

**UPPER TOWNSHIP PLANNING BOARD  
MEETING MINUTES  
MARCH 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: Georgette Costello, Vice Chairman Joseph Harney, Ted Kingston, Gary Riordan, Robert Young, Chairman James Kelly.

Absent: Michael Endicott Jack Griffin, Hobart Young, Mayor Richard Palombo and Scott Morgan.

Also, in attendance were Jeffrey Barnes, Board Solicitor; Paul Dietrich, Board Engineer; Joanne Herron, Acting Board Secretary.

**SWEAR IN PAUL DIETRICH**

**APPLICATIONS**

1. **HILLSBORO REALTY INC – BLOCK 735 LOT 50 – PB 01-19**

Application is for site plan waiver to allow a temporary staging area at 301 Roosevelt Boulevard in Marmora.

Liz F. Casey, Esquire, represented the applicant. Jeff McIntyre, 326 Morris Avenue, Marmora, a managing member of the LLC, was sworn.

Mr. McIntyre testified he has leased the former Skettie's Restaurant property to Riggs Distler & Co., Inc., a subcontractor of Atlantic City Electric. They are installing switching stations in Ocean City and Upper Township so there will be no more rolling blackouts. The lease agreement is for 4.5 months ending May 5, 2019. There have been no changes made to the drainage on the property or the traffic flow and no structures have been built. Riggs Distler has installed a temporary fence and they utilize a temporary office trailer on site. They keep their trucks and poles on site.

Mr. McIntyre testified this is a commercial zone and storage is a permitted accessory use. The lease indicates that Riggs Distler will leave the property in the same condition prior to their use. The restaurant on this site is currently closed.

Mr. Dietrich testified that the application meets the site plan waiver requirements.

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

MRS. COSTELLO – This is a site plan waiver application submitted by Hillsboro Realty, LLC. Jeff McIntyre a manager of the LLC is present with his attorney Liz Casey. Mr. McIntyre is requesting a waiver to lease the restaurant parking lot to a subcontractor for Atlantic City Electric. The lease agreement is from December 21, 2018 to May 5, 2019. Photos of the property have been provided. The proposed use does not affect the traffic flow, parking or drainage. The restaurant is currently closed. There are no permanent structures or changes to the landscaping. The property is zoned commercial. The application meets the requirements for a site plan waiver. The contractor will regrade and return the property to its prior condition when their finished.

MR. HARNEY – He concurs.

MR KINGSTON – The storage use on the site is only temporary.

MR RIORDAN – The applicant was represented by Liz Casey, Esquire. A soil erosion and sediment control plan prepared by Michael Hyland Associates, dated May 25, 1984 was provided.

MR. YOUNG – Nothing to add.

MR. KELLY – Nothing further to add.

A motion was made by Mr. Harney and seconded by Mr. Riordan to grant the application for a site plan waiver with the condition the equipment, trucks and fencing will be removed by May 5, 2019. In favor: Costello, Harney, Kingston, Riordan, Young, Kelly.

2. MASTER PLAN REEXAMINATION – REVISIONS TO THE ORDINANCES REGARDING THE “RR” RESORT RESIDENTIAL AND “RC” RESORT COMMERCIAL ZONING DISTRICTS IN STRATHMERE

Mr. Kingston explained that a subcommittee was for formed as a result of Hurricane Sandy. The houses are being raised and getting taller and there are more duplexes. The subcommittee decided to add floor area ratio so that property owners were not forced to build a box without any character. They raised the ground floor so that a garage would have to be at 7 ft. He feels they have come to a reasonable compromise.

Mr. Riordan stated this was not an easy task. He explained their findings using an analysis of 7 existing homes in Strathmere. There concerns are roof top structures, roof top decks, floor area ratio, garage elevation and square footage of the foyers. These

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items were eliminated or reduced. He feels confident the changes will benefit the town. The floor area ratio was implemented to be able to construct more attractive homes and to have the stairs inside the structure.

Mr. Dietrich stated the subcommittee got a true understanding of how an ordinance is created. The subcommittee has agreed to institute a floor area ratio (FAR). Most of the barrier island communities utilize FAR. He explained how FAR will work and how it will help reduce the height but still be able to construct an architecturally pleasing home. The proposal is to allow open decks to extend into the rear yard setback by 10 feet. The deck would not be included in the building coverage calculations and an open deck can be closer than 10 ft. to the septic. Open decks would be included in the impervious coverage. The ordinance allowing two habitable stories above base flood will remain. The side yard setbacks on larger lots will be greater to create more open space. Along Commonwealth Avenue there are several lots zoned Resort Commercial. These lots are developed and only three are used for commercial and the rest have houses built on them. A change is proposed to allow residential development in the RR zone as a conditional use and the structure must be built using the residential bulk standards. The committee suggested amendments to the stormwater management to provide some sort of stormwater controls such as French drains. The committee also made a recommendation to raise the finish floor of the garages and crawlspaces to elevation 7 which is above severe flooding levels. The township is limited to how high they can currently raise a road since they do not want to flood the residential properties. Requiring homes to be built to this elevation would be a benefit. The ordinance would eliminate roof top elevators and covered stairways.

The meeting was open to the public.

Nancy Fullam, 14 E. Seaview Avenue, stated she was not aware of this project or the subcommittee. Since the RR and RC zones are exclusively limited to Strathmere she does not understand why this is being discussed during the off season. She discussed the proposed ordinance changes. She stated there are a limited amount of vacant lots. That exceed 8,000 sq. ft. She feels the proposed reduction in building coverage is substantial. She feels the calculations make no sense. She believes that allowing a deck over a septic field will only worsen the drainage issues. She believes the stormwater issue is caused by leaking septic systems. She finds the proposed changes will only make things worse in Strathmere.

Linda Bateman, President of the Strathmere Improvement Association, 14 E Tecumseh Avenue, indicated that the meeting was made known to the residents of Strathmere.

Eileen Barrett, 6 E Seaclyff Avenue, does not feel there was sufficient notice of the meeting given. She stated that Strathmere is an expensive place to live and its silly to think that the town could go back to small houses and bungalows. She believes that

property owners with large lots are being penalized. She feels the matter should be tabled until summer.

There was a long discussion involving whether the sufficiently notice had been given

Tom Rossi, 605 Commonwealth Avenue, is a member of the subcommittee. He stated the committee came about because of concerns with larger and taller homes that were being built. He feels the proposed revisions are better than the current ordinances. He stated the new homes are overwhelming the older homes in the community. The committee has proposed a floor area ratio that will restrict the size of the houses. The Citizens of Strathmere Foundation has appointed a committee to study the different facets of development in Strathmere. They will be hiring a professional planner to help them with this. He feels a town wide meeting would be appropriate.

Mr. Dietrich stated that four of the roof structures that were the main concern were permitted under existing ordinance 20-6.3.

Janice Connell, 1807 Commonwealth Avenue, Vice President of the Strathmere Improvement Association, was also on the subcommittee to represent the association. She was shocked to discover the ordinance allowed the structures on the roof top decks. She is pleased with the outcome of the proposed ordinance amendments. She stated the FAR will give the flexibility to have a storage area above base flood.

A motion was made by Mr. Kingston and seconded by Mr. Young to forward the proposed ordinance to township committee for their review and approval. In favor: Costello, Harney, Kingston, Riordan, Young, Kelly.

### **RESOLUTIONS**

1. RUTH MANAGEMENT LLC – BLOCK 560 LOT 1.01 PB 12-18

A motion to adopt the resolution was made by Mr. Harney, seconded by Mr. Kingston, and approved.

### **BILLS**

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

### **ADJOURNMENT**

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A motion was made by Mr. Kingston and seconded by Mr. Riordan to adjourn the meeting. The meeting was adjourned at 9:25 p.m.

Prepared by,

Shelley Lea

