

**BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
August 27, 2014**

The meeting was called to order by Chairman Lawrence Barrar at 7:31 PM. The public statement was read by the Chairman, followed by the flag salute.

ROLL CALL - CH-Chairman, VC-Vice Chairwoman, C-Council, MD-Mayors Designee, A-Alternate

Lawrence Barrar	CH	Present	Mary Martz	C	Present
Joyce Albrecht	VC	Present	Michael Moore	MD	Present
Robert Brown		Present	Robert Mastalski	A1	Present
Brian Carson		Present	William Kennedy	A2	Present
John DiBartolomeo		Present	William Couse	A3	Present
Joseph Dymond		Present	VACANT	A4	
Richard Krause		Absent			

ALSO

David Kreck	Engineer	Present	Michael Ward	Solicitor	Present
Dan Wassenar	Zoning Off.	Present	Denise O’Kane	Secretary	Present

ALTERNATE REPLACEMENT

A1 Robert Mastalski replaced Richard Krause

APPROVAL OF MINUTES

Motions were made to approve the July 23, 2014 minutes. AIF-motion approved.

OLD BUSINESS

None at this time

NEW BUSINESS

Zoning Ordinance Appeal

APL 14-1 / David Roche’

Mr. Roche’ is appealing the decision of the Zoning Official for denying his application to install an in ground swimming pool and the installation of a 6’ privacy fence.

Mr. Ward asked if the applicant was informed that he could apply for a variance; he said yes, but did not feel the decision was correct and he should not need a variance.

Mr. Roche’ stated he has a corner property located at the intersection of Lafayette Avenue and Cumberland Avenue. His address is 412 S. Cumberland, but according to the borough ordinance the shorter lot line is facing Lafayette and that is his front yard, not Cumberland Ave.

Chairman Barrar stated; the board needs to determine if the decision made by the Zoning Official was correct. The board needs to determine what is considered his front yard first. Mr. Roche’ stated the orientation of the house created a unique situation and for the earlier addition to be approved, the borough had to consider the front yard to be Lafayette Ave. to meet the setback requirements.

Motions were made to open the meeting to the public. AIF motion approved. Being no comments, motions were made to close the meeting to the public. AIF motion approved.

After a lengthy discussion; the board determined that the front yard is Lafayette Ave. Motion approved by roll call vote. The board further made a motion confirming the interpretation that the 6’ fence designated on the zoning application dated 8/4/14 is lawful under the ordinance and no variance is needed. Motion approved by roll call vote.

The board discussed the placement of the swimming pool, and how the ordinance does not clearly define swimming pools on corner properties. After some discussion it was determined that a variance would be required for the location of the swimming pool. A motion was made to uphold the Zoning Officials

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determination to deny the location of the swimming pool and a variance would be required. Motion approved by roll call vote.

OPEN PUBLIC

No public present.

CORRESPONDENCE

Each member received a copy of "The New Jersey Planner"

ORDINANCE ISSUES

None at this time

COMMENTS/DISCUSSION

Councilwoman Martz stated; on behalf of the Magnolia Planning Board I would like to send our condolences to Larry Barrar for the passing of his wife Nancy; and to Robert Mastalski for the passing of his wife Diane. A donation was sent to the Mt. Ephraim United Methodist Church and to Hospice as stated in the two funeral notices.

Mr. Kreck stated that FedEx is rethinking what they want to do with the site before they come back and are sitting on the plans for now.

Councilwoman Martz will notify mayor and council to amend the ordinance to specify fences on corner lots, and to amend the pool ordinance for corner lots.

ADJOURNMENT

Being no further discussion, motions were made to adjourn the meeting at 8:55pm. AIF-motion approved.

*AIF – All in Favor

Unofficial Copy

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