

JOINT LAND USE BOARD

MEETING MINUTES

JULY 10, 2025

The July 10, 2025 meeting of the Clementon Joint Land Use Board was called to order by Chairwoman Lofland. It was announced that the meeting has been properly advertised and posted pursuant to the N.J.S.A. 10:4-6, The Open Public Meetings Act. The meeting then opened with the salute to the flag and called to order at 6:35 p.m. by Chairwoman Lofland.

ROLL CALL: In attendance Chairwoman Lofland, Vice-Chairman Kunkel, Secretary Taylor, Member Franks, Member McKelvey, Member Galezniak, Alternate D'Amato, Alternate Freiling. Absent: Mayor Weaver. Member Saunders arrived at 6:50 p.m. Also, in attendance Solicitor Rhodes and Steve Bach from Bach Associates.

MINUTES OF THE JUNE 12, 2025 PLANNING/ZONING MEETING: Vice-Chairman Kunkel motioned to approve with a second by Secretary Taylor and motion was carried upon the call of roll. Ayes: Vice-Chairman Kunkel, Secretary Taylor, Member Franks, Member Galezniak and Alternate Freiling. Abstaining was Chairwoman Lofland, Member McKelvey and Alternate D'Amato.

OLD BUSINESS: NONE.

NEW BUSINESS:

PURCHASE OF GROUND – CHRIS HAMMOND – HIGGING AVENUE

Discussion started off with Mr. Bach of Bach Associates advising that Block 75, Lot 17 is a Township owned property right adjacent to the entrance of Rowand Pond and is adjacent to Mr. Hammond's home.

Chairwoman Lofland stated that it is right between his home and the driveway.

Mr. Bach stated that the Borough reviewed as requested our recreational open space inventory and this is not an open space recreational inventory. We also conferred with the engineer committee as well and the Public Works Director. There is no sanitary sewer, no storms are on the site. There is possibly along the frontage if it is not in the right-of-way, it is just outside of the right-of-way. There might be a possibility of a fire hydrant and some water mains. Mr. Bach went on to state if the Board would have no objections it is not on any of our open space and if it is not for any other purpose we have in our master plan, we would have no objection to the Borough considering. Ultimately, it is the Mayor and Council's decision.

Mr. Bach advised that a resolution would need to be written and conditions would need to be met. Buyer would have to obtain a survey which would depict the actual location to make sure it does not interfere with the driveway and that it would also locate the hydrant and the water main. Public works advised that they are willing to assist the potential buyer to help trace and show where the water main is underground. If the water main is on the subject property, an easement would have to be done.

It was noted that the potential buyer would have to go through the proper channels if an accessory building was to be placed onto the property in question. (i.e. Grading and a variance). Mr. Bach advised that the Administrator wanted the Land Use Board to weigh in as to if the Planning/Zoning Board had an objection to the sale of this property. Chairwoman Lofland stated that she would have no objections as long as it doesn't impact the entrance to the pond. Mr. Bach stated that that would be a condition. Survey

once completed would have to be submitted to the Borough and does not have to come back to the Land Use Board.

Chairwoman Lofland asks for a motion to approve. Member Franks makes the motion to approve and Vice-Chairman Kunkel seconded. All Ayes: Chairwoman Lofland, Vice-Chairman Kunkel, Secretary Taylor, Member Franks, Member McKelvey, Member Galezniak, Alternate D'Amato, Alternate Freiling.

FRANK PARADISO: 2 HIGGINS AVENUE – USE VARIANCE:

Solicitor Rhodes asks the applicant, Mr. Paradiso is he will be the only one testifying as to this variance. Mr. Paradiso replies yes. Solicitor Rhodes swears in Mr. Paradiso. Mr. Bach is sworn in as well.

Chairwoman Lofland announces to the Board that Mr. Paradiso's application is for a use variance to permit a shipping container to be used for storage, which is not permitted in an R-2 zone.

Chairwoman Lofland asks Mr. Paradiso to proceed with his testimony. Mr. Paradiso advises that he purchased the container about four or five years ago and that he had it in his driveway ever since but then approximately about a month ago he was cited for it being there. Mr. Paradiso explained that he did not know that it was not allowed and this is why he was here for a variance.

Chairwoman Lofland advises Mr. Paradiso that she was by his property earlier in the day and that she noticed that he also had a garage type of structure. Mr. Paradiso replied it is a shed. Chairwoman Lofland asked Mr. Paradiso why this sea box was necessary. Mr. Paradiso replied for storage. Member Galezniak asked Mr. Paradiso if he owned the box. Mr. Paradiso replied yes, I do, I bought it. Member Saunders asked Mr. Paradiso how big the box is. Mr. Paradiso replied 20-footer by 8 or 7.

Mr. Bach enters pictures of the subject matter. They were entered as exhibits 1 and 2. Mr. Bach asks Mr. Paradiso if the pictures depict his front driveway with the existing shed and sea box. Mr. Paradiso replies that is correct and allows Mr. Bach to give the photographs to the board for review. Mr. Bach then advises Chairwoman Lofland that the applicant, Mr. Paradiso will absolutely have additional time and opportunity to testify and make comments in support of his application. Mr. Bach referred to his review letter, which was prepared July 3, 2025 and read part of his review letter, which stated our ordinance as to accessory structures. Accessory structures are pertinent structures, which means they are permanently affixed. Sea boxes are not a permanent structure and that is why a use variance is required.

Mr. Bach went on to say that the applicant would have to demonstrate positive and negative criteria and that there are special reasons for the Board to approve this as a use to have this storage sea box on this residential property where it is not permitted. Also, can the Board grant this variance without the substantial detriment to the good of the public, and will the variance substantially impair the intent purpose of the zoning map and the ordinance. The ordinance actually says what is permitted in the R-2 Zone, which is permanently affixed to the earth and what is an accessory building. Mr. Bach asked the applicant is there anything he can provide as to testimony that says why this should be permitted to go with the land.

These types of land approvals do not go to an individual property owner, it goes with the land. When the Board deliberates they look about this parcel of land and this residential zone and why this type of structure is appropriate and meets the criteria. Mr. Bach explained to Mr. Paradiso that the land whether he is there or not and that anyone can have that sea box in perpetuity and that is why his is here for a use variance versus any other kind of relief. Mr. Bach asked Mr. Paradiso was there anything he would like to add.

Mr. Paradiso stated that he would like to have a little shop in the white building and that he is moving stuff in there so he can have room. He only has so much room. Mr. Bach stated the white building he has is big enough to be characterized as a garage. Mr. Bach asked if Mr. Paradiso had any other buildings. Mr. Paradiso replied no.

Mr. Bach stated that in the interpretation, in his opinion, that this is not an accessory structure, this is not a pertinent structure, and this is not what it is characterized and that the Board may approve a variance but it is the Board's deliberations to do so. Mr. Bach suggested that if Mr. Paradiso is unsuccessful, that he cannot instead of the sea box (and he knows he bought it) he should have a buy right to put an additional storage shed but it would not be a sea box if Mr. Paradiso was unsuccessful. Mr. Bach then stated that is all he had.

Mr. Rhodes then explained to Mr. Paradiso that him as the applicant needs to show why special reasons why the sea box should be there. Not personal reasons or that it is convenient to Mr. Paradiso. A reason why it would support the ordinance. Reason why the ordinance exception if granted wouldn't prohibit impact. Mr. Rhodes explained that the variance requires five affirmative votes, not majority and that if Mr. Paradiso would like to consult an attorney that the Board would postpone the hearing as once the Board decides it is decided and that he cannot come back next month and say that he thought of additional things. Mr. Paradiso replied okay.

Member Saunders asked Mr. Paradiso if he could put another structure up. Mr. Paradiso stated that he does not have the finances to do so. Member Galezniak asked Mr. Paradiso why he couldn't make it look like a shed. Mr. Paradiso advised that he could do that. He can paint it and put a roof on it. Mr. Bach advised that it would have to be on a permanent foundation and would have to be residential in character.

Chairwoman Lofland advised that Mr. Paradiso's application said portable. Mr. Bach advised that is why he brought it up. Mr. Bach advised Mr. Paradiso again it would have to put it on a permanent foundation and skin it to make it look like a residential structure. Mr. Bach believes that it would be harder to do that then just getting a residential structure by the time he tries to retrofit it. Mr. Paradiso stated a foundation would "kill him".

Mr. Bach asked Mr. Paradiso if he would like to proceed and see what the board votes or would he like to continue it to the next meeting. Mr. Paradiso could come by himself or with someone else but he would have more time and you would be properly advised by his solicitor. Mr. Paradiso asked about putting wheels under it. Mr. Bach advised that is not permanently affixed. Mr. Bach and Chairwoman Lofland advised Mr. Paradiso portable is not permitted. Mr. Paradiso asked if it would fall under RV and things like that. Mr. Bach replied "this is not an RV."

Member Franks asked Mr. Paradiso if it has to do anything with his job. Mr. Paradiso advised that he does keep some things in there for work. He also has garden equipment in there. Member Franks asked if there was anyway he could put a foundation under there. Mr. Paradiso replied I have to move it. Member Galezniak asked how long it had been there. Mr. Paradiso replied 5 years. Member Galezniak also asked if Mr. Paradiso had complaints from neighbors. Mr. Paradiso replied no.

Mr. Bach asked Mr. Paradiso if he would like to come back next month. Mr. Paradiso replied that he will have to come back. Mr. Bach advised the Board that it would be appropriate to have a motion to continue the hearing until the August 14th at 6:30 pm and this would be notification to anyone in the public and no additional notice will be required and this will be the only notification required. This announcement to the public this evening.

Chairwoman Lofland asked for a motion to approve. Vice-Chairman Kunkel made a motion to approve, Member Franks seconded. All Ayes: Chairwoman Lofland, Vice-Chairman Kunkel, Secretary Taylor, Member Franks, Member Saunders, Member Galezniak, Alternate Freiling.

PUBLIC PORTION: No one from the public was in attendance.

OTHER MATTERS: None.

ZONING REPORT: No report was given at this time.

Vice-Chairman Kunkel motioned to adjourn the meeting at 7:10 pm, seconded by Member McKelvey and hearing none opposed, motion was carried.

Lisa West



Planning/Zoning Board Secretary