

Minutes of the Commercial Township Land Use Board reorganization/meeting was held at the Municipal Hall in Port Norris on **March 23, 2016**.

The chairperson called the meeting to order. It was advised that the meeting was being electronically recorded in accordance with the Open Public Meeting Act and that anyone wishing to speak must stand, state his or her name and address in a clear tone of voice. All joined in the Flag Salute.

**SYNOPSIS:**

**Roll Call:**

Ken McGill, Class II Board Member (late)  
Christina Cannon, Alt 1  
Doris Tomlinson, Class IV Board Member  
Ronnie Sutton Sr., Class III Board Member  
Debra Karp, Class IV Board Member  
Debbie Hollinger, Class IV Board Member  
LaRae Smith, Class IV Board Member  
Russell Stormes, Class IV Board Member  
Frank DiDomenico, Solicitor  
Steve Nardelli, Engineer  
Kathi Burno, Board Secretary

**Absent:**

Dean Berry, Class IV Board Member

**Minutes:**

A motion to approve the minutes of February 24, 2016 was made by Ms. Smith and seconded by Ms. Tomlinson.

A roll call vote was as follow:

Christina Cannon	Yes
Ken McGill	Yes
Doris Tomlinson	Yes
LaRae Smith	Yes
Debra Karp	Yes
Ronnie Sutton	Yes
Deborah Hollinger	Abstain
Russell Stormes	Yes

**OLD BUSINESS:**

Board Engineer, Steven Nardelli, was sworn in.

Steve Veltman Block 169 Lot 60  
1831 Buckshutem Rd  
Variance

The board decided to accept what was previously submitted by Mr. Veltman; a letter was sent to Mr. Veltman, the board did not want to overburden the applicant.

Completeness:

The engineer was okay with what was submitted by the applicant.

A motion was made by Mr. Sutton and seconded by Mr. McGill to deem the application complete.

Voice vote was as follows:

Christina Cannon	Yes
Doris Tomlinson	Yes
Ken McGill	Yes

LaRae Smith Yes  
Debra Karp Yes  
Ronnie Sutton Yes  
Deborah Hollinger Yes  
Russell Stormes Yes

The application was to construct a (6) foot high privacy fence that already have been constructed. The applicant placed it in his front yard for privacy and noise reduction. The fence is higher than permitted in the front yard by (2 ½ feet), and it is a solid fence. Section 8.3 of the ordinance says: that any fence on the side and the front edge shall not exceed the height of 2 ½ feet or 4 feet where the fence is not more than 25 percent opaque. (b) But the land use board may modify the above requirements when its deemed reasonable and appropriate to require the insulation of a buffer between two properties or from some objectionable condition or nuisance such as a heavily traveled thoroughfare.

The fence is 72 inches high and 60 feet long and is made of vinyl.  
The visibility was fine with the engineer and the county had no objections.

**Public**

A motion was made by Mr. McGill and seconded by Ms. Tomlinson to open to the public. No public concerns a motion was made to close to the public.

The motion is to approve a 72 inch tall privacy fence, not to exceed 200 feet long along the front of the property. The variance is for a solid fence in the front yard and a 6 foot high fence in the front yard where the maximum 4 feet are permitted as it exist at the present.

The motion was made by Ms. Smith and seconded by Mr. McGill to approve.

Voice vote was as follows:

Christina Cannon Yes  
Doris Tomlinson Yes  
Ken McGill Yes  
LaRae Smith Yes  
Debra Karp Yes  
Ronnie Sutton Yes  
Deborah Hollinger Yes  
Russell Stormes Yes

**NEW BUSINESS:**

Acos energy/ Baglio  
Block 180 lot 8.01  
David Appolonia, representing

Mr. Appolonia was not able to speak on Mr. Baglio's behalf. The applicant ( Mr. Baglio) must be present or he can hire an attorney.  
The case will be heard at the May meeting.  
It was announced that the application will be held at the May 25<sup>th</sup> meeting with no further notice.

**BOARD BUSINESS:**

Mr. McGill stated that at the environmental meeting a question came up about the Master Plan renewal.  
The engineer said that he is working with Sally Birdsall, she wanted to come and talk to the Land Use Board.

Mr. McGill said that one of the items was the Historical sites and that the cemetery be considered as a historical site to have it listed as well as the flood plains. ( Sorry cross talking could not understand)  
Environmental Committee will reach out to surrounding townships and put forth of an idea of regional brochures or online maps of hiking and nature areas and also what the towns can offer, gas stations, eateries etc., trying to stay away from corporate areas. They would like to reach out to Maurice River and Down Township.

BILL LIST

A motion was made by Ms. Tomlinson and seconded by Mr. Sutton to pay the bill list.

All was in favor none opposed

With no other business or public concerns a motion was made and seconded to adjourn the meeting.

All was in favor none opposed.

Kathi Burno  
Board Secretary  
Next meeting May 25th @ 6:30pm

RESOLUTION NO. 2016-09

RESOLUTION OF FINDINGS AND CONCLUSIONS AND DECISION

OF THE LAND USE BOARD OF COMMERCIAL TOWNSHIP

**WHEREAS**, Steven Veltman, with an address at 1831 E. Buckshutem Road, Millville, NJ 08332, has applied to the Land Use Board of Commercial Township for bulk variance approval for a fence on property located at 1831 E. Buckshutem Road, being known as Block 169, Lot 6, as shown on the current tax map of Commercial Township; and

**WHEREAS**, the Board, having considered the sworn testimony of the applicant; having considered the application of the applicant; having considered the sketches of the premises submitted by the applicant; having considered the report of Stephen J. Nardelli, PE, PP, Land Use Board Professional Engineer and Professional Planner, dated July 15, 2015; having considered the sworn testimony of Stephen J. Nardelli, PE, PP, made the following factual findings:

1. The applicant is the owner of the property in question.
2. All application fees, tax and assessments have been paid to date.
3. The applicant has published notice of the application in a newspaper having general circulation within the Township and the applicant has provided notice to property owners located within 200' of the subject premises by way of certified mail, return receipt requested or by personal service.
4. The property in question has frontage of 707' along Buckshutem Road and contains a total area of 10.5 acres. Located on the property in question is a single family dwelling in which the applicant resides.
5. By way of the proposed application, the applicant proposes to erect a 6' tall, solid, vinyl fence in the front yard of the lot in question.
6. The applicant requires a bulk variance for the proposed fence as §8.3 of the Commercial Township Land Use Ordinance does not permit solid fences higher than 2.5' within the front yard.
7. The applicant provided the following sworn testimony:
  - a) The fence has already been erected.
  - b) The fence is 6' tall, solid and is of vinyl construction.
  - c) The purpose of the fence is to provide a sound buffer and provide privacy as Buckshutem Road is a heavily traveled roadway.
  - d) He submitted an application to the County and Cumberland County issued a letter of no objection.
8. Stephen J. Nardelli, PE, PP, provided the following sworn testimony:
  - a) He noted that he has inspected the site and visibility is not an issue.
  - b) He noted in his report that §8.3B does permit the Land Use Board to modify fence requirements if there is some objectionable condition such as a "heavily traveled thoroughfare or to provide privacy to residential property."

9. No members of the public appeared to speak in favor of nor against the proposed application.

**NOW, THEREFORE, BE IT RESOLVED,** by the Land Use Board of Commercial Township, that approval of the application for a fence to be located in the front yard of a residential lot is granted.

The Board grants a bulk variance for a 6' high solid vinyl fence in the front yard not to exceed the length of the fence as it now exists.

The Board finds that the property in question is located along Buckshutem Road which is a busy roadway. The fence will provide a sound barrier and privacy to the residential property.

Additionally, §8.3 B of the Township Land Use Ordinance does permit the Board to modify the fence standards for properties located on heavily traveled thoroughfares, to provide privacy to a residential property and to create a barrier to intrusions of noise. These conditions exist in the present matter.

The Board further finds that failure to grant this variance would result in exceptional practical difficulties and extreme hardship to the applicant.

The Board further finds that by granting the bulk variance there will be no substantial detriment to the public good nor substantial detriment to the Township's Land Use Ordinance nor Zoning Plan.

Approval shall be subject to the applicant obtaining all applicable building permits as required.

ROLL CALL VOTE

THOSE IN FAVOR  
RUSSELL STORMES  
DEBRA KARP  
LARA E SMITH  
CHRISTINA CANNON  
DORIS TOMLINSON  
DEBORAH HOLLINGER  
KENNETH MCGILL  
RONALD SUTTON

THOSE OPPOSED  
NONE

ABSTAINING  
NONE

ABSENT  
DEAN BERRY

The foregoing is a true copy of the Resolution and decision adopted by the Land Use Board of Commercial Township at its meeting held on March 23, 2016, as reflected in the recorded minutes of the said meeting.

Dated:

ATTESTED:

RUSSELL STORMES, Chairperson

KATHI BURNO, Secretary

**COMMERCIAL TOWNSHIP LAND USE BOARD**

**AGENDA**

**May 25, 2016**

**6:30PM**

**I. MEETING TO ORDER**

- A. CHAIRPERSON CALLS MEETING TO ORDER
- B. ANNOUNCEMENT
- C. FLAG SALUTE

**II. ROLL CALL**

**III. MINUTES**

APPROVE MINUTES OF:  
March 23, 2016

- IV. RESOLUTION  
Steven Veltman 2016-09

- V. NEW BUSINESS  
Acos Energy/Baglio  
Solar Block 180 Lot 8.01

- VI CORRESPONDENCE
- VII BOARD BUSINESS
- VIII BILL LIST
- IX APPROVE BILL LIST
- X OPEN MEETING TO THE PUBLIC
- XI ADJOURN MEETING