

**UPPER TOWNSHIP PLANNING BOARD
REGULAR MEETING MINUTES
MARCH 14, 2024**

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 7:00 p.m.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Member	Attendance
Matthew Davidson, Class IV	Present
Gary DeMarzo, Class II	Present
Brooke Handley Alt	Absent
Joseph Harney, Class IV	Present
Kimberly Hayes, Class III	Present
Ted Kingston, Class IV	Present

Member	Attendance
Chris McGuire, Class IV	Absent
Colby Meloy Alt	Absent
Jay Newman, Class I	Present
Gary Riordan, Vice Chair	Present
Sean Whelan, Chair	Absent

Also, in attendance were Jeffrey Barnes, Board Solicitor, Robert Smith, Board Engineer, Stefanie Thonsen, Assistant Engineer and Liz Oaks, Board Secretary and Zoning Officer.

Robert Smith was sworn.

APPROVAL OF THE FEBRUARY 8, 2024 MEETING MINUTES

A motion to approve the minutes was made by Mayor Newman and seconded by Ms. Hayes.

In favor: DeMarzo, Hayes, Kingston, Newman, Riordan

Abstain: Davidson, Harney

NEW BUSINESS / DISCUSSION

Zoning Board of Adjustments Year in Review 2023

Floor Area Ratio

A report prepared by Mr. Barnes had been provided to board members for review.

Mr. Barnes explained the zoning board first looks at the suitability of the site and whether it can take the extra density. They weigh that against all the non-conformities that currently exist. Such as a lack of off-street parking and being below the base flood level. They take it all in totality when deciding if they want to approve the variance for FAR. The ordinance is relatively new. If you look at the report, you will see that each of them had attorneys and planners. They each included a benefit of some level of improvement.

Mr. DeMarzo – Read from the report, page 1 paragraph 2, “All properties where FAR variances were granted were undersized lots. Two FAR variances were granted for applications involving demolitions and new construction. Two FAR variances were granted for applications involving renovations, additions, or other alterations. It is consistent with Mr. Barnes recital that the benefits outweigh the detriment.

Mr. Kingston - Argued that he believes of the four, three of them are new construction. He also complained about multiple homes in Strathmere that have 3 floors. A lot of time went into this ordinance. They made many concessions to prevent cookie cutter homes but were promised only 2 floors. He believes that 90% of new construction in Strathmere has a third floor.

Mr. Barnes – There must be some disconnect with the zoning office.

Ms. Oaks – I have asked for specific addresses to research the plans submitted. There are cases that from the outside the design may look like a third floor, but the space is not deemed habitable space.

Mr. DeMarzo – Suggested Mr. Kingston provide us with addresses to pull the plans and investigate the claim.

Mr. Barnes – The zoning board is diligent with compliance with the ordinance and what the height of the structure and the garage elevation. When relief is given that requires a deed restriction, a copy of the deed is required prior to obtaining a C/O.

Mr. Kingston – There are numerous properties that are not compliant with the garage elevation and the number of floors.

Mr. DeMarzo – We need to be given some examples and allow us to research before we can comment.

Deputy Mayor Hayes – Confirmed that if they were to lower the requirements on FAR, the applications would not go before the zoning board. It is likely that without going before the board we would not have the leverage to benefit from some of the applicant concessions.

Mr. Kingston – If we keep the FAR the same, at least the applicant is required to go to the board to ask for that relief.

Mr. Harney – A lot of time and energy was put into creating the FAR ordinance. He thinks the results have been favorable.

Mr. Riordan – The applications that received relief do appear to have added improvements and agrees the FAR ordinance has been positive.

Janice Connell - She questioned what the proposed FAR increase was going to be.

Deputy Mayor Hayes – There was not a proposed figure.

Ms. Connell – There was a sub-committee put together and was extremely intensive. She believes what they came up with was a good ordinance. She doesn't think the FAR should be increased. What was created allowed for a sizable home. They conceded to not include porches and decks which allow for living space. She does not support a change in the FAR ordinance.

After a brief discussion amongst the board members about which way they wanted to move forward Mr. Riordan asked for a motion.

A motion was made by Mayor Newman, seconded by Mr. Harney that no action be taken to change the current FAR ordinance.

In favor: Davidson, DeMarzo, Harney, Hayes, Kingston, Newman, Riordan

Mr. Smith and Ms. Thonsen leave the meeting.

Review of undersized lot criteria

After a brief discussion it was decided this was very similar to the FAR and decide no action should be taken.

A motion was made by Mr. Harney, seconded by Mayor Newman that no action be taken to change the current undersized lot criteria.

In favor: Davidson, DeMarzo, Harney, Hayes, Kingston, Newman, Riordan

Review of the Coverage in the R and R2 Zone

Deputy Mayor Hayes read from Ms. Morrissey's comments, "T2 Moderate Density Residential includes residential land use area outside of the Town Centers but within the SDRP Planning Area 2. This zone is substantially developed and new development will be primarily infill." It is her understanding that the 2% increase would add on to existing development not new development.

Mr. Harney requested to see the resolution #009-2007.

Mr. Riordan tabled this discussion until the May meeting.

Application for the vacation of a street.

Mr. DeMarzo had put into place a procedure when in Wildwood. An ordinance has been proposed to include the procedure.

Mr. Harney – Believes it should follow the master plan.

Deputy Mayor Hayes – Likened the planning board as a safety net that might catch something the committee might have missed.

Mr. Barnes – Agreed that it is a good idea to bring it back to the planning board because it is not always the case that the people involved fully understand what to look for.

Mr. DeMarzo – Once the ordinance is available for review, we will forward a copy.

Affordable Housing Planner and Procedure

Mr. DeMarzo stated he is working on the process with the township planner, Tiffany Morrissey.

Mr. Barnes – Has spoken with Ms. Morrissey and thinks it would be best to develop some guidelines that would provide the zones that would be affected and require a review by Ms. Morrissey. He will discuss this in further detail with Ms. Morrissey.

Mr. DeMarzo – The zone will trigger the review. Anything internally would not be a board issue, but that of the housing officer. It would be up to the housing officer to explain where the money goes and what the calculations are.

Mr. Riordan tabled this discussion until further information could be gathered.

A Preliminary investigation of portions of the Marmora Town Center and Town Center Core as an area in need of redevelopment

Deputy Mayor Hayes – Herself and Committeeman Pancoast are serving on the redevelopment committee. The township committee has identified the Roosevelt Boulevard corridor and the Seaville area near Cedar Square. These areas look dilapidated and in need of improvement. The committee is asking the planning board to conduct a study to investigate these areas to see if they are in need of redevelopment. We have mapped out an area to be looked at. What we really want to look at is responsible commercial development. We want to have a little more control while encouraging development and to encourage existing development to step up.

Mr. Harney – We will need to include a planner and engineer to look at the area.

Deputy Mayor Hayes – We are including the redevelopment attorney, Mr. Mahley, planner Tiffany Morrissey and township engineer Ryan MacNeil.

A motion was made by Deputy Mayor Hayes, seconded by Mr. Harney to move forward with conducting a study for redevelopment.

In favor: Davidson, DeMarzo, Harney, Hayes, Kingston, Newman, Riordan

RESOLUTIONS

Official Newspaper (Revised)

A motion was made to approve the Revised Official Newspaper was made by Mr. Harney, seconded by Deputy Mayor Hayes.

In favor: Davidson, DeMarzo, Harney, Hayes, Kingston, Newman, Riordan

BILLS

A motion was made by Mr. Harney seconded by Mayor Newman to pay the bills as presented.

In favor: Davidson, DeMarzo, Harney, Hayes, Kingston, Newman, Riordan

ADJOURNMENT

A motion was made by Mr. Harney and seconded by Mayor Newman to adjourn the meeting, with all Board members present voting in the affirmative. The meeting was adjourned at 8:29 p.m.

Submitted by,

Liz Oaks