

**UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
FEBRUARY 21, 2019**

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

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Michael Endicott, Jack Griffin, Vice Chairman Joseph Harney, Ted Kingston, Gary Riordan, Committeeman H. Young, Robert Young, Chairman James Kelly.

Absent: Georgette Costello, Mayor Palombo and Scott Morgan.

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

SWEAR IN PAUL DIETRICH

APPROVAL OF THE JANUARY 17, 2019 MEETING MINUTES

A motion to approve the minutes was made by Mr. Harney, seconded by Mr. Endicott, and approved.

TABLED APPLICATIONS

1. DOROTHEA WILLIAMS AND WAYNE WILLIAMS – BLOCK 551 LOT 13 – PB 13-18

This application was not heard since notices were not sent.

2. BUJAR AND GAWIDAKU – BLOCK 846 LOT 4 – PB 07-18

This application was tabled until further notice. The applicant will renote prior to returning to the board.

APPLICATIONS

1. RUTH MANAGEMENT LLC – BLOCK 560 LOT 1.01 – PB 12-13

Applicants are requesting preliminary and final site plan approval and variances for front yard setback, number of freestanding and building mounted signs and the setback and height of a sign to construct a 7,000 sq. ft. medical office at 2087 Route US 9 South in Seaville.

Christopher Baylinson, Esquire, represented the applicant. He explained that the applicant wishes to replace the existing two-story building in the front of the property with a new single-story building in the same location. The new building would be used by Cape Regional. This is a permitted use in the TCC zoning district. They propose to operate a general practice, a lab and physical therapy facility. The building size would be reduced from 8,900 sq. ft. to 7,000 sq. ft. He explained the easement agreement with ACME. ACME must approve all improvements exceeding \$3,000.00.

Robert DePiero of VanRock Properties, John W. Kornick, P.E., Kevin Olandt, Architect with Fenwick Architects, were sworn.

Mr. DePiero testified he has been employed by the Cedar Square Shopping Center and Nicole Rothchild for approximately two years. He stated that Ms. Rothchild has spent significant money on infrastructure for the site. Since he has been brought on significant improvements have been made to the site. They are currently getting quotes on a face lift to the building on the north side including painting the Verizon building and changing signage. They have changed the lights in the parking lot to LED lightbulbs and painted them with weather resistant paint. They presented a \$250,000.00 paving project to ACME which they have rejected. Since the asphalt plants will be opening back up they plan to cut out close to 1,500 sq. ft. of asphalt and pave back over the holes.

Mr. DePiero testified that Ms. Rothchild spent a significant amount of money on the septic since parts of it were failing. The septic is fully operational, and they have a management contract with the septic company. There is a local property management on call now also. The maintenance company has been working on cleaning windows, removing old debris and fixing roof leaks among other things. They are currently working on bringing in new tenants. He feels the new building would bring traffic and visibility to the center.

Many board members expressed concerns about the lack of maintenance and upkeep at Cedar Square and the condition of the drive aisles and service road. Some of the board members referred to the property and buildings as unsightly. There are certain issues that need to be addressed for safety. Mr. Dietrich suggested reaching out to NJ American Water Company to see if their final restoration was done.

UPPER TOWNSHIP PLANNING BOARD

FEBRUARY 21, 2019

PAGE 3 OF 6

The board asked for time lines for completing the work referred to by Mr. DePiero. He testified that he would have to review this with Ms. Rothchild. He stated they are waiting for bids to finalize the project costs. He stated it is just a matter of obtaining permits before the building is demolished and the new medical building is constructed. Hobart Young suggested a maintenance plan be prepared for routine maintenance such as power washing and landscaping. The board also suggested installing fencing such as split rail with safety wire around the drainage basin.

John Kornick testified using the Site Rendering Plan, dated 10/11/2018 and a site plan containing 10 pages, dated 10/11/2018. He testified the building was previously used as a drive thru bank and offices. The building coverage will increase to 8.5% since they plan to replace a 4,500 sq. ft. two story building with a 7,000 sq. ft. building, however the impervious coverage would be reduced slightly.

Mr. Kornick testified that a front yard setback variance is needed to allow the setback to be 52.80 ft. where 100 ft. is required, and 53 ft. currently exists. They are removing asphalt between the right of way line and the existing drive aisle and putting in landscaping. They are proposing a 35 sq. ft. monument sign in the grass area 5 ft from the north property line. The sign would be visible from Route 9 and would identify the building. There are 28 parking spaces required and they are providing 29. Three of the spaces will be handicap spaces. The complex utilizes a well and an on-site treatment plant. The pad site will be raised to reconfigure the parking surface, so it drains to the existing infrastructure. He explained how the medical waste would be disposed of. He feels the variances can be granted without substantial detriment to the public good and without impairing the intent and purposes of the zoning plan. He believes the application promotes the general welfare. He finds the signage is needed since Route 9 is a busy road. The new building is an aesthetic enhancement to the site. The front yard setback does not impede any site triangles or traffic flow or inhibit light, air or open space since more green spaces is being created.

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

MR. RIORDAN – Ruth Management is requesting site plan approval and variances to construct a 7,000 sq. ft. medical building at 2087 Route US 9 South in Seaville. The applicant was represented by Christopher Baylinson, Esquire. There was testimony given by Robert DePiero that the potholes in the center and drive aisles would be repaired, repairs have been done to the building on the south and repairs to the building on the north is proposed soon. Mr. DePiero agrees to submit a maintenance plan as a condition of approval and a timetable for proposed capital improvements for the next 3 to 5 years.

There was expert testimony by John Kornick that the impervious coverage is being decreased. The new monument sign will improve public safety since it will be closer to the road to enhance visibility and that the sign variances can be granted without detriment to the public. Kevin Olandt also testified. There was no comment from the public. The site plan was prepared by John Kornick, P.E., and dated 10/11/2018.

HOBART YOUNG – The application is for preliminary and final site plan approval. The applicants have agreed to several conditions of approval including a maintenance plan.

He finds this is the right building for this area since it will help to rejuvenate the area.

MR. GRIFFIN – The existing building on the pad site will be demolished and the pad will be raised. The building will have the same footprint. Landscaping and new lighting will be added to the parking area.

MR. HARNEY – A new monument sign will be added as well as landscaping.

MR. KINGSTON – Nothing to add.

MR. ENDICOTT – Nothing to add.

ROBERT YOUNG – Nothing to add.

MR. KELLY – The property is in the TCC zone.

A motion was made by Mr. Riordan and seconded by Hobart Young to grant preliminary and final site plan approval and variances for front yard setback, number of signs and setbacks and height of signs with the condition the applicant submit a management plan and a capital improvement plan containing time lines, the applicant must submit a redacted copy of the lease, the initial patching project will be completed as soon as the asphalt plant reopens, irrigation will be installed around the foundation of the pad site and the signage and landscaping plan will be approved by the board engineer. In favor: Endicott, Griffin, Harney, Kingston, Riordan, Hobart Young, Robert Young, Kelly.

CONSISTENCY RESOLUTION FOR NEW JERSEY PINELAND COMMISSION CMP ORDINANCE

Mr. Dietrich indicated the proposed changes are minor and more administrative in nature. Township Committee has introduced the resolution and it will be listed on their agenda for public hearing and final adoption. The board is charged with determining if the resolution is consistent with the Master Plan.

A motion was made by Mr. Harney and seconded by Mr. Kingston, to approve Special Resolution 01-2019. In favor: Endicott, Griffin, Harney, Kingston, Riordan, Hobart Young, Robert Young, Kelly.

CAPE MAY COUNTY WASTEWATER MANAGEMENT PLAN – MUNICIPAL BUILDOUT REPORT

Mr. Dietrich reviewed the report with the board. The report contains a buildout for sewer and a buildout for septic. The sewer area in Marmora was updated based on the new housing plan. The County plans to hold a public meeting in March since they must submit the plan to the DEP by May 2019.

A motion was made by Mr. Harney and seconded by Mr. Riordan, to endorse the Wastewater Management Plan. In favor: Endicott, Griffin, Harney, Kingston, Riordan, Hobart Young, Robert Young, Kelly.

STRATHMERE SUBCOMMITTEE

Mr. Dietrich provided the board with copies of the proposed ordinance that has been created by the subcommittee after meeting several times. He asked that the board members read through the report and let him know if there are any questions or concerns prior to next months meeting.

REVIEW OF THE ZONING BOARD OF ADJUSTMENT END OF THE YEAR REPORT 2018

The board reviewed the zoning boards recommended changes to the ordinance. The board determined the distance between a pool and a structure should remain 5 ft. and should not be changed to 15 ft. They had no opinion regarding the other two changes.

RESOLUTIONS

1. E Z DOCKS LLC – BLOCK 544.02 LOT 9 – PB 10-18

A motion to adopt the resolution was made by Robert Young, seconded by Mr. Endicott, and approved.

BILLS

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

ADJOURNMENT

A motion was made by Robert Young to adjourn the meeting. The meeting was adjourned at 9:17 p.m.

Submitted by

