

Florence, New Jersey 08518-2323
November 4, 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 7:31 p.m. followed by a salute to the flag.

Board Clerk Federico 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:

Joseph Cartier	Nick Haas
Anant Patel	Dennis Puccio
Lou Sovak	

Absent: Brett Buddenbaum, Larry Lutz, Kevin Minton

Also Present: Solicitor David Frank
Engineer Hugh Dougherty

Planner Barbara Fegley was excused.

CORRESPONDENCE

There was no correspondence.

RESOLUTIONS

- A. Resolution ZB-2021-14: Granting Approval to 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.

It was the Motion of Mr. Haas, seconded by Mr. Puccio to approve Resolution ZB-2021-14.

Upon roll call, the Board voted as follows:

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

MINUTES

It was the Motion of Mr. Haas, seconded by Mr. Sovak to adopt the minutes from the Regular Meeting of October 4, 2021. Motion unanimously approved by all members present.

APPLICATIONS

- A. Application ZB#2021-10: Application by Sumon Saha for Bulk Variance for front yard and side yard setbacks to construct an attached enclosed porch to the front of the residence and an attached 3-season room to the side of the residence on property located at 1080 Wallace Avenue, Florence Township; Block 99.01, Lot 21.

Mr. Saha was sworn in by Solicitor Frank.

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Mr. Saha stated he is looking to enclose the existing back patio, construct an enclosed front porch, and add a 4-season room off the side of the house. He would like to improve the value of the property and make it look very nice.

Engineer Dougherty confirmed with Mr. Saha that the improvements will be done in 2 phases. Phase 1 is for the rear patio and the enclosed front porch and Phase 2 is for the addition to the side of the house. He stated this property is a residential property located in the HC Zone (Highway Commercial). Because of the HC Zone, the bulk standards are the requirements of the HC Zone. This property is undersized for the HC Zone and variances are necessary because the lot size is much smaller than required. This property is surrounded by commercial businesses with Rite Aid on one side and Dollar Tree to the rear and other side. There is residential to the front across the street.

Engineer Dougherty's review letter is dated 9/13/21 and he stated this is a complete application. On page 2 of his letter under Zoning, he states the existing lot is 75' wide, where 200' is required in the HC Zone; however, the 75' width is consistent with other residences on Wallace Avenue. The lot is an existing non-conforming lot.

He stated there are variances needed because the property is burdened with the HC criteria. They variances needed are:

- Front yard setback – 75' is required; existing is 15 feet and proposed is 8'.
- Side yard setback – 25' is required; existing is 14.3' and 20' and proposed is no change to the 14.3', but the side the addition is proposed will have a 4.5' setback. This should not be a problem because that side of the property is up against the basin of the Rite Aid property.
- Lot Coverage for the principal building. The applicant is proposing to increase the footprint of the principal structure from 30% to 31%, which Engineer Dougherty considers de minimus.

In answer to Engineer Dougherty's and the Board's comments/questions, Mr. Saha stated:

- The area is residential except for the commercial property to the rear and on either side of his property.
- He is looking to expand the house because it is small and close to the road.
- There are other homes along Wallace Avenue that have a front porch.
- He will be making the concrete on the bottom of the house stronger and will match the addition siding to the existing siding on the house. He is not sure if it will be vinyl or metal, but it will match.
- The water runoff currently drains to Wallace Avenue
- He is planning to add a driveway in front of the addition, which will only be large enough for one car. Wallace Avenue accommodates on-street parking for any other vehicles.
- There is one other residence on Wallace Avenue that is close to the road, but not as close as his residence will be once the enclosed front porch is constructed. Because he has commercial on either side of him (a basin on one side and trash/recycling on the other), his house will not stick out and be in the way of any residences on his side of Wallace Avenue.
- The property will be kept residential and will not be leased out for commercial purposes.

Engineer Dougherty stated the footprint of the house is smaller, but it is fairly consistent with the rest of the houses in the neighborhood. There is a very good mix along Wallace Avenue.

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He added that the front elevations submitted with the applications, it appears the front and side addition are to be consistent with the home.

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

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 Mr. Sovak, seconded by Mr. Cartier to close public comment. Motion unanimously approved by all members present.

Solicitor Frank stated this application is for a pre-existing non-conforming lot that hosts a residential use in the HC Zone. This can be considered C1 Variance due to a hardship because of the undersized existing lot size, lot width and lot depth.

It was the Motion of Mr. Puccio, seconded by Mr. Haas to approve application ZB#2021-10.

Upon roll call, the Board voted as follows:

YEAS: Puccio, Haas, Cartier, Sovak, Patel

NOES: None

ABSTAIN: None

ABSENT: Buddenbaum, Lutz

B. Application ZB#2021-11: Application by Theodora Kakarides-Vannozzi for Bulk Variance to legalize an already constructed 10' X 12' shed and hot tub that increased the already exceeded impervious coverage allowed on property located at 8 Fillipponi Court, Florence Township; Bulk 165.03, Lot 20.

Ms. Kakarides-Vannozzi was sworn in by Solicitor Frank.

Ms. Kakarides-Vannozzi stated she has put her house up for sale and during the CO process it was discovered she needed a bulk variance approval for impervious coverage for already constructed items in her back yard. Many years ago, the fence was moved further back; not within her lot lines and onto open space land. A 10' x 12' shed was constructed in the open space as well. She is in the process of moving the fence along her property line and the shed within her property. The shed will be located 5' away from her property line. The shed was on concrete, which she will have removed, and will have stone under it at its new location.

Engineer Dougherty stated his review letter is dated 10/1/21 and he considers the application complete. Page 2 of his letter shows the bulk requirements for the R Zone. The existing lot is very irregularly shaped and is encumbered by a 20' wide drainage easement, which is basically an area not to be utilized by a permanent structure. The Bulk Variance being requested is for impervious coverage. All the improvements have been there for some time and where 25% is allowed, 31.5% is existing. He stated this is the only variance the applicant is needing and the plan submitted complies for the proposed new fence line and stone/gravel under the shed.

Engineer Dougherty stated the applicant's home and amenities are consistent with the neighboring homes. Ms. Kakarides-Vannozzi stated she currently has no drainage issues in her yard or runoff into her neighbor's yard. She stated her property is well maintained, hers is the last house on a cul-de-sac, and she has heard no complaints from her neighbors.

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

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 Mr. Puccio, seconded by Mr. Cartier to close public comment. Motion unanimously approved by all members present.

Solicitor Frank stated this is a C2 variance with benefits versus detriments analysis. The applicant has amenities that are common to her neighborhood. There seems to be no evidence of any detriments.

It was the Motion of Mr. Haas, seconded by Mr. Cartier to approve application ZB#2021-11.

Upon roll call, the Board voted as follows:

YEAS: Puccio, Cartier, Haas, Sovak, Patel

NOES: None

ABSTAIN: None

ABSENT: Buddenbaum, Lutz

C. Application ZB#2021-12: Application by Olivia Ramirez for Bulk Variance for impervious lot coverage to install a 14' x 30' inground pool with 3' concrete walk around on property located at 64 Creekwood Drive, Florence Township; Block 166.10, Lot 7.

Mr. and Mrs. Ramirez were sworn in by Solicitor Frank.

Ms. Ramirez stated they would like to install a 14' x 3' fiberglass pool in their back yard which will take them 6% over the 30% allowed.

Engineer Dougherty's review letter is dated 10/22/21 and he considers the application complete. He stated it does appear to be a conforming lot and the only bulk variance the applicant is seeking is for impervious coverage. The existing impervious coverage is 28.9%. With the pool and walkaround, the proposed is 36.1%. All setbacks are met and the fence proposed around the property meets the township's fence standards. Mr. Ramirez stated they intend to match up to their neighbor's fence with a 6' high vinyl fence. He stated he is not sure of the color and plans to install the fence once the pool is in. The fence will comply with the ordinance.

Engineer Dougherty stated the Ramirez's home is in character to the other in the neighborhood and many other homes and pools as an amenity. Ms. Ramirez stated the pool will be used for recreational and personal use and it will be an inground fiberglass pool with a 3' concrete walk around. Mr. Ramirez stated they currently have no drainage issues and their runoff flows out towards Creekwood Drive. Engineer Dougherty commented that the architect has shown swales on the plan to accommodate any additional runoff.

Engineer Dougherty stated the impervious coverage will be 6% over the allowed, which is not necessarily de minimis; however, the runoff will go into the street and flow to the storm drains. If everyone in the neighborhood did an improvement to 36% impervious coverage, there would be an issue; however, we are not at that point now. If we start to see there is a problem or if this lot drains to the back, we might look for mitigation or dry wells. But we are not seeing the need for this with this application. At some point, the Board may want to offer some mitigation for some of the applications for pools.

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Solicitor Frank stated with our annual report, we can make a suggestion that the governing body adopt an ordinance for higher impervious coverage for mitigating items for water runoff. Engineer Dougherty stated impervious coverage leads to flooding, so that would be helpful.

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

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 Mr. Cartier, seconded by Mr. Puccio to close public comment. Motion unanimously approved by all members present.

Solicitor Frank stated this is a C2 variance with benefits versus detriments analysis. The applicant has amenities that are common to her neighborhood. The detriments are not significant.

It was the Motion of Mr. Puccio, seconded by Mr. Cartier to approve application ZB#2021-12.

Upon roll call, the Board voted as follows:

YEAS: Puccio, Cartier, Haas, Sovak, Patel

NOES: None

ABSTAIN: None

ABSENT: Buddenbaum, Lutz

OTHER BUSINESS

There was no other business discussed.

PUBLIC COMMENT

It was the Motion of Mr. Cartier, seconded by Mr. Sovak 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 Mr. Cartier, seconded by Mr. Haas to close public comment. Motion unanimously approved by all members present.

ADJOURNMENT

It was the Motion of Mr. Sovak, seconded by Mr. Cartier to adjourn the meeting at 8:22 p.m. Motion unanimously approved by all members present.

Larry Lutz, Secretary

/kf