

Florence, New Jersey 08518-2323  
September 2, 2021

The Regular meeting of the Florence Township Board of Adjustment was held in-person and 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	Anant Patel
Dennis Puccio	Nick Haas

Absent: Lou Sovak, Kevin Minton

Also Present: Solicitor David Frank  
Engineer Hugh Dougherty

Planner Barbara Fegley was excused.

#### CORRESPONDENCE

A. Resignation letter from Board Member Margo Mattis dated 8/24/21

It was the Motion of Mr. Cartier, seconded by Mr. Lutz to receive and file correspondence item A. Motion unanimously approved by all members present.

#### SWEARING-IN AND SEATING OF NEW MEMBERS AND/OR ALTERNATES

A. Nicholas Haas: 3 year unexpired – term expires 12/31/2024  
B. Kevin Minton, Alternate #1: 1 year unexpired – term expires 12/31/2021

Mr. Haas was sworn in by Solicitor Frank. Mr. Minton was not in attendance.

#### RESOLUTIONS

A. Resolution ZB-2021-10: Granting Approval granted to Robert & Kristin Risko for Bulk Variance for impervious coverage to construct a 16.5' x 35.5' with a 4' wide concrete walk around and a 14' x 32' deck on property located at 18 Creekwood Drive, Florence Township; Block 166.06, Lot 1.

It was the Motion of Mr. Puccio, seconded by Mr. Lutz to approve Resolution ZB-2021-10.

Upon roll call, the Board voted as follows:

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

B. Resolution ZB-2021-11: Approval granted to Eduardo Hurtado for Bulk Variances to build a single-family home on a vacant undersized lot where the impervious coverage for

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the principal structure will be over the maximum allowed 20% on property located on E. Second Street, Florence Township; Block 90, Lot 9.

It was the Motion of Mr. Haas, seconded by Mr. Lutz to approve Resolution ZB-2021-11.

Upon roll call, the Board voted as follows:

YEAS: Haas, Lutz, Buddenbaum, Cartier, Puccio, Patel

NOES: None

ABSTAIN: None

ABSENT: Sovak

C. Resolution ZB-2021-12: Approval granted to Kristin Hunt for Bulk Variance for impervious lot coverage to install an inground pool with 3' concrete walk around on property located at 400 Szypulski Lane, Florence Township; Block 156.07, Lot 6.

It was the Motion of Mr. Cartier, seconded by Vice Chair Buddenbaum to approve Resolution ZB-2021-12.

Upon roll call, the Board voted as follows:

YEAS: Cartier, Buddenbaum, Lutz, Puccio, Haas, Patel

NOES: None

ABSTAIN: None

ABSENT: Sovak

#### MINUTES

It was the Motion of Mr. Lutz, seconded by Mr. Cartier to adopt the minutes from the Regular Meeting of August 2, 2021. Motion unanimously approved by all members present.

#### APPLICATIONS

A. Application ZB#2021-08: Application by Alfred & Kate Pristash for Bulk Variance for impervious lot coverage for an already constructed 8' X 10' deck constructed on the rear of the house on property located at 132 6<sup>th</sup> Avenue, Florence Township; Block 129, Lot 21.

Alfred and Katherine Pristash were sworn in by Solicitor Frank.

Mr. Pristash stated that when they moved into their residence, the outside steps at the rear of their house from their kitchen to their back yard were crumbling. They repaired the steps by constructing an 8' x 10' deck with steps to the back yard. They never got a permit to construct the deck, and they are now in the process of selling their home. When they did apply for the construction permit, it was determined they were over the total impervious coverage allowed for their property. They are trying to rectify the issue and make everything right for the buyer.

Engineer Dougherty stated his review letter is dated 8/11/21. He stated this is an undersized lot for the zone; 6,000 sq ft is required and existing is 3,313 sq ft. The impervious coverage allowed is 33%, the applicant is currently at 39.8% and 42.5% being proposed with the deck.

Mr. and Mrs. Pristash testified to the following in answer to Engineer Dougherty's and Board Members' questions:

- Decks and sheds are consistent with their neighborhood
- The deck and steps were constructed for safety and recreational purposes only
- The deck and steps provide access to their rear yard from their kitchen

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- The deck is made of pressure treated lumber and is painted light grey to match their home
- A screw (approximately 3/16") was used for the spacing of the deck flooring. Water is able to drain through that spacing. The crumbling steps plus 6" concrete surround still remain but are completely under the deck; however, there is mostly dirt under the deck.
- The deck has a railing and a swinging gate at the top of the steps. They have a 4-year old daughter and the gate is for her safety.
- They have no drainage issues on their property

Engineer Dougherty stated he did go by the property and explained 6<sup>th</sup> Avenue has street frontage and an alleyway in the rear so water will drain either toward the front or rear. He added there are similar decks in the rear yards on the applicant's street and the street behind them. This is an improvement to the home and will increase the value of the home as well.

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

There were no members of the public attending in person and it was confirmed those attending online were not muted by us and no one was "raising their hand" to speak.

Hearing no one else wishing to speak, it was the Motion of Vice Chair Buddenbaum, seconded by Mr. Lutz to close public comment. Motion unanimously approved by all members present.

Engineer Dougherty stated this application is unique because the deck has already been constructed; however, this is something the Board can approve after the fact.

Solicitor Frank stated that if the Board wished to entertain a motion to approve this application it would be as a C-1 due to a hardship of the undersized existing lot.

Clerk Federico mentioned that with applications in the Roebling historic district, the applicant is required to meet with the Historic Preservation Commission prior to the Zoning Board meeting for the Commission to review the application. That meeting had been scheduled for this evening at 6:45 PM; however, only one member of the Commission was present. Being there was no quorum, the meeting was unable to take place. The Historic Preservation Commission is an advisory committee to the Zoning Board. The Zoning Board does have the ability to grant an application with or without a ruling from the Commission.

It was the Motion of Vice Chair Buddenbaum, seconded by Mr. Puccio to approve application ZB#2021-08 as a C-1 Variance.

Upon roll call, the Board voted as follows:

YEAS: Buddenbaum, Puccio, Cartier, Haas, Lutz, Patel

NOES: None

ABSTAIN: None

ABSENT: Sovak

B. Application ZB#2021-09: Application by William Fitzpatrick for Bulk Variance for impervious lot coverage to install an 18' round above-ground pool on property located at 225 E. Third Street, Florence; Block 62, Lot 13.

Clerk Federico mentioned that the applicant had not completed his public notice and confirmed with Solicitor Frank that the Board could not take jurisdiction of this application. Solicitor

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Frank stated that is correct, and the Board is unable to take any action at this time and will wait for further development on this application.

#### OTHER BUSINESS

##### A. 2022 Meeting Schedule

Clerk Federico mentioned the anticipated dates for the following year's meeting are done this far in advance for the planning of the Township Calendar and asked if the Board would confirm which date they would prefer for the July meeting; the majority preferred July 11<sup>th</sup>. Next year's dates will be formally approved at the January 2022 meeting.

There were no concerns expressed regarding any of the other 2022 meeting dates.

#### PUBLIC COMMENT

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

There were no members of the public attending in person and it was confirmed those attending online were not muted by us and no one was "raising their hand" to speak.

Hearing no one else wishing to speak, it was the Motion of Vice Chair Buddenbaum, seconded by Mr. Lutz to close public comment. Motion unanimously approved by all members present.

#### ADJOURNMENT

It was the Motion of Mr. Cartier, seconded by Mr. Haas to adjourn the meeting at 7:51 p.m. Motion unanimously approved by all members present.

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Larry Lutz, Secretary

/kf