

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

May 16, 2012

The meeting was called to order at 7:09 pm.

**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.

Mr. Coombs swore in the following:

**ALTERNATE II – 1 YEAR TERM (2013)**

Harold Parker

**Members Present:** Charles Pitale, Tom Ballistreri, Joel Spiegel, Joe Pino, Joe Stuhltrager, John Hehre and Harold Parker

**Absent:** Gary Kemmerer, Glenn Smith, Rich Levey, John LaPollo

**Others Present:** Solicitor: Jorge F. Coombs, Esq.  
Board Engineer: Vincent Polistina  
Board Secretary: Sherri Thompson

**Minutes**

A motion was made by Mr. Ballistreri and seconded by Mr. Pitale to approve the minutes of April 17, 2013. There was a roll call vote with ayes all.

**APPLICATIONS:**

S.E.T. Laborers Local 172 & 472 1400 Black Horse Pike, Folsom, NJ 08037 seeking Preliminary and Final Site Plan with Variances for Block 3102 Lots 1, 2, 3, and 22 in the FC zoning district. Application #02-ZB-13.

Joe Murphy, attorney with Connell/Foley representing the applicant. The application is being made for the purpose of obtaining preliminary and final site plan approval and any required variances and waivers. The project is a proposed expansion of the existing facility which is approximately 14, 500 sq. ft. The proposed addition is approximately 17,000 sq. ft. In addition to the expansion of the facility there will also be some modifications to the outdoor training areas, installation of a solar field and some

associated parking and driveway improvements. The present building and the proposed addition is intended to be used as a training center for the applicant's members, associated office use and classroom use. The purpose of the application is not to increase the number of users and no increase in the number of users or travel to the site is expected.

Mr. Murphy introduced Mr. DeMarco. Mr. Coombs swore in Mr. DeMarco whom is the training director for Laborers Local 172/472 Safety Education Training Fund. Mr. DeMarco stated the Laborers have owned the property since the 1970's. They are the guys that put the water pipe in the ground, build the roads, bridges, curb, concrete and all heavy highway construction. They train about 2000 laborers a year from all over the South Jersey area. They teach about 150 classes, not all at Folsom but over the South Jersey area. Anything from first aid, CPR, traffic control, OSHA courses, concrete and pipe. All sorts of skills that are required for laborers because it is one of the most dangerous industries out there. The facility they have now works well for them but they would like to improve upon it. They are not looking to expand the capacity. They are not looking to increase the number of people they train. Instead of having one or two classes that they switch in and out they will have dedicated classrooms for blueprints, line grade, construction math, the second for construction skills like pipe and concrete and the third will be for environmental classes because they teach hazardous waste worker classes as well. They are a non-profit education facility. They do not exist without the workers and their organizations.

One of the big things they are trying to do is take the training that is being done outside and bring it inside the addition that will be attached to the existing building. They will do the field exercises inside. That is the general intention.

Mr. Hehre questioned the location and size of the solar field. Mr. DeMarco stated it would be located on an existing parking lot about 80' behind the building and did not know the square footage of the field.

Mr. Coombs stated you mentioned some of the things you do are dangerous. Do you perceive any of these things to be dangerous within the structure? Mr. DeMarco stated it is their job to teach the students how to do the things safely and not to get hurt.

Mr. Coombs swore in Mr. Gallerano. Mr. Gallerano gave his credentials as a professional Engineer/Planner. Mr. Gallerano referred to the colorized version of Sheet #2 of the site plan showing the various uses and coverages. Access to the site is via a partially improved portion of 11<sup>th</sup> Street entering into the parking lots shaded in gray, which are linked to the existing building shaded in brown. The light green shading in the front is the lawn area and the darker green areas are wooded unimproved areas of the site. The areas in the rear shaded tan are where the current training takes place. The solar field will be on the existing asphalt area in the rear. The fence line separates the office portion from the training area. The existing building is approximately 14, 800 sq. ft. That building will remain. The applicant is proposing to remove portions of the existing parking area to construct the addition to the building. Mr. Gallerano next referred to a

colorized version of Sheet 6. The existing building is shown in light brown. The darker brown represents the proposed addition approximately 17,000 sq. ft. to bring the existing outdoor training facilities to an inside location. There is an area directly behind the building which is shown as a proposed gravel area. This area will be used for certain training activities that would not take place in the building. The solar field is shown in the gray area, currently the paved area, which will be converted into the solar field. In addition to the new building there will be new parking facilities, the new solar field, and all of the proposed construction will be in areas that were previously disturbed.

The property is located in the FC (Forest Commercial) Zone. The use is permitted in the zone, however they are requesting several variances which are shown on the site plan. They are requesting a side yard setback. They are proposing 13.83' where the requirement is 25'. There was a question raised in the Engineer's letter as to whether it is a side yard or front yard. The way he interpreted the ordinance was that the applicant was able to choose which frontage would be front yard. He would defer this to the Engineer for his interpretation.

Mr. Polistina stated it is not clear. It is 13.83' to 11<sup>th</sup> Street which is considered a public right-of-way granted where 75' is required to do it as a front yard setback. Mr. Gallerano stated the additional variance required is with respect to the parking area. The ordinance requires a 200 sq. ft. parking space. The applicant is requesting a 162 sq. ft. parking space which represents a 9' x 18' parking space. This is a typical parking space. The applicant is also looking for a variance for parking space length. The ordinance requires a 20' length space and they are requesting relief for an 18' length. The ordinance requires a 25' access drive. The applicant is requesting 22' and 24'. As you come into 11<sup>th</sup> Street the pavement is 24' and as you come up to the building it is 22'. They feel this is adequate for the access for the facility as it has been operating at 22' and there has never been any issue with access or circulation onsite. They do not feel the variances will have any negative impact on the surrounding area or no detriment to the master plan.

There was a question as to the additional zones on the property. The property is actually located on three zones, FC as well as the FC-S and F-30 zones. All of the proposed improvements are located in the FC-R zone. The other zones were shown on the plan per the request of The Pinelands. They wanted to see the additional zones on the plan because they use it for tracking purposes. In order to comply they added the zones, however, he feels they have no relevance to the application.

In regards to the stormwater management Mr. Gallerano referred to the Grading and Utility plan, page five of the plans. Mr. Gallerano stated they are required to comply with the NJ DEP stormwater management regulation in addition to The Pinelands regulations and the Borough ordinance. The NJ DEP states they are required to control runoff, provide water quality and groundwater recharge. They are proposing along the perimeter of each parking lot bioretention basins. Basically they are shallow basins like swales. The water quality storm is the one (1) year storm and is required to be retained in the basins which infiltrate slowly into the ground. Any larger storm goes to an outlet structure and goes directly to an underground infiltration system which consists of 3 rows

of 36" percolated pipes. It will infiltrate 100% of the runoff into the ground. Under the Pineland regulation they are not allowed to provide any point discharge into the wetland area which is adjacent to the property so they are required to infiltrate 100% of the runoff. The site is 100% sand so infiltrating into the ground is not a problem. They performed permeability testing and there is more than adequate permeability to accomplish that. The bio basins provide for 90% removal of all total suspended solids. The underground infiltration system also provides for groundwater recharge which will take the surface water and recharge it into the ground. The solar field is going to discharge by sheet flow as required by The Pinelands. The property has a well and septic on site. As Mr. DeMarco pointed out there will be no increased capacity. Therefore there is no increase in capacity for the well and septic. Their records of the evaluation of the septic shows it to be functioning so they do not see any need to alter or make improvement to that. The well also provides adequate water to the site so the well will remain. There was a question as to the location of the well. It is located just off the corner of the building and will remain and be utilized as is for the facility.

The landscaping and lighting plan shows full coverage of lighting with pole mounted fixtures for the parking area. The retention basins will be landscaped in accordance with the DEP regulations with multiple shrubs along the perimeter in addition to the entrance facing the Black Horse Pike which will be fully landscaped with various types of shrubs.

There are several waivers required with respect to the landscaping. The Borough ordinance requires landscape islands be placed within the parking lot and a certain number of landscaping needs to be incorporated within the parking lot. They believe they are providing adequate landscaping along the border. The site has a significant amount of open space and green area. They feel that adding additional landscaping within the parking lot would be redundant so they are requesting waivers from those requirements.

Mr. Ballistreri questioned if the existing curbing where the solar field will be placed will be removed so that there will be sheet flow. Mr. Gallerano stated the curb toward 11<sup>th</sup> Street will be removed so that the sheet flow will go in that direction.

Mr. Pitale asked how the sheet flow from the parking lot would inlet into the bio-retention basin. Mr. Gallerano stated there is no direct inlet to the parking lot. The sheet flows right into the basin. The basin is basically a shell. It is only about 2' deep and there is an overflow structure. The overflow structure is located within the basin itself and the first foot of that structure is solid. Only the first foot of water can only infiltrate into the ground. There is no other way for that first foot of water to discharge. Above that one foot of water there are opening outlet structures so anything above that overflows and goes down into the 36" pipes.

Mr. Pitale questioned the property line on the map being shown in the middle of 11<sup>th</sup> Street. Mr. Gallerano stated yes, there has never been any formal dedication taking the right-of-way. Mr. Ballistreri stated it is a paper road that basically goes into the woods and a stream. Mr. Ballistreri asked if there is only one home on the other side. Mr. Gallerano stated Mr. Ruggieri lives on the other side and has no objection.

Mr. Coombs asked if all of the existing outside training area will be abandoned. Mr. Gallerano stated not all would be, the only portion to be abandoned is the solar field. Mr. DeMarco stated they would not abandon all of it. Many of the activities will go inside. When they are teaching a class like blueprints, line grades and construction math and the guys are using transits, levels and things like that they will have the guys shooting grade on the gravel road. When they are doing environmental training the first trip out with an air supplied respirator they make them take a walk and don a tank of air. They may do a little bit of grading on the existing road. They will do a lot less use out there. The whole idea of this is so that they are not recreating each time. There will be dedicated areas where they can do the hands on training portion that the students go through.

Mr. Ballistreri commented on the 9/11 memorial and asked what it would be like, that it would be a great idea. Mr. DeMarco stated they are very proud of what they do, that there are thousands of proud laborers that are part of the facility that fund what goes on there. There will be a memorial garden, something that they wanted to do and part of it will be a 9/11 memorial. The other part of the memorial will be a dedication. As he stated before it is one of the most dangerous industries and over the last 100 years a lot of guys lost their lives way to early. They didn't get to go home to their families due to the occupational hazards. There will be a memorial for workers who lost their lives on the job and the other part will be a 9/11 memorial. They are attempting to get a piece from 9/11. They want people to know that they are a Laborers facility and they are proud to be here and a proud patriotic organization. They have a lot of respect for the men and women that do the work they do. It is not an easy business but a business people are proud to be in.

Mr. Ballistreri stated it is a very nice touch. Mr. DeMarco stated he hopes that when people drive past the facility they remember it and he hopes people pull off the Black Horse Pike and say they want to see what that is and see the memorial to the people that have lost their lives and the memorial to 9/11.

Mr. Pitale asked if it would be in the front of the building. Mr. DeMarco stated it would be in front of the addition so when someone pulls into the parking lot they will drive right past it. He looks forward to the grand opening for the dedication of the facility.

Mr. Ballistreri asked what the timeframe is for the work. Mr. DeMarco stated once they have permits he will go to the Board of Trustees, put out a bidder's list to get this done. They are ready to go. The funding is there and they have the Trustee's approval.

Mr. Coombs swore in Mr. Waga and he gave his education and qualifications. Mr. Waga stated the facility was constructed and occupied since 1972. They are looking to expand upon the facility, embellish and enhance the site and create a structure to bring the outside training inside. He pointed out the location of the memorial garden. They are looking to create what will be a tall structure, a larger volume structure off to the left by planting local vegetation that will enhance the drive up as they enter into the primary entry to the structure. It will be landscaped fully which may compensate for the waiver

that they are requesting for the parking buffer landscape areas. They will provide to the Building department a list of plantings upon submission of construction documents. The third entry is from the west side of the structure. They are looking to recreate the entry to enter from the south side of the structure, parallel to the Black Horse Pike. They will be creating some alterations to the interior of the facility, where they will alter the footprint slightly off to the rear. They will be adding an accessory use which will be used for storage and a large training bay that is approximately 17,000 sq. ft. It is a one story, 32' high pre-engineered structure. However, it will not look like a typical pre-engineered building. It will be a primary steel structure with a masonry veneer on three sides because the side that buffers the existing building will be a flat siding, metal raised seam panel. The brick will envelope three sides of the structure as you see in my elevations and it will focus on training capacity which will be whatever we have outside now, will be inside. The classrooms will exist as three, there is currently two and increasing it to three. It is not to add more students. The Local 172 specializes in various elements of construction. They are now broadening their abilities to reduce the class sizes and expanding the ability of two small classes and maintaining the same occupancy load. The indoor training bay will now become a utility storage area. They are recycling a lot of element within the existing structure. Because of the reconfiguration of the new entry they will be modifying slightly, about 50% of the interior layout, to accommodate an upgraded facility and to meet the demands of today's environment.

The front elevation is parallel to the Black Horse Pike. The building is currently a wood framed trussed roof system with a stone veneer. They are looking to remove the stone veneer and replace it with an upgraded stone to compliment the new brick veneer that will be implemented. The new brick veneer will be along all three sides. They are not increasing the roof height or modifying it in any way. The only area they will be making any alterations or modifications to will be the transition point, which is the hatched area. If you have been by the site the roof is a long roof on the parking lot side so they will be eliminating and disguising it by putting on a flat roof and coming across so that it ties into the main structure more uniformly.

There will be a number deciduous trees that will max out about 22' – 25' and most of the remaining area will be deciduous and ornamental grasses and some flowering perennials, which are natural to the area.

The left elevation is showing as mostly existing. You can see the area behind which will be the standing seen metal flatting which will be the transition between the new and existing. This will be the driveway parallel to 11<sup>th</sup> Avenue (Street). It will be all brick veneer existing beyond again changing out the stone, maintaining the aesthetics and appealing aspects of that structure and making the turn left into the primary parking area. The structural benefits of this will be all masonry. The entire structure will be fire suppressed. All upgrades and mechanicals are electrical and heating and ventilating.

Mr. Coombs asked if the doors on the 11<sup>th</sup> Street side would be for vehicle access. Mr. Waga stated they would be for access in and out. They try to avoid any backhoe turnarounds within the facility so they would be for just that use.

Mr. Ballistreri questioned the type of flooring inside the facility. Mr. Waga stated the perimeter would be a concrete pad and the inside would be combination dirt/sand floor tamped, structural inside because they will be doing all their inside training. There will be pipe training in the far right and there would be tremendous flexibility within the building.

Mr. Pitale asked if they would be running the backhoe inside the building. Will there be fans and exhaust for air quality? Is that the reason for the 30' height? Mr. Waga stated you have the flexibility of moving pipe and just ease of access. The other issue is it is a clear stand structure so its standing a full width of this building 100', there are no intermediate columns.

Mr. Ballistreri asked if there would be any change to the signage. At this time that is not part of the plan. There may be in the future. They are making a huge commitment here. They wanted to get the application in first. Mr. Ballistreri stated the Borough appreciates it when our businesses include Folsom, NJ on their sign. It's something saying we are proud to host you here. We like people to know you are in Folsom. Something to keep in mind if you do an upgrade. Mr. Waga asked if they maintain the existing parameters of the surroundings of the area of sign and just modify it with those letters. They would submit to the Board for an informal approval. Mr. Polistina stated if they stay with the same size, location and height they should be fine, but if they change size or scope, they would need approval.

Mr. Spiegel asked what the peak occupancy would be once they were up and running. Mr. DeMarco stated in South Jersey they teach 152 classes, about 35,000 contact hours and 2000 students per year. This is not only at our facility though. Mr. Spiegel voiced his concern for the traffic letting out on a Friday night with shore traffic. Mr. DeMarco stated it is rare that they have more than 30 people. Most days they only have one class happening, sometimes two. The reason for three classrooms is dedicated space for different types of classes for the different types of training.

Mr. Coombs asked how many instructors and how many parking spaces are in the design. Mr. DeMarco stated there are four full-time instructors and two part-time instructors. Mr. Waga stated there are 96 spaces.

Mr. Pitale asked if there would be classes on weekends. Mr. DeMarco stated there would but there is no noise, they are inside classes such as first aid, CPR and defensive driving. Something strictly in the classroom, no backhoes or cranes running. It is basically refresher training, things that OSHA requires or environmental training on Saturdays. It is rare on Sundays.

### **ENGINEER'S REPORT:**

The site is known as Block 3102, Lots 1, 2, 3 and 22 in the Borough's FC-R Forest Commercial-Receiving, FC-S Forest Commercial-Sending and F-30 Forest zoning districts. All proposed improvements are located within the FC-R zoning district. The

site contains a total of 34.593 acres and contains an existing one story building, paved off-street parking areas and areas utilized for construction training. The site is accessed by a driveway on Eleventh Street.

The Applicant, General Laborer's Union Locals 172 & 472, is proposing to demolish some existing improvements and expand their training facilities. Some of the existing on-site improvements will be demolished including parking areas, lighting and stormwater. The Applicant proposes to demolish the existing stormwater facilities by June 1, 2013.

After demolition, the Applicant is proposing to construct a 17,312 square foot 1 story addition to the existing building. The Applicant is also proposing to construct a crushed stone construction training area and proposed solar field. The Applicant is proposing to construct a total of 96 off-street parking spaces, of which five (5) will be handicap accessible. Additional improvements include bioretention stormwater management basins, landscaping and lighting. The site will be serviced by a proposed on-site septic system and an on-site private well.

#### **COMPLETENESS REVIEW:**

This application has been reviewed using the Borough's checklist for preliminary and final major site plan development.

Item 14 - *Zoning district in which parcel is located, indicating all setbacks, lot coverage, height, floor area ratio, and density, both as to required and proposed. Indicate the above both written and graphically.* **The Applicant must provide the required building setbacks on the plan. Eleventh Street is a Borough right-of-way and the distance to the building should be shown on the plan as a front yard setback.**

Item 27 - *Location of existing wells and septic systems.* **The Applicant must provide the location of the existing well.**

We recommend that the application be deemed **conditionally complete** and that the application proceed to the Board for review.

#### **ZONING REQUIREMENTS:**

The property, known as Block 3102, Lots 1, 2, 3 and 22, is located in the FC-R Forest Commercial-Receiving district, the FC-S Forest Commercial-Sending district and the F-30 Forest Area zoning district. All improvements to the site are located within the FC-R zone. Permitted uses in this district are outlined in Section 200-16.A. of the Borough's ordinance. Commercial trade training facilities are a permitted use in this district.

**VARIANCES:** The following variances are required:

1. **Section 200-16.A., Table I - Front Yard Setback.** The minimum front yard setback required in the Forest Commercial-Receiving zoning district is 75 feet. The site has frontage on the Black Horse Pike and Eleventh Street, which is a municipal right-of-way. The existing front yard setback from the Black Horse Pike is 163.7 feet and will not change as a result of the proposed improvements. The Applicant is proposing to construct a building addition which will reduce the front yard setback on Eleventh Street from the existing 114.83 feet to 13.83 feet. A variance is required.
2. **Section 200-29.D. - Off-Street Parking - Size.** All off-street parking spaces shall contain not less than 200 square feet and be no less than nine feet wide and 20 feet deep. The Applicant is proposing to construct off-street parking spaces that will have an area of 162 square feet and be nine feet wide and 18 feet deep. A variance is required.
3. **Section 200-29.E. - Off-Street Parking - Access.** Access to parking areas shall be limited in nature with access drives to public streets being a minimum width of 25 feet in width. The Applicant utilizes a driveway off of the Black Horse Pike located in the right-of-way of Eleventh Street. The existing driveway is 22 feet wide and the Applicant is proposing to extend the driveway. The Applicant is not proposing to widen the driveway to the required width. A variance is required.

**REVIEW COMMENTS:**

**General Zoning:**

1. The Applicant is currently utilizing a portion of Eleventh Street for the driveway access to the training facility. The Applicant is proposing to extend the existing paved accessway approximately 70 feet on Eleventh Street. The Applicant should consider requesting the vacation of Eleventh Street. If the Applicant is proposing improvements located within the right-of-way of Eleventh Street, the proposed roadway must comply with the requirements of Chapter 166.
2. The plans should be revised to show the required building setback lines. It should be noted that the site has frontage on the Black Horse Pike and on Eleventh Street which is a municipal right-of-way. The plans should show the required front yard setbacks from both right-of-ways.
3. The zoning table on Sheet 4 must be updated to reflect the current zoning districts and requirements for this site. The site is located within the FC-R, FC-S and F-30 zoning districts.

### **Grading, Drainage & Utilities:**

4. The Applicant is proposing to demolish the existing stormwater management facilities by June 1, 2013. The Applicant must address the sequencing of improvements and indicate when the proposed stormwater improvements will be completed.
5. The Applicant is not proposing any stormwater management facilities for the proposed solar field area. This must be addressed.
6. A maintenance and operation plan has not been provided and it shall meet the requirements of Section 164-17.
7. In accordance with Section 200-47B(6)(f), a four year maintenance guarantee is required for the entire stormwater management system. In addition the Applicant shall fund or otherwise guarantee an inspection and maintenance program for a period of no less than ten years. The program shall identify the entity charged for annual inspections and the completion of any necessary maintenance, and the method to finance said program.
8. The areas of topsoil storage must be shown on the Soil Erosion and Sediment Control plan.
9. Additional detail for the directional arrows should be provided.
10. The plans must include details for the proposed gravel road.
11. The plans must include details for the proposed parking lot paving and the proposed crushed stone surface.
12. The location of the existing well must be provided on the plan.
13. The Applicant must verify that the existing septic system is sufficient for the proposed building expansion.

Mr. Polistina requested some clarity on the timing issue. He understands the stormwater for the solar field coming out. Some of it extends into one of the parking lots. There is an inlet and some other piping coming out of the parking lot furthest to the solar field. He is concerned that if the stuff comes out by June 1<sup>st</sup> they're left without stormwater improvements for some of those areas. He would like some clarification on the June 1<sup>st</sup> deadline as indicated on the plans. They spoke about going back to the trustees to get approvals to do these items. Once those items are removed what is the plan to get them back in. Mr. Waga stated they are looking to go out to bid by the end of June. They have a formal building committees meeting which they have had throughout this process. It slated for next week, it was pending the Planning Board's approval. At which point they

are planning on going out to bid and anticipating commencement of construction by August 1<sup>st</sup> of this year and 12 – 14 month construction process and being complete by October 2014. Mr. Polistina clarified then that they will not go out and demolish things. Mr. Gallerano stated no, it is signatory contractors that they go out to bid. They have already selected the five contractors that they have picked. They don't know who they are yet. They have letters that are drafted and prepared so that once they have their final building committees meeting they will be drafting a letter out to each of the 5 contractors making them aware that by July 1<sup>st</sup> they will be receiving complete bid sets for approval and they will be given 21 days to bid on the job, giving them the last week in July to review and approve bids and award the bid and hopefully commence by August 1<sup>st</sup>. Mr. Polistina stated it seemed to imply they would start demolition prior to the process being done. Mr. Gallerano stated it will all be taken into consideration during the process. He also stated the building would be vacated in its entirety. There would be no training or occupancy of that building. It will be fenced in and primarily a construction site for the entire 12-14 month construction period.

### **Landscaping, Lighting & Signage:**

14. In accordance with Section 200-16.F.1., all parking islands shall be a minimum of eight feet wide. The Applicant must provide parking islands in the parking areas of this width or request a waiver from the requirement.
15. In accordance with Section 200-16.F.2., a minimum of one (1) shade tree and two (2) shrubs for every eight (8) parking spaces shall be planted inside the parking area and one (1) shade tree for every thirty (30) feet of curb or paving edge, not counting the planted buffer is required. The Applicant must provide the additional landscaping required in the parking area.
16. In accordance with Section 200-16.F.3., no parking lot shall contain more than 20 spaces in a row without interruption by a landscape divider at least eight feet in width. There are three parking areas proposed that have more than 20 continuous spaces. The Applicant must provide the required 8 foot wide landscaped islands.
17. In accordance with Section 200-16.F.4., a fifty-foot natural buffer is required along all lot lines, excluding the lot frontage. The lot frontage shall maintain a minimum twenty-five foot wide natural buffer. Selective clearing is permitted only along the frontage to allow for better visibility to passing motorists. There is a 25 foot wide natural buffer along the southeastern property line. Additional landscaping may be required to enhance the natural buffer if the Board deems necessary.

### **Miscellaneous Comments & Outside Agency Approvals:**

18. The Applicant must provide a construction cost estimate for the proposed improvements.

19. In accordance with Section 170-12A., as a condition of final site plan approval, the Planning Board will require the Applicant to furnish a performance guarantee and inspection fees for the proposed improvements.
20. The Applicant is required to obtain approval from the Atlantic County Health Department for the proposed septic system.
21. The Applicant is required to obtain an access permit from the New Jersey Department of Transportation.
22. The Applicant is required to obtain approval from the Cape-Atlantic Soil Conservation District.

This Applicant is subject to the approval of any other agency having jurisdiction on this project. Evidence of approvals from all other agencies shall be required.

Mr. Waga asked to speak regarding the outside agency approvals. Regarding item #20 the approval from the Atlantic County Health Department for the proposed septic system. They are not proposing any changes but obviously if there are any inspections in connection with the improvements that are required they would comply with that. As to item # 21, the need to obtain an access permit from the DOT also has been discussed, there is no increase in proposed traffic to or from the site and their understanding is that there is no requirement for a new permit from the DOT. Mr. Ballistreri asked if there were no new restrooms being put in. Mr. Waga stated there are 2 large capacity male and female bathrooms. The showers will be eliminated and the restrooms will be renovated. There is one that already exists and will be maintained. There will be one that will come out being turned into a storage closet and be relocated so the net gain will be one bathroom which will be one lavatory and one water closet. Mr. Ballistreri asked if there would be any janitorial closets anywhere else. Mr. Waga stated no everything is being recycled and reused. There is a full service kitchen which has never been used as a full service kitchen, most preparation of food is brought in from outside sources. Mr. Polistina stated if you are not increasing the overall occupancy you won't need additional septic but if you increase the occupancy you may have an issue. He just threw it in just in case, he's not telling them that you don't need it but if you are comfortable that you don't need it then he's comfortable with it. Mr. Waga stated he and Mr. Gallerano looked at the septic, it was oversized and Mr. DeMarco stated the septic was oversized to begin with and they did not feel it was necessary.

Mr. Pitale asked if the showers would be eliminated altogether. Mr. Waga stated there would be a shower in the main training area, they do not need a shower within the facility. It will be a safety shower and changing area.

Mr. Polistina wanted to clarify the center line of 11<sup>th</sup> Street. It is actually the center line of the driveway so that the driveway is partially on the Laborer's property and partially within the right-of-way but the measurement is to the edge of the right-of-way and the 30' extends to the other side. Mr. Pitale asked if their property line is the center of the

right-of way. Mr. Polistina stated it is the center of the driveway, the driveway is part of their property. Mr. Ballistreri asked if they are currently using part of 11<sup>th</sup> Street as the driveway. Mr. DeMarco stated everyone thinks it's their driveway but it's not. Mr. Ballistreri asked if they are maintaining the right-of-way. Yes. Discussion ensued with respect to the drawings of the right-of-way. Mr. Polistina stated they looked and talked about vacating 11<sup>th</sup> Street. The only problem is, Mr. Ruggeri is here, he has another lot between him and Black Horse Pike so you cannot really lock him from having access.

Mr. Ballistreri asked if there was plenty of room for emergency fire and rescue to have access around the building. It is part of the design.

A point on Mr. Ruggeri's access. He does not use this access from what they understand. There is no driveway or anything leading off that road to his property. The only party accessing is the applicant. They do have a letter from Mr. Ruggeri if there was an interest in having the Borough vacate 11<sup>th</sup> Street, they would be willing to apply and Mr. Ruggeri is also willing to go along with it if that is something that the Board would recommend. Mr. Ballistreri stated the Borough was not interested at this time.

#### **OPEN TO THE PUBLIC:**

Mr. Coombs swore in Mr. Mike Ferrino, 1102 Black Horse Pike, Folsom, NJ. Mr. Ferrino stated he was concerned about the noise that would be created, however was content with Mr. DeMarco's testimony that the noise would be less with moving the training inside.

Mr. Coombs swore in Kathryn Gross 1101 Black Horse Pike, Folsom, NJ. She questioned the discussion about 11<sup>th</sup> Street. She stated that the Borough took part of her property to create 11<sup>th</sup> Street. Mr. Polistina explained that it is an unimproved paper street on the Tax Map and that they are not going to make any improvements to that, it will stay how it is. Ms. Gross asked if the property would be given back to her. Mr. Polistina stated there would be no changes made so the property will remain part of the right-of-way.

Public portion closed.

Motion was made to accept the engineer's report by Mr. Ballistreri and seconded by Mr. Pino. There was a roll call vote with ayes all.

Mr. Ballistreri complimented the Laborers on the 911 memorial park that will be constructed. He stated it is going above and beyond.

Motion was made to GRANT the waivers by Mr. Ballistreri and seconded by Mr. Pino. There was a roll call vote with ayes all.

Motion was made to GRANT the front yard setback, minimum parking space area, minimum parking space length and minimum access driveway by Mr. Ballistreri and

seconded by Mr. Pino. There was a roll call vote with ayes all.

Motion was made to GRANT Preliminary and Final Site Plan approval by Mr. Pino and seconded Mr. Hehre. There was a roll call vote with ayes all.

The Board congratulated the applicant and thanked them for coming.

Mr. Ballistreri asked Mr. Polistina for an update on the Gravel pit. Mr. Polistina stated they resubmitted their plans and they were kicked back for failure to show the apron on 4<sup>th</sup> Road. They tried to put the apron back on their site so they still had issues with the plans, the performance guarantee and inspection fees etc. They did about a month ago submit for compliance but it was not done correctly. Mr. Polistina stated the mining facility they still need compliance from the Planning Board and submit all required paperwork including bonding, reclamation bond and inspection fees so hopefully they are going to pursue that.

Mr. Pitale asked if the apron will include the railroad crossing. Mr. Polistina stated they will go to the railroad crossing and stop. They initially stated that when they did not put the apron up to where in needed to be they stated it was not their property and after doing some research they found they do own the property on the other side of the railroad tracks so the apron is required to be up to the railroad tracks.

Mr. Polistina addressed the Board regarding Performance Guarantee for the Laborers 172 application. He stated this was waived for the IBEW. For residential projects where municipal roads are being built, municipal stormwater improvements the Board should require a Performance guarantee. If the Board felt comfortable that they are going to do what they say they are going to do like the Board was for the IBEW you could waive that. It would save them a little bit of money. The stormwater improvements are extensive. If for some reason they didn't do it, it wouldn't affect anyone but them. Typically it would be required.

Motion was made to GRANT to waive the Performance requirement for the Laborers 172 application was made by Mr. Ballistreri and seconded by Mr. Pino. There was a roll call vote with ayes all.

**OLD BUSINESS:**

Mr. Pino brought up the prior discussion regarding the sign rules being amended so that the signs are reasonable based on the passage of traffic at higher speeds on the Black Horse Pike. Mr. Polistina stated he did not bring it back to the Board yet. The Council authorized him to review this and also the buffers in the clustering provision. The sign regulation needs to be updated to keep up with current technology so he is going to try to get a comprehensive ordinance that reflects current technology. It will be forthcoming in the next couple of months.

The Chairman announced the next scheduled meeting will be June 19, 2013 at 7:00pm.

Meeting adjourned at 9:14 pm with ayes all.

Respectfully submitted,

Sherri Thompson  
Board Secretary