

**BOROUGH OF FOLSOM
PLANNING/ZONING
BOARD OF ADJUSTMENTS
MINUTES**

March 21, 2012

The meeting was called to order at 7:06 p.m.

SALUTE TO THE FLAG

CERTIFICATION: Adequate notice of this meeting has been given in accordance with the Open Public Meeting Act pursuant to Public Law 1975, Chapter 231. Said notice has been advertised in the Hammonton News and Atlantic City Press and is posted on the bulletin board showing the time and place for the meeting.

Members Present Charles Pitale, Glenn Smith, Rich Levey, Harold Parker, Joel Spiegel, Joseph Pino, Jerome Hoffman and John LaPollo.

Absent: Gary Kemmerer, Tom Ballistreri, and John Hehre.

Others Present: Solicitor: Jorge F. Coombs, Esq.
Board Engineer: Gary Auer
Board Secretary: Sherri Thompson

Minutes

A motion was made by Mr. Smith and seconded by Mr. Pitale to approve the minutes of February 15, 2012. There was a roll call vote with ayes all with an abstention by Mr. Levey, Mr. Pino and Mr. LaPollo.

APPLICATION:

Mr. Michael McCormick 1219 S. Street NW, Washington, DC 20009 requesting an informal review regarding vacation of B and C Streets on Block 2805 Lot 1 in the RD zoning district Application # 02-ZB-12.

Mr. Coombs swore in Mr. Charles Endicott of Endicott Engineering representing the applicant. He stated the applicant intends to develop the property with a single family dwelling. The property consists of approximately 150 lots, 25' x 100'. The tax map shows Block 2805, 2806 and 2807 however the tax records indicate Block 2805 Lot 1. Blocks 2806 and 2807 no longer exist. Mr. Endicott stated there are two (2) paper streets, B and C Streets that run right through this property. He is seeking from the Planning and Zoning Board to recommend to Council for vacation of the streets.

Mr. Coombs questioned why the applicant was not requesting to seek vacating Burlington Street which is also a paper street. Mr. Endicott stated there is a dam along

Lake Albert and to ensure there is public access they are not seeking to have Burlington Street or Gloucester Streets vacated.

Discussion ensued with respect to the Borough still having access to Gloucester, 8th and Burlington Streets and the maintenance of 5th Road. Mr. Endicott stated nothing would change with those streets and since American Galvanizing would be paving 5th Road this would give his applicant full access to his property giving them a conforming lot. He also stated that he attended the last Council Meeting and that American Galvanizing agreed that they would be maintaining 5th Road.

A motion to approve was made by Mr. Pino and seconded by Mr. Parker. There was a roll call vote with ayes all.

Joseph Stuhltrager 1110 Black Horse Pike, Folsom, NJ 08037 seeking to amend Site Plan from 4 parking spaces to 11 parking spaces for Block 3102 Lot 15 in the FC zoning district. Application #03-ZB-12.

Mr. Pino recused himself due to a conflict with the applicant.

Mr. Coombs swore in Mr. Stuhltrager. He stated he is seeking to amend his site plan to change the number of parking spaces that were approved from four (4) to eleven (11). The board questioned the increase in spaces. He stated that he would possibly be looking for someone to share the office space. Discussion ensued whether any vehicles would be sold on the lot. Mr. Stuhltrager stated that there would not.

Mr. Coombs read the approvals that were given for the original application dated August 2011.

Discussion ensued with respect to the surface coverage and why he wasn't making it conforming and putting in the required 15 spaces. Mr. Stuhltrager stated there was already 6500 sq. ft. of surface area already covered and he would be moving the gravel driveway from around the building and condensing it into one location for the parking spaces. He also stated that if he increased the surface area he would need to get involved with stormwater management and did not want to do that at this time.

Discussion ensued as to the motions that were needed. The parking is being moved from the front of the building to the side.

ENGINEER'S REPORT:

Mr. Gary Aurer was present for Mr. Polistina.

The Applicant, Joseph Stuhltrager, has submitted an application to amend the previously approved minor site plan. The Applicant proposed to utilize the existing +1,800 square foot masonry building located on the parcel known as Block 3102, Lot 15, as an office facility. The subject parcel is located on the north side of the Black Horse Pike, between

Tenth and Eleventh Streets in the Borough's FC Forest Commercial zoning district. The site contains 1.95 acres and has frontage on the Black Horse Pike.

On July 20, 2011, the Applicant was granted minor site plan approval to reconstruct the existing building into office space for his automobile loan business. The Applicant received variance approval from the Board to construct four (4) off-street parking spaces, including one handicap parking space. The Applicant is now seeking to amend the minor site plan approval and construct a total of 11 off-street parking spaces, including one handicap parking space.

COMPLETENESS REVIEW:

This application has been reviewed using the Borough's checklist for preliminary and final major site plan development. The Applicant is amending the minor site plan approval granted by the Board on July 20, 2011. The Applicant was granted waivers from Checklist Items 20, 21, 22, 29 and 37. We recommend that the application be deemed **conditionally complete** and that the application proceed to the Board for review. The Applicant should either provide the missing items or request waivers from providing these items. If the Board does not grant the requested waivers, the Applicant shall provide the requested items prior to final approval of the application.

ZONING REQUIREMENTS: The property known as Block 3201, Lot 15 is located in the FC (Forest Commercial) district. Offices are a permitted use in this zoning district. Permitted uses in this district are outlined in Section 200-16 of the Borough's ordinance.

VARIANCES: The following variance is required:

1. Section 200-29.I. – Off-Street Parking: Minimum Number of Parking Spaces Required. The minimum number of parking spaces required for professional office uses is one off-street on-site parking space for each 150 square feet of office area, plus one additional space for each employee. The site contains an existing office building with an area of 1,830 square feet and 2 employees. The required off-street parking for this use is 15 spaces and the Applicant is providing a total of 11 spaces. A variance is required.

The following variances were previously granted by the Board in accordance with Resolution No. 08-2011:

2. Section 200-29.C.1. – Off-Street Parking: Surfacing in Nonresidential Districts. All driveways and off-street parking space provided under the requirements of Chapter 200 shall be surfaced with asphaltic concrete or concrete so as to be hard surfaced, well drained and dust-free. The Applicant is proposed four off-street parking spaces for the proposed use. The handicap accessible space will be concrete and the remaining three spaces and drive aisle and driveway will be gravel. A variance was previously granted.

3. Section 200-29.C.2. – Off-Street Parking: Curbing in Nonresidential Districts. All off-street parking spaces shall be provided with curbing or the equivalent so that vehicles cannot drive onto required landscaping areas. The Applicant is not proposing any curbing around the driveway or proposed parking areas. A variance was previously granted.

REVIEW COMMENTS:

1. The Applicant is proposing to amend the original approval granted by the Board in 2011. The Applicant received a variance from providing the minimum required number of off-street parking spaces. The Applicant is now proposing to utilize additional space in the building and is requesting to amend the original approval to allow the construction of additional parking spaces.
2. The Applicant has submitted a site plan prepared by Peterman Maxcy Associates which is not signed. A signed site plan is required as a condition of amended site plan approval.
3. The Applicant is proposing to utilize the existing gravel area for parking. The Applicant must demonstrate that there will be no additional impact on drainage or that no additional drainage improvements are required to accommodate the proposed improvements.
4. The Applicant is proposing the construction of a handicap accessible parking space. This parking space must be in compliance with ADA standards. The parking space should be constructed of concrete or asphalt. Based on the plan, a portion of the existing concrete pad will be utilized for parking and the remainder of the parking space will be on the existing gravel. This is not compliant with ADA standards and must be addressed.
5. The parking space proposed in front of the entrance to the building should be eliminated. A walkway should be provided along the building so that people entering and exiting the building can do so safely.
6. The proposed parking spaces along the building (5 spaces) are not entirely on the existing concrete pad. The parking spaces should be located on either the concrete with additional concrete proposed to create a 20' long concrete parking space, or the spaces should be located on the gravel.
7. The Applicant must provide an amended construction cost estimate for the proposed improvements.
8. In accordance with Section 170-12A., as a condition of minor site plan approval, the Planning Board may require the Applicant to furnish a performance guarantee for the proposed improvements.
9. The Applicant received a letter of exemption from the Cape-Atlantic Soil Conservation District, Certification No. 5677, dated June 6, 2011. The Applicant is required to obtain an updated approval from the Soil Conservation District for the proposed improvements and additional off-street parking proposed.
10. The Applicant is required to obtain approval from the New Jersey Department of Transportation. A minor access permit may be required.
11. This Applicant is subject to the approval of any other agency having jurisdiction on this project. The Applicant should discuss the status of any other approvals.

Open to Public: None Present

A motion for approval for a variance for the number of parking spaces from 15 to 11 was made by Mr. Smith and seconded by Mr. LaPollo. There was a roll call vote with ayes all and a no by Mr. Levey.

A motion for approval of the amended site plan to include the eliminated driveway to be replaced by grass area and reconfigured parking spaces was made by Mr. Smith and seconded by Mr. Spiegel. There was a roll call vote with ayes all and a no by Mr. Levey.

Mr. Pino rejoined the board at 7:35 PM

The chairman announced the next scheduled meeting will be April 18, 2012.

With no other business the meeting was adjourned at 7:37 p.m. with ayes all.

Respectfully submitted,

Sherri Thompson
Board Secretary