

CITY OF BURLINGTON

LAND USE BOARD MEETING MINUTES

OCTOBER 23, 2013

The City of Burlington Land Use Board held their regular monthly meeting on Wednesday, October 23, 2013 at 7 PM in the City Hall Complex, 525 High Street, Burlington, New Jersey.

Members present: Chairman Claudine Conaway, Vice Chairman Samuel Richter, David Ballard, Victor Carnivale, Councilwoman Helen Hatala, Michael Johnson, Charles Johnston, Raymond Schobert and David Tishler (9). Absent: Officer Mercuri (1).

Also present: Board Solicitor M. Lou Garty and Board Secretary Diane Burns.

Chairwoman Conaway asked for a moment of silence in remembrance of Board Solicitor Frederick Hardt who passed away recently.

APPLICATIONS

Application #682-13

Michael R. Bolen

802 Salem Road (Block 2, Lot 3)

Variance / 6' fencing project

Board Solicitor swore in Applicant Bolen who stated his reasons for the proposed 6' white vinyl privacy fence are that he has a large dog, so he wants a fence for privacy and security. The survey of the Property was reviewed. Mr. Bolen testified that he moved into the home in November of 2012. He noted he has a massive parking drive to one side of his property. The existing 3' fence that surrounds three sides of his property will be removed. Solicitor Garty asked if the applicant will be willing to set the fence off the ground to allow for maintenance. Applicant agreed. He also stated he will be planting a 40' row of slow growing arborvitae inside the fence line. Councilwoman Hatala entered the meeting. When questioned, the applicant stated that the driveway is a shared driveway. The Applicant explained that he will be installing 3 sides of the fence at this time and in the future will finish the fencing of the rear yard. Applicant plans to construct a deck in the notch of the home. Exhibit A amended survey was marked and accepted into evidence. No public comment. Solicitor Garty summed the application as well as Exhibit A and noted the 6' high vinyl privacy fence will be internally bordered by arborvitae and consistent with the markings on Exhibit A; the fence will be set back

from the ground for preventive maintenance purposes consistent with the conditions suggested by the Board. The Exhibit A is part of the record and will be attached to the Resolution memorializing the Board's action. There being no further discussion Mr. Ballard moved to approve the application as discussed this evening, second from Mr. Johnson. Roll call vote. Recusing Themselves: Councilwoman Hatala (1). All in favor.

BOARD MINUTES

Board Member Carnivale moved to accept the minutes of the September 25, 2013 meeting, second from Mr. Johnson. All in favor.

As a reminder, Chairwoman Conaway noted the November meeting will be held on Monday, November 25.

PENDING RESOLUTIONS

1). Cecchi Partnership, LLP / 415 St. Mary Street and also known as 340 E. Broad Street (Block 145, Lot 60) – granted a Certificate for a Pre-Existing Non-Conforming Use. Mr. Ballard moved for acceptance, second from Mr. Carnivale. All in favor.

BOARD BUSINESS

Solicitor Garty stated there will be a memorial service to remember Solicitor Hardt at 5:30 PM on Monday, October 28 at Café Gallery.

Vice Chairman Richter stated he feels Council should again be approached with the idea of permitting 6' fences. He stated it is very clear 6' fences are routinely approved by the Board. Several members gave their feelings. Chairman Conaway stated she is on a Committee who will be moving to allow 6' fences under certain conditions. She further stated Mr. Lowrie would be reviewing and approving the 6' fence proposals. She concluded her comments by stating this change would be done by ordinance.

There being no further business and no public comment the meeting was adjourned at 7:22 PM.

Respectfully submitted,

DIANE BURNS, Secretary to the Board