

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

November 18, 2015

The meeting was called to order at: 7:00 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, Joe Pino, Glen Smith, Ron Esposito, Joel Spiegel, John LaPollo, Dave Cappuccio, Ben Pagano, and Michael Veneziano

**Absent:** Lou DeStefano,

**Others Present:** Solicitor: Jorge F. Coombs, Esq.  
Jen Heller of Polistina & Associates  
Secretary: Susan Carroll

**APPROVAL OF MINUTES:**

A motion was made by Mr. Smith and seconded by Mr. Esposito to approve the minutes of September 16, 2015. There was a roll call vote with ayes all and three abstentions.

**DECISION RESOLUTION:**

Burley & Lorie Clark, 1350 Mays Landing Rd., Folsom, seeking a Minor Subdivision for Block 401 – Lot 101 and a C Variance for proposed Block 401 – Lot 104. Application# 07-ZB-15.

A motion was made by Mr. Cappuccio and seconded by Mr. Smith to approve the Resolution. There was a roll call vote with ayes all and one abstention.

**APPLICATION WITHDRAWN:**

IBEW Local Union 351, 1113 Black Horse Pike, is seeking a Minor Subdivision for a 2 lot subdivision at Block 3201 – Lots 11 & 12. The Application was withdrawn. Application # 05-ZB-15

**APPLICATION:**

Brian Swope, 1524 Mays Landing Rd., Folsom, is seeking a C-Variance for the height and size of a 24' high - 60' x 40' pole barn at Block 1602 – Lot 1.

Mr. Coombs swore in Brian Swope of 1524 Mays Landing Rd., Folsom, N. J. There were no witnesses. Mr. Swope explained he was on a 30 acre parcel of land and wants to build a 40' x 60' pole barn for storage. It exceeds two of the requirements and needed a Variance for height and square footage. The proposed building will be 24 ft. in height and will be single story. The existing garage will not be demolished. The proposed building will be directly behind, along the side, and parallel on a slight angle to the existing garage. The land is cleared. The building will be 24 feet high to park vehicles in. The door is 14' high, but with the A roof it will be higher. Mr. LaPollo stated it will be very similar to the Public Works 40' x 60' pole building which is 24' high. It will be used strictly for storage of RV and/or trailer. It will have one door. It will be an A frame, but will not be framed out. There will be electric, but no bathrooms or offices. It will be strictly storage. The building will have no gutters. The exterior will be typical pole barn with metal sheets bolted onto the sides. The foundation will be drilled and put in concrete according to the specs off of the plans. There will be only one overhead door and no other overhead doors. There will be a couple of windows for light.

Discussion ensued among the Board Members. Questions were raised about the excess water run off of the proposed building and if there should be a retention pond to catch the excess water runoff. It was suggested there should be roof drains on the building and a building permit will be required since the building will be over 1,000 square feet. The Engineer commented, the lot is over 29 acres and the water runoff should not impact any of the adjacent properties.

Chairman Pitale asked if there were any other questions from the Board for Mr. Swope. Hearing none he asked for the Engineers Report.

### **ENGINEERS REPORT**

The Subject property is Lots 1 and 2 in Block 1602, commonly known as 1524 Mays Landing Road and is located within the Borough's F30 Forest District. The property currently contains two existing single family dwellings, an existing garage and a common driveway serving both dwellings. The site has frontage on both Mays Landing Road and Tenth Street and contains a total area of 29.29 acres. There is an existing 50 foot wide right of way along the site/s southern and eastern property lines.

The Applicant proposes to construct an accessory pole barn structure on the subject property which will be 2,400 square feet in area and have a proposed height of 24 feet.

A variance for the height and area of the proposed accessory pole barn building has been requested.

### **COMPLETENESS REVIEW:**

The Applicant has requested a waiver from the following Items:

Item 1 – Plat clearly and legibly drawn or reproduced at a scale not smaller than 1" =100' feet. A Waiver was requested.

Item 2 – The sheet size. A Waiver was requested

Item 12 – Names of all property owners within 200 feet of subject property. This information should be provided. Noticing to adjacent property owners was provided.

Item 14 – The Zoning Districts and information. The setbacks were provided on the plot plan.

Item 18 – Contours to determine the natural drainage of the land. Waiver is requested

Item 20 – Wooded areas indicating predominate species and size. The Applicant provided a site photograph.

Item 21 – Location of trees 6 inches or more in diameter, as measured four feet above ground level outside of the wooded area, designating species of each. It appears there are no trees. The Applicant stated no trees were being cleared.

Based on the information provided, there were setback dimensions, but it could be deemed complete from an Engineering standpoint.

There were 3 Waivers requested. The Items where Waivers were not requested were Items where information was not requested. The Applicant should ask for a Waiver for those Items or provide the information.

A suggestion was made to restrict the pole building to storage with no office or bathroom.

A motion was made by Mr. Pagano and seconded by Mr. Veneziano to accept the Engineers Report. There was a roll call vote with ayes all.

Chairman Pitale opened the meeting to the public for comment. Hearing none the public portion was closed.

When asked if there were items which will be stored in the pole barn that are presently stored on the property, Mr. Swope answered Yes, some are outside and some are taking up his triple car garage where he would rather have his vehicles. Mr. Coombs asked if there will be any paving to the 14' door or if there was any plan. Mr. Swope explained there would be a little apron and then stone. When Mr. Swope was asked if he could see any detriments to the Application, he answered none he could see. There would be no storing of any chemicals or fluids which could possibly leak. There would be nothing like that.

Mr. Swope's family lives in the main house and the other house is not used. He will not be heating the pole barn. There will not be a concrete floor, but there will be stone. He stated he would not have a need for a 220 hook up for a welder or similar equipment. There will be two (2) 3 foot entry way doors. There is one on both sides. Mr. Swope was asked if there will be drivable access all the way around the building once completed. It will be ten (10) foot away from the other buildings and he supposed you can drive around the entire building if you wanted to. Ten (10) feet is a requirement.

Mr. Coombs questioned the Engineer if there were any concerns with the requested Variances or technical waivers. The Engineer did not have concerns and based on the information submitted believed a decision could be made with regard to the Variances for the height and area. No additional Variances were needed.

A Motion was made by Mr. Smith and seconded by Mr. Esposito to approve the requested height and square footage Variances along with the requested Checklist of Waivers and a Condition the building only be used as storage. There was a roll call vote with ayes all.

**OTHER BUSINESS:**

Chairman Pitale announced the resignation of Mr. Malec from the Planning and Zoning Board.

**OTHER BUSINESS:**

Chairman Pitale addressed a letter from Mr. John Reynolds of 2121 14<sup>th</sup> Street, Folsom. The letter was written in response to an informal discussion at the September 16, 2015 meeting where a discussion of Zoning District change for Block 602 – Lot 11 took place. The letter addressed the road (15<sup>th</sup> Street). He is not an adjacent property owner. He is the next lot down.

Mr. LaPollo explained Mr. Reynolds felt for the project to move forward 15<sup>th</sup> Street should be improved and not the existing right-of-way off of Backline Rd. It will allow for him to have access to his property on 15<sup>th</sup> Street. A concern was raised if 15<sup>th</sup> Street were improved Mr. Reynolds may try to do the same thing (change zoning) and put homes in there.

Mr. Pagano recused himself to speak on his own personal behalf and as a citizen. Mr. Pino advised he thought the recusal would be as an interested party and not just as a citizen. There was no formal Application, but so the situation was not misrepresented Mr. Pagano was recused so it was clear and there was no conflict.

Mr. Pagano commented on Mr. Reynolds referenced intention. He questioned whether the Board Members had time to digest it (the letter) and was accused of being a home builder in the letter. Mr. Pagano stated he never built a home in his life, but Mr. Reynolds built his own home and believed it qualified him as a home builder. In the letter Mr. Reynolds believed Mr. Pagano was trying to snuff him out and stop him from developing 15<sup>th</sup> Street, but 15<sup>th</sup> Street has been there since 1851 on the Weymouth Farm Agricultural Map. There is nothing stopping Mr. Reynolds from seeking Approvals and Permits to open up 15<sup>th</sup> Street. He also referenced Mr. Pagano owned quite a bit of property on 15<sup>th</sup> Street. It behooved Mr. Pagano to open 15<sup>th</sup> Street and believed it was a statement without merit, convoluted and disingenuous at best because he was well aware the only conforming lot he has on 15<sup>th</sup> Street, the one he was speaking of, is a half mile down the road. Then his is impacted by wetlands. Any road would have to pass two of his conforming lots before even getting to Mr. Pagano's conforming lot. Mr. Pagano confirmed the Informal Review was all in a very young stage just to ask questions. The way it (the road) was represented it would make entry into Mr. Pagano's property, if the Planning Board would see fit, to change the Zoning of the piece of property because part of it is in the Village (Residential) area, was only picked that way because it is the shortest point, the most cost effective way to make entry. To go down 15<sup>th</sup> Street it would be much, much more expensive because there would be a lot of paved road which wouldn't be necessary to utilize the lot.

Mr. Pitale explained the Zoning cannot be changed here. It goes through Pinelands. Mr. Pagano knew it would have to go through Pinelands and out of respect of the Board we change it first. It would then go to the governing body for them to make the decision. Mr. Pagano apologized to all of the Board Members for not being in attendance when the Informal Review was being represented. His mother-in-law who became very ill. It is why he went to Florida. She passed away or he would have been here with his representative Kevin Dixon when he made the representation.

**OTHER BUSINESS:**

Mr. LaPollo gave an update on the Hazardous Litigation Plan Update. Mr. LaPollo explained it is in the final stages. We are continuing to work with the county on it. It is in FEMA's hands at this point. They are reviewing it and will get back to us with any changes, but we still want to advertise it and publicize it. We will address any issues or comments the public may have. Hazardous Mitigation affects the whole community. The Hazardous Mitigation Plan helps the Planning Board plan for a disaster. It helps as far as wild fires, flooding, and straight line winds are concerned with what is put in Ordinances, what we recommend to the governing body for Ordinances and things of that nature as far as the planning stage. It is part of what we have been doing and we can always update, upgrade, or change anything we are doing to help the program.

There was no other business for the Board.

The next scheduled meeting will be December 16, 2015 at 7:00 pm.

Meeting adjourned at 7:31 pm.

Respectfully submitted,

Susan Carroll  
Board Secretary