

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

October 23, 2013

The meeting was called to order at 7:12 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: Gary Kemmerer, Charles Pitale, Glenn Smith, Tom Ballistreri, and John LaPollo

Absent: Joel Spiegel, Joe Pino, John Hehre and Joe Stuhltrager

Also Present: Solicitor: Jorge Coombs, Esq.
Board Engineer: Vincent J. Polistina, PE
Secretary: Susan Carroll

Approval of Minutes

A motion was made by Mr. Ballistreri and seconded by Mr. Smith to approve the minutes of September 18, 2013. There was a roll call vote with ayes all and abstention by Mr. LaPollo.

APPLICATIONS:

Brianna, LLC 1512 Mays Landing Road Folsom, NJ 08037 seeking Re-subdivision with No Development and C-Variations for Block 1502 Lots 1, 2, 29, 30 & 31. Application #03-ZB-13.

Mr. Frank Olivo on behalf of the applicant. He stated he understood that there were quorum issues with the board and also that due to Polistina's office not receiving the revised plans in a timely manner for review the applicant requested to be carried to the November 20th meeting without further noticing. Request approved.

Richard and Debra Levey 2011 Lake Drive Folsom, NJ 08037 seeking C-Variance for Block 3407 Lot 5. Application # 04-ZB-13

Mr. Coombs swore in Richard and Debra Levey 2011 Lake Drive Folsom, NJ. Mr. Levey is requesting relief of side yard setback for the construction of 2-car garage. It will be the same style of the home which is a Cape Cod. It will be sided the same as the house. The property is already

cleared and is currently being used for parking and storage. The ground consists of sugar sand and has never had a standing water issue. There is a natural slope that goes to the front of the property and there is a gutter that runs along the front property line for drainage. They spoke to the neighbor with respect to purchasing some property but that is not an option. Mr. Levey stated the variance is only required for the rear corner of the property due to the slope of the property and the angle of the house.

Mr. Ballistreri asked if there is sufficient room on the right side of the home for emergency vehicles should they be needed. Mr. Levey stated there is.

Mr. Levey reiterated the variance is for the side yard setback and not for height.

Mr. Ballistreri asked what the distance is from the property line to the neighbor. Mr. Levey stated there is at least 30 feet.

Mr. LaPollo questioned the location of the natural drainage ditch by the front of the property. Mr. Levey stated it is located between Mr. Burwell and Mr. Chestnut's homes.

Mr. Pitale asked if the driveway will be paved. Mr. Levey stated the driveway is currently stoned and they plan to keep it that way right now.

Discussion ensued with respect to the location of the front door. Mr. Levey stated there will be either one or two garage doors and the front door would be to the right of them.

ENGINEER'S REPORT:

The Applicants, Richard and Debra Levey, have submitted an application requesting variance relief for the construction of a two story attached garage on the lot which contains an existing single family dwelling located at 2011 Lake Drive. The subject property is also known as Block 3407, Lot 5 and is located within the RD zoning district. The Applicant is seeking relief from the required side yard setback for the construction of a proposed two story attached garage.

COMPLETENESS REVIEW:

This application has been reviewed using the Borough's checklist for hardship ("C") variances. The following items were found to be deficient:

Item 18 - Contours to determine the natural drainage of the land. Contours shall be at 2 foot intervals. The Applicant has not provided contours on the plan. A waiver should be requested.

Item 20 - Wooded areas indicating predominate species and size. This information should be provided or a waiver requested.

Item 21 - Location of trees 6 inches or more in diameter, as measured four feet above ground level, outside of wooded area, designating species of each. This information should be provided or a

waiver requested.

We recommend that the application be deemed conditionally complete and that the application proceed to the Board for review. If the Board does not grant the requested waivers, the Applicant shall provide the requested items prior to final approval of the application.

VARIANCES:

1. Section 200-17 – Side Yard Setback – The minimum required side yard setback in the RD zone is 30 feet. The existing dwelling is setback 36.54 feet from the eastern side property line and approximately 50 feet from the western side property line. The Applicant is proposing to construct a two story attached garage. After the proposed attached garage is completed, the setback will be reduced to approximately 23.25 feet along the western side property line. A variance is required.

REVIEW COMMENTS:

1. The Applicant is increasing the lot coverage on the site with the proposed attached garage. The Applicant must demonstrate that the drainage on the adjacent property will not be adversely affected by the proposed building addition.
2. 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.

A motion was made to GRANT the waiver and deem the application complete by Mr. Kemmerer and seconded by Mr. Ballistreri. There was a roll call vote with ayes all.

Meeting open to the public. No one in attendance.

A motion was made to GRANT the C-variance for side yard setback by Mr. Ballistreri and seconded by Mr. Kemmerer. There was a roll call vote with ayes all.

Mr. Ballistreri asked Mr. Levey if he was interested in rejoining the board. Mr. Levey stated due to requirements of the Financial Disclosures he is not able to.

New Business

Mr. Ballistreri stated due to the fact he was not in attendance at the September meeting he asked what the Board's thoughts were on the Master Wire situation. Mr. Kemmerer stated they owner would like to construct two homes to the rear of the property and requested use of 11th Street for access to the property. He stated 11th Street would never be deed restricted for them to have a private road and that the Board was okay with the request. . The applicant will maintain the road. Mr. Polistina stated the applicant will need to come before the Board for subdivision approvals however

the Board had no objections to the use of the 11th Street right-of-way.

Chairman Pitale announced that the next scheduled meeting will be November 20, 2013 at 7 pm.

The meeting was adjourned with ayes all at 7:30 PM.

Respectfully Submitted,

Board Secretary