

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

November 19, 2014

The meeting was called to order at 7:16 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.

Members Present: Charles Pitale, Joel Speigle, John LaPollo, Ron Esposito,

Absent: Glenn Smith, Joe Pino, Greg Schenker, and Lou DeStefano

Others Present: Solicitor: Jorge F. Coombs, Esq.
Byron Gummoe
Secretary: Susan Carroll

RESIGNATIONS: Chairman Pitale announced the resignation of 3 Board Members

- 1.) Joe Stuhltrager resigned on June 11, 2014 because he moved to Egg Harbor Township and doesn't hold residency in the Borough.
- 2.) John Herhe resigned on June 12, 2014 for personal reasons.
- 3.) Tom Ballistreri resigned August 2014 because he moved to Florida and no longer had residency in the Borough.

In accordance of Section 46-1 of the Borough Ordinance, the Board should have 9 Members with 2 Alternates. Currently we have 9 Board Members and no Alternates. A copy of the Ordinance is enclosed in each Board Member's Packet.

RESOLUTION:

Joe Ruggeri, 1814 12th Street, Folsom, N. J. 08034 is seeking a Re-Subdivision and Use Variance for Block 2402 – Lots 1 & 5 located at 1030 Black Horse Pike, Folsom, N. J. 08037. The purpose of the re-subdivision is to separate the homestead from Forestry Management Project (vacant woodland) and to consolidate Lot 1 with the house. The driveway is located on a portion of Lot 1 with the dwelling on Lot 5. The re-subdivision will create a 3.2 acre lot for the home and driveway and a 15.35 acre lot that is left vacant

A motion to carry the Resolution granting the Application for Joseph Ruggeri was made by Byron Gummoe and seconded by Charlie Pitale. There was a roll call vote with ayes all.

APPLICATIONS: THERE ARE NO APPLICATIONS TO BE HEARD

OTHER BUSINESS:

St. James Church - Block 801 – Lots 2, 4, & 5 - 1337 Mays Landing Rd. Clarification of the square footage for the Narthex addition and follow up for the consolidation of Lots 2, 4, & 5.

Mr. Coombs swore in James Valente, former President of the church council, building committee and Larry Petrone, the Construction and Facilities Director for St. James Church.

Mr. Coombs opened the discussion for the ownership of Block 801 – Lot 2. He noted not all board members were familiar with this issue which has come up before the board a couple of times. Not all of us were here and wanted to let everybody know what he discovered and what he believed is favorable and what isn't favorable and what we are waiting on before we can resolve this issue. He believed the issue can be resolved and thought it is fixable, but there are some interesting things that have come up. The first thing he asked everyone to look at was a map which was provided to by the applicant. It is a blow up of the, assuming and speaking to Mr. Ingemi, is our current tax map for the area of Block 801. It is the closest to 13th Street and the intersection Mays Landing Road. He drew attention to the lot right on the corner. It is marked as (Lot) 1. There is a Lot immediately underneath it. It is marked as (Lot) 3. There is one small lot marked as (Lot) 2. It also has Public School Exempted on it. There are two more lots 4 & 5. They are long rectangular lots. The lots on which the two churches are present. The Lot #2 is the area where the parking lot area is at present. The blacktop parking lot.

Last time Mr. Petrone addressed the issue with regards to your deeds and who owns Lot #2. Mr. Coombs continued to explain he looked back at various deeds and made copies of them. On top you will see this document here. Mr. Coombs referred to the diagram which accompanied a deed from March 3, 1958 for Block 801 – Lot 1. It had a plot of the meets and bounds as were read off of the March 3, 1958 deed from the Millers as guardians for the Chalmers to the Board of Education of Folsom. When the meets and bounds are plotted out, you will find that is what we currently call Block 801 – Lot 1 as shown on the Tax Map for Block 801. The Board of Education of Folsom, at least at that point in 1958, owned the corner lot on 13 Street and Mays Landing Road intersection.

Keeping that in mind. He directed attention to the next sheet. At the top it will say in my hand writing Board of Education of Folsom – To – Folsom Borough. It says November 19, 1969. The actual deed is stapled after my computerized plot. If you enter the meets & bounds, a plot prints out a shape which describes lots 1 & 3 on the Tax Map and unfortunately it goes straight on and encompasses part of p/o what we currently call Block 801 – Lot 2. This is an error by the individuals who created this deed back in 1969. It was not Board of Education of Folsom's deed to the Borough of Folsom. They didn't have title to the little sliver, part of, approximately 50 ft. by 170 ft. It was a mistake on their part. This map should also have the cut out.

Mr. LaPollo asked what section Mr. Coombs was referring to that is a mistake. Mr. Coombs compared the first computerized plot (1958) to the second computerized plot (1969) to show how the shape of the plot were altered.

Mr. Coombs continued. The next plot with attached deed is from St. Jacobus – to – St. James Lutheran Church in August 17, 1989. You will notice my handwriting on this deed it appears on the deed transfer Block 7 – P/O 6. It means “part of” 6. This is highly unusual, but it does happen when someone deed part of a lot. I’m calling it “FKA” Formerly Known As because Mr. Ingemi, who is our Tax Assessor is looking into this with prior Tax Maps. That Block 7 - Lot 6, I believe is now known, as Block 801 – Lot 2. When the meets and bounds are plugged in from the August 17, 1989 deed into the computer you get a rectangle. The minutes and degrees are all accurate. You get a piece of property that is 170.2 ft. x 76 ft. approximately. When you look at the point of place of beginning and refer back to the Tax Map again, would be the south eastern half, actually more than half of Lot 2. The little sliver is not included. He demonstrated using the Borough’s Tax Map.

I confirmed it with another calculation I did at the bottom of the page. He explained he put 315 ft. minus 49.5 ft. gives me 267.5 ft. because the point of place of beginning on the deed is 315 ft. from the corner or the center line of 13th Street & Mays Landing Road. If you go back to the Tax Map and back track 200 ft. and deduct the 50 ft. you get the exact measure of the frontage on Mays Landing Road of Lot 1 which is 267.5 ft. That is a precise measure.

The little sliver left has a little bit longer of history. This why I think the church has valid title to it despite what the Board of Ed of Folsom and Folsom Borough thought for a while.

The last 3 pages of the final packet is a deed from 1909. It is written by hand. If you look at the very first page, it says 102 at the top on the left hand corner. This is from Thomas Chalmers to the Board of Education of Buena Vista Township. At roughly the middle of the page it starts the meets and bounds. It uses an older measure they don’t use anymore called rods. There is a conversion for rods and I did a conversion. When you plug it in you get exactly 170.2 ft. x 49.5. It describes the piece (of land) I am calling a sliver. The northwestern half of current Block 801-Lot 2 and formerly known as Block 7 – Lot 6. There is another entry on the page before that. There is an entry with a picture of school children. It was from a book of the history of Folsom. There is a paragraph highlighted there where it says in 1909 the exact date of the deed. The land was purchased from Thomas Chalmers for \$75.00 by the Buena Vista Board of Education. It was 30 rods of land which when you look at it is the exact size of the little sliver.

I don’t know why that wasn’t its own piece of land and why they continued to call it “part of” a bigger lot when they clearly passed title separately. I can tell you this, once Buena Board of Ed got it they did not transfer title again until October 10, 1989. When the Board of Ed of Buena, transferred title to the Board of Ed of Folsom and again the description is spot on. It is 170.2 ft. x 49.5 ft. Again they call it “part of” .193 acre of land being “part of” Lot 7. It is again Block 801 – Lot 2. They turned around a week later and transferred the sliver to the St. James Lutheran Church.

I believe regardless of the mistake that happened in 1969 on the Board of Education of Folsom transferred to Folsom Borough this entire section. It wasn't theirs to transfer. There is a chain of title from 1909 forward all the way to the church. This 1969 deed is in error.

In addition to talking to Mr. Ingemi, Mr. Coombs spoke to Mr. Ballak who works with the Folsom Borough Solicitor. He met with the applicant. I scanned these, sent it to him, and he looked at them. He agrees with me the church has valid title. The whole of, both pieces of that little lot.

Mr. LaPollo questioned if only half of the lot is not owned? Mr. Coombs responded, they have owned the entire. Mr. LaPollo interrupted. He stated he had no doubt about them (St. James) owning it. He was questioning if this is all over a half of a lot. Mr. Coombs responded, he believed because of the error in 1969 on our Tax Map, the sliver has appeared as being owned by the Borough of Folsom and I think they probably didn't measure out the meets and bounds. They probably thought it was the whole thing instead of "part of". That has been an error until today. Mr. LaPollo asked, if basically Lot 2, as of now, where we have the pillars behind the parking lot and the grass, coming out of the far side of the parking lot, and straight down through Lot 3 is all the churches property. Mr. Coombs responded the church owns the entire property. Both halves of it since October of 1989 they put them back together. Since they own "part of" the lot and "part of" the lot, they own the whole lot.

Mr. LaPollo questioned one of the sections that belongs to the park. Mr. Coombs responded, Mr. LaPollo was correct and it was not described there. Mr. Coombs pointed out there is a 30 ft. strip there. Mr. LaPollo explained if you add the little 20 ft. section it is a 54 ft. strip from the back corner of the parking lot straight back. Mr. Coombs agreed.

Mr. Coombs stated the applicant has some dimensions we need to correct. We need a Certificate of Appropriateness because there is some issue as to the exact dimensions. He asked if we have a plat.

Mr. Petrone approached the podium. He stated as far as Mr. Polistina's letter which was from 2008, he believed he answered those questions that night in the minutes, but I will answer them again. He continued, there was a question about the architectural information on the narthex asking for color, finish, etc. The color of it is going to be white. It is white, plain, double 4 inch, double white vinyl siding on there now and it is supposed to be the same material again. The building height is going to match the existing tie in point of the roof now which is 16 ft. above existing grade. That is all going to stay the same. The only difference is there are going to be out a little bit further away from the church. That is the architectural drawing. Mr. Coombs asked if it is 16 ft. tall. Mr. Petrone answered yes, its 16 ft. now. We are going to bring the roof back in to that 16 ft. and stretch it out further to make up the extra 12 ft. or whatever the addition. Mr. Coombs asked if he had the whole square footage of the addition. Mr. Petrone answered the total square footage of the addition is 302 & 1/2 sq ft. Mr. Coombs replied 302 1/2 square feet then asked for the length and width. Mr. Petrone answered, yes. Keep in mind this is going to encompass the existing structure that is there now. It is going to be 13 ft. away from the church and 23 ft. 6 across. The existing entrance way now is 8 ft. away by 18 ft. across. The existing is 144 sq. ft. Mr. Coombs confirmed the existing is 8 by 18. Mr. Petrone answered, correct.

Mr. Coombs asked Mr. Valente would you inform this Board what you told me about your conversation with Mr. Johnson. Mr. Valente responded, I spoke to Mr. Steve Johnson, who has been involved in the research and clarification of the (inaudible) and was the attorney who handled these matters with previous Pinelands questions and ownership. He has a file for this and he has agreed to do whatever they need to do to resolve this. I want to ask questions tonight about the consolidation because I would prefer not to consolidate the lots. There are 3 lots and for some reason there is a recommendation to consolidate them into 1. I don't think this is in the best interest of the church because there are 2 churches there and at some point in the future if they were to separate again in other words St. James acquired St. Jacobus church because basically there is no congregation anymore. If for some reason in the future, we cannot afford to maintain the churches, somebody else wants to make use of the building would then have to go back and sub-divide and sell it off. I see no reason to consolidate these lots just for the purpose of getting this addition completed. I don't know what the benefit of actually consolidating the lots is if it shown on the Tax Map it would be different. Lots owned by the church for a project like this the only person who would object would be the church and I can object to doing the addition. I'm not sure what is really driving the consolidation issue in order to complete this project.

Mr. Coombs asked would you consider maybe consolidating Lot 2 and Lot 4. Mr. Valente responded he didn't see a problem with that, but he didn't want anything to hold this up. It was a recommendation. It's not a requirement. Why would we want to do that? I don't know if we are going to have to get a new deed written up, we would have to incur additional cost for attorneys. Then you go back and get an additional survey, or an existing survey with the meets and bounds just to be combine. Anything you do to incur additional cost cuts into our project. There is possible boring and permitting is all cost of the seep pits. He continued, we have met with Pinelands multiple times. We want to avoid going back to the Pinelands maybe we can get (inaudible). Mr. Coombs stated he knew the last application had the Lots 4 & 5 in them and didn't have Lot 2 in it. Mr. Valente answered, no I think the last application we submitted had lot 2 in it. Mr. Coombs repeated, had Lot 2 in it. Mr. Petrone continued, we didn't submit a new application that included Lots 2, 4, and 5. We have been submitting applications to the Pinelands since 1988 and a lot of this confusion goes back to old permits that have nothing to do with this project. They keep dredging up old information for parking for the building either terminated or completed they just go back into the file and dig stuff up. Some of it doesn't even pertain to this project.

Mr. Pitale asked who recommended the consolidation of the lots. Mr. Petrone answered the Borough Engineer in 2008. Mr. Valente added if there is no taxes or there is no benefit to consolidate I'm not sure what is driving it.

Mr. LaPollo stated the only benefit he would see would be a setback requirement for side setback. The requirement you wouldn't have a property line going through the building it would property line would be (inaudible). Mr. Petrone responded, for Lot 2 & Lot 4. The holdup should be fairly easy because we are not going to building on Lot 2 anyway. It's an extra cost and more time. Mr. LaPollo the confusion of the ownership of the lot (insaudible). Mr. Coombs thought what happened is Pinelands looked at the Tax Map at some point said you don't even own that and that is how this whole chain of events (occurred). I think we are close to resolving

issue. Mr. LaPollo thought the new addition actually either crosses or comes close to that property line. That (consolidating the lots) would alleviate. Mr. Pitale stated the property is owned by the church. Mr. LaPollo added it still has a property line though. He observed the addition crossing over or coming close to the property line is the only reason he could see to consolidate the lots. Mr. Petrone asked if the church could sign off on, saying that the municipal takes something (inaudible) Lot 2, that this addition is not going to obstruct the search in any way and do something and get notarized to send to Pinelands.

Mr. LaPollo believed he already got a variance. Mr. Petrone answered we got a variance for front yard setback. Discussion ensued. Mr. Petrone asked if a letter could be sent to Pinelands saying the church owns Lot 2 & Lot 5 and (indiable). Mr. Coombs stated there isn't any better letter than a deed. (inaudible).

Mr. Coombs said now he had these measurements he will put it in a draft for them (Pinelands) and instead of going back and forth with them. He wanted to see if they approve it or not and get their feedback and squared away. Then bring it to the Board and do an Amendment perhaps. Mr. Valente stated the last person he met with was Branwen Ellis (Pinelands), but has also been talking to a new person. The name was April Fijalkowski. Branwen Ellis was out on maternity leave and thought this other person picked up the activity from Pinelands.

Mr. Esposito asked if we have or need the dimensions of the narthex addition. Mr. Coombs told him we have the dimensions and will take a look at it building off just making it slightly bigger. Mr. LaPollo questioned if the dimensions were correct figures that are needed for the addition and the height requirement. Mr. Coombs would like for the tax assessors to correct our map. The last application Mr. LaPollo saw Pinelands was asking for clarification on addition side.

Mr. Pitale asked Mr. LaPollo if the addition they are putting on will be close to the eastern line on Lot 2. He was told he was correct. Mr. Velente told him yes, right up to the edge of the parking lot. Mr. LaPollo stated with the property line there you would be required to have setback. Mr. Pitale stated, it is their (St. James) property. It is all one property. Mr. LaPollo stated, still there is a property line. It is treated as 3 separate properties. Mr. Pitale clarified it is still owned by the church. Mr. LaPollo agreed and added we can look at it as a variance, but Pinelands may require them to consolidate it to bring this right up on top of the property line. It is something to look into.

Mr. Pitale used an example of his house. He built a house here on 2 lots. His property line is one between the two lots. It goes right between the house, but I own both lots. I didn't have to consolidate the lot to make them one. Mr. Petrone stated he did the same thing at his house. My line is 13 feet over the line. I have 3 lots. He wanted to consolidate those lots for tax reasons. To get one tax bill so one for my property and one for the land bills. Mr. Pitale stated he didn't want them to incur any more hardship. Mr. LaPollo didn't want them to incur any other cost either, but he thought it was the issue with Pinelands. Mr. Petrone answered it was a (inaudible) lot consolidation. They (Pinelands) didn't even want approvals from the owners of those properties. It was just the church. I don't know how to address something this. Mr. Pitale responded as long as the deed is drawn up right. I think all they needed was a Tax Map showing the tax records it belongs to St. James. That would have satisfied their question at the time. Mr.

Coombs stated if we have these 2 final deeds we can then show a Tax Map of that Block & Lot with St. James on it instead of Board of Ed they would be now satisfied. Mr. Valente agreed. Mr. Coombs stated we will keep on this until we get it done. Mr. Valente and Mr. Petrone left the meeting.

Mr. LaPollo questioned Mr. Coombs about the cost to the Borough make the adjustment on the Tax Map. He knew it needs to be done but, asked if it would be something that will happen next year. Mr. Coombs was told by Joe Ingemi (Tax Assessor) it was coming up soon. Mr. LaPollo asked for clarification of whether it will be done this year. Mr. Coombs wasn't sure and will call him up on it. Mr. LaPollo wondered if there is a fee. He didn't know what it will cost the Engineer to update it. Mr. Coombs stated even if you don't update it and just show the change. Mr. LaPollo asked if it could be printed on a simple form to say consolidate the two. He wondered if it would be quicker on their end.

Discussion ensued among the Board Members about such items as: the cost to make the adjustment on the Tax Map, how soon before the Tax Map will reflect the change, the placement of the addition in such close proximity of the parking lot on the next lot over, the consolidation of Lot 2 (parking lot for the church) and Lot 4 the lot with the church, whether Pinelands will require a variance for the Narthex addition due to its close proximity to Lot 2. The fee to consolidate lots by deed. The consolidation should only be the fee of drafting it up and filing it with the County. It would be a lot cheaper to consolidate the lots than to require a variance for the setback of the narthex addition. Mr. Coombs stated the deed from the Title Company, which was given to him at the Boards October meeting, had nothing to do with the Narthex project at all. He plugged the meets and bounds in to the program and they described a completely different property. The lot they describe is 311 ft. wide by 838 ft. long. It was a massive lot, 6 acres. It has different angles, and different sizes. I couldn't match it up with anything. Mr. Johnson may have something in his file where it (the consolidation) was already drafted up, but there was no further action.

OTHER BUSINESS: MODIFICATION OF USES OF RURAL DEVELOPMENT ZONE

Mr. Coombs distributed 2 Ordinances. One was the Folsom Zoning Ordinance as we saw in the Collings Lakes Food Market (for sale of packaged liquor goods) Application. It dealt with the Conditional Use within the RD (Rural Development) District. On the back page, page 2, Conditional Use is by permit. On #7 under bars, taverns, nightclubs, is how Collings Lakes Use was allowed in the Zone. There were some concern over this being a Conditional Use in this zone, but the Ordinance, this Law, doesn't put any conditions.

The second ordinance he handed out was an example of Galloway's Ordinance for Neighborhood Commercial Uses as a Conditional Use. He felt it should be looked at and a recommendation should be made to mayor and council to change the Ordinance. He advised the ordinance should be looked at and the planning board members should start thinking about what elements the Conditional Use should require because it doesn't require anything right now.

This is a sample of Neighborhood Commercial Use As A Conditional Use. The very first paragraph includes drinking establishments and/or other uses which are shown to meet the neighborhood's needs. Of the different Conditions they have to comply with the following terms has several alphabetized terms. Some of these items came up during our meeting (Collings Lakes/Sale of Packaged Liquor Meeting). There were issues raised by the public. If we add an Ordinance, maybe to address some of the issues.

Mr. Coombs gave some examples:

Subpart A. The appearance. If there is going to be a drinking establishment in a neighborhood Zone, it should have a residential like appearance.

Subpart B. The minimum lot area for one of these establishments

Subpart C. A natural or landscape buffer between the establishment and residences. This was one of the items we had an issue with at the hearing for the Collings Lakes Application.

Subpart D. The ingress and egress from the property. This also came up in the Collings Lake Application. We were talking about people crossing the pike and people wandering on the property. This particular item deals with Route 9 (in Galloway) which is not as busy as the Pike, but it is a busy thoroughfare.

Subpart E. Parking. This issue came up in Collings Lakes and where the parking should be and on which part of the property.

The Ordinance has sign requirements, but it doesn't deal with noise or hours, but there are parts of Folsom's Ordinance which does deals with it specifically. It could be included as long as they are not in conflict. He wanted to show the board Members a copy. It is not a proposal, but it so we can start thinking about what elements we may want to recommend to the governing body. They will make the amendment to the Ordinance for Conditional Uses within the District.

Mr. Esposito thought it was asked for at the last meeting. Mr. Coombs answered we did, but the way I've seen it in other places specifically Galloway. They ask the Planner. The Planner is familiar with the Master Plan and the Uses and goals of each particular Zoning District. Ordinances are proposed and then recommended by the Board after review to Council. Mr. LaPollo suggested Mr. Polsitina have a look at the Master Plan.

Mr. LaPollo asked when we do add restrictions are we the only limited to these restrictions. Does it take us away from our other Ordinances?

Mr. Coombs responded we would add to the Ordinance. For example if someone wanted to open a bar, but he could have opened a disco tech. There is nothing to stop us. We should think about certain Conditional Uses where you want extra criteria for them to satisfy. Mr. LaPollo responded we have parking lot requirements, Area Ordinance for the lot.

Mr. Coombs mentioned Mr. Polistina's concern was our Ordinance should make reference to the parts of the Ordinance which set those requirements, but maybe we should have a catch all

provision at the end which states, “And Other” or “For the Public Good”. Mr. Esposito felt we it was definitely needed. People had an issue with the bar and we had no criteria to go by. It is worth the effort to have them.

Mr. Gummoe asked if a description could be added instead for night club, bar, and tavern. If they are going to be in a residential neighborhood, they are going to meet specific terms and conditions. Mr. Coombs explained this is why the Planner can help or the Engineer who is familiar with the Master Plan. He can look at which Zones specifically are considered. Residential Zones, or Quasi-Residential Zones and suggest for this sort of project in the following district. Then list the requirements. If it’s outside, rearing an exit on a Highway and a Commercial District then it could be a little relaxed. There may not be as many, but possibly take a situation where we have immediately right behind it.

Mr. Gummoe gave an example of a pole barn right behind his house. You could say it abuts with a permitted condition referring to Ordinance houses or homes and then contain what use in those areas or which can be added for those. Mr. Coombs stated where Zones abut other Zones is we have to watch out. Where the end of a Commercial Zone is next to a Residential Zone or a Commercial Zone where houses are grandfathered in. Does the Zone change after the fact and some number of feet requirement as a buffer. These are some things to think about. Mr. Pitale added a physical buffer or visual buffer. Mr. Coombs added he didn’t want to make it needlessly complex, but some of the issues we had that night happened to be in the sample I handed out. If an applicant knew he had to comply with added conditions, he would have come in prepared with those issues addressed. Mr. Pitale commented we will have those issues all along the Pike because there are houses all along there behind the Pike.

OTHER BUSINESS: WIRELESS CARRIERS

Mr. LaPollo addressed the cell phone tower issue. We discussed a letter from Verizon at the last meeting last month. Verizon wants to add some type of new and larger antenna on the water tower at C & E Canner. There was some confusion that they will add a tower somewhere. Mr. Pitale responded it was a mistake on their part. They recanted and they want to put antenna on the existing tower. Mr. Coombs stated they have an elevation in the packet. Mr. LaPollo stated at the last meeting they were asking for an Engineer certification for the extra weight of the antenna up on the tower. He hadn’t had a chance to look over the Ordinance, but from what was said at the last meeting it was part of the requirements asked for. Mr. Pitale questioned if they have to come before the Board before they move forward and change their antenna with an Engineers Report. Mr. LaPollo believed that was what was discussed at the last meeting. He asked if a letter will be sent or how it will be addressed because right now I don’t think we responded to them at all. Mr. Coombs asked if our Engineer reviewed it. Ms. Carroll answered anything I sent the last few days I have sent to Mr. Polistina. Mr. Pitale asked if they are applying for a permit. Ms. Carroll answered they haven’t submitted a permit application yet for this, but they (inaudible). Mr. Pitale stated they plan to co-locate antenna on the tower. Ms. Carroll stated I have received some permits to replace some antenna in the last few months. Mr. LaPollo stated AT & T have applied to us for permits, but they were just swapped. They weren’t adding anything.

Mr. Coombs asked if AT&T already has antenna at this location. Mr. Pitale didn’t think there were antenna on the tower. Mr. LaPollo thought the antenna will be new. Mr. Pitale questioned

if Sprint had a satellite. Mr. LaPollo stated he believed it is AT&T. He believed Verizon will be new. Mr. Pitale mentioned they will be setting a pad and a control box.

Mr. Coombs suggested seeking independent advice of what to do with this. Mr. LaPollo believed as far as the pad and panels are concerned, they meet our (Folsom's) setback requirements and lot coverage, but it's the issue of the antenna for the structural. Mr. Pitale asked if they will be taking permits out. They have the requirement to bring their Engineer and go over it. Mr. LaPollo asked if they have our requirements. Mr. Pitale answered they've done it so far. Every time they come before us they've had Engineers. Mr. LaPollo questioned Verizon. Mr. Pitale answered not Verizon, but Sprint and the other ones who have come before us. They've always had an Engineers. Discussion ensued between the Board Members. Mr. LaPollo was not aware of anything historical and asked if anyone was aware of anything historical. Discussion continued. Mr. Coombs questioned if they asked to meet with us. Ms. Carroll answered no one asked to meet with us. Mr. Coombs mentioned it is encouraged in our Ordinance, but it is not a formal requirement. They are encouraged to, but they are not required to. Mr. Pitale noted even if they meet all or are adding to the structure that always exists in the Borough. They are modifying a structure that is already existing. It should be a requirement before they move forward. Mr. Coombs responded Engineering clause should be included to have our Engineer review it. We don't know how this is mounted at all. Discussion ensued between Mr. LaPollo and Mr. Gummoe. Mr. Pitale asked how many carriers are on the tower. He questioned if it is two (carriers). As far as Mr. LaPollo knew it was AT & T and Sprint are up there, but didn't know if T-Mobile or Virgin or any others bounce off of it. He was looking at where they submitted their Section 106 files and it had T-Mobile on it. What we can look back to see formerly applied for a permit. Mr. LaPollo stated when they do apply I need to know how to proceed. Mr. Pitale noted he agreed with Mr. Coombs for our Engineer should send it in a letter we should have the Engineering report and to come before the Board. Mr. Pitale stated if they (AT&T) hadn't sent us this letter we wouldn't know anything. Mr. Gummoe added we wouldn't know until they applied for the permit because they are putting a structure on the property. Mr. LaPollo mentioned AT & T came in and installed a backup generator.

Mr. Pitale asked for any other business to discuss.

Hearing none he announced the next scheduled meeting for December 17, 2014.

The meeting was adjourned with ayes all at 8:20 PM.

Respectfully Submitted,

Susan Carroll
Board Secretary

