

**UPPER TOWNSHIP PLANNING BOARD
REGULAR MEETING MINUTES
APRIL 18, 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	Present
Joseph Harney, Class IV	Present
Kimberly Hayes, Class III	Present
Ted Kingston, Class IV	Present

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

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

APPROVAL OF THE MARCH 14, 2024 MEETING MINUTES

A motion to approve the minutes was made by Mr. Harney and seconded by Mr. Riordan.

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

Abstain: Handley, McGuire, Whelan

TABLED APPLICATIONS

MOJAVE MATERIALS, LLC – BLOCK 414 LOTS 45 & 52 – SD 01-2024

Applicant is seeking minor subdivision to create new lot lines between lots 45 & 52 to conform with appropriate zoning at 850 Dennisville-Petersburg Road, Petersburg, New Jersey.

Application has been tabled to the May 9, 2024 meeting. No further notice will be given.

NEW BUSINESS / DISCUSSION

REVIEW AND POSSIBLE REVISIONS TO THE REVISED GENERAL ORDINANCE CHAPTER 20

Consistency Review of Township Ordinance No. 006-2024

Mayor Newman – We have a recommendation from not only our planner, but a sub-committee referred to as the Mount Laurel Sub-Committee. They meet monthly and they deal with nothing but affordable housing issues. Reviewing these ordinances and discussion on township committee with concerns about the hotel. The current hotel ordinance does not contain enough information and they want to make sure it doesn't turn into some of the existing problems we have in the township. They have developed a new ordinance with the assistance of the township attorney, the attorneys with the affordable housing and the township planner. Some of the highlights it includes are some of the amenities a hotel would have and not turn into housing.

Deputy Mayor Hayes – The existing ordinance is very vague.

Mr. DeMarzo – It is important that we continue to update our ordinances as the township grows. The original hotel ordinance is lacking. You can't just put hotel in the code book without a more detailed description.

Mayor Newman – Some of the things they got from the attorneys and local seashore towns. Maximum stays, staffing, certain amenities to mention a few.

Mr. Whelan – It includes limiting to a 30 day stay with housekeeping services to prevent it from turning into a long term stay facility.

Mr. Kingston – He is used to a person living on site for emergency purposes. Wouldn't this ordinance prevent this.

Deputy Mayor Hayes – What you are describing is more of a manager or employee not a guest in a room.

Mayor Newman – The definition of hotel has changed. This is the purpose of the ordinance.

Mr. Whelan – This is geared towards avoiding a property turning into housing.

Mr. Harney – Could a hotel be turned into a condo.

Mr. Barnes – A condominium is just a type of ownership. You can't stop a hotel from becoming a condo. It would have to be run as a hotel and not used for full-time residential.

Mayor Newman – He added that the ordinance does not affect the existing properties in town.

Mr. McGuire – One concern would be similar to Homewood Suites or Extended Stay. These properties would offer each of the amenities but offer a lengthier stay.

Deputy Mayor Hayes – The 30-day limit is meant to address this specifically.

Mr. McGuire – He had once stayed in a location for 35 days and they just made him switch rooms.

Mr. Whelan – While switching rooms is inconvenient, you aren't there with all of your belongings.

Mr. Barnes – The proposed ordinance does not specifically state that you can't switch rooms. There are some other items we might want to consider fine tuning. Some of the items are objective.

Mayor Newman – He would like to see some form of the ordinance voted on this evening.

Mr. DeMarzo – Can we make adjustments by resolution.

Mr. Barnes – Maybe. There are many variables such as parking with the different potential amenities. Will the amenities be for the public or strictly guests of the hotel? He suggested a preamble be attached to the ordinance.

Mayor Newman – The specifics would not change the spirit or intent of the ordinance. It is the intention of the committee to tighten up the existing ordinance.

The meeting was open to the public.

Fred Essl, 215 Sandberg Place, approached the podium. Mr. Essl has concerns about the proposed ordinance.

1. Who will be in charge of enforcing the 30-day maximum?
2. Why weekly maid service and not daily service?
3. Is a swimming pool required?
4. Will there be a liquor license for a restaurant or café?

5. Parking?
6. Traffic?
7. Why is this being done?
8. Why would someone want to develop a hotel here?

Mayor Newman responded:

1. Code enforcement will check the hotel register. Any code we have comes down to enforcement.
2. It is not so common to have daily maid service. It can generally be requested but not a standard.
3. A swimming pool is not mandated, however, if there is a pool it must comply with state regulations.
4. Hotels with 101 plus rooms would be eligible for a license.
5. It will be addressed in the ordinance according to what is required.
6. Traffic concerns would be addressed per application not specific to the ordinance.
7. This ordinance is not specific to an application.

Mr. DeMarzo responded:

8. This is a capitalist country. If someone thinks they can make money, they will move forward.

Maggie Essl, 215 Sandberg, approached the podium. Mrs. Essl is concerned about the ACME shopping center. It is a terrible area. There are potholes and no stores. She appreciates the proactive nature by trying to tighten up the ordinance.

Mayor Newman – There is a proposed redevelopment resolution on the agenda this evening to specifically address this area.

Patty Smyth, 212 Sandberg Place, approached the podium. Mrs. Smyth is concerned about efficiency type units that contain kitchens and dishwashers. She has seen motels with similar amenities, and they are being used for social security/social services housing. Is the current applicant grandfathered?

Mr. Whelan – That application is not before this board, so we don't know the answer.

John Baltz, 210 Tennyson Place, approached the podium. Mr. Baltz suggested that there be a minimum size for the café or restaurant by either square feet or number of seats based on number of rooms. He believes there are some industry standards. Believes requiring housekeeping services every 3 days rather than 7 days will avoid what happened in Las Vegas with the compiling of ammunition and shooting.

Deputy Mayor Hayes – The first reading is April 22, 2024 at the township committee level. They will be hearing public comments at that meeting.

Hearing and seeing no one else, the public portion was closed, and the meeting returned to the board.

A motion was made by Mayor Newman, seconded by Deputy Mayor Hayes to recommend the township committee move forward with Ord. # 006-2024.

In favor: Davidson, DeMarzo, Handley, Harney, Hayes, Kingston, McGuire, Newman, Riordan, Whelan

CONTINUED DISCUSSION, AND REVIEW OF REPORTS, IF AVAILABLE, REGARDING:

Affordable Housing Procedure.

Mr. DeMarzo – He has been in communication with the township planner and are working on a final draft to present to the board.

Zoning Board of Adjustments review of the year 2023 regarding the building coverage for the R Zone and the R2 Zone. Planner Report about permitted building coverage for R Zone and R2 Zone. The report from planner, Tiffany Morrissey had suggested researching the ordinance when the coverage was changed and confirm if it was 6% or 8%. The ordinance revealed that it was 8%. After a brief discussion, it was agreed that there was no cause to change the percentage of

coverage from 8% in the R2 Zone to 10% to match the R Zone. Mr. Barnes suggested that we keep a closer eye on this in the future and report back if there should be a concern that should be brought to the board's attention.

PUBLIC PORTION

The meeting was open to the public. Hearing no one and seeing no one this portion was closed.

RESOLUTIONS

Professional Services Agreement with Tiffany Morrissey

A motion was made to approve the resolution was made by Mr. McGuire, seconded by Mayor Newman.

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

Abstain: McGuire, Whelan

Resolution to conduct a study for redevelopment of portions of the Marmora Town Center and Town Center Core.
Ordinance No. 006-2024

A motion was made to approve the resolution was made by Mr. Riordan, seconded by Mayor Newman.

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

Abstain: McGuire, Whelan

BILLS

A motion was made by Mr. Whelan seconded by Mr. McGuire to pay the bills as presented.

In favor: Davidson, DeMarzo, Handley, Harney, Hayes, McGuire, Newman, Riordan, Whelan

Abstain: Kingston

ADJOURNMENT

A motion was made by Mr. McGuire and seconded by Mr. Riordan to adjourn the meeting, with all Board members present voting in the affirmative. The meeting was adjourned at 8:19 p.m.

Submitted by,

Liz Oaks