

**BOROUGH OF PALMYRA**  
**LAND USE BOARD**  
**REORGANIZATION MEETING AGENDA**  
**JANUARY 24<sup>th</sup>, 2024 -7:00 PM**

**CALL TO ORDER**

The Land Use Board Reorganization meeting of the Borough of Palmyra is hereby called to order.

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETINGS ACT**

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Land Use Board Secretary in the following manner:

- A. Posting written notice on the Official Bulletin Board at the Palmyra Borough Hall on January 30<sup>th</sup>, 2023
- B. Mailing written notice to the Burlington County Times and Courier Post on January 31<sup>st</sup>, 2023.
- C. Notice to all board members.

**SWEARING IN OF MEMBERS:**

John Gural – Class II – one-year term (12/31/2024)

Laura Craig Cloud – Class III – one-year term (12/31/2024)

Lewis Yetter – Class IV – four-year term (12/31/2027)

Jayson Rossignol – Class IV – four-year term (12/31/27)

**ROLL CALL OF BOARD**

**REORGANIZATION**

**Open nominations**

Open nominations for Chairperson of the Land Use Board

Oath of Land Use Board Chairperson

## **Open nominations**

Open nomination for Vice Chairperson of the Land Use Board

Oath of Land Use Board Vice-Chairperson

## **MINUTES**

Approval of Land Use Board Meeting Minutes– November 29, 2023

## **RESOLUTIONS**

**Resolution 2024-1**, Designation of Official Newspaper for Notifications to the Public

**Resolution 2024-2**, Notice of Annual Scheduled Meetings/“Open Public Meetings Act” of

Palmyra Land Use Board for 2024

**Resolution 2024-3**, Resolution Appointing Doretha R Jackson as Secretary for the Palmyra Land Use Board

**Resolution 2024-4** Resolution Authorizing the Appointment and Award of Contract for Professional Services of Land Use Board Solicitor to Andrew Brewer of Maraziti Falcon, LLP term to expire 12/31/2024.

## **NOMINATIONS**

Open nominations for Land Use Board Engineer

**Resolution 2024-5** Resolution Authorizing the Appointment and Award of Contract for Professional Services of Land Use Board Engineer to \_\_\_\_\_ term to expire 12/31/2024.

Open nominations for Land Use Board Planner

**Resolution 2024-6** Resolution Authorizing the Appointing and Award of Contract for Professional Services of Land Use Board Planner to \_\_\_\_\_ term to expire 12/31/2024.

## **CORRESPONDENCE**

none

## **BOROUGH COUNCIL UPDATES**

OLD BUSINESS

Continuation of Application LUB 2023-04-519 Jefferson Street, Blk 130 Lots 5,6,7 – TAC Investments, LLC

NEW BUSINESS

Fence issues on corner properties

COMMENT

Please state your name and address for the record

ADJOURNMENT

**BOROUGH OF PALMYRA**  
**LAND USE BOARD MEETING MINUTES**  
**November 29<sup>th</sup>, 2023, at 7:00 PM**

**CALL TO ORDER**

The Borough of Palmyra Land Use Board meeting was called to order by Land Use Board Chairman Lewis Yetter at 7:06 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. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Land Use Board Secretary in the following manner:

- A. Posting written notice on the Official Bulletin Board at the Palmyra Borough Hall on January 30<sup>th</sup>, 2023
- B. Mailing written notice to the Burlington County Times and Courier Post on January 31<sup>st</sup>, 2023
- C. Notice to all board members.

**ROLL CALL**

Chairman Yetter asked for a roll call of the board:

PRESENT: Chairman Yetter, Councilwoman Cloud, Mr. Gural, Ms. Belton, Mrs. Cooper, Ms. Pappas, Mr. Rossignol

ABSENT: Vice-Chairman Beck, Mayor Tait

**APPROVAL OF THE MINUTES**

Chairman Yetter asked if there were any questions or comments regarding the October 25<sup>th</sup>, 2023, Land Use Board meeting minutes. Seeing none, Chairman Yetter requested a motion to approve the minutes. Mr. Rossignol made the motion to approve the October 25<sup>th</sup>, 2023, Land Use Board meeting minutes. Ms. Belton 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, Ms. Belton, Mrs. Pappas, Mr. Rossignol

NAY: None

Abstain: Councilwoman, Cloud, Mr. Gural, Ms. Cooper

## CORRESPONDENCE

Chairman Yetter read a letter from Delran Township noting notice of hearing of Use Variance for 65 and 69 Hartford Road, Block 120 Lots 38.01 and 38 on the Delran Township Tax map.

## BOROUGH COUNCIL UPDATES

Councilwoman Cloud noted the affordable Housing component of the redevelopment project is moving forward, Councilwoman also noted the Tree Lighting to be held Friday, December 1, 2023.

## OLD BUSINESS

Chairman Yetter noted Resolution 2023-13 the Memorialization of: **Application 2023-03 -701 West 5<sup>th</sup> Street, Blk 69 Lots 1,2,3,4,5,6,7,8 – TOMKAY, LLC.** Mr. Brewer explained the memorialization is for the action taken, at the last meeting by the Board.

Chairman Yetter requested a motion to approve resolution 2023-13, the Memorialization of: Application 2023 03 -701 West 5<sup>th</sup> Street, Blk 69 Lots 1,2,3,4,5,6,7,8 – TOMKAY, LLC.

Ms. Belton made a motion to approve Resolution 2023-13 and Ms. Pappas 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, Ms. Belton, Ms. Pappas, Mr. Rossignol

NAY: None

Absent: Councilwoman Cloud, Mr. Gural, Mrs. Cooper

Motion passed Resolution 2023-13 the Memorialization of: Application 2023-03 -701 West 5<sup>th</sup> Street, Blk 69 Lots 1,2,3,4,5,6,7,8 – TOMKAY, LLC. was approved.

## NEW BUSINESS

Chairman Yetter requested the application for Application 2023-04 -519 Jefferson Street, Blk 130 Lots 5,6,7 – TAC Investment, LLC come forward.

Seth Broder, Esq. noted his appearance before the board representing the applicant, TAC Investment, LLC., owner of the property located at 519 Jefferson Street, Block 130 Lots 5,6, and 7. Mr. Broder noted the applicant is seeking minor subdivision, noting that Lot 7 has a single-family residence located on it and lots 5 and 6 are

vacant. Mr. Broder stated they would also be asking the Board for some bulk variances, noting the following: minimum lot area, lot with, lot depth, lot frontage and front yard setback.

Mr. Broder indicated that testimony would be given by Tom Citro, managing member of applicant, Joseph Mancini, professional Engineer and Planner from Tri-Sate Engineering and Nick Kuzowski, Architect, Fumo & Associates, Inc.

Mr. Brewer then sworn in Mr. Citro, Mr. Mancini, and Mr. Kuzowski.

Mr. Citro noted that he lived in Palmyra for 13 years and built his home in 2020 on Garfield Avenue. Mr. Citro indicated he is a union carpenter by trade. Mr. Citro indicated he likes to rehab old, dilapidated homes, noting that he had completed over 50 home rehabs. Mr. Citro noted that TAC Investments has owned this home since August 1<sup>st</sup> of 2023. Mr. Citro indicated they had rehabbed the existing home putting about \$100,000.00 into it and it will go up for sale pending this decision here. Mr. Citro indicated he is before the board seeking minor subdivision to build a new single-family subdivision on the other lot. Mr. Citro indicated he is familiar with the neighborhood and had petitioned the neighbors regarding the project and would like to enter as Exhibit A-1 the petition signed by the neighbors in support of the project. Mr. Brewer noted that the secretary could accept it, however noted that the Board is not bound by the rules of evidence to decree an out of court statement as hearsay and if someone is not present to say that they did it, it is not admissible. Mr. Brewer noted it could be accepted but the Board is not bound by any statements by anyone who is not present and under oath.

Mrs. Cooper asked if the 50 homes rehabbed were in Palmyra. Mr. Citro indicated no.

Mr. Broder noted that if the application is approved Mr. Citro has indicated he will abide by all conditions imposed by the Land Use Board.

Mr. Broder then called Mr. Nick Kuzowski, Architect.

Mr. Nick Kuzowski indicated he is a principle at Fumo and Associates, Inc. and has been a professional architect for over 25 years, noting that he holds an Architectural license from the State of New Jersey and has been qualified as an expert before many Boards in New Jersey. Mr. Broder requested Mr. Kuzowski be recognized as an expert. Mr. Brewer indicated the board had no objection.

Mr. Kuzowski indicated the following exhibits and explained:

A-2 Single Family Dwelling showing the basement, 1<sup>st</sup> floor, 2<sup>nd</sup> floor- 3 Bedroom house with 2- and one-half baths and 1 car garage. The first floor is 9 feet, second floor is 8 feet.

page 1.0 shows the rendering/locations of the rooms, steps, garage. Walk into a covered porch, then the foyer, past a powder room and closet, with an open floor concept with a kitchen to your right and a dining room and

kitchen in the back, and garage to the left. Steps that go up to the second floor or down to basement. On the second floor is a washer and dryer, two bedrooms with full bath and master bedroom with master bath and two closets.

Page 2.0A rendering of the materials which will be vertical vinyl siding, apact vinyl columns, dormer is for aesthetics.

Chairman Yetter asked how wide it was. Mr. Kuzowski indicated 29 feet and 8 inches and 43 feet deep. Councilwoman Cloud asked how it compared to footprint of existing home already located on the property.

Mr. Broder then called Mr. Mancini.

Mr. Mancini indicated he is currently President at Tri-State Engineer and Surveying and is a professional engineer and planner with over 24 years of practice in the field. Mr. Mancini indicated he has testified before many other boards throughout South Jersey.

Mr. Broder then submitted exhibit A-3- Arial Exhibit of existing property date January of 2023

Mr. Mancini indicated the exhibit shows the existing home, Jefferson Street and Market Street. Mr. Mancini stated the existing home is approximately 17 feet by 46 feet, also a two-story building. The property is lots, 5,6,7 and approximately about 10,000 square feet. The current improvements are concentrated on existing lot 7. Mr. Mancini noted the existing property has some existing non=conforming conditions such as depth which is 100 feet and 125 feet is required in R-1 zone, minimum front yard is current 10.9 feet and 30 feet is required, the accessory structure in the back is located 2.1 feet where 3 feet is required. Mr. Mancini stated they were present to consulate those three parcels into two lots, one which will house the existing home and the other for a proposed home as described. Mr. Mancini noted the existing drive and shed would be relocated onto lot 7. Mr. Mancini indicated the shed would be relocated on lot 7 to conform with the current setback requirements. Mr. Mancini stated the two proposed lots would be 5,000 sq feet where 7,500 sq. feet are required thru requiring a bulk variance. Mr. Mancini also noted the need for bulk variances for the minimum lot width requirement of fifty feet, and minimum lot frontage requirement of sixty feet and minimum lot depth of 125 feet. Mr. Mancini noted that all the lots located on the subject street at one hundred feet deep. Mr. Mancini indicated he felt the deviations fell under the C-2 criteria of the Land Use Law- the purpose of zoning is advanced and no detriment to the public or zoning plan. Mr. Mancini indicated that purpose E, G, and purpose I of the Land Use Law all apply and positive criteria as to granting the application submitted. Mr. Mancini indicated that granting the application would not cause a substantial deterrent to the neighboring properties, nor substantial impact to traffic. Mr. Mancini indicated the homes would be substantial consistent with other homes on the block.

Mr. Gural stated that we currently have one existing non-conforming property that you wish to exacerbate by making two non-conforming lots and did not understand how that could have a positive impact on the neighborhood. There was some additional discussion. Mr. Gural what the positive attributes were again. Mr. Mancini stated Land Use Law NJSA:55-T2 propose A, G, and I. Mr. Gural asked if the three lots were consolidated. Mr. Citro indicated yes. Chairman Yetter asked about parking. Mr. Mancini stated there would be ample room for driveways on both lots. Mr. Gural asked what the plan was for the driveway and the shed. Mr. Mancini indicated the existing driveway would be removed and relocated so lot 7 would have its own driveway and shed to be relocated onto lot 7. Mr. Mancini noted that if they could not meet the current conditions for a shed, it would come down and be removed. Mr. Rossignol asked if there was another structure in the front right of the property. Mr. Mancini indicated yes and that that concrete pad would be removed. Mr. Mancini indicated that they received the review letter from Mr. Roberts and agree to comply with all the recommendations of his letter. Chairman Yetter asked if there would be ample room for two driveways and how close is the new property to the property line of the house on Market Street. Mr. Mancini indicated it would comply with the requirements of the zone which he believed to be 8 feet minimum. There was some additional discussion. Mr. Gural asked what all the variances are that they are requesting. Mr. Mancini indicated: minimum lot area, minimum lot width, minimum lot depth, minimum front yard setback. Mr. Gural questioned the front yard setback noting that many homes in that area do not have a 15 or 20 front yard setback asking if the home would look out of place. Mr. Mancini indicated they were trying to keep it close to the existing home on the lot. Mr. Gural and Mr. Brewer indicated they may wish to amend their application to ask if front yard set back can be equivalent to an average of the homes on the block. Mr. Broder indicated that front yard setback average as appose to a specific number is duly requested. Chairman Yetter stated that the plans for the house are nice, but he would like to see the dimensions of the proposed house and driveways and were exactly there are to be placed on the property as him trying to figure out were they are going to be placed on the property. Chairman Yetter indicated it is hard to visualize. Mr. Mancini indicated they would supply that modification on the plans for Mr. Roberts review and acceptance as a condition of approval and if not, they would come back before the board. Mr. Roberts noted that Mrs. Kilmer indicated the property is located within the flood plain so any permit from the DEP should be contingent of any approvals. There was some additional discussion. Chairman Yetter expressed concern about the percentage of impervious coverage on the property.

Chairman Yetter requested a motion to open the meeting to the public for comment on the application. Councilwoman Cloud made a motion to open the meeting to the public for comment on the application. Ms. Belton second the motion.



**All members present voted in favor of the motion.**

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

Seeing no one wishing to make a comment Chairman Yetter requested a motion to close the public comment portion on the application. Councilwoman Cloud made a motion to close the public comment portion. Mrs. Cooper second the motion.

**All members present voted in favor of the motion.**

Mr. Gural stated the information presented is difficult to visualize, noting he was not in favor of exacerbating the situation, maybe if he had additional information, it would be easier to consider. Ms. Pappas indicated that the visuals of the street, how it fits in, where the house is located on the property, it looks like a great house, but the visuals are not here. Mr. Broder indicated that he felt it would fit in with the neighborhood but if they were something that the board would like to see then they would supply it for the board. There was additional discussion regarding the location of the new house, driveway and fit for the neighborhood. Mr. Rossignol stated it was very hard to visualize the house on the street to see how it fits in with the character of the street, how much taller than the other homes in the area, or where the driveways are located.

Mr. Broder asked for a brief recess so he could confer with his client.

When Mr. Broder and his client returned, they requested a continuance to supply additional information for the board to consider. There was additional discussion regarding what should be presented.

Mr. Brewer noted the applicants request to continue the application to the next meeting December 20<sup>th</sup>, 2024, when additional information could be presented. Mr. Brewer noted no additional notice would be required.

## **PUBLIC COMMENT**

Chairman Yetter requested a motion to open the meeting to the public for comment. Councilwoman Cloud made a motion to open the meeting to the public for comment. Ms. Belton second the motion.

**All members present voted in favor of the motion.**

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

Seeing no one wishing to make a comment Chairman Yetter requested a motion to close the public comment portion of the meeting. Dr. Cloud made a motion to close the public comment portion. Mrs. Cooper second the motion.

**All members present voted in favor of the motion.**

## **ADJOURNMENT**

Having no further business, Chairman Yetter requested a motion to adjourn the meeting. Dr. Cloud made a motion to adjourn the meeting. Ms. Pappas second the motion.

**All members present voted in favor of the motion.**

Meeting was adjourned at 8:14 pm

Doretha R Jackson, RMC

Land Use Board Secretary

Borough of Palmyra

Approved:

BOROUGH OF PALMYRA  
LAND USE BOARD RESOLUTION 2024-1

NOTICE OF ANNUAL SCHEDULED MEETINGS

Notice is hereby given by the Land Use Board of the Borough of Palmyra that the following is a list of the regular meeting dates of the 2021 Land Use Board of the Borough of Palmyra, County of Burlington, State of New Jersey.

REGULAR MONTHLY OFFICIAL PUBLIC MEETINGS

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., the Borough of Palmyra does hereby notify the public, all meetings will be held on the fourth Wednesday at 7:00 PM unless otherwise noted\*\*\* and ending no later than 10:30 PM, meetings may be virtual or at the Municipal Building, 20 W Broad Street, Palmyra, New Jersey. Information regarding the meeting will be placed on the Borough of Palmyra website prior to each meeting. Formal action may be taken at all scheduled meetings. The Land Use Board reserves the right to enter into closed session and The Land Use Board also reserves the right to schedule additional meetings on an "As Needed" basis.

February 28, 2024

March 27, 2024

April 24, 2024

May 22, 2024

June 26, 2024

July 24, 2024

August 28, 2024

September 25, 2024

October 23, 2024

November 20, 2024\*\*\*

December 18, 2024\*\*\*

January 22, 2025 (Reorganization)

PALMYRA LAND USE BOARD

\_\_\_\_\_  
By:

Attest:

\_\_\_\_\_  
Doretha R, Jackson, Land Use Board Secretary

Dated: January 24, 2024

Date of Approval:

**BOROUGH OF PALMYRA**  
**LAND USE BOARD RESOLUTION 2024-2**

Whereas, the "Open Public Meetings Act" requires that advance written notice of all meetings of the Land Use Board be posted in one public place designated by the Land Use Board and emailed, mailed, telephoned, faxed or hand delivered to two newspapers designated by Resolution and mailed to all persons requesting a copy of the same.

Now, therefore, be it resolved by the Land Use Board of the Borough of Palmyra, County of Burlington and State of New Jersey, that,

Section 1. All advance written notices of the Land Use Board meetings shall be posted by the Secretary on the Official Bulletin Board located in the Borough Municipal Building.

Section 2. All advance written notices of the Land Use Board meetings shall be given to the two newspapers:

**Burlington County Times**

**Courier Post**

Section 3. All advance written copies notice of the Land Use Board meetings throughout the year shall be mailed to all persons requesting copy of the same, after payment by such persons of fee of \$50.00, News Media shall be exempt from such fees.

Section 4. The schedule of regular official Land Use Board meetings and regular work sessions for the period from and after this reorganization meeting in January 24,2024 shall be in accordance with Resolution #2024-1, designating the dates, times and places of such meetings which incorporated within this Resolution by reference.

**PALMYRA LAND USE BOARD**

By: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Doretha R, Jackson, Secretary  
Borough of Palmyra Land Use Board  
Date: January 24, 2024  
Date of Approval:

BOROUGH OF PALMYRA  
LAND USE BOARD  
RESOLUTION 2024-3

RESOLUTION APPOINTING DORETHA R JACKSON AS THE LAND USE BOARD  
SECRETARY FOR THE BOROUGH OF PALMYRA

BE IT RESOLVED, by the Land Use Board of the Borough of Palmyra in the County of Burlington and State of New Jersey, that Doretha R Jackson is hereby appointed secretary of the Land Use Board of the Borough of Palmyra, term to expire December 31, 2024.

PALMYRA LAND USE BOARD

By: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Doretha R. Jackson, Secretary  
Palmyra Land Use Board  
Dated: January 24, 2024  
Date of Approval:

BOROUGH OF PALMYRA  
LAND USE BOARD RESOLUTION 2024-4

RESOLUTION AUTHORIZING THE APPOINTMENT AND AWARD OF CONTRACT FOR PROFESSIONAL SERVICES OF LAND USE BOARD ATTORNEY TO ANDREW BREWER, ESQ. OF MARAZITI FALCON, LLP

WHEREAS, there exists a need for a Land Use Board Attorney and;

WHEREAS, the Borough Council of the Borough of Palmyra has a need to acquire a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4: and

WHEREAS, Andrew Brewer, Esq., of Maraziti Falcon, LLP has performed the required professional services in previous years, and in an effort to keep continuity with the current redevelopment projects,

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of the Borough of Palmyra, in the County of Burlington, and the State of New Jersey, that Andrew Brewer, Esq. of Maraziti Falcon, LLP is hereby appointed as Land Use Board Attorney for the Borough of Palmyra Land Use Board for a period of one (1) year, said appointment to expire December 31<sup>st</sup>, 2024. This appointment and/or any contract pursuant thereto, is awarded without competitive bidding as a "Professional Services", in accordance with *NJSA 40A: 11-5(1) (a) et seq.* of the Local Public Contract Law, and/or awarded with *N.J.S.A 19:44A-20.4 et seq.*; the above-named Professional is licensed to practice in the State of New Jersey.

Pursuant to NJSA 40A:11-5(1) (a) the following information is set forth:

- A. Duration of Contracts: All terms are for one year.
- B. Amount of Contracts: All specified per contract and budget appropriation.
- C. This resolution and the above-mentioned contract will be on file and available for public inspection in the office of the Clerk of the Borough of Palmyra.

The Chairperson and Land Use Board Secretary are hereby authorized and directed to execute the agreement.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification be placed on file with this resolution.

PALMYRA LAND USE BOARD

By: \_\_\_\_\_

Attest:

\_\_\_\_\_

Doretha R Jackson, Secretary

Borough of Palmyra Land Use Board

Date: January 24, 2024

Date of Approval:

BOROUGH OF PALMYRA  
LAND USE BOARD RESOLUTION 2024-5

RESOLUTION AUTHORIZING THE APPOINTMENT AND AWARD OF CONTRACT FOR PROFESSIONAL  
SERVICES OF LAND USE BOARD ENGINEER TO \_\_\_\_\_

**Whereas** there exists a need for a Land Use Board Engineer and;

**Whereas**, Requests for Qualifications and Proposals were solicited through a fair and open process in accordance with N.J.A.C. 19:44A-20.5 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, by the Land Use Board of the Borough of Palmyra, in the County of Burlington, and the State of New Jersey, that the Chairperson and Land Use Board Secretary are hereby authorized and directed to execute agreement for the following qualified professional:

**SECTION I:**

\_\_\_\_\_as Land Use Board Engineer, term to expire December 31, 2024.

**SECTION II:** These contracts are awarded without competitive bidding as "Professional Services", in accordance with *NJSA 40A: 11-5(1) (a) et seq.* of the Local Public Contract Law, and/or awarded with *N.J.S.A 19:44A-20.4 et seq.*; the above-named Professional is licensed to practice in the State of New Jersey.

Pursuant to NJSA 40A:11-5(1) (a) the following information is set forth:

- A. Duration of Contracts: All terms are for one-year.
- B. Amount of Contracts: All specified per contract and budget appropriation.
- C. This resolution and the above-mentioned contract will be on file and available for public inspection in the office of the Clerk of the Borough of Palmyra.

**PALMYRA LAND USE BOARD**

By: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Doretha R Jackson, Secretary  
Borough of Palmyra Land Use Board  
Date: January 24, 2024  
Date of Approval:

BOROUGH OF PALMYRA  
LAND USE BOARD RESOLUTION 2024-6

RESOLUTION AUTHORIZING THE APPOINTMENT AND AWARD OF CONTRACT FOR PROFESSIONAL  
SERVICES OF LAND USE BOARD PLANNER TO\_\_\_\_\_

**Whereas**, there exists a need for a Land Use Board Planner and;

**Whereas**, Requests for Qualifications and Proposals were solicited through a fair and open process in accordance with N.J.A.C. 19:44A-20.5 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, by the Land Use Board of the Borough of Palmyra, in the County of Burlington, and the State of New Jersey, that the Chairperson and Land Use Board Secretary are hereby authorized and directed to execute agreement for the following qualified professional:

**SECTION I:**

\_\_\_\_\_ as Land Use Board Planner, term to expire December 31, 2024.

**SECTION II:** These contracts are awarded without competitive bidding as "Professional Services", in accordance with *NJSA 40A: 11-5(1) (a) et seq.* of the Local Public Contract Law, and/or awarded with *N.J.S.A 19:44A-20.4 et seq.*; the above-named Professional is licensed to practice in the State of New Jersey.

Pursuant to NJSA 40A:11-5(1) (a) the following information is set forth:

- A. Duration of Contracts: All terms are for one year.
- B. Amount of Contracts: All specified per contract and budget appropriation.
- C. This resolution and the above-mentioned contract will be on file and available for public inspection in the office of the Clerk of the Borough of Palmyra.

**PALMYRA LAND USE BOARD**

By: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Doretha R Jackson, Secretary  
Borough of Palmyra Land Use Board  
Date January 24, 2024  
Date of Approval:



Ms. Moura,

Happy New Year! I hope that you had an enjoyable holiday season. Thank you for your patience while I reviewed your Residential Zoning Permit Application for the installation of the fence at your property located at 600 West Fifth Street.

During my review of your survey that was included with the application, I note that based on the survey it appears that the fence encroaches on your neighbors property to your right on Fifth Street and on the Borough right of way on Market Street. Additionally, the fence as installed does not meet the requirements found in the Palmyra Land Development Code for corner properties. The specific sections of the Code are Article XII section 158-93 B and D.

The next step in the process would be for me to deny the application to have the fence. At that point you would need to come before the Palmyra Land Use Board and apply for a variance.

Last year, the Borough had several discussions with the Borough's municipal engineer concerning fences on corner properties. At the January Council meeting, the Borough will be appointing a new municipal engineer for 2024. Prior to denying your application, I would like the opportunity to speak with the new engineer to review the current regulations and requirements. I will need your permission in writing from you to hold off making a determination on your application until the engineer has had an opportunity to review the matter.

Please understand that I am in no way stating that the regulations will be changed in any way. That can only be done by the governing body. I am only looking to have the new engineer look at the present requirements from a fresh perspective and provide guidance. In any case, I will not be able to approve the fence when it is not installed within your property boundary lines.

Please advise if you are agreeable with waiting for a determination. No further enforcement action will take place until you receive that determination. Thank you.