

Thursday, June 17, 2021
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 5, 2021 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 Mr. Hafer, Mr. Kane, Ms. Lerley, Ms. Nasuti, Mr. Weiss, and Mayor Barbera and Councilman Redstreak; Mr. Weidler, Mr. O’Keefe, Mr. Lippincott, Mr. Lerley were absent.

NEW BUSINESS

- Referral of proposed “ORDINANCE 855-2021 (formerly Ordinance 854-2021) SUPPLEMENTING AND AMENDING CHAPTER 270 OF THE CODE OF THE BOROUGH OF LAUREL SPRINGS ENTITLED ZONING”
- Mayor Barbera referred to the law which requires referral of the Zoning Code amendment to the Board, which is NJSA 40:55(D)26a which he read aloud. The Board concurred that it is charged with comparing the code amendment against the Master Plan. They began by reviewing the 270-1 through 270-29 Table of contents and all the definitions and agreed there was no need for any changes. Ms. Nasuti reviewed 270-5, list of prohibited uses and conferred that it was the right approach, and there was discussion of 270-4 whereby and greater restrictions that may be imposed by other laws on the State or Federal level. There was discussion of the ADA law and parking stalls, and discussion of when matters become an enforcement issue. There were no comments up to Article III. There was discussion of the establishment of districts plus redevelopment zones, rehabilitation zones and overlays. There was concern and discussion over White Horse Pike setbacks, to which it was commented that the Ordinance Review Committee intends to look at amending the Redevelopment Plans. There was discussion of the need to amend and adopt the Zoning Map along with the Code. There was discussion of whether it was sufficient to have the designations on the map, or if they need to be described in the Code. The description of the boundaries of the various redevelopment, rehabilitation and overlay zones are allocated in the individual plans, if there is a description of zones and if the map is correct and approved it is all good. With regard to Article III and the establishment of districts listed and district boundaries and zones on the Zoning Map, it is all part of this.

There were no comments on 270-15 and no thoughts on 270-16. There was discussion of the changes due to recent cannabis legislation and that the original ordinance was rescinded to allow for the introduction of this Zoning amendment with cannabis legislation. It was revised to prohibit Class 1, 2, 3 and 4 (which dealt with growing and cultivation) in all districts and was revised to allow Class 5 and 6 (retail sale and delivery of marijuana and related paraphernalia) and includes specific limitations and conditions as required in the statute. Class 5 and 6 are only allowable on the White Horse Pike and there was no objection to it and the conversation segued to business improvement, tax collection and property values. There was discussion of automotive settings and if they are allowed or not, it was felt it was good to include them on the White Horse Pike. There was discussion of the removal of topsoil in the Borough. The procedure being used is satisfactory.

Review of section 270-19 yielded nothing specific; nor 270-20 Site Plan Approval as variances would still need Board approval; nor 270-21 Permitted Uses. There were no objections. Accessory uses such as pools, fences and signs were reviewed. Section 270-23 Conditional Uses is straightforward. There was discussion of Home Occupation Permits and all the rules and regulations which are a little more detailed. They must get a permit which restricts the homes gross floor area, allows no signs, or displays and limits the number of visitors, visitor hours, vehicles, parking, and deliveries for the business. There was discussion of present traffic concerns and those who potentially would require variances. There was more discussion of Home Occupations and Air BnB’s are prohibited.

Thursday, June 17, 2021
Minutes of Combined Land Use Meeting
Chairman Eric Hafer Presiding

Section 270-23 delineates the Laurel Road Overlay. There was review of the bulk and set back requirements of 60-foot frontage and 9,000 square foot minimums and the issues of two frontages on corner yards. Setbacks were discussed. There was discussion of height of buildings measured from the average grade line or from the curb line. The ordinance took the language that was in the Haddon Heights model. There was additional discussion of long grades and the ability to build up soils to play with the grade measurement to the cornice with no issues in town and no additional comments on the section. It was said that garages were handled well. There was all good language with sections 270-25-Professional Office Zone which is the same as previous through 270-31-Conditional uses, which now includes cannabis uses. Apartments are handled exactly as the previous ordinance. There was discussion how lots could be developed except for demolition along the White Horse Pike. Section 270-52 is the parking lot standards, which look to be the standard from the existing. Section 270-59 had discussion of foot candle requirements for parking including a discussion of the White Horse Pike front setbacks as discussed in the redevelopment plan. The wording is fine. Article VIII-Affordable Housing Growth Share with discussion of the Borough's obligation.

Article IX-Exceptions – there was discussion of pre-existing non-conforming uses and of abandonment. Mayor Barbera read the definition of abandonment, saying you must be able to legally prove two elements and then it reverts. The one-year language is not found in the law. Older ordinance language that is recollected was most likely disallowed. There was discussion of non-conforming structures, Family Day Care. The rules and regulations for childcare centers are statutory. It was noted that there is a separate Borough Code for Swimming pools. Fences and Hedges was expanded. There was discussion of the fence ordinance and history of fences and storm damage or other repair of existing fences. The existing language was pulled in for fences. There was discussion of walls and 48" front yard fencing and what is governed by the UCC. There was discussion of encroachment of easements and the language. There was discussion of Commercial vehicles and the allowance for only one vehicle. With regard to Signs, there was nothing objectionable and no comment. There was discussion of protection to enclose dumpsters.

Article XI-Administration – the Zoning Permit is included in Administration as it existed, and it is consistent. The entire amendment is consistent with the existing and with the Master Plan. There was further discussion of handicapped ramps. The Board reviewed the comments and suggestions to be included in the report to council regarding the ordinance to amend the Zoning Code.

OLD BUSINESS

- Approval of Minutes – May 20, 2021 – the motion by Councilman Redstreak, was seconded by Mr. Kane with Mr. Hafer, Mr. Kane, Ms. Lerley, Ms. Nasuti, Mr. Weiss and Mayor Barbera in favor, none opposed and Councilman Redstreak abstaining.

CORRESPONDENCE – none

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, July 15, 2021, at 7:00 p.m. in the Laurel Springs Recreation Center.

ADJOURNMENT – Mr. Lippincott moved to adjourn at 8:51 pm.

Respectfully submitted,

Dawn T. Amadio, Secretary