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Florence, New Jersey 08518-2323
January 26, 2010

The Reorganization/Regular meeting of the Florence Township Zoning Board of Adjustment was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Solicitor David Frank called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Solicitor Frank then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

Brett Buddenbaum	Candida Taylor
Keith Crowell	B. Michael Zekas
John Fratinardo	Rebekah Borucki
Ray Montgomery	Robert Adams

ABSENT: John Groze

ALSO PRESENT: Solicitor David Frank
Engineer Dante Guzzi
Planner Robert Perry

Solicitor Frank administered the oath of office to Mr. Buddenbaum, Ms. Taylor, Ms. Borucki and Mr. Adams.

Solicitor Frank called for nominations for Chairman of the Board for the year of 2010.

Motion of Montgomery, seconded by Crowell to nominate Member Zekas as Chairman. Hearing no further nominations motion was made by Fratinardo, seconded by Taylor to close the nominations. The Board voted unanimously to elect B. Michael Zekas as Chairman. Member Zekas accepted the nomination, thanked the Board and was seated as Chairman.

Chairman Zekas then nominated John Fratinardo as Vice Chairman. The motion was seconded by Taylor. Hearing no further nominations motion was made by Montgomery, seconded by Crowell to close the nominations. The Board voted unanimously to elect John Fratinardo as Vice Chairman. Member Fratinardo accepted the nomination and thanked the Board.

Chairman Zekas called for nominations for Board Secretary. Motion of Taylor, seconded by Fratinardo to nominate Ray Montgomery as Board Secretary. Hearing no further nominations, motion was made by Fratinardo, seconded by Crowell to close nominations.

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The Board voted unanimously to elect Member Montgomery as Board Secretary. Member Montgomery accepted the nomination and thanked the Board.

Chairman Zekas called for nominations for Clerk of the Board. Motion of Taylor, seconded by Montgomery to nominate Nancy Erlston as Clerk of the Board. Hearing no further nominations, motion was made by Fratinardo, seconded by Crowell to close nominations. The Board voted unanimously to elect Nancy Erlston as Clerk of the Board. Mrs. Erlston thanked the Board.

Chairman Zekas called for nominations for Board Solicitor. Motion of Montgomery, seconded by Fratinardo to nominate David Frank as Board Solicitor. Hearing no further nominations motion was made by Taylor, seconded by Crowell to close nominations. The Board voted unanimously to appoint David Frank as Board Solicitor. Solicitor Frank thanked the Board.

Chairman Zekas called for nominations for Board Engineer. Motion of Taylor, seconded by Montgomery to nominate Dan Guzzi as Board Engineer. Hearing no further nominations motion was made by Zekas, seconded by Taylor to close nominations. The Board voted unanimously to appoint Dan Guzzi as Board Engineer. Engineer Guzzi thanked the Board.

Chairman Zekas called for nominations for Board Planner. Motion of Montgomery, seconded by Crowell to nominate the firm of Remington & Vernick as Board Planner. Solicitor Frank pointed out that since this was a professional service you can't nominate a firm, you must nominate an individual. Member Montgomery amended his motion to indicate that he was nominating Robert Perry of the firm of Remington and Vernick, seconded by Crowell. Motion of Taylor, seconded by Zekas to close nominations. The Board unanimously voted to appoint Robert Perry as Board Planner. Planner Perry thanked the Board.

Engineer Guzzi and Planner Perry were sworn in by Solicitor Frank as experts for the year of 2010.

RESOLUTIONS

Resolution ZB-2010-01
**Authorizing the Appointment of the Zoning Board of Adjustment Solicitor,
Engineer and Planner.**

Motion of Fratinardo, seconded by Taylor to approve Resolution ZB-2010-01.

On the Question:

Member Crowell stated that the resolution states the firm of Remington & Vernick, not the name of Robert Perry. Board Clerk Erlston stated that last year at Reorganization we were not sure who from the firm would be

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representing the Board so we listed the name of the firm only. Board Clerk Erlston stated that she would amend the resolution to include Planner Perry's name.

Motion unanimously approved by all members present.

Resolution ZB-2010-02
Establishing the Annual Schedule of regular meetings and other policies relating to the New Jersey Open Public Meetings Act.

Motion of Fratinardo, seconded by Crowell to approve Resolution ZB-2010-02. Motion unanimously approved by all members present.

Resolution ZB-2010-03
Adopting rules and regulations for submission and review of applications before the Florence Township Zoning Board of Adjustment.

Motion of Fratinardo, seconded by Buddenbaum to approve Resolution ZB-2010-03. Motion unanimously approved by all members present.

Resolution ZB-2010-04
Granting the application of Lourdes Medical Associates for a bulk variance to permit a building mounted sign for property located at 501 Delaware Avenue, Block 99, Lots 2.01, 2.02 & 9.

Solicitor Frank stated that the Board might recall that this was an application for a sign that instead of being mounted parallel with the face of the Fallon (former firehouse building) wanted to be mounted perpendicular. The Board heard the testimony of several representatives of Lourdes Medical Associates regarding the need for the variance. The Board felt that in light of that testimony it was appropriate to grant the variance. This approval was subject to a few conditions: that all lighting for the proposed sign would be directed downwards, and that there was a temporary freestanding sign that would have to be removed.

Motion of Crowell, seconded by Taylor to approve Resolution ZB-2010-04. Upon roll call the Board voted as follows:

YEAS: Fratinardo, Taylor, Crowell, Zekas, Buddenbaum
NOES: None
ABSENT: Groze

APPLICATIONS

Chairman Zekas called for Application ZB#2010-02 for T-Mobile Northeast, LLC. Applicant is requesting a use variance, bulk variance and minor site plan approval to permit the collocation of 9 telecommunications antennas on an existing 120' monopole

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on property located at 1496 Hornberger Avenue, Roebling, Block 125, Lots 22.02, 24, & 25.

Chairman Zekas stated that there was a letter from the applicant asking for a continuation until the February 23, 2010 meeting. Solicitor Frank said that in the event that the Board sees fit to grant that adjournment he suggested that it do so subject to the applicant's consent to waive any running of the clock on time for decision.

Motion of Fratinardo, seconded by Taylor to grant the applicant's request for continuation with an extension of the time period for Board action.

Upon roll call the Board voted as follows:

YEAS: Buddenbaum, Crowell, Fratinardo, Montgomery, Taylor, Zekas
NOES: None
ABSENT: Groze

Solicitor Frank stated that an application had also been submitted to the Board office for Nicholas Careyote for a Use variance for a shed. He stated that he had reviewed the notices of hearing for that application which were mailed and published for this evening's meeting. He said that he was concerned because they spoke about the shed being for an existing landscaping business. However, there is no prior Use variance approval for that landscaping business. He said that it is his opinion that the applicant should make it clear that they are seeking a Use variance to permit the landscaping business to exist on that property and that the building that they sought to build would be subject to site plan review or waiver of site plan review. He said that this is why the Board is not able to hear that application this evening.

MINUTES

Member Taylor pointed out that on the last page the date January 27th is listed as the January meeting date, but it should be changed to January 26th.

Motion of Buddenbaum, seconded by Taylor to approve the Minutes with the correction made to the date. Motion unanimously approved by all members present.

CORRESPONDENCE

- A. Letter from Planner Perry dated December 10, 2009, regarding the Fallon office building on Delaware Avenue and Station Road.
- B. Mayor's Fax Advisory dated November 25, 2009 regarding inherently beneficial uses legislation.
- C. Registration form for the NJPO 2010 winter/spring mandatory training seminar.

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Planner Perry stated that in regards to Correspondence A, he had been requested by the applicant to inspect the landscaping. He stated that Burlington County would not allow the shade trees to be planted along Delaware Avenue. The applicant instead planted the shade trees within the site and added more plant material. He stated that the site looks nice. Member Taylor asked what the county's objection was. Solicitor Frank stated that the county almost universally forbids any kind of landscaping in their right of way. Engineer Guzzi stated that the building in this case was right up against the right of way so there was no room between the right of way and the building to install the landscaping.

Member Crowell asked if there was any legal basis to object to this. Solicitor Frank stated that there is the Land Development Review Resolution that is developed by the County Board of Chosen Freeholders. This is the equivalent of our land use ordinance. In certain circumstances municipalities have gone to the County Planning Board and demanded that they provide for landscaping in the county right of way. Those cases were dramatically different than this one. If a municipality feels that there is some really overarching reason that landscaping should be allowed one can go to the County Planning Board and ask them for a waiver of strict compliance to the resolution.

The Board discussed Correspondence B regarding the inherently beneficial use status applied to the renewable energy sources (solar, wind, etc.).

Correspondence C the Registration for the NJPO training seminar. Members Zekas, Montgomery, Crowell, Taylor, Borucki and Adams all would like to attend.

OTHER BUSINESS

Chairman Zekas stated that George Emerick is no longer a member of the Board. The Board would like to find out if Council is going to do anything to honor Mr. Emerick.

PUBLIC COMMENT

There being no public in attendance to offer comment, motion was made by Taylor, seconded by Fratinardo to close the public hearing. Motion unanimously approved by all members present.

Motion of Fratinardo, seconded by Taylor to adjourn at 8:10 p.m. Motion unanimously approved by all members present.

Ray Montgomery, Secretary

RM/ne