue. As far as the size of the garage it is compliant.

Mrs. Kelley suggested that we need to look at our Accessory Building Ordinance.

**Fazio** – Mr. Duffield reported that they have yet to go before a judge. He stated that they are still getting complaints from the neighbors as far as noise and that they are still using Borough property to conduct business. They state that they will be coming before the Planning Board in the next 90 days.

**Master Plan Committee:**

Nothing to report.

**Economic Development Committee:**

Mr. Owen thanked Chairman Aspras for coming before the EDC and giving them a better understanding of what Planning/Zoning is and the idea of the Master Plan.

Currently there is a concern about the bead shop, the old News Agency. It seems it is currently being used as storage. They are also working on shades for Theater Ave. Concerning the Light Rail, there will be 3 businesses that will be mainly impacted. Cold Storage, George's Auto Body and Fulton Bank. It remains to be seen if they will stay there or relocate.

**Site Plan & New Use Committees:**

Nothing new – Chairman Aspras

**Subdivision Committee:**

Nothing to report – Mrs. Kelley

**Council Report:**

Councilman Fitzpatrick reported that the Borough sold its 2<sup>nd</sup> liquor license for \$430,000.00 to Advance Pitman LLC, Peter Slack's LLC. The budget that Council is proposing does not propose a Municipal tax increase although we are using our surplus. Council passed a resolution to establish a trust fund for abandoned property maintenance. The State must approve it before we can fund any of it. The School Board budget contains a reduction in State aid of \$879,000.00, and there will be a 2% increase in taxes to make up for that.

**Old Business:**

None

**New Business:**

None

Chairman Aspras asked the Board members opinion on next months meeting. In person vs. Zoom. Mayor Razze stated that Borough Council will be meeting in person at Borough Hall beginning in May.

Next months meeting of the Planning/Zoning Board will be held in person in Borough Hall.

**Adjournment:**

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

All in favor.

Respectfully submitted,

Connie Anderson

Recording Secretary