

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

July 20, 2016

The meeting was called to order at 7:11 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, Glen Smith, Ron Esposito, Joel Spiegel, Ben Pagano and Michael Veneziano,

**Members Absent:** Joe Pino, John LaPollo, Lou DeStefano, Dave Cappuccio, Claude Jones

Others Present:           Solicitor:                   Jorge F. Coombs, Esq.  
                                  Board Engineer:       Vince Polistina, PE, PP  
                                  Board Secretary:      Susan Carroll

**APPROVAL OF MINUTES:**

A motion was made by Mr. Smith and seconded by Mr. Esposito to approve the minutes of May 18, 2016. There was a roll call vote with ayes all and one abstention by Mr. Pitale.

**APPROVAL OF MINUTES:**

A motion was made by Mr. Esposito and seconded by Mr. Pagano to approve the minutes of June 15, 2016. There was a roll call vote with ayes all.

**DECISION RESOLUTION:**

Application #02-ZB-2016 – Collings Lakes Food Market, 10 E. Black Horse Pk., is seeking a Change of Use for the existing hair salon and South Jersey Gas office and Expansion of Use to Expand the Use of an existing Package Goods Liquor Store with a bar area.

A motion was made by Mr. Pagano and seconded by Mr. Smith to approve the Resolution for Collings Lakes Food Market. There was a roll call vote with four yea's, one nay by Mr. Veneziano, and one abstention by Chairman Pitale.

Mr. Coombs noted there were only four (4) ayes. There was a question whether the vote carried. A majority of those who were present at the Board meeting for hearing the application was needed to pass the Resolution. Mr. Coombs researched the number of votes needed to carry the

Resolution. Under NJS 40:55D-10g (2) It provided that only members of the Municipal Agency who voted for the action taken may vote on memorializing the Resolution and the vote of the majority of such members present at the meeting of which the Resolution is presented for Adoption shall be sufficient to Adopt the Resolution. If only one member, who voted for the action attends the meeting at which the Resolution is presented for adoption, the Resolution may be adopted upon the vote of just that member. Mr. Pitale was not present for the meeting and eight remaining. Four ayes, one nay, and one abstention. The majority of five (5) present members who were at the May 18, 2016 Planning/Zoning Board Meeting hearing the Collings Lakes Food Market Application were needed to needed to pass the Resolution. Of the five (5) present members eligible to vote, four (4) voted yea and one (1) voted nay and one (1) abstained. The Resolution passed.

**DECISION RESOLUTION:**

Application #04-ZB-2016 – Jennifer Morgan, 2413 4<sup>th</sup> Road, Folsom, Block 2202 – Lot 12 located in the Forest 20 (F-20) Zoning District seeking a D Variance for size and setback of a 25' x 40' x 15' Pole Barn.

There was a revision to the Application which affected the Decision and Resolution.

There was a proposed change which required a vote regarding one of the Variances. There was to be a 150 foot front yard setback for the proposed pole barn. It is actually is at 129 foot front yard setback. An Amendment was needed for the Variance approval specific to the front yard setback from 150 feet to 129 feet where 200 feet is required.

There was a change to the rain barrel system for storm water run-off. A rain barrel system for the drainage of storm water run-off to make sure there would be no offsite impact of storm water on the adjacent property was proposed. There were no details shown for the rain barrel system and there were no details for the change to the rain barrel system.

Mr. Andrew Eppler and Mrs. Jennifer Morgan Epper were present for the meeting, previously sworn in, and went back on the record to address the drainage and storm water issue. They considered collecting the water in the rain barrels to use for watering flowers, but didn't have the statistics for how much the barrels could hold if there were a two (2) inch downpour. They considered using a dry sump. Mr. Eppler worked on golf courses where the dry sump system was used and stated they work great. Run off drains on each corner were shown on the plan. The downspouts will go into a 3 foot diameter dry sump going down five feet where four feet are required for the size of the building. He was advised it will be sufficient especially with the kind of soil they have. There will be one on each corner. Four (4) five foot deep 3 foot diameter dry sump. One on each corner.

Mr. Polistina advised it would be typical to have drawings or plans for when the Zoning Officer is in the field inspecting, but if the Board was inclined, a three foot diameter dry pit five feet deep was self-explanatory. The profile should be shown on the plan. It is typical to have a profile shown on the plan detailing exactly what was going to be done to make sure everything that is done is in conformance to the plan, but if the Board was comfortable with just the narrative on it he was comfortable.

The kit being used is commercially available and Mr. Eppler will print out the specs for Mr. LaPollo to look at.

There were no other questions from the Board.

The meeting was opened to the public, but there were no questions or comments from the public. Hearing none the public portion was closed.

A motion was made by Mr. Pagano and seconded by Mr. Spiegel to amend the prior front yard Variance from 150 feet from the front of the property to the front edge of the proposed pole barn to 129 feet setback and additionally to describe the storm water drainage system on the proposed pole barn as four (4) - five (5) foot deep, three (3) foot diameter dry sump or dry pit on each corner of the proposed building to handle the storm water management. There was a roll call vote with four yeas and two abstentions by Mr. Smith and Mr. Pagano.

**OTHER BUSINESS:**

The Board secretary emailed the Board Members an Ordinance from another town for their Neighborhood Commercial Uses as conditional use. It was very detailed of the Conditions they wanted in their Ordinance for their town. It may give the Board Members ideas of what could be done with the (Route) 322 area. It was suggested for the Board Members to read through it and at the next meeting to have a discussion. The Folsom Ordinance was also forwarded to the Board Members with an additional area to jot down suggestions for discussion at the next meeting.

A public hearing was suggested in the minutes of the last meeting for suggestions from the public to gather information on conditions for zoned sites or certain areas in the Borough. It would have to be put in a public notice and indicate it would be an agenda item and not a specific application. To deal with conditional uses within the RD Zoning District, but there may be other districts within the Borough where this may apply.

A Motion was made by Mr. Pagano and seconded by Chairman Pitale to go into a closed session. There was a roll call vote with all ayes.

The Board Solicitor updated the Planning/Zoning Board of Adjustment of potential litigation by Ferris Associates.

There were no other questions from the Board.  
The next scheduled meeting will be August 17, 2016.  
The meeting was adjourned at 7:54 pm with ayes all.

Respectfully submitted,

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Susan Carroll; Board Secretary