

**BOROUGH OF GIBBSBORO
PLANNING/ZONING BOARD MINUTES
September 8, 2020
7:00 P.M.**

Meeting called to order at 7:09 P.M.

Secretary Troxel read the Opening Statement: “All the notice requirements of the Open Public Meeting Act have been complied with in full”.

ROLL CALL

Present:

Vice Chairman Councilman Jack Flynn
Mayor Edward G. Campbell
Mr. Dennis Deichert
Mr. Michael Kelly
Mr. Barry Rothberg
Mr. John Ritz

Absent:

Chairwoman LuAnn Watson
Ms. Barbara Gellura
Mrs. Susan Croll

Professionals: Solicitor, Donald S. Ryan

Engineer, Gregory Fusco
Planner, Brian Slaugh

RESOLUTIONS

PB2020-9-16 RESOLUTION GRANTING A CERTIFICATE OF APPROPRIATENESS TO ROBERT AND DIANE JOHNS FOR THE ENCLOSURE OF A BREEZEWAY AT THE PREMISES LOCATED AT 107 UNITED STATES AVENUE, GIBBSBORO, NEW JERSEY

On August 11, 2020, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present:

LuAnn Watson, Chairperson
Edward Campbell, Mayor
Jack Flynn, Councilman
Susan Croll
Barbara Gellura
Barry Rothberg
Michael Kelly
Dennis Deichert

The following were also present at the meeting:

Peter R. Thorndike, Substitute Planning Board Attorney
Amy C. Troxel, Planning Board Secretary
Greg Fusco, Planning Board Engineer
Brian Slaugh, Planning Board Planner

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SUBJECT

The Board considered the application of Robert and Diane Johns, the owners of a single family residence located in the R-15 Residential Zone and the Historic District. The property is designated as 107 United States Avenue and is also known as Block 8.03, Lot 6.09 on the Gibbsboro Tax Map.

The property is located in the Historic District and therefore requires a Certificate of Appropriateness in accordance with Section 222-7(a)(1) of the Gibbsboro Historic Preservation Ordinance and the New Jersey Municipal Land Use Law N.J.S.A 40:55D-110.

Robert Johns, owner and Diane Johns, his wife, virtually appeared, were sworn and testified in support of the applicant.

Brian Slaugh, Borough Planner and Greg Fusco, Planning Board Engineer, virtually appeared, were sworn and testified in connection with the application.

The following exhibits were also included as part of the record:

- A-1 Application of Historic District Certificate of Appropriateness submitted July 9, 2020
 - A-2 Description of proposed work and material specifications
 - A-3 Two photographs of existing structure
 - A-4 Renovation Plans
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- PB-1 Report letter from Brian Slaugh (3 pages) dated 8/7/2020.

No one appeared during the public portion of the hearing to testify.

FINDINGS OF FACT

The Planning Board, having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board has jurisdiction to approve the application for the Historic Certification of Appropriateness in accordance with N.J.S.A 40:55D-110 and Section 222-7(a)(1) of the Gibbsboro Historic Preservation Ordinance.
2. Applicants seek permission to enclose the 12 feet long and 10 feet wide breezeway between their residence and detached garage in order to utilize the space for their laundry room, which is now located in the basement. The existing roof over the current breezeway will remain. The exterior wall to be constructed will be 7 feet in height from the foundation to the eaves.
3. The exterior siding will be aluminum if a color can be found to match the color of the residence and garage. Alternatively, vinyl siding of a matching color will be utilized. The wood components will be consistent with the existing home and the windows and shutters will match the existing residence.
4. The structure was built in 1970 and is common in its architectural style with residences found throughout New Jersey suburbs. The only unusual feature of the house is that the breezeway is connected to a carport since most houses are designed with attached garages.
5. Brian Slaugh, Borough Planner testified and recommended that the Certificate of Appropriateness be granted.

CONCLUSIONS

6. The Planning Board concludes that the proposed breezeway enclosure is warranted based upon the evidence presented and complies with the review standards under Section 222-8 of the Borough Ordinance.

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RESOLUTION

On the motion of Susan Croll, seconded by Jack Flynn, the Planning Board 7-0 to approve the Certificate of Appropriateness in accordance with the recommendations of the Planning Board Planner.

ROLL CALL VOTE

LuAnn Watson	Yes
Ed Campbell	Yes
Jack Flynn	Yes
Barbara Gellura	Yes
Michael Kelly	Yes
Susan Croll	Yes
Dennis Deichert	Yes

Motion to approve resolution Mayor Campbell, second Mr. Deichert

Poll: E.C. Aye S.C. Absent D.D. Aye J.F. Aye B.G. Absent M.K. Aye L.W. Absent
B.R. Aye J.R. Aye

PB2020-9-17 RESOLUTION GRANTING BULK VARIANCES TO MAURICE M. MALEY AND LAUREN M. GENOVESE FOR THE INSTALLATION OF A SHED EXCEEDING THE MAXIMUM SIZE LIMITS IN THE REQUIRED FRONT YARD SETBACK AREA IN THE R-40 RESIDENTIAL DISTRICT AT THE PREMISES 9 HENRY ROAD, GIBBSBORO, NEW JERSEY

On August 11, 2020, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present:

LuAnn Watson, Chairperson
Ed Campbell, Mayor
Jack Flynn, Councilman
Susan Croll
Barbara Gellura
Barry Rothberg
John Ritz
Michael Kelly
Dennis Deichert

The following were also present at the meeting:

Peter R. Thorndike, Substitute Planning Board Attorney
Amy Troxel, Planning Board Secretary
Greg Fusco, Planning Board Engineer
Brian Slaugh, Planning Board Planner

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SUBJECT

The Board considered the application of Maurice M. Maley and Lauren M. Genovese, who are the owners and reside at the premises 19 Henry Road, a/k/a Block 74, Lot 1.04 on the Gibbsboro Tax Map.

The property is located in the R-40 Residential Zoning District.

The applicant seeks bulk variances for the installation of a shed exceeding the maximum size permitted and within the required front yard setback area on the applicants' residential property in the R-40 Residential District.

The application is made in accordance with the Gibbsboro Land Development Ordinance, Section 400-11 and the New Jersey Municipal Land Use Law N.J.S.A 40:55D-26 and N.J.S.A 40:55D 70 (c).

Applicant, Maurice M. Maley, appeared virtually, was sworn and testified in support of the applicant.

Brian Slaugh, GPB Planner and Greg Fusco, GPB Engineer, appeared virtually, were sworn and testified in connection with the application.

The following exhibits were also included as part of the record:

- A-1 Application for Zoning Variance, dated 6/5/2020
 - A-2 Explanation of Application
 - A-3 Survey prepared by Richard S. Humphries, dated 5/31/2019 with hand drawn shed site
 - A-4 Property Record Search
 - A-5 Tax Certification and payment history
 - A-6 Rendering of 12 by 24 foot vinyl A-Frame shed in manufacturer brochure
 - A-7 Photographs of five oversized garage/sheds in vicinity
 - A-8 Aerial photographs of site and surrounding area
 - A-9 Proof of Mailing
 - A-10 Proof of publication
 - A-11 Notice to Property Owners
 - A-12 Proof of taxes paid
- PB-1 Review Letter from Brian Slaugh, PP, Gibbsboro Planning Board Planner, dated 8/10/2020.

The following witness appeared virtually, was sworn and testified during the public portion of the hearing:

Jessiah Styles testified in connection with the application.

FINDINGS OF FACT

The Planning Board, having determined that the Application, Notice to Property Owners, Notice of Publication and affidavits were in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board (GPB) has jurisdiction to grant bulk variances as a joint Board in accordance with N.J.S.A 40:55D-26 and N.J.S.A 40:55D 70(c) and the Gibbsboro Land Development Ordinance, Section 400-11.
2. The applicant has provided proper notice to property owners and publication in accordance with N.J.S.A 40:55D-12.

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3. The applicants are Maurice M. Maley and Lauren M. Genovese, who are the owners and reside at the subject premises.

4. The property is located at 19 Henry Road and is also designated on the tax map at Block 74, Lot 1.04 on the Gibbsboro Tax Map.

5. The property is located in the R-40 Residential District and not in the Historic District.

6. Applicants' property is 33,691 square feet, trapezoidal in size and triangular in shape. It contains 214.28 feet of frontage on the west side of Henry Road, 72.83 feet of arc distance frontage at the intersection of Henry Road with Voorhees Road, 91.57 feet of frontage along the south side of Voorhees Road; a westerly property line of 150.42 feet of a southerly lot line perpendicular to Henry Road of 100 feet. The property is improved with a vinyl sided split level residence, setback 41.78 feet from the Henry Road right of way. A semi-circular drive in front of the residence provides access from Henry Road. Applicants' lot is wooded with an open area of lawn north and east of the residence.

7. The residence has no basement and a small attic accessed by a pull down string. There are four children and two adults in the family. There is insufficient storage space for household items and yard maintenance equipment. Accordingly, applicants seek variance relief to install a 12 by 24 shed exceeding the maximum size limits, 16 feet in height and resting on a stone base and a setback of 10 feet from the Henry Road right of way.

8. Article IV of the Gibbsboro Zoning Ordinance regulates the use and development of the property in the R-40 Residential Zone and designates permitted accessory uses at paragraph B thereunder, subsection (6) permits a private residential shed in accordance with Section 400-10. Section 400-10 at paragraph A limits shed size to 100 square feet, and paragraph B limits height to 10 feet and provides at paragraph C that no shed shall be located in a front yard. Section 400-11 at paragraph D subsection (6) requires a 50 foot front yard and the proposed 12 by 24 foot shed will be 288 square feet in size, approximately 10 feet tall. Thus, variances are required for the excess size and the front yard setback.

9. Applicants require shed that will be sufficient in size to meet their storage needs. There will be electricity permitted for the shed but no water and there will be no living space in the shed. Further, there will be no cars or other vehicles stored in the shed and will be used strictly for the storage of household items and yard equipment including lawn mowers and snow blowers.

10. Applicants examined the possibility of locating the shed immediately north of the house, however such a location would place it over an existing gas line, which would have to be excavated and moved. Further, it would interfere with the area used for recreation by the family. The site proposed is screened from Henry Road by dense vegetations. At the proposed location it will not be necessary to remove any trees on the lot.

11. The applicant requires the following variances:

- Section 400-10A – Shed Size Variance: The applicant seeks a 288 square foot shed, which exceeds the maximum permitted by ordinance.
- Section 400-10 – Shed Height Variance: The applicant proposes a shed 10 feet high which meets the 10 foot maximum permitted height, but seeks variance relief in case the shed is a few inches higher.
- Section 400-10C – Location Variance: The applicant seeks to install the shed in the front yard because that is the only provided site for it.

12. The GPB finds that the subject lot is unique in shape with frontage on two streets with the possible location for a shed limited by the existence of an underground gas line and the existence

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of nature trees on the site. Further, the size of the shed is not inconsistent with outbuildings on various properties in the immediate vicinity.

13. The applicants have agreed to maintain the existing trees and foliage between the proposed shed at Henry Road and to not remove or change any trees in connection with the installation and maintenance of the proposed shed.

CONCLUSIONS

14. The Planning Board concludes that the subject lot is exceptionally configured and encumbered, which constitutes a unique situation and that the purposes of the Municipal Land Use Law are advanced by granting the variances outlined above.

15. Further, the GPB concludes that the benefits in granting the variances substantially outweigh any detriments.

16. The GPB also concludes that granting the subject variances will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Gibbsboro, nor will it cause substantial detriment to the public good.

RESOLUTION

On the motion of Mayor Ed Campbell, seconded by Susan Croll, the Planning Board voted 7-0 to approve the shed size, height and front yard location variances requested by the applicants, subject to the condition that (1) applicants maintain the current foliage and tree screening between the proposed shed site and Henry Road; (2) the shed shall not be used for living space; (3) applicants maintain the existing trees along Henry Road; (4) applicants comply with all representations made during the course of the public hearing held in this matter on August 11, 2020.

ROLL CALL VOTE

LuAnn Watson	Yes
Ed Campbell	Yes
Jack Flynn	Yes
Susan Croll	Yes
Barbara Gellura	Yes
Michael Kelly	Yes
Dennis Deichert	Yes

Motion to approve resolution Mr. Deichert, second Mayor Campbell

Poll: E.C. Aye S.C. Absent D.D. Aye J.F. Aye B.G. Absent M.K. Aye L.W. Absent
B.R. Aye J.R. Aye

PB2020-9-18 RESOLUTION GRANTING A CERTIFICATE OF APPROPRIATENESS TO RIGGE BLIXT-PLUCK FOR THE MAINTENANCE OF A FENCE AT THE PREMISES LOCATED AT 103 (AKA 105) SOUTH LAKEVIEW DRIVE, GIBBSBORO, NEW JERSEY

On August 11, 2020, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present:

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LuAnn Watson, Chairperson
Edward Campbell, Mayor
Jack Flynn, Councilman
Susan Croll
Barbara Gellura
Barry Rothberg
Michael Kelly
Dennis Deichert

The following were also present at the meeting:

Peter R. Thorndike, Substitute Planning Board Attorney
Amy C. Troxel, Planning Board Secretary
Greg Fusco, Planning Board Engineer
Brian Slaugh, Planning Board Planner

SUBJECT

The Board considered the application of Rigge Blixt-Pluck, for the maintenance of a fence located in the Historic District. The property is designated as 103 (aka 105) South Lakeview Drive and is also known as 105 South Lakeview Drive and designated on the Gibbsboro Tax Map as Block 18.07, Lot 11.

The property is located in the Historic District and is subject to the requirement of a Certificate of Appropriateness in accordance with Section 222-7 of the Gibbsboro Historic Preservation Ordinance and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-110.

Rigge Blixt-Pluck, virtually appeared, was sworn and testified on her own behalf.

Brian Slaugh, Borough Planner and Greg Fusco, Planning Board Engineer, virtually appeared, were sworn and testified in connection with the application.

The following exhibits were also included as part of the record:

- A-1 Application of Historic District Certificate of Appropriateness
- A-2 Description and installation of fence
- A-3 Photographs of previous and existing replacement fence

PB-1 Report letter from Brian Slaugh, Planning Board Planner dated 8/7/2020.

No one appeared during the public portion of the hearing to testify.

FINDINGS OF FACT

The Planning Board, having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board has jurisdiction over the application for the Historic Certification of Appropriateness in accordance with N.J.S.A. 40:55D-110 and Section 222-7 of the Gibbsboro Historic Preservation Ordinance.

2. Applicant testified that she purchased the property in 1996 at which time it contained a three strand electrical fence around the house enclosure. Applicant was advised by the Zoning Officer that electrified fences were not permitted. Applicant then replaced the fencing with a 4 foot high non-climb house fence as depicted in Exhibit A-2. Her property is in the Historic District and she replaced the fence without securing a Certificate of Appropriateness.

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3. There is a substantial amount of vegetation on the site and the fencing is located behind applicant’s residence. Because the fence is composed of interwoven wire, which can be seen through, is over 100 feet from a public street, way or place and is virtually undetectable from public view.

CONCLUSIONS

4. The Planning Board concludes that the maintenance of the fence is warranted based upon the evidence presented and complies with the review standards under Section 222-7 of the Borough Ordinance.

RESOLUTION

On the motion of Susan Croll, seconded by Dennis Deichert, the Planning Board 7-0 to approve the Certificate of Appropriateness.

ROLL CALL VOTE

LuAnn Watson	Yes
Ed Campbell	Yes
Jack Flynn	Yes
Barbara Gellura	Yes
Michael Kelly	Yes
Susan Croll	Yes
Dennis Deichert	Yes

Motion to approve resolution Mayor Campbell, second Mr. Kelly

Poll: E.C. Aye S.C. Absent D.D. Aye J.F. Aye B.G. Absent M.K. Aye L.W. Absent
B.R. Aye J.R. Aye

OLD BUSINESS None

NEW BUSINESS None

MINUTES

Motion to dispense reading and approve the minutes of 8/11/2020 Mr. Kelly, second Mayor Campbell

Poll: E.C. Aye S.C. Absent D.D. Aye J.F. Aye B.G. Absent M.K. Aye L.W. Absent
B.R. Aye J.R. Aye

Motion to dispense reading and approve the minutes of 1/8/2019 Mr. Kelly, second Mr. Deichert

Poll: E.C. Aye S.C. Absent D.D. Aye J.F. Abstain* B.G. Absent M.K. Aye L.W. Absent
B.R. Abstain* J.R. Abstain*

* Councilman Flynn, Mr. Rothberg, and Mr. Ritz were not members of the board at the time of the 1/8/2019 meeting

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CORRESPONDENCE

TO: Mayor & Planning Board, dated 8/18/20
FROM: Arjun Goyal, Superjet Land LLC
RE: Release of Construction Bond
ACTION: No action needed

PENDING APPLICATIONS None

INFORMATIONAL

1. Next regular Planning Board meeting has been moved to October 20, 2020 at 7:00 P.M.

PUBLIC COMMENTS

No comment

ADJOURNMENT

Motion to adjourn at 7:22 P.M. Mayor Campbell, second Mr. Rothberg

Poll: E.C. Aye S.C. Absent D.D. Aye J.F. Aye B.G. Absent M.K. Aye L.W. Absent
B.R. Aye J.R. Aye

AMY C. TROXEL, Secretary

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