

THE REGULAR MEETING OF THE JOINT LAND USE BOARD FOR THURSDAY, MARCH 23, 2017
WAS CALLED TO ORDER AT 7:00 P.M. AT THE LINDENWOLD BOROUGH HALL.

SUNSHINE ANNOUNCEMENT

FLAG SALUTE

PRESENT: – KATE GASKILL, ESQ.

MEMBERS PRESENT:

MAYOR RICH ROACH
COUNCILMAN RON BURROWS
MR. CRAIG WELLS
MR. JOE VANDERGRIFT
MS. PAT STRIPPOLI
MR. CHRIS RASMUSSEN
MS. KATHY FITZPATRICK
MS. JOY JACKSON
MS. BETH FOSTER

MEMBERS ABSENT:

MR. JAMES SAAD

MS. STRIPPOLI ENTERTAINED FOR A MOTION TO APPROVE THE MINUTES FROM
FEBRUARY 23, 2017. MS. FOSTER MADE THE MOTION TO APPROVE, MOTION SECONDED
BY MR. WELLS. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

MS. STRIPPOLI ENTERTAINED FOR A MOTION TO APPROVE RESOLUTION JLUB-17-4, AG
BERENATO CONSTRUCTION, LLC. BLOCK 250, LOT 2.01. MS. FITZPATRICK MADE THE
MOTION TO APPROVE, MOTION SECONDED BY MS. FOSTER. ROLL CALL WAS
UNANIMOUS. MOTION CARRIED.

MS STRIPPOLI ENTERTAINED FOR A MOTION TO APPROVE RESOLUTION JLUB-17-5, AJ
RESTORATION, LLC. BLOCK 224, LOT 3. MS. FITZPATRICK MADE THE MOTION TO
APPROVE; MOTION SECONDED BY MR. RASMUSSEN. ROLL CALL WAS UNANIMOUS.
MOTION CARRIED.

APPLICATION JLUB-17-3
JEFF NIESSNER
215 N. WHITE HORSE PIKE
BLOCK 112, LOT 8
USE VARIANCE TO MAKE DUPLEX

JEFF NIESSNER – SWORN IN
JAMES DERR – SWORN IN

BOARD SOLICITOR STATING LET THE RECORD REFLECT THAT THIS MATTER HAS BEEN
CONTINUED FOR TWO MONTHS, THIS IS THE THIRD APPEARANCE AND WITH NO COUNCIL.

MR. NIESSNER GIVING BRIEF OVERVIEW OF PROPERTY AND APPLICATION

BOARD SOLICITOR STATING THE PROPERTY IS LOCATED IN THE B2 ZONE, HIGHWAY
BUSINESS, RESIDENTIAL USE IS NOT PERMITTED.

MR. DERR STATING IT WAS A BARBER SHOP AND OWNER LIVED IN BACK FOR OVER 50 YEARS

BOARD SOLICITOR STATING THIS APPEARS TO BE A NON-CONFORMING PRE-EXISTING USE. THIS MEANS YOU HAVE A BUSINESS USE AND A RESIDENCE THERE. YOUR APPLICATION APPEARS THAT YOU WANT TO EXPAND THAT NON-CONFORMING USE TO MAKE IT A DUPLEX, TO MAKE BOTH UNITS RESIDENTIAL. IS THAT WHAT YOU WANT?

MR. NIESNNER GIVING TESTIMONY THAT IT IS NOW HIS UNDERSTANDING THAT IT HAS TO BE OWNER OCCUPIED.

BOARD SOLICITOR STATING THIS IS A PRE-EXISTING NON-CONFORMING USE OF THIS PROPERTY WHICH IS ALLOWED TO BE CONTINUED. THERE IS A RESIDENCE IN THE BACK AND RETAIL IN FRONT.

BOARD SOLICITOR STATING YOU ARE SAYING NOW THAT YOU WILL HAVE A BUSINESS IN FRONT AND RENTAL IN BACK BUT YOUR APPLICATION SAYS TWO UNIT RENTALS, THAT YOU WANT A DUPLEX.

DISCUSSION ON USE OF BUILDING, IF IT WAS ABANDONED

MR. NIESSNER STATING NOW I WANT TO HAVE A TENANT IN THE BACK AND A RETAIL STORE IN THE FRONT.

BOARD SOLICITOR STATING SO YOU WANT TO CONTINUE THE STORE USE OF THE BUILDING. IT'S A PRE-EXISTING NON-CONFORMING USE, THE RETAIL WITH THE RESIDENTIAL IN THE BACK. THE BOARD COULD ACKNOWLEDGE AND CONFIRM THAT. IT WOULD BE STIPULATED THEN UNDER NO CIRCUMSTANCES CAN THE FRONT RETAIL AREA BE USED FOR RESIDENTIAL.

COUNCILMAN BURROWS STATING INSPECTIONS MUST BE DONE BEFORE ANYONE MOVES IN.

SHORT BREAK WHILE SECRETARY CHECKS IF APPLICANT IS REGISTERED AS A LANDLORD

MS. STRIPPOLI STATING WE ARE BACK ON THE RECORD

DISCUSSION

MAYOR ROACH STATING A SMOKE INSPECTION, C/O AND REGISTERING AS A LANDLORD SECRETARY STATING IF APPLICATION IS APPROVED, I CAN GIVE HIM ALL THE PAPERWORK.

BOARD SOLICITOR STATING BEFORE ANYONE MOVES INTO THE RETAIL SPACE, AN APPLICATION WITH THIS BOARD WILL BE NEEDED

BOARD SOLICITOR STATING THE ACTION IS, WE ARE CONFIRMING THAT IT IS A PRE-EXISTING NON-CONFORMING USE, WITH THAT, THE CONDITIONS THAT WOULD BE IMPOSED ARE THAT YOU APPLY FOR LANDLORD REGISTRATION, C/O AND SMOKE CERTIFICATIONS. AND TO CLARIFY YOU CANNOT HAVE RESIDENTIAL USE IN THE RETAIL SPACE.

MS. STRIPPOLI OPENED THE MEETING TO THE PUBLIC AND NO ONE STEPPED FORWARD.

BOARD SOLICITOR SUMS UP APPLICATION

(PRE-EXISTING NON-CONFORMING USE, RETAIL IN THE FRONT AND RESIDENTIAL UNIT IN BACK. THE APPLICANT WILL IMMEDIATELY APPLY FOR A LANDLORD REGISTRATION, SMOKE & C/O CERTIFICATION AND HE HAS BEEN ADVISED THAT HE CANNOT OCCUPY THE RETAIL AREA AS A RESIDENTIAL USE, UNLESS HE COMES IN FOR USE VARIANCE. HE CANNOT GET A TENANT IN THE RETAIL UNTIL HE COMES IN FOR A CHANGE IN USE.

MS. STRIPPOLI ENTERTAINED FOR A MOTION AS STATED BY BOARD SOLICITOR. MS. FOSTER MADE THE MOTION TO APPROVE, MOTION SECONDED BY MR. RASMUSSEN

COUNCILMAN BURROWS STATING WHAT IS THE TIME FRAME FOR ALL THAT HAS TO BE DONE, IT HAS TO BE IMMEDIATELY.

BOARD SOLICITOR STATING THERE ARE TENANTS IN THERE, SO ACTUALLY HE IS IN VIOLATION.

COUNCILMAN BURROWS STATING TOMORROW

APPLICANT STATING WE WILL HAVE IT ALL IN TOMORROW

ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

BOARD SOLICITOR STATING THE MASTER PLAN WILL BE ON THE MAY AGENDA

MS. STRIPPOLI OPENED THE MEETING TO THE PUBLIC AND NO ONE STEPPED FORWARD.

MEETING ADJOURNED

NANCY DIDOMENICO
BOARD SECRETARY