

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

January 18, 2017

The meeting was called to order at 7:15 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.

OATHS OF OFFICE:

Mr. Coombs swore in Appointments and Re-appointments for the Board.

1 Year Term – 2017
Ben Pagano (Class III)

2 Year Term – 2018
Michael Sutts (Class IV – Alternate II)

4 Year term – 2020
Charlie Pitale (Class IV)
Mike Veneziani (Class IV)
Claude Jones (Class IV – Alternate I)

ROLL CALL:

Members Present: Charles Pitale, Joe Pino, Glen Smith, Joel Spiegel, John LaPollo, Lou DeStefano, Dave Cappuccio, Ben Pagano, and Michael Veneziano, Claude Jones, Michael Sutts

Members Absent:

Others Present:

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

Nomination and Election of Officers:

The floor was opened by Mr. Pitale .

A motion was made for the nomination of Charles Pitale (1 year term) for Chairman by Mayor DeStefano and seconded by Mr. Smith. There were no other nominations. Ayes – all. One abstention by Mr. Pitale.

A motion was made for the nomination of Joe Pino (1 year term) for Vice Chairman by Mayor DeStefano and seconded by Mr. Cappuccio. There were no other nominations. Ayes – all. One abstention by Mr. Pino.

A motion was made for the nomination of Jorge F. Coombs, Esq. (1 year term) for Board Solicitor by Mayor DeStefano and seconded by Mr. Pagano. There were no other nominations. Ayes–all. Nays–none.

Mr. Coombs thanked the Board.

A motion was made for the nomination of Polistina & Associates (1 year term) for Board Engineer by Mayor DeStefano 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 Mayor DeStefano and seconded by Mr. Cappuccio. There were no other nominations. Ayes – all. Nays - none.

Mr. Polistina thanked the Board for the Appointments of Board Engineer and Town Planner.

A motion was made for the nomination of Mr. Spiegle (1 year term) for Non-recording Secretary by Mayor DeStefano and seconded by Mr. Pino. There were no other nominations. Ayes – all. One abstention by Mr. Spiegle.

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

APPROVAL OF MINUTES:

A motion was made by Mayor DeStefano and seconded by Mr. Pagano to approve the Ferris Associates Meeting Minutes of November, 29, 2016 with one correction to include the Board Members names and how they voted. There was a roll call vote with ayes all and three abstentions by Mr. LaPollo, Mr. Pagano, and Mr. Jones.

MEETING DATES FOR 2016

A motion was made by Mr. Pagano and seconded by Mr. Pitale to approve the meeting dates for the year 2016. There was a roll call vote with Ayes – all. Nays - none.

RESOLUTION 2016-01: A motion was made by Mayor DeStefano and seconded by Mr. Mr. Pino to approve and designate the Atlantic City Press and the Hammonton Gazette as the official

paper for the Borough of Folsom Planning and Zoning Board. There was a roll call vote with Ayes – all and one abstention by Mr. LaPollo.

DECISION RESOLUTION – FERRIS ASSOCIATES:

Application # 06-ZB-14 – Linda Bloomfield, 111 N. Ocean Ave., Seaside Park, N. J. is seeking a Permit Renewal for Resource Extraction and Preliminary & Final Site Plan Approval with Conditions for the Ferris Associates properties – Block 1101 – Lots 3, 4, & 5; Block 2004 – Lots 3, 5; and Block 2201 – Lot 4. The parcels are located along 13th Street on both sides of 4th Rd. in the Borough of Folsom.

A Motion was made by Mr. Mayor DeStefano and seconded by Mr. Smith to grant the Decision Resolution for Ferris Associates. There was a roll call vote with 3 ayes by Mr. Pino, Mr. Smith, and Mayor DeStefano; 3 nays by Mr. Pitale, Mr. Veneziani, and Mr. Cappuccio; and 4 abstentions by Mr. Spiegel, Mr. LaPollo, Mr. Pagano, and Mr. Jones.

Mr. Coombs reminded the Board Members only the individuals who were present for the meeting and voted, those seven (7), can vote on affirming the Decision Resolution.

Mr. LaPollo questioned one of the Conditions in the Resolution where the Borough is supposed to remind the Applicant six (6) months in advanced of their renewal. He asked what would happen if the Borough forgets. Mr. Coombs replied the Borough will not forget it will be calendar. He stated it was a condition listed previously in 2012 and it specifically requested during the meeting. Mr. LaPollo explained in 2012 it was forgotten. Mr. Coombs assured it will not be forgotten this time. Mr. LaPollo asked the permit would automatically renew if Ferris is not reminded. Mr. Coombs explained it would not automatically renew Ferris just wanted a reminder.

Mr. Cappuccio asked why the Borough's Engineer had not received the sixth (6th) Sheet (sheet with monuments and markers). Mr. Polistina responded. Ferris Associates indicated they were waiting for the Resolution to be adopted so they could make all the revisions to the Plans together and they will get us the full set. It is typical. They want to make sure they address everything at once. They want the Resolution to be adopted and make sure they have all the comments in the Resolution and the comments in the Engineers Report. Once they have everything addressed, they will resubmit everything. There is still compliance that is necessary before they are signed off. They will not be signed off until without having the Sheet. They will get nothing until the Borough gets all the plans to sign, the bond estimate, and everything which was agreed to.

A Motion was made by Mr. Mayor DeStefano and seconded by Mr. Smith to grant the Decision Resolution for Ferris Associates.

There was a roll call vote with:

3 ayes by Mr. Pino, Mr. Smith, and Mayor DeStefano;

3 nays by Mr. Pitale, Mr. Veneziani, and Mr. Cappuccio; and

4 abstentions by Mr. Spiegel, Mr. LaPollo, Mr. Pagano, and Mr. Jones.

Mr. Coombs reminded the Board Members only the individuals who were present for the meeting and voted, those seven (7), can vote on affirming the Decision Resolution.

NOTE: Mr. Esposito resigned since the Ferris Associates Application was heard.

A vote on a permit renewal application was 4 ayes and 3 nays. 1 of the 4 “aye voters” resigns between the meetings. At the memorialization hearing only 3 of the original 4 “aye voters” are present. Again, only a mere 2 to 1 vote in favor of memorializing the resolution is sufficient to pass it. There were 3 aye votes.

There was a brief recess.

A vote on a permit renewal application was 4 ayes and 3 nays. 1 of the 4 “aye voters” resigns between the meetings. At the memorialization hearing only 3 of the original 4 “aye voters” are present. Again, only a mere 2 to 1 vote in favor of memorializing the resolution is sufficient to pass it. There were 3 aye votes.

The Decision Resolution was passed.

OTHER BUSINESS:

Mayor DeStefano welcomed the returning members and the new member.

He had a request to find out if hookah lounges were a permitted use in the Borough of Folsom. It was a RD zone. He understood it would have to be a Conditional Use, but wasn't sure if it fit under a Conditional Use.

Mr. Coombs explained it is no different than a smoke shop. Mayor explained it is purchased there and smoked there and the person should be told by Conditional Use. The proposed location was assumed to be Liberty Square.

The Board asked if there were restrictions on school locations for a business such as that. Mr. Coombs responded, in State New Jersey it is not legal to sell tobacco to a minor and it is not legal to have tobacco as a minor on school property. A minor can have tobacco on them. You just can't sell it to them. Mr. Coombs admitted it was very odd, but it was true.

A Zoning Application needed to be submitted and reviewed by Mr. LaPollo the Zoning Officer. If the application is denied and an interpretation of the decision is requested, it would go to the Zoning Board. All question of Use are Zoning Board Matters.

There were no other questions for the Board.

The next scheduled meeting will be February 15, 2017.

The meeting was adjourned at 7:54 pm with ayes all.

Respectfully submitted,

Susan Carroll
Board Secretary