

**UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
JULY 17, 2014**

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, Georgette Costello, Michael Endicott, Joseph Harney, Cynthia Harrison, Anthony Inserra, Ted Kingston, Hobart Young, and James Kelly.

Absent: William Brown.

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

APPROVAL OF THE JUNE 19, 2014 MEETING MINUTES

A motion to adopt the minutes was made by Mr. Harney and seconded by Mr. Kingston. Abstain: Bready, Costello, Harrison, Inserra, Young.

SWEAR IN PAUL DIETRICH

APPLICATIONS

1. ST MAXIMILLIAN KOLBE PARISH – BLOCK 650, LOT 5 – PB03-14

Application is for site plan waiver to construct a 30 ft. x 70 ft. pavilion at 200 W. Tuckahoe Road in Marmora.

Dean Marcolongo stepped down during this application and Dorothy McCrosson acted as Chair.

Chairman Kelly and Ms. Costello stepped down during discussion and voting on this application. Mr. Harney acted as Chair.

James Moore, Esquire, represented the applicant. Monsignor Joyce was sworn in along with Matthew Hender, Professional Planner with EDA.

Monsignor Joyce testified the church is proposing to construct a pavilion where people can gather periodically. There are 400 kids in the youth program that can use the pavilion also.

Mr. Henderson reviewed sheet 2 of 2 of the site plan prepared by EDA and dated 7/07/2014. The plans show this is a 10.45 acre parcel containing the parish and rectory. The applicants propose to construct a 30 ft. x 70 ft. pavilion behind the rectory. A 10 ft. x 30 ft. section of the pavilion will be closed in and used for storage of tables and chairs. The base will be concrete. He submitted a faxed copy of a similar pavilion that was marked as Exhibit A-1.

Mr. Henderson explained the pavilion is proposed where the parish hall was previously approved. The pavilion will be relocated to an area adjacent to the parking lot when construction begins on the new parish hall. The new location is shown on the plan.

Mr. Henderson testified the pavilion would not change the drainage requirements. Any drainage that is created would be minimal and can be handled by the existing basin. The pavilion would not change the parking requirements. Both of the proposed locations meet the setback requirements.

Mr. Dietrich explained the pavilion will be moved and the parish hall will be built as part of Phase II of their previous site plan approval. He testified that the pavilion meets the requirements for a site plan waiver since it would not affect the parking, drainage or lighting on site. He suggested that they install a handicap ramp to access the pavilion.

Monsignor Joyce feels this is the best location for the pavilion since it is easier to access. He proposes to landscape the area around the pavilion.

The meeting was open to the public. Hearing no response the meeting returned to the Board for findings of fact.

MR. YOUNG – The applicant is before the board for a site plan waiver to build a pavilion in the rear yard. The pavilion is in compliance with the setbacks for accessory structures. The proposed pavilion does not change the parking or drainage requirements. He believes the application meets the criteria for a site plan waiver. The applicant recently installed a new sign that he believes adds to the frontage on Tuckahoe Road. The structure would be relocated in the future as part of the phasing on their approved site plan.

MR. KINGSTON – Nothing to add.

MR. ENDICOTT – Nothing to add.

MR. BREADY – Nothing to add.

MRS. HARRISON – Her questions were answered.

MR. INSERRA – Nothing to add.

MR. HARNEY – A handicap ramp was suggested by the Board Engineer for access to the pavilion.

A motion to approve the site plan waiver was made by Mr. Young and seconded by Mr. Bready. In favor: Bready, Endicott, Harrison, Inserra, Kingston, Young, Harney.

2. CEDAR LANE DEVELOPMENT LLC – BLOCK 565.02 LOT 117.03 – SD02-14

Applicants are requesting sketch plat classification for a 4 lot residential subdivision at 1842 Route US 9 South in Seaville.

Mr. Inserra stepped down due to a conflict.

James Moore, Esquire, represented the applicants. Mr. Moore stated that the proposed subdivision is 4 lots and is a major subdivision according to the ordinance. He is requesting that the board classify this as a major subdivision. This is a 5.365 acres parcel. All four lots would have frontage on Route 9. The lot shown on the plat as proposed lot 2 contains an existing single family dwelling and two accessory sheds. Setback variances are needed for the two sheds. Each of the lots meets or exceeds the lot area requirement and complies with the setback requirements. Proposed lot 4 has been determined to be a flag lot and requires a use variance.

Solicitor Marcolongo read the definitions of a minor and a major subdivision. A major subdivision consists of more than three lots or the creation of a roadway. The planning board will classify the application and then the application will be sent to the zoning board for preliminary approval and a use variance since flag lots are not permitted in the Center Residential Zone.

Matthew Hender, Licensed Professional Planner, was sworn. He testified that the plan by EDA, dated 7/8/14 accurately reflects what the applicant is proposing.

The meeting was open to the public. Hearing no response the meeting returned to the board for findings of fact.

MR. HARNEY – The applicants, Cedar Lane Development, LLC, are being represented by James Moore, Esquire and Matthew Hender, Professional Planner. The applicants are seeking sketch plat classification to subdivide a 5.36 acre parcel into 4 building lots. The lots would have frontage on Route 9. Sketch plat classification is required as part of a major subdivision. The application is being sent to the zoning board because of the flag lot on proposed lot 4.

MR. YOUNG – Based on the information provided by the professionals he feels the proposed subdivision should be classified as a major. He finds this is a well-designed plan.

MRS. HARRISON – She is concerned about access on Route 9. She agrees this is a major subdivision.

MRS. COSTELLO – She finds the subdivision obviously meets the definition of a major subdivision and therefore should be classified as a major subdivision.

MR. BREADY – Nothing to add.
MR. ENDICOTT – Nothing to add.
MR. KINGSTON – Nothing to add.
MR. KELLY – There was no comment from the public.

A motion was made by Mr. Harney and seconded by Mr. Young, to classify the proposed subdivision as a major. In favor: Bready, Costello, Endicott, Harney, Harrison, Kingston, Young, Kelly.

3. DISCUSSION REGARDING POTENTIAL REVISIONS TO THE ZONING ORDINANCE

There was discussion concerning flag lots and whether they should only be required to obtain variances for frontage and width rather than a use variance. Flag lot zones are currently permitted in pineland zones. Flag lots are not permitted in the Conservation or residential zones. Mr. Dietrich suggested striking the flag lot from the definitions and removing flag lots as permitted uses in the zoning schedule. A vote was taken as to whether flag lot provisions should be eliminated from the zoning ordinance. Yes: Bready, Costello, Endicott, Inserra, Young, Kelly. No: Harney, Harrison. Abstain: Kingston.

Ed Tettimer, 30 Sherman Avenue, Strathmere, New Jersey and Doug Gaffney, 1500 Walnut Avenue, Voorhees, New Jersey, were present to discuss a proposed bulkhead ordinance.

Mr. Tettimer is a member of the Strathmere Volunteer Fire Company and is also a member of the Strathmere Improvement Association. He stated that over the past few years Strathmere is experiencing more and more nuisance flooding. He commented that there are still homes in Strathmere that are uninhabitable since Hurricane Sandy. They have found the bulkheads in Strathmere are not consistent and there are gaps where there are none. The existing bulkheads vary in height.

Mr. Dietrich reviewed the Proposed Zoning Ordinance Revisions that he prepared, dated June 24, 2014 including the creation of a bulkhead permit.

Mr. Dietrich stated that the bulkhead ordinances for Avalon and Ocean City that were supplied to the board do not require bulkheads to be built.

Mr. Kingston suggested that the Township Committee could help property owners obtain grants to construct bulkheads. He stated there is constant flooding on Bayview Drive. He stated that the Citizens Group would like to make a presentation at the August meeting. There was discussion concerning bulkhead heights.

Mr. Dietrich addressed other items such as landscaping, outside displays and residential agriculture.

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Yard sales will be discussed at the August 21st meeting.

BILLS

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

ADJOURNMENT

A motion to adjourn the meeting was made by Mrs. Harrison, seconded by Mr. Harney, and approved. The meeting was adjourned at 10:10 p.m.

Submitted by,

Shelley Lea