

Thursday, August 19, 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, Mr. Weidler, Mr. O’Keefe, Ms. Ierley, Ms. Nasuti, Mr. Weiss, Mayor Barbera and Councilman Redstreak; none absent.

NEW BUSINESS

- Andrea Pala - 214 Broadway, Block 21, Lots 12 & 13 – application for minor subdivision approval and bulk variance approval – Solicitor DeMichele commenced by saying that first, all present would have a chance to speak; second, the applicant will speak first; third the Board can ask questions; and then the public will speak. The applicant’s attorney Victoria L. Siegel introduced Engineer Joseph Mancini from Tri State Engineering, saying the applicant is seeking minor subdivision and bulk variance approval at 214 Broadway, Block 21, Lots 12 & 13. Lot 12 to be 9,000 square feet and lot 13, 7,500 square feet for future development. They propose adjusting existing lot lines and bulks variances are required first Lot 13 will be 7,500 square feet when 9,000 is required; second, Lot 13 will have a 50-foot front when 60 feet is required; and third, Lot 12 will have a side yard set back of 8.75 feet when 10 is required. Chairman Hafer raised a question about an applicant creating its own hardship versus pre-existing hardships. Exhibit A1, an aerial photo, was introduced, to which Solicitor DeMichele asked if original documents were submitted, to which it was responded that they were. Ms. Siegel introduced the applicant, Andrea Pala. Mr. Mancini described the condition of the property and introduced Exhibit A2, a Minor Subdivision Plan and described the location. Mr. Mancini qualified his credentials, which the Board recognized. Mr. Mancini proposed a lot line adjustment, saying the lots are deeded as two lots, pointing out it is listed on the tax maps incorrectly, as the existing lot lines include 10 feet annexed in 2003. Most lots were 50 x 150 originally and some are 60 x 150, giving the existing dimensions of Lots 12 and 13. He reiterated that there are two nonconformities on Lot 13, square footage, and frontage. For Lot 12 the nonconformity is the left side yard setback. He gave testimony that they are two existing separate lots. Therefore, each proper setback was pre-existing. He testified that the subdivision would benefit the community and that it meets the positive criterium. He explained the difference between a C2 criteria and C1 hardship, saying this was a Flexible C Variance which specifies that a purposeful deviation can be substituted for guided planning choices. Section D encourages development purposes with adequate light and open space, saying that two homes is appropriate density and that positive benefits outweigh the negative. He further stated there were no environmental impact and granting the bulk variances will have no detrimental effect. The existing is the only structure affected by lot size and does not impact the ability to build a modest size home and one consistent with other homes in the area.
- Chairman Hafer opened the meeting to the Board for questions. Ms. Nasuti asked what the date of the last deed was, to which it was determined that it was dated May 2004. She further pointed out that the deed’s legal description gives the two lot dimensions. The description gives the dimensions of the full two lots. The deeds are not separate. Councilman Redstreak said he disagrees with building homes on undersized lots as it creates many issues. One is the water issues. One reason they went to 60 foot lots was run off issues. Second, environmental issues, as there are 7 trees on the lots. He then read the minutes from Mrs. Hildreth Maas’, the previous owners, hearing, in which she told the Board she wanted to preserve and propose to future owners to protect the trees. Mr. Hafer pointed out that that Tri State consolidated lots 12 and 13 with no lot line. Ms. Nasuti, referred to the aerial view, pointing out that there are many oversized lots, to which Mr. Mancini agreed that there is a mix in the area. Ms. Nasuti discussed the potential of a proposed structure for Lot 13 and removal of the trees. Mayor Barbera asked about a proposed driveway for Lot 13 to which it was responded it depends on the house. It was reiterated that in the early 1990’s the Zoning Code

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was amended to go from 50 to 60 feet frontage to prevent this from happening. At that time and ever since the Board has never approved but always denied keeping it at 9,000 square feet. Mr. Mancini said each application must be taken on its individual merit, reiterating that the Municipal Land Use Law requires each application be taken on its own merit. Mr. Lippincott said he was on the Board since 1981 and present when they changed from 50 to 60-foot lots and was on when Mrs. Maas wanted it to be one property to prevent this. It is law in Laurel Springs done for a purpose. It was the point of the change. Chairman Hafer followed saying a new zoning ordinance had just been through reviewed in committee and no change to that law had even been considered, in discussion it had been agreed upon. Mr. Weidler added that the previous owner specifically added the 10 feet and combined the lots as she wanted to protect it from this as was indicated in the minutes read by Councilman Redstreak.

- Chairman Hafer opened the meeting to the public for discussion of 214 Broadway
- Solicitor DeMichele gave the ground rules saying the public can speak first, and the applicant's representation can respond at the end.
- Doug DelPidio – 118 Broadway – said one thing to consider is school tuition. He understands that additional homes are additional revenue but said one child in Laurel Springs cost \$14,000 per year to educate the child and gave other statistics regarding the public-school taxation and tuition arrangement. He said it should be easy to decide as it clearly does not meet the code.
- Glen Paynter – 209 Broadway – He referred to Councilman Redstreak's comments about water runoff and spoke of hiring a waterproofing company at his existing home. He spoke of the history of his family in town and the aesthetics of squeezing small homes in. There was discussion of how large a home will be proposed on the new lot. The people who live in the existing home are renter's and they thought they had the option to buy, but they are not going to be the owners of this new lot.
- Denise Burns – 229 Broadway – Said the present owner bought this house knowing they were going to do this, and it seems like a grubby situation for the renters in the existing home. It is not right.
- Nancy Paynter – 209 Broadway – said she knew Regina Hildreth Maas the previous owner; that her son mowed grass there and it was her wish was that it be kept green. She gave her long history in the town saying Stone Road, Broadway and Park Avenue are the main streets of the town and small homes are not in keeping.
- Jillian McKenzie – 222 Broadway, said she lives right next door to the proposed lot, and she loves it and the neighborhood, and does not want to be looking into another house, and objected to the Engineer saying there was no detriment to their house, that it is not true.
- Harrison Lickfield – 217 Washington – said the town is at maximum density and adding homes is not of benefit, reiterating that water in basements is a problem.
- Michael Archelani – 211 Washington – said his backyard is behind the lot and looking around town he agrees it is at the saturation point, with no need to open it up to smaller homes. As far as water runoff, he already gets a big pool of water in the back of his lot.
- Ms. Siegel asked the Board for a continuance to the September meeting so they could submit a revised plan. The Board unanimously granted the requested continuance with no further or new requirement for public noticing.
- David Berger - 915 Stone Road, Block 41, Lot 15 – informal inquiry regarding use – T. J. Compesetti appeared for Mr. Berger. Solicitor DeMichele swore him in. Mr. Compesetti said he manages property for Mr. Berger, saying the property they have under contract for purchase is the dentists' office. They would like to make two apartments downstairs and leave the upstairs as is, to which the Board responded there would be no way to get that arrangement. He inquired about residential housing for Rowan. They have college dorms in Pitman, but they are nice. He also asked about an Oxford House for people who would be in recovery, to which it was responded that non that he mentioned are allowed. He was asked why they would not want to put a dentist in there. Mr. Weidler said he would be against temporary housing which is what student

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housing is. Ms. Nasuti said she would be interest in age-restricted only if it were deed restricted. The Redevelopment district Downtown allows business on the first floor and residential upstairs. If it is a tough sale, Ms. Nasuti read him a list of allowable uses, asking if they could try two commercial units' downstairs. David Berger appeared via phone. Solicitor DeMichele swore him in and discussed 55 plus downstairs and a single-family unit upstairs. The Board said they would prefer commercial downstairs as the Redevelopment Plan requires. Mr. Berger revealed that he owns other commercial properties in Laurel Springs' and has experience vacancy in the commercial storefronts. The Board said there was no provision for student housing.

OLD BUSINESS

- Approval of Minutes – June 17, 2021 – the motion by Nasuti, was seconded by Mrs. lerley with Hafer, Kane, Mrs. lerley, Nasuti, Weiss, Barbera and Redstreak in favor, none opposed and Weidler, O'Keefe, Lippincott, and Mr. lerley abstaining.
- 908 Stone Road – Mayor Barbera reported that Joe Watson the owner of Laurel Springs Automotive had purchased the property and he may require site plan approvals.
- 309 White Horse Pike – Mayor Barbera reported that Michael Reis the owner is interested in a Marijuana dispensary, which is allowed on the White Horse Pike according to the new code. He is going to meet with Council on Monday night.

CORRESPONDENCE – NJPO Planner 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 16, 2021, at 7:00 p.m. in the Laurel Springs Recreation Center.

ADJOURNMENT – Mr. Lippincott moved to adjourn at 8:15 pm.

Respectfully submitted,

Dawn T. Amadio, Secretary