

## January 2010 -- Minutes

### BOROUGH OF PALMYRA LAND USE BOARD January 19, 2010 Re-Organization Minutes

Meeting was called to order by the Land Use Secretary Pamela Scott-Forman at 7:00 pm followed by the salute to the flag and the Open Public Meeting Statement.

Public Notice of this meeting pursuant to the Open Public Meetings Act, has been given by the Board Secretary in the following manner:

- A. Posting written Notice on the Official Bulletin Board at the Palmyra Borough Hall on December 29, 2009.
- B. Mailing written Notice to the Burlington County Times on December 29, 2009; for publication on December 31, 2009.
- C. Notice to All Board Members.

Mrs. Scott-Forman called on Mr. Andrew Brewer, Esq. to give the Oath of Office to the appointed members; followed by the alternate members.

Tim Beck (3 yr appointment)

Brian O'Kane (unexpired appointment 2010)

Alternate(s) 1 year appointments

1. Carol Dunn-Sanders
2. Michael Stokes
3. Bridget Elmes (EDC)

Mrs. Scott-Forman called the roll of the 2010 Land Use Board which was recorded as follows:

**Present:** Riener, Locke, Jackson, Beck, Neely, O'Kane, Dunn-Sanders, Stokes, Elmes

**Absent:** Gural, Norcross, McCleary

Mrs. Scott-Forman opened the floor to nominations for the Chairperson of the Board

Mrs. Locke moved a motion to appoint Carol Riener

Mr. O'Kane seconded

**YES** Locke, Jackson, Beck, Neely, O’Kane

**NO** none

**ABSTAIN** Riener

Mr. Andrew Brewer, Esq gave the Oath of Office for Chairperson and the meeting was turned over to Mrs. Riener.

Chairwoman Riener opened the floor for nominations for Vice Chair and nominated Mrs. Locke; no other nominations were heard.

Mr. Stokes seconded the nomination

Mr. Andrew Brewer, Esq gave the Oath of Office for the Vice Chair to Mrs. Locke.

Chairwoman Riener open nomination for Land Use Board Solicitor –

Proposals received from:

Andrew Brewer, Esq. Maraziti, Falcon & Healey

Anthony T. Drollas, Jr., Esq. Capehart Scatchard

Nominated by Vice Chair Locke to appoint: Andrew Brewer, Esq. of Maraziti, Falcon & Healey

Seconded by Ms. Jackson

Unanimous roll call vote to appoint Mr. Brewer

Chairwoman Riener open the nomination for Land Use Board Engineer –

Proposals received from:

David Denton, P.E. & P.P. Land Engineering & Surveying

Kevin Becica, PE, PP, CME Environmental Resolutions, Inc.

Nominated by Vice Chair Locke to appoint: David Denton, P.E., & P.P. of Land Engineering & Surveying Company, Inc.

Seconded by Mr. O’Kane

Unanimous roll call vote to appoint Mr. Denton

Chairwoman Riener proposed to the board to appoint a special projects engineer for large projects such as the redevelopment project and suggested Ms. Kevin Becica of Environmental Resolutions, Inc. Mr. Bill Kirschner was on hand to highlight Ms. Becica’s credentials.

Mr. Beck commented that having Ms. Becica to oversee the Redevelopment and Mr. Denton to oversee the Boards' monthly applications would be beneficial.

The Board members all agreed to appoint Ms. Becica.

Mr. Neely suggested the Chair vote last in case of a "deadlock" all Board members agreed.

The following resolutions were all approved by roll call vote with one abstention to each by Mr. Neely.

LUB Appointment Resolution R-2010/01 LUB appointing Andrew Brewer, Esq. as Land Use Board Solicitor

Vice Chair Locke moved the resolution

Mr. Beck

Unanimous roll call vote with one abstention

LUB Appointment Resolution R-2010/02 LUB appointing David Denton, P.E. & P.P. as Land Use Board Engineer

Vice Chair Locke moved the resolution

Mrs. Elmes seconded

Unanimous roll call vote with one abstention

LUB Appointment Resolution R-2010/03 LUB establishing schedule of 2010 regular meetings and designating the Burlington County Times as the official newspaper of the Land Use Board.

Vice Chair Locke moved the resolution

Mr. Beck seconded

Unanimous roll call vote with one abstention

LUB Appointment Resolution R-2010/04 LUB appointing Ms. Kevin Becica, P.E. P.P. as Special Land Use Board Engineer

Mr. Beck moved the resolution

Vice Chair Locke seconded

Unanimous roll call vote with one abstention

Mr. Brewer, Esq. swore in the Zoning Officer, Tracy Kilmer and Engineer, Dave Denton

Mr. Neely moved to approve the December 15, 2009 conference meeting minutes.

Ms. Jackson seconded (Gural, Elmes, Stokes)

Approved by roll call vote with abstentions from Mr. O’Kane, Mayor Gural, Ms. Elmes and Mr. Stokes

Mr. Neely moved to approve the December 15, 2009 meeting minutes. (Gural, Elmes, Stokes)

Mr. Beck seconded

Approved by roll call vote with abstentions from Mr. O’Kane, Mayor Gural, Ms. Elmes and Mr. Stokes

Chairwoman Riener asked for a motion to ratify; application 2009-09 Ken Smith, 419 Leconey Avenue: Block #85; Lot #5 Bulk variances for front and side yard set back (Gural, Elmes, Stokes, O’Kane)

Vice Chair Locke moved the motion for the resolution

Mr. Beck seconded

Approved by roll call vote with abstentions from Mr. O’Kane, Mayor Gural, Ms. Elmes and Mr. Stokes

Chairwoman Riener publicly thanked Mrs. Jamerson for all her hard work and dedication to the Land Use Board and her previous years as the Chair; she also wished her good luck in her State level appointment with the Eastern Stars.

Mayor Gural arrived to the meeting during Chairwoman Riener’s comments.

Mayor Gural also commented on Mrs. Jamerson’s years of dedication and commented that she was suggested to the Board by Mrs. Scott-Forman during her stint as a Councilwoman. He read the following into the record of the citation presented:

Borough of Palmyra, Burlington County, State of New Jersey  
Certificate of Appreciation presented to Tracey Jamerson

In recognition of your many years of outstanding service to the citizens of the Borough of Palmyra; as a past Chair and member of the Palmyra Land Use Board

Mrs. Jamerson was also presented with flowers.

Mrs. Jamerson thanked everyone and stated she was surprised when she got the call to be recognized; she also stated she would like to come back to the Board after her appointment is completed.

NO ONE objected.

Chairwoman Riener opened the floor to Mr. Kobolak (application 2007-10A) who was determined to be still under oath.

There was some question as to whether Mr. Kobolak needed to be represented by Counsel.

Chairwoman Riener questioned a copy of an easement.

Mr. Denton explained the alteration now complies and is on the submitted paperwork.

Mr. Kobolak explained the alternate method for attaching the sewer connection to the sewer line on Delaware Avenue which is through property they own.

Mr. Lavenberg, Borough Sewer Superintendent was sworn in by Mr. Brewer. Mr. Lavenberg stated that when he was approached by Mr. Kobolak it was more of an advisory and he was not aware of any proceedings before the board. He also stated he commented he would have difficulty going to Broad Street and questioned the possibility of Delaware Avenue since he owned the property. Mr. Lavenberg made it clear his authority begins at the main. He suggested having prior experience; easements are always best, but thought the current request to be the best option.

There were several questions to Mr. Lavenberg from board members for a more thorough understanding.

Chairwoman Riener thanked Mr. Lavenberg for coming to the meeting and clearing up the boards questions.

Mr. Denton the sewer connection will be totally disconnected and each property owner will have their own connections to the sewer. He spoke on a couple of other points already taken care of on the site plan.

There was some discussion about lot# 11 and parking to which Mr. Brewer stated it would be incumbent upon the applicant to prove an easement with lot #11 or the abandonment of an easement with current owner.

Chairwoman Riener commented to Mr. Kobolak to communicate with the Boards engineer and his with questions.

No members of the board had any questions.

Vice Chair Locke questioned if Mr. Kobolak and Mr. Shea will work on the walkway and then work with Mr. Denton. Mr. Kobolak replied yes.

Chairwoman Riener asked Mr. Denton to explain the process from this point forward so there are no other mix ups; to which Mr. Denton responded.

Mr. Denton stated he could continue with the process and that the change is a minor.

Vice Chair Locke questioned parking on lot # 10 and lot #11; she read from a copy of the easement; and then commented she didn't see the word parking.

Mr. Brewer replied under the current conditions it has been complied with. It can be part of the condition and the applicant can send demonstration it has been complied with or comply now. Parking isn't necessary and owners vacate the benefit they can do that and remove it as a condition if the easement not filed by deed referencing the 98 resolution.

Mr. Denton commented that as far as this site plan we would not want it to be there.

There was more conversation concerning easements and the actual owners of what properties; specifically what property is actually owned by Mr. Kobolak and his father.

Mr. Kobolak stated the neighbor sent a letter requesting the concrete pad stay in tack Mr. Denton stated they could take care of it on site.

Vice Chair Locke commented the concrete on Delaware Avenue had been replaced above and beyond and thanked him.

Mr. Brewer gave the wording for the resolution to amend the site plan application to the report of Mr. Denton and item #7.

Vice Chair Locke moved the motion

Mr. Beck seconded

Unanimous roll call vote with one abstention from Mr. O'Kane.

Mr. Kobolak thanked the board.

Chairwoman Riener moved back to regular business.

Mr. Beck questioned if the Fillit litigation bills should be charged to the board.

Mayor Gural commented the challenge is the determination of need so both Andy and Ted Rosenberg are working together on it.

Mr. Neely moved to approve the December 15, 2009 conference meeting minutes.

Ms. Jackson seconded (Gural, Elmes, Stokes)

Approved by roll call vote with abstentions from Mr. O’Kane, Mayor Gural, Ms. Elmes and Mr. Stokes

Mr. Neely moved to approve the December 15, 2009 meeting minutes. (Gural, Elmes, Stokes)

Mr. Beck seconded

Approved by roll call vote with abstentions from Mr. O’Kane, Mayor Gural, Ms. Elmes and Mr. Stokes

Mayor Gural was asked to give an update; he responded by commenting on the business improvement district which was approved by council. The community center should be complete by June 1st. “Little” Broad Street will be one way from Cinnaminson Avenue to Chestnut Street as of February 1st giving 96 angle parking spaces and the continuation of the heritage trail of an 8 foot wide sidewalk. A four way stop will be placed at Chestnut and Spring Garden Streets. “There is a lot going on to positively affect the aesthetics of the Borough.”

Mrs. Elmes was asked to give an update for EDC. She stated the EDC had sent a final revision on outdoor display and outdoor ordinances to council for approval.

Chairwoman Riener asked Mr. Beck if he still wished to represent the Board at the EDC; he agreed.

Chairwoman Riener asked for approval for the professional vouchers

Ms. Jackson moved to approve the professional vouchers for payment (O’Kane)

Mrs. Elmes seconded

Unanimous voice vote of those present with one abstention from Mr. O’Kane

Vice Chair Locke moved to open the meeting to the public for comment

Mr. Beck seconded

Unanimous voice vote

No public wished to speak

Vice Chair Locke moved to close the meeting to the public for comment

Ms. Jackson seconded

Unanimous voice vote

Vice Chair Locke questioned 2 Memorial not being included in the packet

Mrs. Kilmer stated it was included. All other members of the board stated they had it.

Vice Chair Locke questioned if it had been vacated.

Mayor Gural commented the Borough had to actually “put them up” and Tracy submitted the WRAP through Friday.

Vice Chair Locke questioned if the money is recoupable from the owner. She also questioned if she could do anything about 729 Park Avenue; she believes it to be unsafe.

Chairwoman Riener commented that she wanted to have a conversation with the Mayor, Bobbie, Tracy, Pam and possibly Howard and Jake concerning what the board’s responsibility is and what isn’t along with who is responsible for what.

Vice Chair Locke moved to adjourn

Ms. Jackson seconded

Unanimous voice vote

Meeting adjourned at 8:30 pm

Respectfully submitted,

Pamela Scott-Forman

LUB Secretary (certified)