

**UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
APRIL 18, 2013**

The regular meeting of the Upper Township Planning Board was held at the Township Hall, 2100 Tuckahoe Road, Petersburg, New Jersey at 7:30 p.m.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Daniel Bready, William Brown, James Kelly, Anthony Inserra, Joseph Harney and Vice Chair Janet McCrosson.

Absent: Gary Riordan, James Schroder, Georgette Costello, Mayor Richard Palombo and Chair Renee Scrocca.

Also in attendance were Dean Marcolongo, Board Solicitor; Paul Dietrich, Board Engineer and Shelley Lea, Board Secretary and Zoning Officer.

APPROVAL OF THE MARCH 21, 2013 MEETING MINUTES

A motion to approve the minutes was made by Mr. Brown and seconded by Mr. Harney. In favor: Bready, Inserra, Harney, McCrosson. Abstain: Brown, Kelly

TABLED APPLICATIONS

1. GEORGE HARMS CONSTRUCTION CO. INC. – BLOCK 414, LOT 45 AND BLOCK 451, LOT 4 – PB02-13

This application has been tabled until May 16, 2013. The applicant has agreed to waive the time in which the Board has to act on the application. No further notice is necessary.

Solicitor Marcolongo announced that Harms Construction Co. is a mining operation on Route 610. The property is located in the Pinelands. Pursuant to the NJ Pinelands Commission and Upper Township regulations, mining operations can only mine 65 ft. below grade. The applicant desires to mine to 125 ft. below grade. For the past five years the Harms organization has been working with the NJ Pinelands Commission and has convinced them it is alright to mine to 125 ft. A report prepared and submitted to the Pinelands has satisfied them that there would be no adverse effects on offsite properties. A copy of the report will be sent to the Board members. The Pinelands did not feel they had the expertise to evaluate the report from Harms' expert so they contacted an organization within the DEP called the NJ Geologic Study. Solicitor Marcolongo

contacted the NJ Geologic Study and asked for their reports and concerns over the past five years. They have refused to allow the Board to review the information saying they are deliberative documents.

Solicitor Marcolongo stated that the Board needs to hire an expert to evaluate the Harms report. The cost of the evaluation would be paid for by the applicant. Mr. Dietrich has been in contact with Adams, Rehmann & Heggan Associates.

A motion was made by Mr. Inserra and seconded by Mr. Kelly, to permit the Chairperson to execute a contract with Adams, Rehmann & Heggan Associates, Inc. or another appropriate company to act as Board expert and evaluate the reports that we have and be prepared to appear at a subsequent hearing before this Board and give testimony as to their findings. In favor: Bready, Brown, Kelly, Inserra, Harney, McCrosson.

2. DISCUSSION AND POSSIBLE ADOPTION OF A MASTER PLAN REEXAMINATION FOR UPDATES TO THE REVISED GENERAL ORDINANCE CHAPTER XX (ZONING) OF THE CODE OF UPPER TOWNSHIP – ORDINANCE NO. 006-2013

Solicitor Marcolongo explained that the ordinance that has been introduced by Township Committee basically says that existing non-conforming uses and structures may be raised to advisory base flood elevation plus one foot without coming to the zoning board under certain conditions. Specifically, they cannot expand the footprint of the structure and any additional stairs or entrances to the building can go as far as one foot to the property line.

There was no one from the public present.

A motion was made by Mr. Kelly and seconded by Mr. Inserra to adopt Special Resolution 03-13 that recommends the Township Committee adopt the modifications to the zoning ordinance to allow existing non-conforming uses and structures to be raised to base flood elevation plus one without variance relief under certain circumstances. In favor: Bready, Brown, Kelly, Inserra, Harney and McCrosson.

RESOLUTIONS

1. COTRO DEVELOPMENT CO, LLC – BLOCK 415, LOT 5 – SD01-13

A motion to adopt the Resolution was made by Mr. Harney and seconded by Mr. Inserra. In favor: Bready, Harney, Inserra and McCrosson. Abstain: Brown, Kelly.

2. HERITAGE ACRES MOBILE HOME PARK, LLC – BLOCK 639, LOTS 15.01, 15.02 & 15.03 – PB01-13

A motion to adopt the Resolution was made by Mr. Inserra and seconded by Mr. Harney. In favor: Bready, Harney, Inserra and McCrosson. Abstain: Brown, Kelly.

BILLS

A motion to approve the bills was made by Mr. Kelly, seconded by Mr. Harney, and approved.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Kelly and seconded by Mr. Inserra. The meeting was adjourned at 7:53 p.m.

Submitted by,

Shelley Lea