

**UPPER TOWNSHIP PLANNING BOARD  
REGULAR MEETING MINUTES  
AUGUST 18, 2022**

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

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

**ROLL CALL**

Member	Attendance
Joseph Harney, Chairman	Present
Curtis Corson, Class I	Present
Gary DeMarzo, Class II	Present
Kimberly Hayes, Class III	Absent
Ted Kingston, Class IV	Present
Janet McCrosson, Class IV	Present

Member	Attendance
Gary Riordan, Vice Chair	Present
Chris McGuire, Class IV	Present
Sean Whelan, Class IV	Present
Robert Young, Sr. Alt	Present
F. John Klebaur Alt	Absent

Also, in attendance were Jeffrey Barnes, Board Solicitor, Paul Dietrich Township Engineer and Liz Oaks, Board Secretary and Zoning Officer.

**APPROVAL OF THE JULY 21, 2022 MEETING MINUTES**

A motion to approve the minutes was made by Ms. McCrosson and seconded by Mr. McGuire

In favor: McCrosson, McGuire, Whelan, DeMarzo, Corson, Riordan, Harney

Opposed: None

Abstain: Kingston, Young

**NEW BUSINESS**

1. ELMWOOD DEVELOPERS, LLC – BLOCK 597 LOT 34 – SD 04-2022

Applicant is requesting sketch plat classification of a proposed 4 lot Major Subdivision with variances for lot frontage and lot depth at 733 Route 9 South, Marmora, New Jersey, *This application was tabled to the September 15, 2022 meeting. No public notice was required for the Classification Sketch Plat but the Preliminary Application for Major Subdivision will require public notice.*

Paul Dietrich, Township Engineer was sworn.

**DISCUSSION**

Discussion of recommendations from Township Committee for ordinance revisions.

Farmland Preservation:

Mr. Dietrich – Cape May County released a draft of their Comprehensive Farmland Preservation Plan. Copies will be forwarded to each Board Member. No action is required by the board. The

last comprehensive plan was done in 2006 with a revision in 2018. This does not specifically address the Ocean City Winery or their application.

There was a sub-committee established to discuss and recommend ordinances to the committee. They were able to spend a good amount of time looking at some of the items on the list. And have come up with some preliminary ideas. Not everything has been touched on yet. If any of the Board Members have any suggestions, they are encouraged to make suggestions.

Contractor work hours

- We have provisions regarding noise and restricted use of power tools and landscaping equipment. Whether it is a homeowner or contractor with different restrictions.

Dark sky lighting

- The current is a model ordinance that the DEP had put out. A light meter has been purchased to aid in determining what is appropriate. The Township is diverse and needs to consider each location.

Allowance & Design standards for pervious surface

- May want to consider in some zones that may require pervious surface.

Landscaping standards – street trees

Accessory structure size – smaller than principal building

Senior Housing Affordable Housing Site location

Short-term Rentals

Electrical Vehicle “EV” ordinance

- Design standards in zoning.
- Traffic section for regulations.

Green building/ LEED certification

Historic Resources/ Preservation Ordinance

Update to Natural Resource Inventory

Update to Conservation Plan Element

Wellhead protection/ water conservation ordinance

Habitat Conservation Plan

Tree Protection Ordinance

## PUBLIC PORTION

The meeting was opened to the public.

Maria Busz, 6 Gardner’s Lane, was sworn. Regarding the Farmland Preservation mentioned, she encouraged the board members to read over it and suggested that there be some text to prevent what is happening in her neighborhood now, especially buffers and pesticide use. She expressed the problems of having a hotel being run in a residential neighborhood. Quality of life and safety issues are a big concern. She has heard rumors that there will be a few others opening.

It was confirmed that the board is actively working on the matter.

Juliette Schlucter, Randolph Avenue, Strathmere was sworn. Ms. Schlucter is here in her capacity as Vice President of the Strathmere Improvement Association. She is concerned about the short-term rentals. According to a recent feature article this is becoming a problem throughout the United States in small towns. She will forward the article to Mr. Dietrich. It mentions that Air B&B are taking some measures to ensure that the rentals are not a problem.

Lisa Carr, 33 E Webster Avenue, Strathmere was sworn. Ms. Carr is concerned that the ordinance being considered regarding short-term rental will restrict the property they rent out in Strathmere. She expressed that she supports the dark skies as her neighbor's house can probably be seen from the moon.

The Board explained that different zones are being considered as part of the process.

Elaine Holsomback, Sumner Avenue, Strathmere was sworn. Ms. Holsomback expressed her concern for safety and security regarding the dark skies ordinance. She does not believe the lighting interferes with stargazing. The National Park Service, while supporting the dark skies initiative, acknowledges the need for safety. Will inside lighting become a restriction as they can shine directly on to the beach. The wildlife has been adapting for millions of years. Please consider public safety first.

Mayor Corson assured her that safety would be a factor in the decision process.

Dodie Corretini, Winthrop Avenue, Strathmere was sworn. Ms. Corretini is requesting consideration to amend the noise ordinance that is currently enforced, it was put in place in 2010. She has submitted this request to the committee but wanted to submit it to the Planning Board as well. It is not clear for enforcement. She suggested that a distance be used as a measure.

There was a brief discussion about the existing concerns with various forms of noise issues. Mayor Corson explained the noise ordinance is being discussed with the sub-committee.

Mr. Kingston concurs with Ms. Corretini regarding the difficulty of ordinance interpretation.

Ms. Corretini is also concerned that Strathmere Point, known for endangered species, migratory birds and nesting. The area is being over-used by boats and suggested that boat access be restricted.

There was a brief discussion about this being a State Park and the ongoing problems. This has been discussed with Township Committee.

Juliette Schlucter, Randolph Avenue, Strathmere, previously sworn offers her assistance as well as other residents to consult or serve on any committees that would be of help. It is understood that these discussions are difficult. She is concerned that there are hundreds of dogs on the beach and the ordinance is difficult to interpret. It is similar to the problem with the noise ordinance. Another concern of the Strathmere Improvement Association is public safety with social media. And parking problems.

Hearing no one else and seeing no one else, the public portion was closed.

## RESOLUTIONS

### Scott D. Snyder – Block 479 Lot 94.02 & 95 – SD 01-2022

A motion to approve the resolution was made by Mayor Corson seconded by Mr. McGuire. In favor: McCrosson, McGuire, Whelan, DeMarzo, Riordan, Corson, Riordan, Harney. Abstain: Young, Kingston

### Christopher & Kathleen Daily – Block 661 Lot 56 & 57 – SD 02-2022

A motion to approve the resolution was made by Ms. McCrosson seconded by Mr. Whelan.

In favor: McCrosson, McGuire, Whelan, DeMarzo, Riordan, Corson, Riordan, Harney.

Abstain: Young, Kingston

Mr. Barnes - Let the record reflect the following resolution for Cedar Lane Development includes conditions that the applicant must comply with the ordinance to connect to city water. They must comply with the franchise agreement to connect to city water.

Cedar Lane Development – Block 647 Lot 8 – SD 03-2022

A motion to approve the resolution with made by Mr. McGuire seconded by Mayor Corson.

In favor: McCrosson, McGuire, Whelan, DeMarzo, Riordan, Corson, Riordan, Harney,  
Young, Kingston

Resolution Authorizing Contract with Mark V. Shourds for Professional Services and Contract

Resolution Authorizing Amended Contract with King Barnes, LLC for Professional Services

A motion to approve the resolutions with made by Mr. McGuire seconded by Mayor Corson.

In favor: McCrosson, McGuire, Whelan, DeMarzo, Riordan, Corson, Riordan, Harney,  
Young, Kingston

BILLS

A motion to pay the bills as submitted was made by Mr. McGuire and seconded by Ms. McCrosson with all board members present voting in the affirmative.

ADJOURNMENT

A motion was made by Ms. McCrosson and seconded by Mr. Kingston to adjourn the meeting, with all Board members present voting in the affirmative. The meeting was adjourned at 8:58 p.m.

Submitted by,  
Liz Oaks