

PLANNING/ZONING

MEETING MINUTES

JULY 09, 2020

The July 09, 2020 meeting of the Clementon Planning/Zoning Board was called to order by Chairman Feldman. It was announced that the meeting has been properly advertised and posted Pursuant to N.J.S.A. 10:4-6, The Open Public Meetings Act. The meeting was then opened with a salute to the flag and called to order by Chairman Feldman at 1903hrs.

Roll Call: Chairman Feldman, Vice Chairman Kunkel, Secretary McKelvey, Member Armbruster, Member Kuns, Solicitor Rhodes, Bach Engineer, Anthony DiRosa ; present Member Shover, Member Naurath, Mayor Weaver, Member Lofland; Absent

Chairman Feldman asked if all members reviewed the minutes and if there are any changes hearing none asked for a motion of approval for May 14, 2020 minutes, Member Armbruster motioned to approve 2<sup>nd</sup> by Secretary McKelvey and roll call was called upon; Chairman Feldman, Secretary McKelvey, Member Armbruster; Ayes, Member Kuns, Vice Chairman Kunkel; Abstain Chairman Feldman states that motion is carried

How about the approval of the June 11, 2020 which was a special meeting for 165 White Horse Pike, Member Armbruster motioned to approve, 2<sup>nd</sup> by Vice Chairman Kunkel and motion was carried upon roll call, Chairman Feldman, Vice Chairman Kunkel, Secretary McKelvey, Member Armbruster, Member Kuns; Ayes

There is no old business so on to Variances

24 Erial Rd Thomia West fence variance

*Chairman Feldman:* If you can see on the survey I had dealings with the applicant so if anyone on the Board would like me to recuse myself? No one has a problem with this. Go ahead Ms. West

*Ms West:* Yes, I want to petition to put up a 6ft fence especially on the left hand side of my property. I have an issue with the neighbors and their pigs, and school time the kids are constantly cutting through the property.

*Chairman Feldman:* What type of fence did you have in mind? And only down the left side?

*Ms. West:* A wood fence pressure treated. Only need on left hand side of the property. I feel this is the best course of action to make me feel comfortable.

*Chairman Feldman:* Do you plan to run the fence the entire length of the property line from back to front? Adams Alley Ave to Erial Rd, So is the front of house on Erial Rd or Adams Alley?

*Ms. West:* So if say where the mailbox is and where I park I would say it's on Adams Alley, left hand side me facing Adams Alley, Princeton Rd side, northern side of property.

*Chairman Feldman:* You thing board on board type of stockade style?

*Ms. West:* I will do a board on board

*Chairman Feldman:* Any additional comments or questions from the board members?

*Vice Chairman Kunkel:* On that side of the property, you thinking putting any gates in or solid fence?

*Ms. West:* Just a solid fence

*Solicitor Rhodes:* According to the survey it shows a wire fence there at this time is that yours or the neighbors? You will take this out when you install other fence?

*Ms. West:* Yes it is mine I installed a temporary fence because I was having an issue it's been there for about 2-3 months, so where that is, is where I will put the permanent fence. Yes it will be taken out.

*Miles Dumbleton:* So I have one thing to mention. So Erial Rd is her front yard, so what we are saying is she is going to have a 6ft fence from Adams Alley all the way down to Erial Rd. So 6ft fence will be in the front yard. Normally it stops at the front of the house and will have to be less than 6ft in front of house. I was just pointing that out

*Ms. West:* If that is an issue I can certainly do a 6ft fence to that point and go down to 4ft. I just need a fence up at this point.

*Solicitor Rhodes:* Do you think that would meet your needs?

*Ms. West:* Not in it's entirely but half my needs, its more towards Erial Rd is where I have the issue.

*Vice Chairman Kunkel:* There won't be a problem with fence going all the way down to Erial road with sight I don't see a problem there.

*Member Armbruster:* Gave history regarding his purchased corner property and being that front was on one street was granted a 6ft fence 10 ft away from side street.

*Chairman Feldman:* Anything else from the Board Members? Hearing none I will close to the Board and open to the public. Is there anyone in the audience here regarding this particular application? Hearing none I will turn it back to the Board and ask for a motion to approve; Vice Chairman Kunkel motioned to approve 2<sup>nd</sup> by Secretary McKelvey and motion was carried upon roll call; Chairman Feldman, Vice Chairman Kunkel, Secretary McKelvey, Member Kuns: Ayes, Member Armbruster; Abstain

*Chairman Feldman:* Explained the 45 day appeal process to Ms. West

*Chairman Feldman:* Next on the agenda is 54 Woodland Ave Jessica Cheeseman fence variance

*Jessica Cheeseman:* I hope everyone is well, thanks for having me, I am requesting a 6ft white vinyl fence to replace a 4ft wire fence in the rear yard, the purpose of the fence is because the majority of my back yard sits to the side of the yard and there is no privacy for my child to play in the yard. Another reason is because our house sits on 2 levels and our street is not signed as a dead end street , a lot of people come down and have to turn around in front of our house, and I don't feel safe.

*Solicitor Rhodes:* Where is this going to go, just the rear part of the property?

*Jessica Cheeseman:* Yes, it is just the rear part of the house it does not come up to the front of the house. I handed it from google earth picture and where fence will go.

*Chairman Feldman:* You are replacing it exactly where the 4ft wire fence is now? I have a problem with that. The wire fence on left hand side is encroaching on Laurel Ave about 2ft.

*Jessica Cheeseman:* Actually we are bringing it in on that side because the wire fence post are cemented into cinder blocks and we cannot get them out so it will not be encroaching. The fence has been there for a long time.

*Chairman Feldman:* And the other side looks like you can move it closer to the line at least a couple of feet anyway

*Vice Chairman Kunkel:* The fence that is in the cinder block are you going to cut that off?

*Jessica Cheeseman:* Yes

*Chairman Feldman:* Are you going to put fence around front of the house or just 2 sides and the rear?

*Jessica Cheeseman:* Just the two sides and the one across the back. Not in the front

*Chairman Feldman:* Will it be professionally installed or will you be installing?

*Jessica Cheeseman:* No we will be having it professionally installed.

*Vice Chairman Kunkel:* Will you have gates going out to the front of your yard, and or rear to property?

*Jessica Cheeseman:* Yes, two 3ft fences will be going up

*Chairman Feldman:* Any other questions from the Board Members? Comments concerns? Hearing none I am going to close to the Board and open to the public. Is there anyone here in regards to this application? Hearing none I will turn back to Board and ask the board to make a motion to approve this application; Vice Chairman Kunkel motioned to approve 2<sup>nd</sup> by Secretary McKelvey, motion was carried upon roll call; Chairman Feldman, Vice Chairman Kunkel, Secretary McKelvey, Member Kuns: Ayes, Member Armbruster; Abstain

Chairman Feldman asked Jessica if she heard from the last applicant regarding 45 day appeal, she agreed she heard and understood

Chairman Feldman asked if any zoning issues to report:

*Miles Dumbleton:* Mercantile applications now require fingerprinting per police department. I spoke with someone today regarding CJ Bok they want to try to do some type of little restaurant there.

*Vice Chairman Kunkel:* How about Gambale's and the wood business

*Miles Dumbleton:* I have about 6 violations there regarding same, had them in court a while ago so he threw out George Botcheos as his attorney so it went to Pine Hill Court and I spoke to Donna and hadn't heard anything back yet. She will reach out to them and noticed they have more wood there. He was supposed to apply for variance and mercantile regarding this business and to date nothing submitted.

*Member Armbruster:* Is it possible since he is in violation to pull all his mercantile at this location? And shut him down to force him into it.

*Miles Dumbleton:* I will reach out to George and see if this is an option

*Vice Chairman Kunkel:* What other business does he have there?

*Member Armbruster:* The construction and asphalt business, cast molding, wasn't approved for construction business 2 non approved business out of there. They need to start complying.

*Member Kuns:* Has Mike Fink made any payments for the taxes Mark?

*Member Armbruster:* To my understanding they will be paid prior to any work being done, or permits being issued as of today nothing so far.

*Vice Chairman Kunkel:* What about the Park?

*Member Armbruster:* To my understanding they refuse to do any work and the Borough has been cutting the grass. Miles did site them their response was less than acceptable. Looking to get court order for them to maintain the property. They don't seem to care.

*Vice Chairman Kunkel:* Looks like someone is still living in the house and they have guards at night.

*Miles:* Yes, Dan is still living in the house

*Member Armbruster:* And is that even legal with the business being closed down it is not separate from the business? It's not a residence. We need to use tools to make them come to compliance

*Member Kuns:* Can we get an outside source to cut grass?

*Member Armbruster:* We can but are going to pay a very high fee and Borough will have to pay fee, and we will only get that back if the property is sold. It will come out of tax payers pockets.

*Vice Chairman Kunkel:* How about imminent domain?

Member Armbruster: we are not at that point yet, it is viable property, I can't see anyone buying an amusement park at this time with everything going on, would not be able to operate.

Chairman Feldman: Anything else from anyone else? I have a question for Mr. DiRosa, did you get my text regarding White Horse Pike lack of silt fence.

Anthony DiRosa: We have been in contact with the owner there and he assured us he was paying escrows and inspection fees starting 2 weeks from now he will have material on site to start construction, and we will make sure there is adequate silt fencing.

Chairman Feldman; the problem is I was out there today and they have done a lot of excavating there are piles of dirt lying about and we are going to get a lot of rain in the next few days and wondering who is going to be responsible for the cleanup.

Member Armbruster: Joe I took pictures the day before yesterday sent pictures to Construction department to reach out to owner to maintain the silt fence.

Chairman Feldman: Ok anyone in the public hearing none can I have a motion to adjourn? Vice Chairman Kunkel motioned followed by all AYES.

A handwritten signature in cursive script, reading "Adrienne Guernsey". The signature is written in black ink on a white background.