

Florence, New Jersey 08518-2323  
May 3, 2021

The Regular meeting of the Florence Township Board of Adjustment was held virtually via Zoom on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairman Patel called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Secretary Lutz 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	Joseph Cartier
Larry Lutz	Margo Mattis
Anant Patel	Dennis Puccio
Lou Sovak	Nick Haas
Kevin Minton	

Absent: None

Also Present: Solicitor David Frank  
Engineer Hugh Dougherty

Planner Barbara Fegley was excused.

#### RESOLUTIONS

There were no resolutions.

#### APPLICATIONS

- A. Application ZB#2021-01: Application submitted by Harpreet Bhatia for Use Variance to have a liquor store in an RA Zone and to allow 3 liquor stores to be located within a mile radius within the township as well as a Bulk Variance for side yard setback. Property is located at 2097 Route 130; Block 109, Lots 6.01, 6.02, 10, 11 & 12.

Chairman Patel mentioned the Board had received a letter from the applicant's attorney stating he wished to withdraw his application.

Solicitor Frank stated it was his recommendation that the Board adopt a Motion that the application be Dismissed Without Prejudice since the withdrawal is voluntary and the Board has not yet made any determination on the application.

It was the Motion of Mr. Cartier, seconded by Mr. Lutz to Dismiss Without Prejudice application ZB#2021-01.

Upon roll call, the Board voted as follows:

YEAS:	Cartier, Lutz, Buddenbaum, Mattis, Sovak, Haas, Patel
NOES:	None
ABSTAIN:	Puccio
ABSENT:	None

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- B. Application ZB#2021-03: Application submitted by John Birch for Bulk Variance for impervious coverage to construct a 16' x 10' addition to the rear of the house and widen the asphalt driveway on property located at 425 E. Ninth Street, Florence; Block 80, Lot 11.

Applicant John Birch was sworn in by Solicitor Frank.

Mr. Birch explained that he and his wife have a ranch style house and would like to construct a 16' x 10' addition off the master bedroom at the rear of the house. The addition would consist of a master bathroom and a walk-in closet. He stated they would also like to widen their driveway enough to fit 2 cars comfortably side-by-side. Mr. Birch stated that he did receive Engineer Dougherty's review letter.

Engineer Dougherty stated his review letter is dated 4/27/21. He confirmed it is a ranch style home which has a small cutout in the rear of the house. The 16' x 10' addition would fill-in that small cutout area. The property is located in the RA district and the lot size conforms with the zone. Engineer Dougherty agreed with the impervious coverage percentages submitted with the application; existing is 31% and proposed is 34%. He stated the applicant had received a variance in 2008 to increase his impervious from 25% to 31% to construct a detached garage; Resolution PB-2008-35.

Mr. Birch stated the following in response to Engineer Dougherty's and Board Member's questions:

- As to the character of his neighborhood, there are townhomes across the street, one neighbor to the side has a ranch, the other neighbor to the side has a 2-story with an attached garage, and his neighbor to the rear has a tiny ranch. Other nearby houses are 2 stories. His house has a deck, which is also consistent with his neighborhood.
- He currently does not have any drainage issues. Part of the house and his garage drain to his driveway which drains out into the street.
- The current width of his driveway is 15' and he is proposing to widen it to 18' so 2 cars can park side-by-side. The driveway expansion will be asphalt and he does not plan to widen the driveway apron.
- The addition is to enlarge the master bedroom.
- The height of the addition is a single-story and will be slighter lower than the highest part of his roof. He stated they have a hip roof with long hips, and even though he has a 4-pitch roof, he will be matching the height of the addition at 16', which will be lower than the existing ridge.
- The addition will match his existing siding and materials. He intends for the addition to not look like an addition; like it's always been there.
- He has prepared plans for the construction office and prepared them himself as he has been in the construction business for 36 years. He stated he will be doing all the work himself. He built his garage himself and the construction office accepted his prepared plans for that project.
- His driveway is 5 feet from his side property line.
- He currently has a basement and he will extend the basement out to be under the addition. It will be unfinished and he will be installing a bilco door. He has that shown on the plans submitted with the application. Engineer Dougherty stated that his impervious calculations were actually just under 34%, so the bilco doors will bring the proposed impervious coverage up to 34%.

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Engineer Dougherty stated he was satisfied with the applicant's testimony and sees no issue with the increase in impervious coverage from 31% to 34%. He also mentioned there are no other variances needed.

It was the Motion of Mr. Haas, seconded by Vice Chair Buddenbaum to open the meeting for public comment. Motion unanimously approved by all members present.

It was confirmed that the public attending the meeting had the ability to unmute themselves to speak if they wished to do so.

Hearing no one wishing to speak, it was the Motion of Mr. Cartier, seconded by Mr. Haas to close public comment. Motion unanimously approved by all members present.

Solicitor Frank stated we have an application for a variance for lot coverage. The Board could approach this as a C1 hardship for a lawfully existing structure or as a C2 as a better zoning alternative. He feels a C2 has a little more merit because it is keeping with the neighborhood.

It was the Motion of Mr. Puccio, seconded by Vice Chair Buddenbaum to approve application ZB#2021-03 as a C2 Variance.

Upon roll call, the Board voted as follows:

YEAS: Puccio, Buddenbaum, Cartier, Lutz, Mattis, Sovak, Patel

NOES: None

ABSTAIN: None

ABSENT: None

#### MINUTES

It was the Motion of Mr. Haas, seconded by Mr. Cartier to adopt the minutes from the Regular Meeting of April 5, 2021. Motion unanimously approved by all members present.

#### CORRESPONDENCE

- A. 4/07/21: Letter from Planner Fegley regarding IPT Railroad Logistics (formerly Foxdale Properties)
- B. 4/08/21: Letter and photos from resident regarding IPT Railroad Logistics
- C. 4/20/21: Letter from Catalyst Group regarding Jeffrey Dzurko, 1021 Potts Mill Road (ZB#2018-01)

Solicitor Frank commented on Items A & B saying that when this Board approved that application, it built flexibility in the resolution for the applicant to work with our planner for landscaping and visual screening. Residents will not see anything immediate because his understanding is that the plantings will be done in October, as it is too late in the season for Spring plantings. Planner Fegley will be sure that this is done.

It was the Motion of Mr. Puccio, seconded by Mr. Sovak to receive and files Item A - C. Motion unanimously approved by all members present.

#### OTHER BUSINESS

Solicitor Frank stated that because of the correspondence the Board received, he wanted to explain how the application process generally works. Review, approval and construction are the sequence of events that come from various authorities. This Board hears applications for "D" variances and site plans in conjunction with those "D" variances. Once the application has been through the Board's processes and the conditions of approval placed on that application

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have been confirmed by the Board Professionals to have been completed, the Board Engineer will then sign the final site plans allowing the project to move to the construction phase. At that moment, the implementation then passes to the township; the Administrator, Township Engineer and Township Planner. Planner Fegley is not only our Board Planner, she is also the Township Planner and is acting in that capacity when working with the developer with the final landscaping. Once the site plans are signed off for construction, all of this Board's jurisdiction goes away. Issues with the implementation of the development is not addressed here, but to the administrative officials and township council. This body can no longer do anything regarding this application.

Engineer Dougherty added that as Solicitor Frank mentioned, he signs off on the final plans, and he is meticulous about notes being put on those plans so the Township Engineer knows to make sure the developer follows through on everything that this Board approved.

#### PUBLIC COMMENT

Information regarding how to virtually attend this meeting has been provided in a published notice as well as listed on the township website.

It was the Motion of Vice Chair Buddenbaum, seconded by Mr. Cartier to open the meeting for public comment. Motion unanimously approved by all members present.

Kristan Marter of 220 E. Front Street mentioned that there is now a fence along the entire Delaware Avenue side of the IPT Railroad Avenue warehouse site.

Hearing no one else wishing to speak, it was the Motion of Ms. Mattis, seconded by Mr. Cartier to close public comment. Motion unanimously approved by all members present.

#### ADJOURNMENT

It was the Motion of Mr. Cartier, seconded by Mr. Puccio to adjourn the meeting at 8:07 p.m. Motion unanimously approved by all members present.

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Larry Lutz, Secretary

/kf

*Please note:* Due to the coronavirus pandemic, meetings are being held virtually and signatures are electronic. The minutes of next month's meeting will reflect the actions taken by the Board for adopting these minutes.