

1.

Florence, New Jersey 08518-2323
January 10, 2022

The Reorganization meeting of the Florence Township Board of Adjustment was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Solicitor Frank called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Board Clerk Federico 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	Daniel Studzinski
Gina Sullivan	

Absent: Lou Sovak, Kevin Minton

Also Present: Solicitor David Frank
Engineer Hugh Dougherty
Planner Barbara Fegley

SWEARING IN OF NEW MEMBERS

Solicitor Frank administered the Oath of Office to Brett Buddenbaum for a 4-year term, expiring 12/31/2025; Daniel Studzinski to an unexpired term expiring 12/31/2024; and Gina Sullivan as Alt. #1 for a 2-year term expiring 12/31/2023.

ELECTION OF OFFICERS FOR 2022

Solicitor Frank called for nominations for Chairman of the Board for the year of 2022.

It was the Motion of Mr. Buddenbaum, seconded by Mr. Cartier to nominate Larry Lutz as Chairman. There were no further nominations. Motion unanimously approved by all members present. Mr. Lutz accepted the nomination, thanked the Board and was seated as Chairman.

Chairman Lutz called for nominations for Vice Chairman of the Board. It was the Motion of Mr. Cartier, seconded by Mr. Puccio to nominate Brett Buddenbaum as Vice Chairman. There were no further nominations. Motion unanimously approved by all members present. Mr. Buddenbaum accepted the nomination and thanked the Board.

Chairman Lutz called for nominations for Board Secretary. It was the Motion of Mr. Patel, seconded by Mr. Cartier to nominate Dennis Puccio as Board Secretary. There were no further nominations. Motion unanimously approved by all members present. Mr. Puccio accepted the nomination and thanked the Board.

APPOINTMENT OF PROFESSIONAL STAFF

It was the Motion of Mr. Cartier, seconded by Vice Chair Buddenbaum to reappoint David Frank as Board Solicitor; Hugh Dougherty as Board Engineer, and Barbara Fegley as Board Planner. Motion unanimously approved by all those present.

2.

RESOLUTIONS

- A. Resolution ZB-2022-01 - Authorizing the appointment of Zoning Board of Adjustment Solicitor, Engineer and Planner

It was the Motion of Mr. Cartier, seconded by Mr. Puccio to approve Resolution ZB-2022-01. Motion unanimously approved by all members present.

- B. Resolution ZB-2022-02 – Establishing the Annual Schedule of regular meetings and other policies relating to the New Jersey Open Public Meetings Act

It was the Motion of Mr. Puccio, seconded by Mr. Cartier to approve Resolution ZB-2022-02. Motion unanimously approved by all members present.

- C. Resolution ZB-2022-03 – Adopting rules and regulations for submission and review of applications before the Florence Township Zoning Board of Adjustment

It was the Motion of Mr. Cartier, seconded by Mr. Puccio to approve Resolution ZB-2022-03. Motion unanimously approved by all members present.

- D. Resolution ZB-2022-04: Approval granted to Joe Gallina for Bulk Variance for impervious coverage and setbacks for already constructed shed and concrete patio on property located at 6 Pelle Court, Florence; Block 95, Lot 20.

It was the Motion of Mr. Puccio, seconded by Vice Chair Buddenbaum to approve Resolution ZB-2022-04.

Upon roll call, the Board voted as follows:

YEAS: Puccio, Buddenbaum, Cartier, Patel, Lutz

NOES: None

ABSENT: Sovak

MINUTES

It was the Motion of Mr. Cartier, seconded by Mr. Puccio to approve the minutes from the Regular Meeting of December 6, 2021. Motion unanimously approved by all members present.

CORRESPONDENCE

- A. Notice of application to Burlington Twp. Planning Board by LIT MRPI for 1900 River Road

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

APPLICATIONS

- A. Application ZB#2021-14: Application by NFI Real Estate, LLC for Preliminary Major Site Plan with Use Variance to construct a warehouse in Mansfield Township with basins, parking and associated improvements to be located in Florence Township on property located at 1091 Florence Columbus Road, Florence Township. (Wainwright Tract); Block 167.01, Lots 2.01, 2.05, 3.01, 3.02 & 4.

- B. Application ZB#2021-13: Application by NFI Real Estate, LLC for Preliminary Major Site Plan with Height Variance to construct two warehouses, a portion of one will be located in Mansfield Township, on property located at 2115 Burlington Columbus Road, Florence Township. (Lounsberry Tract); Block 168, Lots 5.01, 5.02, 6, 8 & 11.

3.

Solicitor Frank noted for the record that the applicant did not complete their noticing for either of their applications; therefore, the Board is unable to take jurisdiction of these applications. We will wait for the applicant to provide their notices for both application.

OTHER BUSINESS

A. 2021 Annual Report

Engineer Dougherty stated that because the number of applications we are seeing requesting impervious coverage variance, where in some instances the coverage was quite a bit, that the Board may possibly want to look into requiring certain types of green infrastructure to help with additional water runoff that may be created by these impervious cover improvements. As residents slowly get approvals to put amenities in back yards exceeding impervious coverage, and if everyone does this, there is going to be an issue with incrementally increasing runoff in neighborhoods which could lead to flooding. Because of Covid, people are improving back yards to stay home and be self-contained. We already have to compensate for commercial impervious parking lots, buildings etc., so we should have to do the same for residential. This can be done in the way of a cistern or dry well pipe in ground or above ground rain barrels that will collect water and allow it to slowly seep out. Rain barrels could also hold water for home owners to use elsewhere, such as to water gardens. These are things that can be designed by an applicant's engineer or pool company. Because of the amount of impervious cover on a property, these items would be deed restricted. In addition to these provided items, there are opportunities to provide infiltration through porous sidewalk and patio pavers. He suggested these items would be deed restricted too. Even if a resident is not exceeding his impervious cover by using these materials, it would have to be deed restricted so a new owner can't take out the pervious material and put in impervious material. The Board can decide on what green infiltration should be used as a case by case and not decide on one specific thing to be used. It could be an applicant whose property has difficult soil that is not porous would need a specific type of green infiltration that would work best for this situation. This would be an amendment to our ordinance to include types of mitigation for water runoff. Because an applicant is coming to us for a variance, we can request mitigation. He believes the Board should make this a part of our ordinance, so as to be more consistent.

Solicitor Frank explained there are 3 bodies involved in land use: the Planning Board develops the Master Plan, which is about where the township is and where we want it to go; the Governing Body, Township Council, adopts ordinances to comply the Master Plan; and there is the Zoning Board who grants variances to the township's ordinances. We have an opportunity every year as a Board to tell the Governing Body about the applications that have come before the Board. The Annual Report is our how we let them know that information. We can ask the Governing Body that there be an ordinance regarding the mitigating ways for additional water runoff when impervious coverage is being sought. This would formalize the Zoning Board making this as a conditional approval on a case-by-case basis.

Planner Fegley mentioned the Planning Board is currently working on a new Master Plan which has many elements. They have reviewed the previous Master Plan reexaminations and have a list of items they are looking to put into Land Use element. A few of these are: what items are considered impervious; pole barns specifications; and now mitigating items for impervious coverage. We will be adding these to the Land Use element as recommendation for ordinance changes to council.

4.

Solicitor Frank asked if it is the Board's desire to include this information in our annual report?

Chairman Lutz stated he thinks it is something to be included because the majority of applications are for impervious coverage. Mr. Studzinsky stated he likes that there would be different options for mitigation depending on the application.

All members agree that this information should be included with the report.

Engineer Dougherty stated this is a good time to be implementing this with the new DEP regulations coming out because of climate changes and flooding issues. He added the township is not at the point of tipping the scales yet. Some of the applications have been in areas that have central retention basins and most of the neighboring homes are not close to their impervious maximum percentage. Developments have been designed so if all properties hit the maximum impervious cover percentage, the retention basins can handle it. But if all properties begin to exceed that maximum percentage, the basins will not be able to withstand the additional runoff.

PUBLIC COMMENT

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

The Zoom moderator confirmed that no one was being muted by us.

Bryan Hewitt of 1080 Grove Street was sworn in by Solicitor Frank. Mr. Hewitt stated he heard a lot about impervious coverage for residential tonight, but asked what are we looking at for commercial applications; such as pervious sidewalks. And are we thinking of making any changes to what is currently being done with commercial applications. Solicitor Frank stated when we are faced with commercial development, a site plan design is submitted and that all DEP's rules are applicable. Our professionals do an extensive review of that site plan. The applicant is required to address total flows, infiltration, water quality, etc. He explained that what the Board is talking about tonight, is residential applications where they are looking to exceed the maximum impervious coverage allowed on their property. The Board is looking to see what can be done to help mitigate runoff. Mr. Hewitt stated this will make it easier to get variances. Solicitor Frank stated it's not to make it easier, but more orderly because there will be ordinances to help guide the resident as to what they will need to do to get what they are asking for.

Hearing no one else wishing to speak, it was the Motion of Vice Chair Buddenbaum, 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 Vice Chair Buddenbaum to adjourn the meeting at 8:08 p.m. Motion unanimously approved by all members present.

Dennis Puccio, Secretary

/kf