

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

February 21, 2018

The meeting was called to order at 7:06 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 Hammondon Gazette and Atlantic City Press and is posted on the bulletin board showing the time and place for the meeting.

## **ROLL CALL:**

**Members Present:** Charlie Pitale, Joel Spiegel, Glen Smith, Mike Veneziani, Alexander Bauer, Mayor DeStefano, Ben Pagano, Claude Jones, Michael Sutts

**Members Absent:** Joe Pino, Dave Cappuccio

**Others Present:**

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

## **APPROVAL OF MINUTES:**

A motion was made by Mr. Spiegel and seconded by Mayor DeStefano to approve the minutes of January 17, 2018. There was a roll call vote with ayes all and one abstention by Mr. Jones.

## **INFORMAL PRESENTATION:**

Application # 05-PZB-2016 Folsom Development Assoc. LLC seeking an Informal Presentation of changes to the Approved Site Plan for the Dunkin Donuts. They are changing the size of the Dunkin Donuts (slightly smaller), elevations and sign package.

Michael Malinsky of Fox Rothschild LLP represented the Applicant Folsom Development Associates. The sign package was being reduced. The height of the signs was being reduced. The sign area variance relief granted for the signs was 376.17 square feet. The sign area was reduced to 209.619 which is a 45.3% reduction from what the Board Approved.

The size of the Dunkin Donuts building was reduced. The building footprint was being decreased from 1,952 square feet to 1,652 square feet.

Variances for the wall mounted signs were required because the height of the wall mounted signs exceeded the 15 feet requirement in the Ordinances. The wall mounted signs meet the Ordinance or were under the Ordinance requirement.

The design and height of the pylon sign was changed. It was a pole with the labeling drive-thru Dunkin Donuts and the cup. It will now be more aesthetically pleasing. It was changed to a brick solid sign going up with Dunkin Donuts. The height was reduced from 20 feet to 18 feet - 2 inches.

The original sign package presented by Bohler Engineers and plans A-1, A-5, and A-6 were provided. The Applicant was not seeking any Variance relief. The changes were minimal and were under the Variances already granted. The presentation was informative in nature to make the Board aware of the changes. Dunkin Donuts changed its name and sign packages for this development and any future developments.

- 1.) On the second page of the Bohler Engineering sign package there was “Dunkin’Donuts” with the coffee cup and smoke above the door was being eliminated and being replaced with “DD” as was shown on page A-5 of the plans. Originally “Dunkin’Donuts” with the smoke occupied 86.35 square feet. The “DD” which was being proposed will only occupy 30.66 square feet.
- 2.) The front elevation of the Bohler Engineering sign package there was a coffee cup and smoke on the side of the building which was being eliminated completely. It eliminated 23.1 square feet of sign area. On page A-5 of the tk studio plan the phrase “America runs on Dunkin” will be added to the front elevation and will be under the sign area Approved by the Board and will be under the height requirement.
- 3.) The proposed right side elevation of the Bohler Engineering plan there was “Dunkin’(coffee cup with smoke) Donuts will be replaced with the term “Dunkin”” which was now shown on page A-5 under the left elevation. There was a reduction of the sign area from 59.64 square feet to only 29.8125 square feet.

It was noted the Bohler Engineering site packaged labeled as the right elevation of the site - in the tk studio plans was labeled as the left elevation of the site. The right elevation of the Bohler plans was actually the left elevation of the tk studio plans.

The building size was being reduced because Dunkin was going through an image change and with it there will be an exterior change and an interior technology and finishes will all change. It was in a test mode and the Folsom Dunkin’Donuts was one of 3 stores in New Jersey going through the process. The end of next year there will be 1,500 buildings which will be remodeled with the new image as well as the new stores going through the test phase.

It was clarified the square footage of the store was shrinking of the store, but was not shifting. It was within the original building envelope. There was no increase or decrease in setback from what was originally proposed. There was no effect on the original Approval except for a decrease in the building size.

Although it was in test mode, the name of the business was being changed from Dunkin' Donuts to Dunkin'; but will still have "DD" on the building.

- 4.) The proposed left side elevation of the original sign package (Bohler Engineer) there was a coffee cup with smoke labeled "DD" had a sign area of 97 square feet which was being replaced with the term "Dunkin'". The term Dunkin' will be 29.8125 square feet a significant reduction in sign area.
- 5.) The right side elevation of the original (Bohler Engineer) Approved sign package was a "fresh brewed multi panel graphic with a coffee cup was eliminated completely. It was 54 square feet. The lighting was eliminated also.
- 6.) The drive thru sign was moved. It was on the front elevation of the original (Bohler Engineer) sign package. It was shown on the left elevation of A-5. The original drive thru sign with the oval had 8.94 square feet. The new drive thru sign will be 5.347 square feet.
- 7.) The second page (Page SS-3) of the original plan (Bohler Engineer) showed the original pylon sign. It was being replaced with a much more aesthetically pleasing, brick at the bottom full sign which read "DD", "Dunkin'", and "Drive Thru". (Shown on the ViewPoint Sign and Awing proposal).
- 8.) The original Approval was for a total sign area of 376.17 square feet. The Applicant will now have a total sign area of 209.6195 square feet. There was a 45.3% reduction.
  - a.) The necessity for the Variance for the wall mounted sign height was being eliminated.
  - b.) The Variance for the Pylon sign was being decreased. The pylon sign was originally Approved for 20" high. It will now be 18'2" high pylon sign.
  - c.) The size of the building footprint will be decreased by 300 square feet.

The pylon sign will remain in the same location. There was no change to the location of the pylon sign. It will remain in the same exact location. The brick on the pylon sign will be in the range of charcoal gray or black (in color) with grey mortar.

The plan for the original pylon sign showed a height of 120 inches (the upper right side on the plan in the chart area). It was not the height of the pylon sign. It was height of the sign only and did not include the pole. The total height from the bottom of the pole up was 20 feet. The overall height was reduced to 18'2".

The permits will be submitted within the next week. The construction will begin after the permit process. The Applicant filed for footing and foundation and was waiting for it. The goal was to open for September.

It wasn't known if the Dollar General would open before breaking footings and grounds for Dunkin' Donuts. There was a concern because it was normally not standard procedure for the parking lot to be topped before starting foundations.

There were no other questions from the Board.

No action was needed for the informal presentation and because the matter was already decided with more relief than what was now needed. The variances were already in place. The changes were minimalist and did not necessitate any additional variance relief.

The Dollar General was constructed with regard to the brick in the front. An original color site plan rendering was provided to the Board with the Application package. It was distributed to the Board Members. It showed the brick going all the way up to the top of the doorway. It was currently as the picture depicted. The aesthetic look where the brick has been constructed was originally approved by the Board. There were some questions regarding the brick in the front. It was thought to be approved to go all the way to the top, but was only going to the top of the border width. An original site rendering was distributed to make the Board aware.

There was a question regarding the brick front on the Dollar General. The original plan and it was referenced the Resolution. It was submitted in the Application. It was the document which showed the brick going up to the top of the doorway. It was where the brick currently is. It was constructed original to what was Approved by the Board. The brick was not supposed to go all the way to the top, but it was only going to the top of the doorway. The Dollar General Plan, page A02, was referenced.

Screening for the roof top air conditioning units was requested for the right elevation on the Mays Landing Road side of the building for aesthetic purposes. The request was made to hide the units. From Mays Landing Road the building looked so low, all that could be seen were the air conditioning units. Dollar General will be contacted and the Boards concerns will be expressed. Although there was no guarantee because the Applicant was not available, the issue would be addressed.

There were no other questions from the Board.

#### **OTHER BUSINESS: MASTER PLAN UPDATE:**

Tom Stanuikynas (Principal Planner) and Keith Henderson for informational presentation and feedback for the new Master Plan.

Tom Stanuikynas introduced himself and Keith Henderson from the New Jersey Department of Community Affairs (DCA). Since 2012, for the last 6 years the Department of Community Affairs started a new program called Local Planning Services (LPS) and since then has been providing low cost planning service to municipalities. They have done about 20 projects. Many were in South Jersey. Some of the projects they have done were Millville, Bensalem, Lakehurst Borough, New Egypt and Plumsted Townships and Newark Townships. Last year Folsom Borough contacted Local Planning Services (LPS) and submitted an application for these no cost planning services. The Borough requested help with the Master Plan and Re-examination Report.

There was an initial meeting with some of the members of the Planning Board and Council to discuss starting the Re-exam Report. A Scope of Services was put together and submitted to the Governing Body. They were asked to pass a Resolution Approving the Scope of Services and to create the Working Committee. The Working Committee should consist of a few Planning Board Members, Municipal Governing Body, and the General Public to guide and help them through the process. They were from the State, from Trenton Youth and Local Information. They gave a similar presentation a couple weeks ago with the Working Committee which was set up by the Borough. They received some feedback and Chairman Pitale invited them to this Planning Board Meeting to get more feedback from the Planning Board to help them write the re-examination report.

- 1.) They started with a meeting with the Working Committee. They did a due diligence process. They collected data, did background research, and drove around the Borough to get to know it a little more. They went through Collings Lakes and Black Horse Pike.
- 2.) They hoped as they go through and get more information someone from the town could take them on some site visits to get a better understanding of some of the areas that are of concern and for the Planning Board to give their ideas about what was going on in town.
- 3.) Once they finish the due diligence, they will update quarters, talk to some of the Agencies like the Pinelands Commission and the County.

Once those items are done they will be able to put together the Re-examination Report, but one of the first step was to get feedback from the Planning Board.

Part of their due diligence was looking at the Borough's Master Plan. There was a list of the variances issued in the last couple years to give them an understanding of what kind of variances which were being requested. They were looking at the Ordinances and looking over the Pinelands Comprehensive Management Plan, the County's Master Plan and the Master Plans of surrounding municipalities. They asked for any other documents or anything else going on in the Borough to please let them know.

Mr. Stanuikynas and Mr. Henderson researched the current conditions in the Borough. A slide show of their research was presented. It was a recap the current conditions which existed in the Borough. They reviewed of the 2007 Master Plan demographic data and housing population. The presentation contained information on demographics, property classifications, zoning districts, and Pinelands Management Areas of the Borough.

The first thing they looked for was the 2007 Master Plan and the goals that happened and housing population. The Goals, Objectives, Assumptions and some of the Recommendations were met; like the Commercial/Sending area along the Black Horse Pike.

There was a summary of the goals and objectives from the 2007 Master Plan. Most of the goals and objectives were being achieved. It was maintaining the rural character, preserving farmland, encouraging low-density development, conserving open space, maintaining consistency with Pinelands, developing in appropriate areas/near existing infrastructure, preventing sprawl,

balancing land uses, expanding commercial development along the Black Horse Pike, maintaining quality of life and health, minimizing energy use, protecting the environment and historical sites, coordinating with the state and county initiatives, and securing the town from fire, mud, and other disasters.

Most of the objectives were achieved, but during the re-examination process thought must be given to:

- 1.) Whether those goals are still valid; or if they need to be modified;
- 2.) If goals needed to be added or subtracted.
- 3.) Ten years later when the Master Plan is reviewed what has changed in the Borough that affect the goals for the Borough for next ten years.

### BACKGROUND RESEARCH – GIS ANALYSIS

#### 1.) Regional Context

- a.) The location of the Borough was between Philadelphia and Atlantic City in the proximity of the Atlantic City Expressway. There was great transportation with Route 322, Route 54, and Route 73. As far as they knew they own palace ice cream area that will be express the way development occurs in the borough.
- b.) The Borough totally relied on septic and wells. There was no waste water treatment facilities.
- c.) There was very little low density development – 250 per square mile.
- d.) The Borough was surrounded by Hamilton, Hammonton, Buena Vista, Monroe Township and Franklin Townships.

#### 2.) Population Trends

- a.) The populations were very low until the 60's and 70's. The Atlantic City Expressway was constructed (opened in 1965) and Collings Lakes homes started to be build and populations (over) two decades contributing 72% (increase).

#### 3.) Housing Units

- a.) Construction permits in town were included with 2007 Master Plan. The information was being developed since May. There was not too much construction activity happening in the last 10 years. The information came from DCA Codes and Standards. Demolitions were not accounted for. There were frequently errors made which transition of the data. Non-residential permits construction over the last 10 years. The will look at it by Use Groups. They will be able to look at some of the uses verses manufacturing and warehouse, but it's been low.

#### 4.) Labor Force

- a.) Since 2007 Master Plan the Labor Force and Unemployment Information. Since 2007 the unemployment rate went up sharply and has slowly been decreasing. It was the last change is with 2007 Master Plan for the work force and labor force.

5.) Demographic Overview

- a.) Population: They found the population wasn't very diverse. It was mostly white; a higher median age in Folsom than in surrounding municipalities; less college graduates, but a higher high school graduation rate.
- b.) Housing: There were more family households. The incomes were typically higher than were Hammonton and Buena Vista. Higher owner occupied – not to many rentals in Folsom.
- c.) Economic: There were a lot of sales and office occupations in the Borough.

6.) GIS (Geographic Information Systems) Mapping Data

- a.) The Property Classifications Map: The majority of the parcels were either Vacant or Publicly owned.
- b.) Public Land Map: In the eastern part of the Borough the green area was the publicly owned (lands). Folsom Borough owned the blue parcels in the middle of the Borough. There were a lot of foreclosed properties in the Collings Lakes area. There was land by the County in Penny Pot Park. The Collings Lakes Civic Association owned lakes in Collings Lake.

7.) Zoning Districts Map

- a.) The current Zoning Districts were mostly forest area F20 and F30.
- b.) The Village area along Route 73 was shown in purple.
- c.) Collings Lakes built in the southern area.
- d.) The Agricultural Production area was shown in yellow.

8.) Pinelands Management Area Map – there were 4 Pinelands Management Areas which dictated the zoning policies and there were areas of concern with zoning.

- a.) Village was shown in red where most of the development can occur.
- b.) The yellow was Rural Development Area.
- c.) The green was the Forest Area which was most of the Borough.
- d.) The brown shown at the top of the map was Agriculture Production Area.

9.) 2012 Land Use and Land Cover Map

- a.) The Urban land which was the pink areas was mostly in the Rural Development area and the Village area.
- b.) The Forest area which was the Borough's wetlands was mostly in the Forest Zoning areas.

10. 2012 Urban Land Use

- a.) Urban Land Use was a very low density residential, rural residential. The density was about an 8<sup>th</sup> or greater mostly in the Collings Lakes area and along Route 73.
- b.) There were very few Commercial and Services or Industrial lands. There were a few, South Jersey Industries and some development on the Black Horse Pike

11. Transportation Network Map

- a.) The most traffic on Route 54 North and less traffic on Route 73.

- b.) There was a 315 bus Route which ran through Folsom on the Black Horse Pike with a stop in Collings Lake.
- c.) The County Master Plan was proposing bicycle routes along Routes 54 and 322.

## 12. Employment Map

- a.) The map showed there were 800 employees and 100 business.
- b.) The largest (employer) was South Jersey Gas/South Jersey Industries.
- c.) Mostly located on major highways.

It was stressed again the one thing needed was feedback from the Planning Board. It will give the division of what the Goals and Objectives which will be contained in the report. They needed the Planning Board to give them the goals and the goals and objectives which will be contained in the report. It was the crux of the whole issue.

Questions for the Planning Board to consider for input were what things to change and what not to change. For example to look at what Variances were issued. Most were C Variances. A recommendation could be made.

They already knew what the goals and objectives of the Master Plan were 10 years ago. Now it was important to start looking at those goals and objectives and ask the questions to start thinking about what you like would to change, what not to change. The variances which were issued were used as an example. Most were C Variances and perhaps a recommendation could be made for setbacks or something along those lines to help reduce the number of applications which need to be heard for the same thing over and over again. It was important to know what direction to take things. Was there something new which happened over the last ten years since 2007?

Suggested Feedback - Types of things needed as feedback.

- 1.) Open space for walking trails were suggested as the type of feedback if the borough wanted to encourage more of it.
- 2.) If there was a long range projection for larger home development tracts approved by the borough?
- 3.) Zonings can change. Zoning changes could be recommended to relieve Variances. Things which could be changed were type of zone and the Use whatever cause the Borough to go in the direction they would need to take for a solution.

They looked at one of the dams in Collings Lakes. Research to find out the status of the wall padding and they could see if a recommendation could be made to alleviate the issue. It depended on the rate increase for those areas to be restored.

The presentation was completed.

They were aware of the Conditional Use Ordinance. There was a Section of the Ordinance which stated a Use may be conditioned. The Residential areas had a minimum which violated the Ordinance. There were housing developments which there could be other conditions



considered making a conditional use. Setbacks were something that use variance granted once. There were Variances that could be granted just once.

The Forest Area Sending/Receiving Areas only had an application or two since it rotated. They were not being taken advantage of. Maybe there was something to be done to the boundaries created to make it more useful. The Zoning on Route 30 had a checkerboard hodge podge along the highway frontage. The question was posed if there was a reason for it, or was it what had to happen. Here was an issue where new standards would apply for a Change of Use Ordinance to include more stringency or less.

The State would like to meet with the Master Plan Committee again the end of March or the beginning of April. The Mayor appointed 4 people to the Master Plan Committee. The State Representatives advised the Committee should have 6 to 8 members, but the more members the better. Another meeting was requested at the end of March or the beginning of April.

It was recommended to reach out to the Planning Board Engineer who had a very good working knowledge of the applications which have been before the Board in the past. Folsom didn't have one necessarily well defined town center. It did have two concentrations of its population, but the two concentrations was not all of the housing. There was both the Village Area and the Collings Lakes area (Rural Development). The two areas each have their own sets of concerns. It was encouraged to go into the communities and knock on doors. The people are very friendly and honest and will tell their concerns. There were very different issues on the Pike verses the issues in the Village center.

It was recommended to organize a focus group of Borough and residents to review issues at Borough Hall. The focus group will meet at night for an hour or two. They can talk about how stringent it was, the opportunities, to go through analysis, and get feedback from the residents. It was very important because when lands are in adopted or go to the Council, residents in the inner chambers think they are for an issue because they flip houses. This is what we need at Folsom Borough.

Chairman Pitale asked for feedback and specific concerns from each member. The goals of the 2007 Master Plan haven't been changed very much. Work needed to be done to solve the setbacks for sheds and auxiliary buildings especially since the population was denser and most or almost all the lots were undersized and time after time before the Board seeking variances.

An architectural review for the aesthetic look of new buildings to have character and not just a box for a (new) building was suggested. The Board Members would need to brainstorm in terms of what types of architecture they would like to see. It was something for the Board to decide. The State could help a little bit with something which really nice looking. The Borough could have a theme which is supposed to develop in town for the Village area near the intersection of Routes 73 and 54. It could end up being a theme and use Mays Landing through Variances. You will get a Village Area with more character. There may be a theme to pursue for certain to designate certain areas such as a preference at an intersection.

Changes needed to be made in the Conditional Use Ordinance. It was vague and needed to be tightened up. The Board was asked what are types of conditions can be used as condition or if they were looking primarily for things like requirements. The permitted uses seemed to be an issue with bars and liquor stores. There was an interest to be able to develop the eastern part of the Black Horse Pike.

A request was made for assistance with putting the water back in the lakes. Potential solutions needed to be researched. Dams were discussed and research needed to be done. The dams were private and there was litigation. Values for lake front properties were no longer lake front properties. There were problems with the dam. It was repaired incorrectly. The State came in. What was done (repaired) was removed. There was a dispute with homeowners. They weren't paying for a new dam. There is an Association and they (homeowners) pay dues.

There was suggestion for more of the properties to be looked at so the Borough can have ratable's'. The Black Horse Pike on the east end from Route 54 and 8<sup>th</sup> Street. There were some areas along Mays Landing Road (Route 73). There were businesses years ago which are dilapidated and falling down. There was an old store. There were some locations on Route 54 and Mays Landing Road (Rt. 73). A lot of it was Agricultural and something needed to be done with to make it a ratable and to be able to put something there which will bring income to the Borough tax wise.

There were areas on Mays Landing Road were Village areas, but here were parts of the Village Residential were Agricultural. Two sides of the corner were originally Agricultural/Industrial and another farm wasn't needed.

Whatever changes are made the Borough wouldn't want to lose the charm of Folsom. It was a rural community and people move here for that reason.

It was suggested, other than the Black Horse Pike corridor to see ratable coming in other than union halls. There was an application pending for Leisure Pools on the Black Horse Pike and there may be future development at the EL&M property. It was suggested to look into the Sending/Receiving along the Black horse Pike corridor to enhance the community.

There was a lake on South River Drive that was considered a beach for Collings Lakes, but it has been dilapidated. There used to be swings sets. The dam may have broken it two years ago on 14<sup>th</sup> Street and South River Drive. There was a little bridge on 14<sup>th</sup> Street with a lake and a beach which was all overgrown. There used to be swing sets there, but a park was built across the street on South River Drive.

An incentive for the Sending and Receiving area needed to be created. The same thing was needed with the cluster Ordinance – incentive. Swapping Pineland Development Credits could be used as an incentive. Increase density along the Black Horse Pike and making the areas up in the north east corner Forest Area 50 (F-50) and Forest Area 40 (F-40) less density. As long as there is a balance it doesn't make it so problematic. Selling credits to the bank was suggested. There were Receiving areas along Rt. 322 which made sense, but then there were some Sending areas too be preserved, but it was all Pinelands would give the Borough at the time.

The overall density in the Forest area had to average 15.8 acres. As long as there was the average density in the forest area the Pinelands is okay. In order to increase the density in some areas, to low density (in other areas). The density would need to decrease/reduce further away in the zoning Forest areas in the Pinelands. There are 40 acre zones and 50 acre zones in the Pinelands. The swamp (areas) could be used. You would have to give up something in one place to get something in another place. Channel some opportunity to capture growth and potential greater growth in the areas closer to the Borough's growth network and push the other 50 acres back to wherever it is not useful any way. Swapping values could be tried.

The Property Classification Map in the Reexamination Report showed privately owned vacant land in the upper right grey area could be preserved as Sending. There was a landlocked area owned by the Borough off of 10th Street in the upper right hand corner of the map which could be used for open space, but issues needed to be considered, for example, if there were any liability. It was the kind of thing the Borough needed to think about and give feedback. Maybe the Borough would want a Recreation open space in the Master Plan which the Borough didn't have right now.

It could be developed in the Master Plan. The Borough could actively pursue a goal of preserving open space by actively pursue it and own it. The Borough would actively pursue grants for open space if somebody else owns it. Work with non-profits and/or conservation foundations so that it is open space and hopefully not have to worry about insurance liabilities that might be associated. It needed to be thought about and feedback needed to be given. A map needed to be drawn up.

The clustering provision had a section which talked about ownership of the open space created as a result of clustering. Without knowing it was probably not a sprawl like (inaudible). Cluster developers have taken advantage of it. You might look back and live on some of the (inaudible) needs to be a (inaudible). If you don't want surety association to be one of the permitted orders that open space, which is what happened with the Borough's dams and lakes, but you need to ask if it is really worth spending that much time and effort on if you really don't think there is going to be additional applications of that kind. The Borough knew the track records and history better and the State needed that kind of feedback.

Board Member Pagano recused himself from his position and authority.

The Signage Ordinance was too lax. The building mounted signage and free standing signage was combined. A variance had to be granted for the Dunkin Donuts to allow them to have greater than 200 feet of signage between the free standing signs and their building mounted signs. There was a matter of tightening up the Ordinance. The commercial properties have more flexibility and wouldn't need variances to allow 20 square feet of signage between all of their signs.

The Conditional Uses which was mentioned did not have any Conditions except for the accessory structures like sheds. Especially in the RD (Rural Residential) District which is the Collings Lakes area. Variances were constantly being granted for that. Something was needed

to allow for an accessory structure to have a 5' or 10' setback instead of the 75' and 50' which are required.

The clustering Ordinance. The Hefferon minor subdivision the clustering was done. Deed Restrictions were placed on another property within the Borough. There was one where the clustering option was implemented. Right now clustering can be done in the Forest Areas and in the RD Rural Development, but the Borough didn't see too many of those. The Whitmyer subdivision was a clustering subdivision also. It was 1 acre lots with a large open space. They haven't been built on yet. It was for 8 lots with a private road. There was a subdivision for Hefferon/Master Wire. It was for 2 residential lots.

An email will be sent out to inform the Board of the next Master Plan meeting.

When asked, the Mayor was in agreement to increase the size of the Master Plan Committee Review Board to 7 members. Originally two from Council and two from the Planning Board were chosen. It could be expanded. Since five Planning Board Members made a quorum, four Planning Board Members could be assigned to the Master Plan Review Board Committee and there could be three Council Members.

The State asked if there were any staff people who would be better. The Public Works person knows something and knows all of the square feet and considered to be a viable person here. The committee will be filled in. It will have seven (7) members.

The Community Forestry Management Plan needed to be revised in 2018. It was filed with the DEP. It was an independent document. The document was revised in 2014 and needs to be revised in 2018. The document was created by the Shade Tree Committee and may have been required by State law. It was suggested if the document could be an addendum (to the Master Plan) once it was revised. There was a concern there would be a conflict between the two Plans.

Tom Stanuikynas requested if anyone needed to offer any information or had any feedback or need to call me pertaining to any of the Borough, please do so.

#### **OTHER BUSINESS: KEVIN DIXON FOR MASTER PLAN DISCUSSION:**

Kevin Dixon, of Dixon Associates who did planning and engineering services. He prepared and presented applications before the Board in the past. He had presented an issue before the Board and the Governing Body about the potential for the expansion of the Village Residential District. There was a unique situation along Backline Road in which in the Village Residential District a portion of a property is in the VR District. It had frontage on Backline Road and the back portion of the property expands back into the F-20 District. The Board heard conversations tonight about the Master Plan process. It was very early in the Master Plan process and there was a long way to go. They also spoke about the balancing test with the densities in different parts of the municipality. There was also discussion of the goals and objectives of the municipality. Mr. Dixon offered to make himself available for further discussion if anybody would like to discuss it.

His main purpose for his presence was to request the Board to continue to consider the expansion of the VR District into the property. The specific location of the property was Block 902 – Lot 11 and Lot 3. Those were Pinelands approved development parcels. It has already been demonstrated through Pineland's that they have development potential. There is five feet to ground water, there are no wetlands, they are high and dry parcels. They are very developable and were formed as a planning objective as a good basis for the expansion of the VR District if it meet the goals and objectives of this Board.

The Board was tasked ultimately with the final vote on the Master Plan. He asked the Board to consider the expansion of the VR District in the area. The consistency with the goals and objectives and find a balance to be able to do this. It was a worthy Planning objective for the exercise of the Master Plan consideration. The timing was right at this early stage. This has been presented to the Board previously. It was a good way. The expansion of the VR District gives people who have no options to allow their families to live nearby. It would help create an environment in which the family can become neighbors and expand areas where existing housing stock already exists. It allowed for families can stay in Folsom. If the Board would consider that parcel, and perhaps other parcels nearby which would fit and meet those goals and objectives.

Mr. Dixon respectfully asked the Board to continue to consider the expansion as it was presented to the Board some time back. He could provide additional information to the Committee or to the gentlemen (from the State) who will be going further with it if the Board will so chose to consider this.

There were no question from the Board. Mr. Dixon thanked Chairman Pitale, Mayor DeStefano and the Board Members.

#### **OTHER BUSINESS: STORM PROPERTIES**

Storm Properties submitted a Revised Site Plan denoting available room on-site for more than adequate parking as requested in the Review Comments in the Engineers Report.

There were no questions or comments from the Board.

#### **OTHER BUSINESS: LEISURE POOLS**

Leisure Pools Update: Michael Peacock, Attorney for Leisure Pools, sent a letter to update the Board on the application. The letter was dated January 25, 2018 and indicated a Certificate of Filing from the Pinelands Commission was expected on or around March 1, 2018. Once they receive the Certificate of Filing a site plan application for the permanent pool storage/sales facility may be filed.

There were no questions or comments from the Board.

#### **OTHER BUSINESS: FERRIS ASSOCIATES**

Ferris Associates Permit Renewal will be due August 15<sup>th</sup>, 2018. The Borough shall remind the Applicant 6 months prior to apply for the permit renewal. Spring Inspection shall be on April 14<sup>th</sup> 2017 (should be 2018). The Board Engineer shall also inspect the property for possible adjustment to the Bond (letter of Credit) estimate to reflect accurate figures for the full

reclamation within the mined areas and work which needs to be done within the buffer and encroachment areas per Resolution 01-2017 dated November 29, 2016.

Mr. Coombs will send a letter notifying the Applicant the permit renewal application will be due in August 2018.

There was an update by the Engineer. There was an inspection in the fall and the vegetation was growing in near the areas it was supposed to. There will be another inspection this April there will be another update at the April meeting.

There didn't seem to be mining activity, but there was talk of 250,000 yard will be taken out in the next month or two and there was equipment out at the site. The bond will be revisited as part of the inspection.

There was a big job in Winslow which just bought 250,000 yards of dirt from them. There was a question if they were legally allowed to start mining or not. Mr. Coombs will get the answer within the next day.

There was a permit, but it was conditioned on the continued restoration. They could be working right now if they wanted to as long as they are continuing the restoration and keeping the Bond in place. The encroachment on the other properties was part of the restoration conditions.

#### **OTHER BUSINESS: DOING IT RIGHT CORPORATION**

Doing It Right business hasn't been back to the Planning Board. There hasn't yet been an Application for a Change of Use. They haven't been back (to the Board) and as far as was known they were not buying (the property next door). A letter was sent out informing them they need to come back to the Board and show what they have done with regards to the adjoining property. There was no proof they ever purchased the adjoining property. It didn't seem like anything was done there. The property they were on they were working out of it. They were storing some things as part of the operation there, but there was no indication they were doing any construction work which was the whole purpose behind the Approval for a Construction Trailer.

The purchase of the building (L&M) went through within the last two weeks. There were issues with what was in the building which needed to be removed. The sale finally went through. There may be a change of ownership happening as of now. There were some open permits which were closed out within the next two weeks.

The construction trailer Approval was only good for 6 months until March. One of the Board Members knew there was site plan and they did a soil erosion plan for the County. They were diligently working on applications for the Pineland's and Dave Schidigg was working on it.

They will be before the Board with a site plan eventually. They want to combine both lots into one. It will be in the next review from Dave Schidigg.

It was questioned if they were okay to be working out of the site right now because they were.

The trailer was an office. They were storing 20 or 30 trucks in there at night and there was fuel tanks. There was only a DEF tank. They buy all of their fuel from the station in Penny Pot. DEF was non-hazardous.

They were seen working on the driveway putting stones down 3 or 4 weeks ago. It was part of the soil erosion issue they had. They were tracking dirt out. The County came up and wanted them to put stone in.

The permit was for construction trailer, but the information which came back the Solicitor was the nature of the work going on in the trailer was not construction work. It was operational to the business which will go there.

They put the trailer there were running a business out of it until they got building remodeled, but it was taking forever to get the final agreement done to where they could start working on the L & M building to put the business in the building. They need to come in to explain it to the Board, but this was the logistic of what happened over the last 4 or 5 months.

The issue was it was not what the permit was for. It was for construction. It was in the Approval as a construction office trailer. The problem was when someone comes in front of the Board thinking it is a 2 or 3 week – a month or 2 months deal and its months dealing with everything.

When Leisure Pools came in, he thought he needed a month or two. It's been almost 2 years.

There were no other questions or business for the Board.

**NEXT SCHEDULED MEETING: March 21, 2018 at 7:00 pm**

**MEETING ADJOURNED: 8:47 PM**

Respectfully submitted,

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Susan Carroll, Board Secretary