

**BOROUGH OF PALMYRA**  
**LAND USE BOARD MEETING**  
**March 17<sup>th</sup>, 2021-7:00 PM, VIA ZOOM**

**CALL TO ORDER**

The Borough of Palmyra Land Use Board Reorganization meeting was called to Order by Land Use Board Chairman, Lewis Yetter at 7:01 pm.

The pledge of Allegiance was recited.

**OPEN PUBLIC MEETINGS ACT**

Chairman Yetter read the following into the record:

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the Palmyra Land Use Board does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of the Board, this meeting of the Palmyra Land Use Board will be held Virtually. Members of the public are invited to “attend” the Virtual Land Use Board Meeting but all members of the public participating in the meeting may be muted and their video image disabled. Notice of this meeting was published in the Burlington County Times on January 26<sup>th</sup>, 2021. Notice was posted on the Municipal Door, Official Bulletin Board and electronic signs on February 19<sup>th</sup>, 2021 and the Borough of Palmyra Website on March 15<sup>th</sup>, 2021 and notice was given to all Land Use Board Members.

**ROLL CALL**

Secretary Jackson called the roll of the board:

PRESENT: Chairman Yetter, Vice-Chairman Beck, Mayor Tait, Councilwoman Cloud, Ms. O’Connor, Mr. O’Kane, Mr. Robinson, Mr. Rossignol, Mrs. Hui

ABSENT: Mr. Gural, Mrs. Melvin

## **APPROVAL OF THE MINUTES**

Chairman Yetter asked if there were any questions or comments regarding the November 18<sup>th</sup>, 2020 Land Use Board Meeting minutes. Hearing none, he requested a motion to approve the minutes as written. Mayor Tait made the motion to approve the minutes as written and Vice Chairman Beck second the motion. Chairman Yetter asked for a call of the roll.

### **At the call of the roll the vote was as follows:**

AYES: Chairman Yetter, Vice-Chairman Beck, Mayor Tait, Councilwoman Cloud, Ms. O'Connor, Mr. O'Kane, Mr. Robinson, Mr. Rossignol, Ms. Hui

NAY: None

Chairman Yetter asked if there were any questions or comments regarding the February 17<sup>th</sup>, 2021 Land Use Board Meeting minutes. Hearing none, he requested a motion to approve the minutes as written. Councilwoman Cloud made the motion to approve the minutes as written and Vice Chairman Beck second the motion. Chairman Yetter asked for a call of the roll.

### **At the call of the roll the vote was as follows:**

AYES: Chairman Yetter, Vice-Chairman Beck, Mayor Tait, Councilwoman Cloud, Mr. O'Kane, Mr. Robinson, Mr. Rossignol, Ms. Hui

NAY: None

Abstain: Ms. O'Connor

## **CORRESPONDENCE**

Borough Council - **Ordinance 2021-5** An Ordinance Amending the Borough of Palmyra Land Development Code Section 158-27(B) and the Route 73 South Redevelopment Plan to Permit Administrative Reviews and Approval of Minor Modifications and/or Field Changes Relating to Previously Approved Site Plans (Introduced at March 1<sup>st</sup>, 2021 Meeting of Borough Council the public hearing to be held on April 5<sup>th</sup>, 2021)

**AN ORDINANCE AMENDING THE BOROUGH OF PALMYRA LAND DEVELOPMENT CODE SECTION  
158-27(B) AND THE ROUTE 73 SOUTH REDEVELOPMENT PLAN  
TO PERMIT ADMINISTRATIVE REVIEW AND APPROVAL OF MINOR MODIFICATIONS AND/OR FIELD  
CHANGES RELATING TO PREVIOUSLY APPROVED SITE PLANS**

**WHEREAS**, the governing body of the Borough of Palmyra (“Governing Body”) adopted Section 158-27(B) of the Land Use Development Code setting forth the categories of development which require site plan approval; and

**WHEREAS**, the Governing Body adopted the Route 73 South Redevelopment Plan, along with subsequent revisions setting forth the categories of redevelopment which require site plan approval within the Route 73 South Redevelopment Area; and

**WHEREAS**, it has come to the attention of the Governing Body that it would be prudent to allow for certain types of modifications to previously approved site plans, as hereinafter designated, to be the subject of applications to the Land Use Board engineer for administrative approval so as to expedite the development and redevelopment process and conserve resources of the Governing Body, Land Use Board and developers in certain situations which do not otherwise require full site plan review by the Land Use Board because of the limited nature of the proposed changes to previously approved plans;

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Palmyra in the County of Burlington and State of New Jersey as follows:

1. All of the Paragraphs set forth above as recitals are incorporated herein and made a part hereof;

2. **Administrative Approval** – the Engineer for the Palmyra Land Use Board shall be and is hereby authorized to grant administrative approval with respect to applications for development and redevelopment with respect to the following:

A. Modifications or Alterations to site plans, buildings or structures which have previously received site plan approval from the Land Use Board where the Engineer for the Land Use Board determines that such alterations or modifications:

(i) Will conform to the bulk standards set forth in the Land Development Code or Redevelopment Plan, as amended; and

- (ii) Will not decrease the number of required off-street parking or loading spaces; and
- (iii) Involves building addition to nonresidential use of 1,000 square feet or 15% of total existing / approved floor area, whichever is less.
- (iv) Will not result in an increase in lot coverage; or
- (v) Other changes to the site plan or project which the Land Use Board Engineer deem sufficiently minor in nature so as not to require review by the Land Use Board

B. The application is one which seeks approval to phase a previously approved site plan. Minor modifications to the previously approved site plan shall be permitted as part of the phasing plan provided that no such modifications shall result in a violation of any of the bulk criteria set forth in the Land Use Ordinance or Route 73 South Redevelopment Plan, as amended, and each constituent phase for which approval is sought shall provide sufficient supportive infrastructure such as, without limitation, parking, loading, driveways, onsite circulation, stormwater management and any other infrastructure which in the reasonable opinion of the Land Use Board Engineer is necessary to support that constituent phase of development.

3. The Governing Body is adopting this ordinance in an effort to expedite the approval of minor changes to approved site plans.

4. Applicants requesting administrative review for minor revisions and/or additions to a site plan shall be required to submit a site plan application. This application shall be limited to the changes proposed and shall provide sufficient information to fully describe the changes proposed. The Land Use Board Engineer shall determine if an administrative remedy is appropriate for each particular case and shall be empowered to grant approval in lieu of Land Use Board action, if the application falls within the above criteria. The filing fee for any application for administrative approval shall be identical to the site plan application fee and the required escrow deposit shall be identical to the escrow that

would be required for the project as if it were the subject of a site plan application to the Land Use Board.

All other ordinances or prior portions of the Land Development Code and Route 73 South Redevelopment Plan in conflict or inconsistent with this ordinance are hereby modified to the extent of such conflict or inconsistency.

This ordinance shall take effect immediately upon final passage and publication according to law.

Chairman Yetter noted the email from Mr. Brewer explaining Ordinance 2021-5, noting in an effort to save time and allow projects to move forward without having to return to the Land Use Board for minor modifications, Mr. Winckowski would handle the minor modifications in the field and notify the Land Use Board of the changes made.

Chairman Yetter indicated on the agenda tonight there is a resolution regarding the consistency of proposed Ordinance 2021-05 with regards to the Master Plan.

Chairman Yetter read Resolution 2021-10 into the record:

**BOROUGH OF PALMYRA**

**LAND USE BOARD**

**RESOLUTION 2021-10**

**RESOLUTION REGARDING CONSISTENCY OF PROPOSED**

**ORDINANCE 2021-05 WITH MASTER PLAN**

**WHEREAS**, the Borough Council has referred Ordinance 2021-05 “An Ordinance Amending the Borough of Palmyra Land Development Code Section 158-27(B) and the Route 73 South Redevelopment Plan to Permit Administrative Review and Approval of Minor Modifications and/or Field Changes Relating to Previously Approved Site Plans”, for review by this Planning Board pursuant to N.J.S.A. 40A:12A-7(e) and the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., for review and identification of any provisions that are inconsistent with the Borough’s Master Plan and any other matters this Board deems relevant; and

**WHEREAS**, the Land Use Board has reviewed the aforesaid draft Ordinance and considered the matter at the public meeting held by the Land Use Board on March 17, 2021.

**NOW THEREFORE**, be it resolved by the Land Use Board of the Borough of Palmyra on this 17th day of March, 2021 that the proposed Ordinance 2021-05 is consistent with the Borough's Master Plan and it is the recommendation of the Land Use Board that Ordinance No. 2021-05 be adopted in its current form without revision.

Chairman Yetter asked if there were any comments or questions. Seeing none, Chairman Yetter asked for a motion to approve LUB Resolution 2021-10.

Vice-Chairman Beck made a motion to approve LUB Resolution 2021-10. Councilwoman Cloud second the motion.

Chairman Yetter asked for a roll call vote.

The call of the vote was as follows:

AYES: Chairman Yetter, Vice-Chairman Beck, Mayor Tait, Councilwoman Cloud, Ms. O'Connor, Mr. O'Kane, Mr. Robinson, Mr. Rossignol, Ms. Hui

NAY: None

#### **BOROUGH COUNCIL UPDATES**

Councilwoman Cloud indicated she had no updates to report.

Mayor Tait indicated the contractor has begun some pre-work on the Temple Blvd. reconstruction project and it should be in fully construction soon.

#### **OLD BUSINESS**

No old business

#### **PUBLIC COMMENT**

Chairman Yetter asked anyone making comments to state their name and address for the record.

Chairman Yetter asked for a motion to open to the public for comment.

Councilwoman Cloud made a motion to open the meeting to the public for comment. Vice Chairman Beck second the motion.

All voted in favor of the motion.

Please state your name and address for the record.

**Mr. Hanrahan** – Engineer TAC-PAL Project – Mr. Hanrahan asked if the Board was approving the Ordinance tonight. Mr. Carney indicated the Ordinance is for approval by the governing body. Mr. Carney stated the Land Use Board’s role tonight was to determine if Ordinance 2021-05 was consistent with the Borough’s Master Plan. Mr. Carney noted the governing body introduced Ordinance 2021-05 on March 1<sup>st</sup>,2021 and will have public comment and second reading on April 5<sup>th</sup>, 2021.

No one else wishing to make a comment, Chairman Yetter asked for a motion to close the public comment.

Mr. O’Kane made a motion to close the public comment. Councilwoman Cloud second the motion.

All voted in favor of the motion.

Having no further business, Chairman Yetter requested a motion to adjourn the meeting. Vice-Chairman Beck made a motion to adjourn the meeting. Councilwoman Cloud second the motion.

All voted in favor of the motion.

Meeting was adjourned at 7:12 pm

Respectfully Submitted,  
Doretha R. Jackson, RMC  
Land Use Board Secretary  
Borough of Palmyra