

Thursday, August 17, 2023
Minutes of Combined Land Use Meeting
Chairman Eric Hafer presiding

OPEN MEETING – Chairman Hafer announced that adequate notice of this meeting was given by emailing the Courier Post and The Retrospect on January 10, 2023 and posting on the Bulletin Board in the Borough Hall.

FLAG SALUTE – Chairman Hafer lead the meeting in the Pledge of Allegiance and flag salute.

ROLL CALL – recorded as present were Hafer, Kane, Weidler, O’Keefe, Lippincott and Nasuti. Absent: Ierley, Barbera and Redstreak. Planning Board Solicitor Greg DeMichele was also present.

NEW BUSINESS

222 Central Avenue – application for a Hardship “C” Variance on Block 15, Lot 1.03 - Russell/Arsenault – Joe Arsenault, 961 Park Avenue, Franklinville, NJ and Rosane Russell, 22 Central Avenue, Laurel Springs. Board Solicitor DeMichele swore the applicants in. Joe was a long-time resident. Rosane is his sister. They wish to replace a pre-existing old shed which is not positioned correctly according to the new zoning code. It will be 6 inches from the line. The shed is 8 x 12 or 96 square feet. They will be bettering the situation. Chairman Hafer opened the meeting to the Board for questions or comments. Hearing none, he opened the meeting to the public, and hearing none, he closed the meeting to the public. The motion to grant requested variance by Lippincott, was seconded by Nasuti, with Hafer, Kane, Weidler, O’Keefe, Lippincott and Nasuti, with none opposed and no abstentions.

OLD BUSINESS

- Approval of Minutes of May 18, 2023 – the motion by Nasuti to approve, was seconded by Lippincott, with all in favor none opposed and no abstentions.
- One White Horse Pike – Dream Tile – Solicitor DeMichele spoke with the attorney for Dream Tile cordially. He has questions about the requirements for Redevelopment, which as what must be done to move forward. There was discussion that he needs to speak to the Borough Engineer. Solicitor DeMichele will inform him that they must approach Mayor and Council with regard to Redevelopment. Chairman Hafer explained the process of use variances for commercial but there is a residential portion to this parcel and change of use of the residential zone used for parking so they must go before Council for the Redevelopment designation. There was discussion of what legal argumentation is used and of which what has been mandated and upheld in court. There was discussion that this parcel has been substantially abandoned and vacant. There was discussion of planning issues regarding apartments and discussion for this use as apartments and why he must be named as a redeveloper and what he is proposing changing. It was stated that the Mercantile License was never approved, and that there were a lot of issues there besides parking. The apartments agreed to, he cannot do, he now is not in the clear. It’s been two years since his informal, and at that time it could have been, formally, a yes, but the subsequent ordinance change that. Therefore, he lost the opportunity to do that, and since that informal conversation it has been vacant. The Borough Redevelopment Attorney has said that he must be named a redeveloper. Violations are separate issues. Solicitor DeMichele said his asking for dual use and therefore must be designated as a redeveloper. The current application is for apartment above. He might take apartments off the table, but the Redevelopment statute has to be followed and the redevelopment attorney referenced. The Redevelopment statute says the redevelopment attorney says that he must be approved as a redeveloper and then appear before the board for variance approval. There was question about the process with Council for Redevelopment, to which it was said that it was approval by resolution. Solicitor DeMichele will be certain that the Borough Redevelopment Attorney, as a courtesy to get back to the applicant’s attorney. Both statute and Borough plan requires that Redevelopment be approved. His attorney took the position that they had a license to operate, which is wrong. There was discussion of grandfathering, which they are not. There was overall discussion of redevelopment and of abandoned or vacant buildings and of the redevelopment regulation.

CORRESPONDENCE/OTHER MATTERS

- Planner magazine was distributed to the board.

PUBLIC PORTION – Chairman Hafer opened the meeting to the public for questions or comment, hearing none he closed the meeting to the public.

ANNOUNCEMENT - The next meeting of the Laurel Springs Combined Land Use Board is scheduled for Thursday, September 21, 2023, at 7:00 p.m. in the Laurel Springs Recreation Center.

ADJOURNMENT – the motion to adjourn by O’Keefe, was seconded by Kane at 7:24 pm, with all in favor and none opposed.

Respectfully submitted,

Dawn T. Amadio, Secretary