

**LAND USE BOARD
MINUTES
October 15, 2014**

CALL TO ORDER

OPEN PUBLIC MEETINGS STATEMENT

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Borough Clerk in the following manner.

- A. Posting written notice on the official bulletin board at the Palmyra Borough Hall on January 16, 2014.
- B. Mailing written notice to the Burlington County Times and the Courier Post Newspaper on January 16, 2014.
- C. Notice to All Board Members.

PLEDGE OF ALLEGIANCE.

ROLL CALL:

PRESENT: Chairwoman Locke, Vice-Chairman Beck, Mrs. Byrem, Mrs. Barron, Mr. O’Kane, Mr. Dreby, Mr. Gural, Mrs. Myers, Mr. Blaisdell.

ABSENT: Mayor Scheffler, Mr. Stokes, Mrs. Tait, Council President Riener.

SWEARING OF NEW MEMBER.

- A. Mr. Drollas swore in Andrew Blaisdell as Alternate #4 to the Land Use Board.

APPROVAL OF MINUTES. Mr. Dreby made a motion to approve the minutes from July 16, 2014, Vice-Chairman Beck second the motion. All members present voted in favor of the motion. Mr. O’Kane and Mr. Blaisdell abstained from the vote.

BOROUGH COUNCIL UPDATE. Mr. Gural reported that council is working on the sidewalk ordinance and that draft 4 was introduced at the council meeting and is on the agenda of the November 17th meeting for second reading. The fence ordinance is not ready for introduction yet. Chairwoman Locke inquired if the board had any comments about the sidewalk ordinance. Mr. Hirsch had given his comments back in June and most of them were incorporated into the draft. Mrs. Barron inquired about the reduction in the concrete. Mr. Gural explained that the change was made so that homeowners could do the repairs themselves. Mrs. Barron inquired why the lien for non-payment of a repair was removed from draft 4. Mr. Gural explained that was one of the major reasons that a new ordinance had to be introduced; council does not want to burden the homeowners. Mr. O’Kane discussed that not all homeowners are responsible for their sidewalks out front. Mr. Hirsch explained that the sidewalks and trees are in the Borough’s right of way. Mr. O’Kane explained that on Washington Avenue the owner’s responsibility line stops at the front yard. Mr. Gural discussed that Washington Avenue is different from the rest of the Borough with trees and sidewalks. Council wants the ordinance to have the least financial impact

as possible on the residents. Mr. Gural discussed that the residents and the school children have the right to walk on safe sidewalks. Mrs. Myers inquired if the Borough cuts down the tree, whom is responsible for removing the roots under the sidewalk. Mr. Gural replied that the Borough will lift the sidewalk pads if the contractor is going to cut the roots, so that the sidewalk can be laid back down. The Borough takes no responsibility if the sidewalk breaks. Mr. Blaisdell inquired about corner properties and the new ADA ramps placed on the corners. Mr. Gural explained that those corners are not addressed in the ordinance, but they have to be maintained by the Borough.

NEW BUSINESS.

A. Raymond P. Grazel-2014-2-Driveway and fence bulk variance-621 Washington Avenue.

Mr. Drollas swore in Mr. Grazel. Mr. Grazel explained that he moved here over the summer and has no real off-street parking. He would like to put in an apron cut and new driveway. The driveway would be too close to the neighbor's property line. Mr. Grazel discussed that his neighbor has his concrete driveway right up against the fence and has no problem with the application. Mr. Hirsch (engineer) inquired about the fence between the two properties and is it being replaced. Mr. Grazel replied that he is putting up a new fence in the same location. Mr. Hirsch discussed that the ordinance requires 18 feet deep driveway from the sidewalk, so that cars do not overhang the sidewalk. The ordinance does allow for a driveway to be installed against the property line if the adjoining neighbor's is up against the fence also. Mr. Grazel will need a variance for the width of driveway. Mr. O'Kane inquired if Mr. Grazel was requesting a variance for the driveway and apron. Vice-Chairman Beck inquired as to the height of the fence. Mr. Grazel replied that he is putting the same size back; it will be 4 feet in front and 6 feet in back. Mrs. Myers inquired as to what type of business is next door. Mr. Dreby inquired if the fence that is there now is between the two driveways and now will be 18 feet will it infer with neighbors. Mr. Grazel explained that there are no other residents on that block.

Mr. O'Kane made a motion to open the application to the public, Mr. Dreby second the motion. All members present voted in favor of the motion.

No one from the public wishing to be heard, Vice-Chairman Beck made a motion to close the public portion, Mrs. Barron second the motion. All members present voted in favor of the motion.

Mr. Drollas reviewed for the board what they would be approving; motion to approve bulk variance subject to engineers report for width of parking space, length of driveway and to allow the driveway to be against the property line. Mrs. Myers made a motion to approve the application, Mr. O'Kane second the motion. At the call of the roll, the vote was:

AYES: Chairwoman Locke, Vice Chairman Beck, Mr. Blaisdell, Mr. O'Kane, Mrs. Barron, Mrs. Byrem, Mr. Dreby, Mr. Gural, Mrs. Myers.

NAYES: None.

MATTERS TO BE PRESENTED BY THE PUBLIC. Vice Chairman Beck made a motion to open the meeting to the public, Mrs. Barron second the motion. All members present voted in favor of the motion.

Mrs. Bannon-West 3rd Street discussed that an old tree was taken down in front of her house and that it took two (2) years of complaining to get it down. The roots are still there and the pavement is up about 4 inches due to the roots. Mrs. Bannon explained that she talked to Mrs. Nagle at Borough Hall and she suggested that they dig under the sidewalk. Mrs. Bannon has put in two requests to Mrs. Nagle at Borough Hall. Mrs. Bannon explained that she was not aware that they would be responsible for the repairs to the sidewalk. Mr. Gural discussed that it is a matter of concern and council is trying to balance the cost of the repairs. The State laws say that the Borough is not responsible for the sidewalk. Chairwoman Locke explained that the ordinance comes to the Land Use Board as proposed and the board gives comments, but that the ordinance is adopted by Borough Council. Mrs. Byrem discussed that years ago the trees weren't a problem but as they grow larger, the roots spread out under the sidewalks. The idea of lifting the sidewalks and shaving the roots is a good idea. Mrs. Myers explained that many times a residents homeowners will require the tree be taken down and the sidewalk repaired. Mr. Gural explained that the decision to take a tree down is the Borough's.

No one else from the public wishing to be heard, Mr. O'Kane made a motion to close the public portion, Mr. Dreby second the motion. All members present voted in favor of the motion.

ADJOURNMENT. Vice Chairman Beck made a motion to close the meeting, Mr. O'Kane second the motion. All members present voted in favor of the motion.