

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

January 14, 2015

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 Gazette 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:

1 year term- 2015

Lou DeStefano (Class I)
Ben Pagano (Class III)
Edward Malec (Alternate II)

2 Year Term – 2016

Michael Veneziani (Alternate I)

4 Year term – 2018

Glen Smith (Class IV)
David Cappuccio (Class IV)

John LaPollo was not present to be sworn in due to inclement weather. He did arrive and Mr. Coombs swore him in for the following:

1 year term- 2015

John LaPollo (Class II)

Members Present: Charles Pitale, Joe Pino, Glenn Smith, Ron Esposito, Joel Speigle, David Cappuccio, Lou DeStefano, John LaPollo, Ben Pagano, Michael Veneziano, Ed Malec

Others Present: Solicitor: Jorge F. Coombs, Esq.
Vince Polistina, PE, PP, Engineer
Secretary: Susan Carroll

Nomination and Election of Officers

The floor was opened by Joel Speigle.

A motion was made for the nomination of Charles Pitale (1 year term) for Chairman by Mr. DeStefano and seconded by Mr. Pagano. There were no other nominations. Ayes – All and one Abstention.

A motion was made for the nomination of Joe Pino (1 year term) for Vice Chairman by Mr. Esposito and seconded by Mr. Speigel. There were no other nominations. Ayes – All and one Abstention.

A motion was made for the nomination of Jorge F. Coombs, Esq. (1 year term) for Board Solicitor by Mr. Speigel and seconded by Mr. Pitale. There were no other nominations. Ayes–All. Nays–None.

A motion was made for the nomination of Polistina & Associates (1 year term) for Board Engineer by Mr. Esposito and seconded by Mr. Pagano. There were no other nominations. Ayes – All. Nays – None.

A motion was made for the nomination of Polistina & Associates (1 year term) for Town Planner by Mr. Pitale and seconded by Mr. Smith. There were no other nominations. Ayes – All. Nays - None.

A motion was made for the nomination of Joel Speigel (1 year term) for Non-recording Secretary by Mr. Pino and seconded by Mr. Pagano. There were no other nominations. Ayes – All. Nays – None.

A motion was made for the nomination of Susan Carroll (1 year term) for Board Secretary by Mr. Pitale and seconded by Mr. DeStefano. There were no other nominations. Ayes - All. Nays - None.

APPROVAL OF MINUTES:

A motion was made by Mr. Pino and seconded by Mr. Esposito to approve the minutes of October 15, 2014. There was a roll call vote with ayes all and abstentions by Mr. Cappuccio, Mr. Pagano, Mr. Veneziano and Mr. Malec.

A motion was made by Mr. Esposito and seconded by Mr. Veneziani to approve the minutes of November 19, 2014. There was a roll call vote with ayes all and abstentions by Mr. Pino, Mr. Smith, Mr. Cappuccio, Mr. DeStefano, Mr. LaPollo, Mr. Pagano, Mr. Veneziano and Mr. Malec.

Meeting Dates for 2015

A motion was made by Mr. Speigel and seconded by Mr. Pitale to approve the meeting dates for the year 2015. There was a roll call vote with Ayes - All Nays - None.

Resolution 2015-01: A motion was made by Mr. Smith and seconded by Mr. Veneziano to approve and designate the Atlantic City Press and Hammonton Gazette as the official paper for the Borough of Folsom Planning and Zoning Board. There was a roll call vote with ayes all.

INFORMAL DISCUSSION: Joe Stuhltrager asked to meet informally to discuss his property located at 1110 Black Horse Pike – Block 3102 Lot 15 - known as Palm Trees Property, LLC., It is in the Forest Commercial - Receiving Zone. He asked to discuss the possibility of placing a new steel building comprising a few offices, some storage, and increasing the parking by about 9 spaces. He has a tenant interested in being there and I doesn't see where there would be a problem, but would like to get a feel from the board on this.

Mr. Pino recused himself due to a conflict.

Mr. Coombs swore in Mr. Stuhltrager 35 Marshall Drive, Egg Harbor Township and Mr. Stuhltrager's wife Lindsey Stuhltrager also of 35 Marshall Drive, Egg Harbor Township, N. J.

Mr. Stuhltrager passed out a diagram with a floor plan and site plan and explained he had a tenant with a solar company/energy company who require a small office space and storage space similar to a garage space to store solar panels and inverters and things of the nature. They need offices with it. Mr. Stuhltrager was interested in expanding the property and adding some more parking spaces, add basically a 40 x 50 ft. building and knew the septic was large enough to handle the extra size/offices. He probably would add another sign out front. He knew he would have to deal with storm water runoff. He may look into paving the lot depending on the cost of it. Otherwise it will be the same stone out there now. He asked the Board for opinions and if the Board felt it is something that will be acceptable.

Mr. Esposito asked how big the lot is. Mr. Stuhltrager answered it is about 2 acres. The site plan is only showing the front half of the lot. It (the lot) is actually about double the size shown on the site plan. The land extend behind the building shown on the site plan. It starts getting wooded toward the back. Mr. Esposito asked if it was the Palm Tree. Mr. Stuhltrager answered yes it is that building. He stated he currently has some attorneys in there (the building) and an automotive marketing company there too.

Mr. Pitale asked if the solar contractor would be doing installations, and if they will have storage outside also. Mr. Stuhltrager explained it is a solar contractor. They do servicing and some installations, but mostly servicing. He answered no to the storage outside. He stated he is trying to make it so it is all inside and won't have anything laying outside.

Mr. DeStefano asked what type of material would be stored. Mr. Stuhltrager answered it would be conduits, solar panels, solar inverters, tools. I will make a garage door on it so if they want to pull their truck in they can potentially to do that also.

Mr. Esposito asked how many trucks they have. Mr. Stuhltrager thought they had 2 trucks and a trailer. He thought they have 3 main employees and some contractors or people who work for them that deal with control the actual work.

Mr. DeStefano made reference to the site plan hand out and asked if it was building he wants to add. Mr. Stuhltrager answered yes it will be at the back of the property so when you drove into the parking lot it would be facing north. Mr. DeStefano asked if he will keep 10 ft. off of the

property line. Mr. Stuhltrager responded he could slide it if he needed to. He thought it was 20 (feet for the setback). Mr. DeStefano knew there was plenty (of land) in the back.

Mr. Polistina stated it sounds like it is a permitted use. It would be permitted in the zone. It is a Forest Commercial-Receiving District which allows some variety of commercial uses. It sounds like the Use would be fine. There are a couple existing non-conformities. It still has and had previously. Lot area is just slightly under size. Two acres is required 1.95 is existing and the lot width 150 is required and 125 is existing. More problematic, but not necessarily are the variances. You just spoke about one is side yard setback requirement is 25 ft. and you are showing 10 (ft.) on the plan for the building. Mr. Stuhltrager state he could probably make it 25 ft., but it would slide the garage door all the way against the edge. I was trying to make it so it lines up the driving area and not in the middle of the parking space. Mr. Polistina answered he understood and he certainly could request it and use that a justification before the Board, but the code requires 25 ft. If you wanted to be conforming, and not have to ask for the variance you would have to meet the 25 ft. requirement. Similarly, and we would have to calculate the parking, but you need a variance on the first one for the off street parking spaces. I think you would need another one for the new building as well. So you would be, on a quick review of this, there would be two new variances that would be necessary. The side yard setback and parking. Mr. Stuhltrager explained he thought originally he had 15 (parking spaces). I only have 11. I was looking at probably adding another 8 spaces. It would be another 4. I'm not sure what the square footage would end up being.

Mr. Coombs added it would be a little under 4,000 sq. ft. Mr. Polistina stated you would have to work on them and obviously you went through the process before. You are going to need to demonstrate some storm water and you will have to go through Pinelands. As you have experienced, Jersey is not the easiest place to receive approvals when you are looking at Pinelands. You need to do that before you can get building permits including being heard by the Board. It's another hurdle, but it's a permitted Use and you can overcome these things. It would be a matter of the Board deciding whether they want to grant variances for those couple of issues.

Mr. Stuhltrager stated the only variance he guessed he would need is the existing non-conforming stuff. That is okay, but only one I really would need would be the side yard potentially and I may be able to eliminate that. Mr. Polistina added and the parking. Mr. Stuhltrager commented he may be able to make that work too. I have the space that I can make it further if I needed to.

Mr. Coombs asked if he perceive a need some sort of a loading or unloading area there. It is going to be solar panels and if there is a need for a fork lift to move the things around in there. Mr. Stuhltrager answered no, they don't have one now.

Mr. LaPollo asked if they (current renters) will be moving out of the front building and into the back building. Mr. Stuhltrager answered no they are not here right now. They are somewhere else. They are at another property.

Mr. Smith asked what his plan for a septic system. Mr. Stuhltrager answered there isn't. It is very light on here (the site plan). I know when I built this building the engineer who did the septic told me the calculated size of the septic is only half the size of the State minimum. That is what I was told and I am trying to talk to them again and find out if that is still the case. If it is still the case, then it should be more than adequate for this.

Mr. Polistina stated certainly go back and talk to them. The layout, there is a little problematic with that. You have to go through the tanks to get to the disposal field. Having this in the back like this is going to be a little difficult. Mr. Stuhltrager suggested he may need to put pump station in.

Mr. Coombs asked if there is something about the land that puts it (the second office) back there. Is there any reason why it couldn't be adjacent to the other building. Mr. Stuhltrager answered, the septic system is right there and the field starts there. Mr. Pitale questioned if the septic field is behind the existing building. Mr. Stuhltrager answered, yes it is basically behind the building there. He wasn't sure of the exact placement, but it is somewhere around there and it probably wouldn't allow for it. He said he could look into potentially doing it too.

Mr. Esposito asked if the existing asphalt driveway would be extended. Mr. Stuhltrager pointed out the driveway is just gravel right now. There is a concrete apron and a couple of spaces on concrete, but the rest is all gravel. Mr. LaPollo stated the asphalt is the neighbors and Mr. Stuhltrager confirmed the asphalt is the neighbors, but it is half partial on his property.

Mr. Coombs asked Mr. Stuhltrager if he foresees any additional signage in the front. Mr. Stuhltrager answered he will probably put a sign on the opposite side of the drive way. A pole sign or something like that. Mr. De Stefano stated you will probably need a variance for it. Mr. Stuhltrager thought for a second sign. He asked if it was ever changed. He knew at one point there was talk about changing the signage because it was only a minimum of 20 sq. ft., but it never changed. Mr. DeStefano thought it was something to be looked at. Mr. Polistina stated he had a couple he would distribute to the Board. They were talking about changing the signs on the Black Horse Pike, introducing some of the new LED's, the signage – shrinking the sizing, and also buffers for some of the residential subdivisions. We will get it back out.

Mr. Stuhltrager expressed concern if he were to go through with all of this with the Board, and if it is still the case with the signage, I may want to do something with the sign for the building existing there. He may want to make the sign bigger and change it in some capacity. It may become part of this as well.

Mr. Pitale asked if Mr. Stuhltrager had anything he wanted to add. Mr. Stuhltrager answered no, he wanted to make sure there wasn't anything glaring that would stop this from happening, but everything seemed straight forward and pretty manageable.

Mr. Pitale asked about moving and turning the building to the middle of the lot. Mr. Stuhltrager answered he might be able to do that. He originally did this for garage purposes. To have the garage door open and wouldn't be blocking any of the parking spaces. He wasn't sure of the location of the septic. He would have to go out there and map out distances. He thought it was

15 or 20 ft. to be away from the field. He was concerned about losing a lot of space depending on how the field is laid out. Mr. Pitale asked how far away do you have to stay away from septic. Mr. Polistina stated it was 20 ft., with the foundation and everything for the structure. Mr. Stuhltrager thought if the (new) building is 32 ft. wide it would only leave him with maybe 20 ft. the max going out to the parking lot. It may not be deep enough. It is something he would look into though.

Using the site plan exhibit Mr. LaPollo suggested he could turn the back building sideways and center it. Mr. Pitale added if you turn it, it would give you more parking spaces and you wouldn't have the side yard (setback) issue. Mr. Stuhltrager stated he knew the septic is far out, but wasn't sure exactly if he could turn it, but thought it is a possibility. He would start applying the idea. He wasn't in any rush. Mr. Pitale added when the trucks pull in to get into the garage, they are going to somehow turn around. If you were to locate the building, you would turn it 90 degrees the trucks can get in and out easy. Also, it will open you up to more parking spaces. Mr. Stuhltrager thought it was a possibility and will work on it some more, but he would have to go out there and map out where the septic is to get a better idea of the placement of everything. The worst case scenario would be to put it at the end.

Mr. Pitale asked if we had an issue of coverage last time. Mr. Polistina answered it was around 9%. I don't believe based on this he is going to have any issue. His property does go back further. Mr. Stuhltrager stated it is about half of the property shown on this (site plan exhibit). Mr. Polistina explained he was using 10.6 and 25% is permitted. It should be fine.

Mr. DeStefano asked what the height of the building will be. Mr. Stuhltrager responded the 12 to 14 ft. range. He was told he will need a variance. Mr. Pitale asked if the structure will be a pole barn. Mr. Stuhltrager answered yes, but nothing gigantic. We will probably do a steel building. Mr. LaPollo stated the Ordinance requires up to 35 ft. for a pole barn and 15 ft. for a shed or structure of that nature.

Mr. Pagano asked with the way the lot is graded now which way will the storm water runoff go off the roof. Mr. Stuhltrager said he would have to make it so it (the runoff) will go towards the back of the property area to keep all of my property from not sending it somewhere else. He knew the line on one of the sides' starts getting low and forms a natural gully along the 10 ft. width section. He indicated to the 10 ft. width section on the site plan exhibit and explained it is where a lot of the runoff goes right now. I would have to re-do a little bit of grading when I do the parking lot to make sure it goes to the right area and it is not sitting on the septic field Or going off to the side. Mr. Pagano asked if he was going to direct it to the back of the property. Mr. Stuhltrager answered yes, he would have to direct it to the back. It's really the only option. Mr. Polistina added one other requirement will be all storm water is stored and infiltrated on the property. It must remain on the property and be infiltrated back into the ground on the property. Mr. Cappuccio asked if drawings were needed for it. Mr. Polistina confirmed drawings would be needed. Mr. Stuhltrager said he would have to have a storm water management plan. Mr. Pagano stated the quantity of water they were speaking of can be handled by the ground without some kind of a retention pond. Mr. Stuhltrager responded it shouldn't need a retention pond I don't thing. Mr. Polistina added you will have to something to store the water. I don't know you are looking at a big pond, but you are going to have to do some facility where you can store the

water for the various storm events. There is a requirement for the entire storage of a 10 year storm. A storm that happens every 10 years. Then there is requirements to reduce the rates of run off for various other storms. One year storms, five year storm, 100 year storm. There is a ton of requirements that will apply to this when you go to the Pineland's and brings it to the Borough, but there will be no off site impact of storm water runoff.

OTHER BUSINESS: ST. JAMES'

Mr. Coombs gave an update on St. James' Church . He sent a letter to Pinelands with the proposed changes they were looking for back in the middle of December. I have a call in to the lady that is doing the review. I heard from one of her assistant's. They are meeting with an archeologist. They are reviewing the proposed changes and as soon as they get back to me I will let you know. Mr. LaPollo asked what they need an archeologist for, but Mr. Coombs was unable to answer the question. He also asked if they already had the parking lot situated. Mr. Coombs answered yes, it (the parking lot) has been clarified with Mr. Ingemi. It is changed on the map. It is theirs.

Mr. Pitale asked if they are going to consolidate the lots. Mr. Coombs advised it is one of the things we are waiting on from Pineland's.

OTHER BUSINESS: HAZARDOUS LITIGATION PLAN

Mr. LaPollo wanted to let everyone know we are moving forward on our Hazardous Litigation Plan. We will be moving to the 2nd phase. The State, Federal, and County has moved our dates up. We need the finished plan earlier. It's not something that is not obtainable.

Chairman Pitale announced the next scheduled meeting will be February 18, 2015 at 7 PM.

The meeting was adjourned with ayes all at 8:16 PM.

Respectfully submitted,

Susan Carroll
Planning/Zoning Board Secretary

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