

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

March 15, 2017

The meeting was called to order at 7:05 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 Gazette and Atlantic City Press and is posted on the bulletin board showing the time and place for the meeting.

ROLL CALL:

Members Present: Joe Pino, Joel Spiegel, John LaPollo, Dave Cappuccio, Michael Veneziano, Claude Jones, Michael Sutts

Members Absent: Charlie Pitale, Glen Smith, Mayor DeStefano, Ben Pagano

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. Veneziani and seconded by Mr. Spiegel to approve the minutes of December 21 2016. There was a roll call vote with ayes all and abstention by Mr. LaPollo and Michael Sutts.

APPROVAL OF MINUTES:

A motion was made by Mr. Spiegel and seconded by Mr. Cappuccio to approve the minutes of January 18, 2017. There was a roll call vote with ayes all.

APPLICATION: MICHAEL DE ROSE – DIAMOND ROOF CLEANING, LLC

Application# 02-ZB-2017 – Michael DeRose is seeking front and side yard setbacks for a 12’ x 24’ shed on Block 2708 – Lot 767 on the official tax map of the Borough of Folsom and more commonly known as 309 E. Collins Dr., Williamstown, N. J. 08094. The property is in the Rural Development District.

Mr. Coombs swore in Michael DeRose, 309 E. Collings Drive, Williamstown, N. J. Noticing was done as required by Ordinance. The noticing was reviewed and was satisfied with the specificity of the noticing. It indicated there were setbacks requested. The Board Engineer did not have the

opportunity to create an Engineers Report with regards to the exact setbacks requested for the shed. It was requested the Application be tabled until next month and the Applicant not need to re-notice again. There were no members of the public present with regards to the Application. The noticing was reviewed and all individuals within 200 ft. of the property were properly noticed. The Applicant understood the situation as presented and the Engineer needed more time to create the Report.

A Motion was made by Mr. LaPollo and seconded by Mr. Spiegel to postpone/table the application until the next meeting. There were no objections. There was a roll call vote with ayes all. The Application was tabled to the April 19, 2017 Planning/Zoning Board meeting.

APPLICATION: HEFFCO PROPERTY MANAGEMENT, LLC

Application# 01-PB/ZB-2017 – Brian Hefferon of Heffco Property Management, LLC, 141 Golden Eagle Drive, Hammonton, N. J. 08037; is seeking a four lot Subdivision and Variances for Block 3001 – Lot 4 located on 11th Street, Folsom, N. J. in the Forest Commercial-Sending District; to create two (1) acre, residential building lots and deed restrict 18.45 acres. The Applicant also seeks to deed restrict Block 3201 – Lots 3 located in the Forest-30 District & Block 3201 - Lot 8 located in the Forest-20 District (approximately 40 acres) to satisfy the density transfer requirements.

John Helbig Professional Planner with Adams, Rehmann, and Heggan Associates located on Bellevue Ave. in Hammonton and the firm was responsible for the preparation of the plan reviewed for the application. Mr. Helbig was previously qualified by the Board on several occasions. The Board accepted his qualifications as an expert in planning. Brian Heffron, President of Master Wire was in attendance for the Application. The subject property Block 3001 – Lot 4 was 20.45 acre piece of property situated directly behind the Master Wire facility. It was about 500 feet back. There was a graphic which showed where the parcel was located. It was a 2012 aerial photograph. It showed State Route 54, the clover leaf with the Black Horse Pike, the Master Wire facility with frontage along the south side of the Black Horse Pike and the parcel which was the subject of the Application was highlighted in yellow. The parcel was all together about 24.5 acres and situated completely within the Forest Commercial Sending District (FCS Zone). The aerial photograph was marked Applicants Exhibit AA.

There was a second graphic. It was a colorized minor subdivision plan which was provided to the Board and Engineer for review. The applicant proposed to access the 20.45 acre property through the municipal right-of-way on 11th Street. Eleventh Street lined up with the Laborers Union Hall driveway across the street. The Applicant came before the Governing Body and the Planning/Zoning Board in 2013 and asked for permission to use a portion of the municipal right-of-way as a private driveway to access the lot. The Clerk at the time wrote a letter indicating the Board and Governing Body had no objection. The Applicant utilized a section of 11th Street's right-of-way. A Certificate of Filing was secured in 2015 from the Pinelands Commission to facilitate a Conservation Subdivision. The Pinelands Comprehensive Management Plan which is now local Ordinance required any subdivision involving two or more lots within the Forest District or Rural Development District be done in a clustered fashion using Conservation Subdivision Standards. The Applicant was providing two one acre lots for Residential Building lots and restricting the balance of the 20 acre parcel to be utilized for common open space. The Density

requirement for each one of the residential units within the Forest District, which was 20 acres per unit, would be met under the density transfer program by deed restricting two other parcels mentioned. Together they comprised about 40 acres. It was a Conservation Subdivision which was now required to do in the Forest District for any type of Sub-division. Under the Pinelands Commissions rules there idea is to cluster the development on the smaller lots, at least one acre in size, and deed restrict the balance of the parcel. The Governing Body and the Planning Board were asked for permission to use the right-of-way. Research had to be done on the species and surveys which utilize the two acres of the overall 20 acre lot. They had to be reviewed and approved by the Pinelands Commission. The Wetlands off site had to be surveyed, mapped and show the wetlands line and 300 ft. buffer. Soil work had to be done on the property to determine what the depth of the seasonal high ground water was for the use of conventional septic systems.

There were a number of Variances required by the nature of the sub-division. The density transfer program was designed for lots of record. It allowed for property owners having a lot of one acre to deed restrict contiguous and non-contiguous land in the same Zoning District to meet density requirement. From the 20 acre lot Applicant created (two) 1 acre lots and deed restrict non-contiguous property to meet the density requirement. The Pinelands signed off on it, but issued an Inconsistent Certificate of Filing and will wait for the final approval from the Folsom Borough Planning/Zoning Board. There was a public right-of-way which abuts the property, but the Applicant will not develop along the public street. Under the Conservation Standards the Residential lots have to be developed. Areas were previously disturbed as close to existing development as possible. There was a portion of the overall lot was the subject of some disturbance. Historically, there were trails through the property. Some of the woods were diminished a bit in that area. It was the area the Pinelands Commission wanted the Applicant to put the two units. It was where they were clustered. The Applicant will not be developing along the frontage of the public street. It requires a Planning Variance under the Municipal Land Use Law.

A Variance was requested for the ownership of the open space. In accordance with the Folsom Ordinance, the common open space outside of the residential units be deed restricted and given to the Municipality, give it away to a Conservation Organization, or the owner of the property could retain the ownership of everything in green on the exhibit. In accordance with the provision in the Ordinance which allowed for variations to deed restrict areas, the Applicant requested to have the owners of the new residential lots retain ownership. The owner of proposed Lot B retain ownership of proposed Lot D and the owner of Lot A retain ownership of proposed Lot C. The Pinelands Commission requested the option be given to the Board for assessment in the Inconsistent Certificate of Filing.

Minor Subdivision Plan was marked Exhibit AB. Mr. Helbig took questions from the Board. The location of the non-contiguous lots were shown on the zoning map. They were both in the Forest District. One was in the F-20 zone and one was in the F-30 zone. The 18.45 acres was the remainder of the portion around the one acre lots. The other two lots were 19.77 acres each. Close to 40 acres would be deed restricted. The non-continuous lots would remain with Mr. Hefferon, but would be deed restricted for open space in perpetuity tied to this application. Over overall there were almost 60 acres to be deed restricted. Under the Pinelands Commissions

regulations, deed restricted properties were allowed to have low impact recreational uses such as hunting and fishing. Some of the two lot were wetlands.

Mr. Coombs swore in Brian Heffron, 141 Golden Eagle Drive, Hammonton, N. J. Mr. Heffron explained the two lots have water. The Great Egg Harbor tributary runs down through the two 20 acre parcels. It filters out to 8th Street into Hospitality Branch Creek where it crosses 8th Street and crosses Route 322 into the Egg Harbor River.

The Deed Restriction will be prepared by ARH. The Pinelands Commissions has samples/templates which could be utilized. A letter from the clerk dated October 30, 2013 indicated the Council had no objection to the use of the right-of-way. It was included with the Application. It was marked as Applicants Exhibit AC. The Applicant would be allowed to access the right-of-way, but it wouldn't continue passed the property. It was an unimproved right-of-way. It was wooded. There were environmental constraints. The Hospitality Branch runs south all along the wetlands boundary and was at the end of the Heffron property was the extent of the 300 ft. wetlands boundary. Nothing will be developed beyond that under the current environmental standards. There were no ponds in that particular area. There was a very dense swamp area with Atlantic White Cedar.

Mr. Heffron will maintain the road and take trash out to Route 322. It would be built so emergency vehicles have access to it and could withhold a fire truck in case of emergency. There is a turnaround at the end of the road where it comes in on 11th Street prior to entering and turning right into the two homes/lots.

The mail delivery will be to their mailbox on Route 322. The right-of-way will be ingress and egress. It might not be a road improved in municipal standards. The request was for a 15 ft. wide gravel driveway. It will be widened in certain points so cars could pass. It will be wide enough for a fire truck or an ambulance. Instead of building another street within a public right-of-way which would be the responsibility of the Borough, they requested a limited amount of traffic expected along that section of the right-of-way to just build a driveway 15 ft. wide within a 25 ft. wide access easement to serve those two homes. It will be an unimproved right-of-way with a gravel drive (way). There were specifications to show the way it would be constructed to be able to sustain a fire truck to get access to the property.

Jen Heller of Polistina Associates gave the Engineers Report.

ENGINEERS REPORT

Vincent J. Polistina, PE, PP, CME
Craig R. Hurless, PE, PP, CME




Civil / Municipal Engineering
Site Plan and Subdivision Design
Surveying
Land Use Planning
Water and Wastewater Design
Environmental Consulting
Inspection / Construction Management

MEMORANDUM

DATE: March 13, 2017

TO: Planning / Zoning Board of Adjustment
Borough of Folsom

FROM: Polistina & Associates
Vincent J. Polistina, PE, PP 
Planning/Zoning Board Engineer

RE: Heffco Property Management, LLC
Brian Hefferon
PA No. 4117.01

LOCATION: 11th Street
Block 3001, Lot 4

STATUS: Minor Subdivision

EXISTING USE: Vacant

PROPOSED USE: Single Family Dwellings & Vacant Lots (4 Lots)

JURISDICTIONAL AREA: Pinelands

The materials submitted and subject to review are as follows:

NO.	TITLE	PREPARED BY	DATE	REVISION
	Application Materials	Applicant	2-8-17	
	Certificate of Filing	Pinelands Commission	10-6-15	
1 of 1	Minor Subdivision Plan	ARH Associates, Inc.	2-1-17	

DESCRIPTION:

The subject property consists of a total of 20.45 acres and is known as Lot 4 in Block 3001. The site is located in the Borough's FC-S Forest Commercial-Sending zoning district. Existing Lot 4 has frontage on 11th Street, an unimproved municipal right-of-way.

The Applicant proposes to subdivide the lot into four lots. Two lots, each one acre in area, will be

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E-mail: polistina@comcast.net

created for single family residential development. The remaining two lots, which contain areas of wetlands buffers, will be deed restricted lots for open space as required by the Borough's conservation subdivision regulations.

The proposed residential lots will not have frontage on an improved street and will be accessed by a 25 foot wide access easement through the unimproved right of way of 11th Street and proposed Lot D. The access easement will contain a crushed stone driveway.

To satisfy the density requirements, the Applicant proposes to deed restrict two noncontiguous parcels, Lot 3 in Block 3201, situated in the F-20 zoning district, and Lot 8 in Block 3201, located in the F-30 zoning district. Each parcel contains 19.77 acres.

The Applicant is seeking a minor subdivision approval to create four lots and to deed restrict two noncontiguous parcels. Variances for conditional use, creating lots which do not abut an improved street and ownership of the deed restricted open space are required.

COMPLETENESS REVIEW:

This application has been reviewed using the Borough's checklist for minor development. The following items were found to be deficient:

Item 13 - Location of existing and proposed property lines with dimensions in feet to the nearest two decimal places. The lot dimensions must be provided on the plan.

Item 18 - Contours to determined the natural drainage of the land. Contours shall be at 2 ft. intervals. The Applicant has requested a waiver.

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. The Applicant has requested a waiver.

Item 28 - When Applicant intends to use a conventional septic disposal system: location of test holes, test results and approximate location of the intended disposal field. The Applicant has requested a waiver.

Item 29 - Plans and profiles of proposed utility layouts, such as sewers, storm drains, water, gas, communications and electric, showing feasible connections to existing or proposed utility systems. The Applicant has requested a waiver.

ZONING REQUIREMENTS: The subject property, Lot 4 in Block 3001, is located in the FC-S Forest Commercial-Sending zoning district. The following is a list of the area and bulk requirements for the proposed development based on the Borough's ordinance:

§170-30 Conservation Subdivision						
Standard	Required	Proposed Lot A	Proposed Lot B	Proposed Lot C	Proposed Lot D	Status
Use		Single Family Dwelling	Single Family Dwelling	Deed Restricted Open Space	Deed Restricted Open Space	Conforming
Lot Area	1 acre	1 acre	1 acre	8.42 acres	10.03 acres	Conforming
Lot Frontage	100 feet	220± ft	220± ft	N/A	N/A	Conforming
Lot Depth	150 feet	200 ft	200 ft	N/A	N/A	Conforming
Front Yard Setback	40 feet	40 feet min.	40 feet min.	N/A	N/A	Conforming
Side Yard Setback	25 feet	25 feet min.	25 feet min.	N/A	N/A	Conforming
Rear Yard Setback	30 feet	30 feet min.	30 feet min.	N/A	N/A	Conforming
Building Height	35 feet	< 35 feet	< 35 feet	N/A	N/A	Conforming
Building Coverage	10%	+6%	+6%	N/A	N/A	Conforming
Impervious Coverage	30%	+10%	+10%	N/A	N/A	Conforming

All other aspects of zoning must comply at the time of the issuance of building permits.

VARIANCES: The following variances are required:

1. **Section 200-16.A. - Forest Commercial, Permitted Uses.** Within the Forest Commercial District, no premises, lot, land, building or structure shall be erected or altered to be used or developed and no building shall be uses in whole or in part unless it complies with Table I and the uses permitted in the Forest Area Districts, including detached single-family dwellings on 3.2-acre minimum lots. The Applicant is proposing a minor subdivision which will create two one-acre lots for single family dwellings, whereas a minimum lot area of 3.2 acres is required for single family dwellings in the Forest Commercial zoning district. A variance is required.

2. **Section 200-16.B. - Forest Commercial, Conditional Uses by Permit.** In addition to the permitted uses for the Forest Commercial District, there shall be permitted the following uses or necessary accessories to the permitted uses upon obtaining a conditional use permit from the Planning Board subject to the standards and regulations set forth herein: the conditional uses permitted in the Forest Area Districts subject to the standards set forth therein.

The conditional uses in the Forest Area Districts (F-20 and F-30) include detached single-family dwellings on 1.0 acre lots in accordance with §200-63.B, whereas detached single-family dwellings on 1.0 acre lots existing as of January 14, 1981 shall be permitted in the F-20, F-30, FC and RD Zones, provided that the owner of the lot for development acquires sufficient vacant or contiguous or noncontiguous land. In accordance with §200-63.B.(3), if the lot proposed for development is located in the FC Zone, all lands acquired pursuant to Subsection B(1), which may or may not be developable, must be located in the FC, F-20 or F-30 Zones.

The Applicant is proposing a minor subdivision which will create two one-acre lots for single family dwellings located in the FC-S Forest Commercial-Sending zoning district. The Applicant is applying the "Conservation Subdivision" standards to the lots for the proposed single family dwellings, and proposing to deed restrict two lots for open space. In addition, the Applicant is proposing to use the density transfer program standards in §200-63.B. to deed restrict two additional noncontiguous parcels in the Borough. The proposed single family dwellings in the FC-S Forest Commercial-Sending zoning district do not meet the conditional use requirements for the permitted conditional uses by permit in the Forest Area districts. The Applicant has requested a variance.

3. **N.J.S.A. 40:55D-35 - Building Lot to Abut Street.** No permit for the erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure. Such street shall have been duly placed on the official map or shall be an existing State, county or municipal street or highway, or a street shown upon a plan approved by the Planning Board, or a street on a plat duly filed in the office of the county recording officer prior to the passage of an ordinance under this act or any prior law which required prior approval of plats by the governing body or other authorized body. The Applicant is proposing to subdivide the subject lot to create two lots for residential development and two lots for deed restricted open space. The proposed lots will not have frontage on an improved street. A variance has been requested.
4. **Section 170-30G(1)(f) - Ownership of Open Space.** To ensure adequate planning for ownership, operation and maintenance of common open space, ownership methods shall be a Homeowner's Association, fee-simple dedication to a public agency, dedication of conservation easement to a public agency, fee-simple dedication to a nonprofit conservation organization, ownership retained by

the original landowner, or other methods acceptable to the Planning Board upon recommendation to the Municipal Solicitor. The Applicant is proposing to deed restrict the open space lots, Lots C and D, and ownership of the open space lots will be granted to the owners of Lots A and B. A variance may be required to allow the owners of Lots A and B to own and maintain the open space lots. This deviation from the ordinance requirements must be found to be acceptable to the Planning Board and the Municipal Solicitor.

REVIEW COMMENTS:

1. The metes and bounds and dimensions must be provided for Proposed Lots A and B on the plan. The metes and bounds and dimensions must also be provided for the proposed access easement.
2. In accordance with the October 30, 2013 letter from the Borough Clerk, there were no objections from the Borough or the Planning Board related to the use of the 11th Street right of way for driveway access to the two proposed residential lots.
3. The Applicant has not provided a yield plan as required by §170-30C(1). The Applicant should address this.
4. The deeds for the lots proposed for deed restriction for open space and to satisfy the density transfer requirement must be prepared, reviewed and recorded as a condition of any approval granted by the Board.
5. The minor subdivision plan must comply with the requirements of the Title Recordation Act and must be reviewed prior to the filing of the map.
6. Any approval granted by the Board is conditioned upon approval from the Pinelands Commission. The Applicant received an Inconsistent Certificate of Filing and must comply with all conditions set forth by the Pinelands Commission.
7. This application is subject to the approval of any other agency having jurisdiction on this project. Evidence of approvals from all other agencies shall be required.

Should there be any questions regarding the contents of this report, please feel free to contact this office.

There were no issues with the waivers requested.

A Motion was made by Mr. LaPollo and seconded by Mr. Cappuccio to deem the Engineers Report complete with Conditions set forth. There was a roll call vote with ayes all.

Pino	Yes
Veneziani	Yes
Spiegel	Yes
LaPollo	Yes
Cappuccio	Yes
Jones	Yes
Sutts	Yes

Variances required:

Variance from the Use of the Forest Commercial since lots of one acre are not permitted – 3.2 acres are required. The Application required a Conditional Use by Permit Variance because starting at the Forest Commercial District. The initial Uses in the Forest Area Districts included attached single family dwellings on one (1) acre lots when the lots are in existence as of January 14, 1981. The lots were being created now, therefore it is a new lot. It doesn't actually meet the Conditional Use Requirement saying a Conditional Use Requirement was needed. A Use Variance did not agree with what was being requested.

A subdivision could not be done in the Forest District without doing a clustered subdivision. The lots could not be created without needing a D-3 Variance to meet the Conditional Use Standards.

Part of the contributions of sub-division requirement are to deed restrict the open space. Pinelands also required the Applicant to deed restrict non-contiguous parcels to meet density requirement. Almost 58 acres were being deed restricted to create two (1) acre lots.

The clustering in other districts was 1 acre lots. If there are 40 acres, and the Zoning 5 acres, then up to four (4) 5 acre lots could be built. The clustering subdivision would allow eight (8) lots. Pinelands and clustering want one (1) acre lots close together and deed restrict the rest of the property. Then there would be eight (8) 1 acre lots and deed restrict 32 acres

In this case two (1) acre lots were being created. Only less than 1 acre will be disturbed and the surrounding 8.42 and 10.03 acres will be Deed restricted. In addition, the applicant will deed restrict 40 acres which are non-contiguous to satisfy the Pineland requirements.

The D-3 Variance was the Use Variance for the Conditional Use. The clustering conservation subdivision is not a permitted use in the Forest Commercial setting. The Conditional Use in the Forest Commercial District is any Use in the Forest area Districts. Under the Conditional Uses in the F-20 and F-30 Zone District is also detached single family dwellings on one (1) acre lot in accordance with Section 200-63D. Section 200-63D stated detached single family dwellings will be on existing one (1) acre lots existing as of January 14, 1981. These were new lots and didn't

meet the Condition. Single family dwellings in the Forest Commercial is not a permitted use. Single family dwellings are a Conditional Use in the Forest Area Districts.

A Planning Variance was needed for a building lot to abut the street. A technical variance to indicate the proposed residential dwellings will not front an on improved street.

A Variance for the ownership of open space was requested because deviation from the Conservation Subdivision Ordinance which states it must be maintained by the Borough or donated to a Conservation Group. The applicant proposed to keep the ownership with the owners of the single family one acre lots. According to the Borough's Ordinance it was up to the Board to and then the Solicitor for adoption. It was something subject to the approval of the Board and the Solicitor to keep the ownership would be the owner of the single family dwellings.

It was Applicants rational to retain ownership of the deed restricted portion of the properties rather than deed restricting it to the Borough or a Conservation Group because Mr. Hefferon will maintain the ownership and manage the offsite of the other 40 acre properties. It made sense to the Applicant to have the folks who would own the two units, manage the properties which were directly contiguous with their homes and to clear dead trees, to clean up brush, and do the standard maintenance which would be done on a large rural lot. It will be all deed restricted and there could be no development on it, but it made more sense than the Borough having to go in and cleanup after a storm or to try to line up a nature conservancy. The Audubon Society would be looking for a much larger piece of property contiguous to a lake or river. In this case, the folks who would be living there to would manage their own property around their unit.

A non-profit organization would make the necessary filings with the Tax Assessor and there would not be any taxes. If the Applicant retains the properties, the unimproved portion will be taxed at a lower rate. Whoever would own the one acre parcels would own the other portion and would pay a separate tax for undeveloped property. The tax for the non-contiguous property deed restricted in perpetuity would be the Applicant's responsibility.

The filing of the map, recording of the deeds, and any Approval granted is a condition of Pinelands final acceptance.

There were no further questions from the Board for the Engineer. The meeting was open to the public. There were no comments from the public. The public portion was closed.

A Condition was added for utility poles, cable, and phone lines be respective of the Boroughs 30 foot paper road/right-of-way.

A Motion was made by Mr. Cappuccio and seconded by Mr. Spiegel for:

- 1.) A Variance for the creation of proposed lots A, B two (1) acre plots or single family dwellings where the minimum lot area is 3.2 acres.
- 2.) A Conditional Use Variance D-3 within the forest commercial, conditional use by permit for single family dwellings within the Forest Area Districts on a one acre lot contingent upon the owner acquiring sufficient vacant land, or contiguous, non-contiguous land. Because they

were not created, it would need a conditional use variance applying the conservation subdivision standards to the proposed single family dwellings.

- 3.) A Variance requested for any buildings/single family residence erected on Lots A or B will not abut a street. The open space abuts the right-of-way. It is a separate lot even though one won't necessarily be there.
- 4.) A Condition requested for a deviation from the Borough Ordinance where typically the open space would have been dedicated to the Borough or to a non-profit organization such as an ecological preserver and the like. The exception would be with the non-contiguous parcels which would remain, in at least in the short term, in the ownership of Mr. Hefferon. There will be ownership where the owners of the two properties, to be determine at a future date, in addition to maintaining and preserving the right-of-way on 11th Street which will be access to the property, will maintain ownership of the open space.

Subject to the Standard Conditions of all Applications enumerated by the Boroughs Board Engineer. The filing of meets and bounds dimensions on the map. Providing exemplars of the proposed deed restrictions for the four open space lots and any other requirements or approvals required by State, Local, Federal, and Pinelands Approval.

There was a roll call vote with ayes all.

Pino	Yes
Veneziani	Yes
Spiegel	Yes
LaPollo	Yes
Cappuccio	Yes
Jones	Yes

OTHER BUSINESS:

Mr. Coombs had two pieces of old business and one piece of new business.

At the Boards last meeting there was some uncertainty whether the Decision Resolution in Ferris Associates had passed. There were a series of email which were discussed. To clarify the record, the majority of the members who voted for the Resolution who were present voted to memorialize it so the Resolution passed.

There is a new Municipal Solicitor Brian Lozuke. Mr. Lozuke and Mr. Coombs had discussions regarding the work session on November 16, 2016. In the latter part of the Planning/Zoning Board Meeting the Board Members and the public brought out issues important with regards to amending Ordinance 200-17B. The Conditional Use By Permits Ordinance. It is the RD Rural Development Zone and what Conditions there should be because there aren't any. There was a lot of discussion and he had the opportunity to forward the Minutes of the work session to Mr. Lozuke. They had some discussion. Mr. Lozuke asked for the Board make a formal recommendation by a vote to Council to consider the issue of amending 200-17-B. We send to them the notes and discussions the Board had on November 16, 2016 to be able to move along with creating new law.

A Motion was made by John LaPollo and seconded by Claude Jones for the Planning/Zoning Board recommend Council to move ahead with seeking to amend Ordinance 200-17-B, the Conditional Use By Permit within the Rural Development Zone (RD Zone). A roll call vote was taken with ayes all.

Pino	Yes
Veneziani	Yes
Spiegel	Yes
LaPollo	Yes
Cappuccio	Yes
Jones	Yes
Sutts	Yes

There was a proposed addendum to the Decision and Resolution for Application 05-PZB-2016 the Dunkin Doughnuts Resolution. The applicant went to Pinelands for final Approval. The Decision and Resolution as written in paragraph 54 it stated the members of the public expressed concerns regarding left hand turns out of the proposed project. Specifically during the summer months and when employees of South Jersey Gas would leave work. There is increased traffic at those times. Pinelands requested additional information. They wanted to know exactly who raised the concern and how many members of the public and who they are. An addendum was prepared which stated such information and addendum to Paragraph 54 of the Decision and Resolution. Nothing was stricken. Mr. David E. Monzo was added as the only member of the public sworn in and addressed the Board based upon the Minutes and notes.

A Motion was made by John LaPollo and seconded by Joel Spiegel to approve the Addendum for the Applicant will be able to move forward with their Application.

A roll call vote was taken with ayes all and four abstention by Mr. Pino, Mr. Cappuccio, Mr. Jones, and Mr. Sutts.

Pino	Abstain
Veneziani	Yes
Spiegel	Yes
LaPollo	Yes
Cappuccio	Abstain
Jones	Abstain
Sutts	Abstain

Next scheduled meeting will be April 19, 2017 at 7:00 pm.

The meeting was adjourned at 8:11 pm with ayes all.

Respectfully submitted,

Susan Carroll; Board Secretary