

Florence, New Jersey 08518-2323  
June 25, 2013

A regular meeting of the Florence Township Zoning Board of Adjustment was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairman Zekas called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Secretary Taylor then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

Brett Buddenbaum	William Bott
Keith Crowell	John Groze
Larry Lutz	Candida Taylor
B. Michael Zekas	Lou Sovak

ABSENT: Anant Patel

ALSO PRESENT: Solicitor David Frank, Engineer Anthony LaRosa,  
Planner Barbara Fegley

#### APPOINTMENT OF BOARD STAFF

Appointing Anthony LaRosa of Maser Consulting as Zoning Board Engineer effective immediately and remaining in effect until the appointment of staff at the 2014 reorganization meeting.

Chairman Zekas explained that Mr. LaRosa has changed companies and now is with Maser Consulting.

It was the Motion of Groze, seconded by Crowell to reappoint Mr. LaRosa as Board Engineer.

Upon roll call the Board voted as follows:

YEAS:	Buddenbaum, Bott, Crowell, Groze, Lutz, Taylor, Zekas, Sovak
NOES:	None
ABSENT:	Patel

Solicitor Frank said he prepared a memorializing resolution for signatures; Resolution 2013-13. The vote already done is sufficient to pass the resolution.

## APPLICATIONS

**Application ZB#2013-07 for Florence Foundry, LLC. Applicant is requesting a Use Variance to permit conversion of a former tavern with 3 boarding rooms into four residential units on property located at 202 Foundry Street, Florence. Block 14, Lot 1.**

Daniel Kehler of McCrink, Kehler & McCrink appeared to represent the applicant. He said the property is an old building that previously had a tavern and rooming units upstairs. The president of Florence Foundry, LLC will testify to her knowledge of the previous use and what her intentions are with respect to the property.

Solicitor Frank swore in Kwai Lin Leu, the President of Florence Foundry LLC. She purchased the building in July 2012. There were improvements made inside. Outside of the property some of the brick work was fixed. She plans to convert the property to four units instead of the current three. The property was in poor condition when she purchased it and it was unlivable. The commercial part of the property was also in poor condition. There have been no tenants for the last four or five years. She said two years ago someone tried to purchase it for office space. She intends to create four units and rent them out at about \$700.00 - \$800.00 each. Mr. Kehler presented diagrams of the proposed project and confirmed that Ms. Lin Leu and her husband prepared them. The first drawing was entered as A-1. They were previously provided to the Board members. The first floor drawing shows two units. One unit is 965 sq. ft. The other unit on the first floor is roughly the same. The units will have three bedrooms, a new kitchen and new bathroom. The second drawing of the second floor was entered as A-2. The unit to the left has a walk up from the street level. It is about 1,000 sq. ft. The other unit is slightly bigger. All units exceed 850 sq. ft. Everything will be new to make them attractive to potential tenants. There will be a separate utility meter for each unit and the heating and air conditioning will be central for each unit. She estimates the cost for renovations will be about \$100,000 for the entire property.

The exterior of the building has brick and siding. The siding in the back will need to be replaced. Solicitor Frank entered six photos provided by Planner Fegley into evidence and labeled them B-1 through B-6. They show the building exterior. The first photo shows the white siding and red brick front. The next shows the property from Foundry Street. The next photo shows the boarded windows where the bar was. The next is the opposite side of the same. All the windows will be replaced with energy efficient windows. The next photo shows a small side entrance addition that goes into the first floor. The next photo is the same area but with a closer view. The final photo shows the exterior siding that will be removed to be matched to the vinyl.

The renovations are to be performed by Chen's Home Remodeling, her husband's company. He has been in business for about ten years. There will be no structural changes to the property. It is a residential area with light traffic. There is one office in the area and there are other apartments and single family dwellings. Some of the properties have driveways and some have on street parking. She said there is space on

the street at her property for parking. She estimates there could be five spots on the street. One photo shows the rear entryway to the building that is a single story addition. If it was eliminated there could be parking in the area. She estimated there would be space for four cars.

She estimated that the market in the area is about \$800 a month for rental units. Her units would be relatively new with many updates. She confirmed that the other units she looked at for comparison were not as upgraded as what she plans to offer.

Mr. Kehler asked if there was a viable commercial use for the former tavern part of the building. She does not think she would be able to rent the space as commercial. She said the street is residential and she would like to keep the property in line with the area and did not want to add to the traffic with a commercial use.

Mr. Kehler addressed concerns raised by Planner Fegley. Her report noted that one issue was parking. He said there is parking on the street at the front and side of the building. He said there is also the possibility of adding four additional spots if necessary. There was discussion regarding fitting four cars in the potential lot. It was agreed that unless someone was jockeying cars there was only room for two.

Engineer LaRosa noted that if the addition is removed it will take square footage from the bottom floor. The floor plan indicates the access is part of one of the units. Engineer LaRosa noted on the plan the area to be removed. It would reduce the first floor area, but it would still be over 850 square feet. The access would be off Second Street for parking.

Solicitor Frank swore in Ren Hung Chen to present testimony. Planner Fegley questioned how the second floor was larger than the first floor. The applicant clarified the drawings were mislabeled and the first floor is the larger of the two.

After discussions on dimensions, Solicitor Frank clarified the units still meet the Township's requirements for square footage.

Chairman Zekas reiterated that the units met space requirements and that the parking area would support two vehicles. Member Bott estimated there could be twelve adults living in the property. He said there is the potential for twelve cars parking at the property. With the off street parking there could be ten cars. Mr. Kehler said the applicant would be willing to make the units two bedrooms instead of three or a combination of two and three bedroom units.

Mr. Kehler said he believes this use has less intensity than the previous use of living units and a tavern. Member Crowell asked about handicapped parking. He wondered if a spot was required. Engineer LaRosa reviewed the code for handicapped parking spaces. He believed there would be a requirement for one handicapped space. Member Crowell asked if there was handicapped access to the building. He said the applicant is building density in the building. Mr. Kehler said the applicant would follow any handicapped regulations required by the State.

Member Crowell said the Neighborhood Commercial Zoning District promotes commercial development in appropriate areas. Mr. Kehler said the applicant is supplying housing of moderate to low income housing, which is a beneficial use. Member Crowell said the area in question is underserved in terms of commercial development. Mr. Kehler noted the property has been vacant for a long time and there was no commercial interest in it. Member Crowell asked how the applicant tried to attract commercial tenants. Mr. Kehler said the applicants are residents of the area and are familiar. They also know the rental market and have been watching for years. They see the vacancies and what has been happening with that particular building. Member Crowell said the application states the property is well suited for the proposed use due to its location near shopping and neighborhood schools. He inquired what shopping was being referred to. The applicant said there is shopping on Broad Street and Front Street. Member Crowell said the property was zoned NC to encourage commercial development in that area and that is not what this application presents.

Member Crowell said the applicant said the rentals would \$700 - \$800 and considered it low to moderate income. The applicant said it is lower than other rents in the area. Solicitor Frank said low and moderate income housing is defined by court decisions and COAH regulations. If the applicant is willing to deed restrict the properties to low and moderate income housing and work with the Township's programs this could be an inherently beneficial use. That would leave only the negative criteria. Mr. Kehler said the applicant does not know what the investment will be with the property, it needs to be commensurate with the return. Solicitor Frank suggested if the applicant is willing to explore the option of deed restriction there could be funds available to assist with the project. Mr. Kehler said there have been informal discussions with the Township Administrator. Solicitor Frank said it might not be right for the Board to fully consider the application at this time and perhaps it should wait to see if the applicant would like to deed restrict.

Member Bott agreed. He discussed the rental rates for low to moderate. He is also concerned about the number of people that could potentially live in the property. Solicitor Frank said the intensity of the use pertains more to the facilities available, such as parking, rather than the number of people living there.

Mr. Kehler suggested tabling the application to explore the option of low and moderate income housing. Solicitor Frank explained that there are many programs and the Township has some very effective programs to try and meet its obligations. Member Crowell said he is not against the project and what is being proposed is an improvement, but at the same time certain things need to be addressed. Member Taylor did not want to lose sight of the fact that an eyesore is being renovated. That is commendable.

Chairman Zekas asked if the applicant looked at any other properties that might be able to assist in the parking requirements. Member Crowell does not believe parking will be an issue. His concern is handicapped parking.

The applicant requested an adjournment of a month to the next regular meeting of July 23. Member Taylor suggested the applicant provide an architectural rendering of what is proposed and an elevation drawing of what the outside of the building will look like. Mr. Kehler said the drawings will be updated to reflect the changes proposed during the hearing.

It was the Motion of Bott, seconded by Groze to grant the applicant's request for a continuance to the next meeting of July 23, 2013 with no requirement to re-notice. All ayes.

## RESOLUTIONS

**Resolution ZB-2013-09 granting the application of G. Christopher Pukenas for a variance of the off-street parking requirement and a Use Variance to permit conversion from a church multi-purpose building to a single family home at property located at 198 Alden Avenue, Roebling, NJ. Block 118, Lot 1.01.**

Motion was made by Buddenbaum and seconded by Groze to approve Resolution ZB-2013-09.

Upon roll call the Board voted as follows:

YEAS: Bott, Buddenbaum, Crowell, Groze, Lutz, Taylor, Zekas

NOES: None

ABSENT: Patel

**Resolution ZB-2013-10 concluding that a bulk variance for impervious coverage to permit installation of an in-ground pool on property owned by Anthony J. Martinez was not necessary.**

It was the Motion of Bott, seconded by Buddenbaum to approve Resolution ZB-2013-10.

Upon roll call the Board voted as follows:

YEAS: Bott, Buddenbaum, Crowell, Groze, Lutz, Taylor, Zekas

NOES: None

ABSENT: Patel

**Resolution ZB-2013-11 granting the application of Rocco Gangone for bulk variances to permit a second small ground mounted sign and free standing flagpole on property located at 310-312 West Front Street, Florence, NJ. Block 35, Lots 5, 22 & 23.**

It was the Motion of Groze, seconded by Buddenbaum to approve Resolution ZB-2013-11.

Upon roll call the Board voted as follows:

YEAS: Bott, Buddenbaum, Crowell, Groze, Lutz, Taylor, Zekas

NOES: None  
ABSENT: Patel

**Resolution ZB-2013-12 granting the application of Amy and Steve Muchowski for a bulk variance for impervious coverage to permit construction of an above-ground swimming pool on property located at 873 East Fifth Street, Florence, NJ. Block 149, Lot 14.**

It was the Motion of Taylor, seconded by Groze to approve Resolution ZB-2013-12.

Upon roll call the Board voted as follows:

YEAS: Bott, Buddenbaum, Crowell, Groze, Lutz, Taylor, Zekas  
NOES: None  
ABSENT: Patel

MINUTES

It was the Motion of Buddenbaum, seconded by Bott to approve the minutes from the regular meeting of May 28, 2013. All ayes.

CORRESPONDENCE

**Letter from Burlington County Planning Board dated May 22, 2013 regarding Dr. Scott Blum (Florence Family Dental) site plan.**

Member Bott asked if the letter meant there could not be a business there. Solicitor Frank explained that this Board approved a site plan that allowed him to expand the preexisting, non-conforming use of the dental office. He still has the right to continue. The letter means he needs to supply information to the County before he can expand the practice. In the past the County let a deadline slip and there was a default approval for a site for a gas station where it should not have been. The County Planning Board wants to prevent this kind of thing so an applicant has to provide everything required.

Chairman Zekas said the letter said the County revoked its approval and the Township's approval was contingent upon all other required approvals. Solicitor Frank said the administrative revocation by the County is not for substantive cause, but because they need information from Dr. Blum. Code Enforcement Officer Thomas Layou said he has been in touch with the Township Engineer and they are working on getting it rectified. The Board members commented on how nice the work turned out.

The Board discussed a project similar to what was presented tonight and how well the work is going.

OTHER BUSINESS

PUBLIC COMMENTS

Seeing no one wishing to be heard, it was the Motion of Groze, seconded by Buddenbaum to close the public comments.

There being no further business, it was on the motion of Taylor, seconded by Buddenbaum to adjourn the meeting at 8:41 pm.

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Candida Taylor, Secretary

CT/aek