

UPPER TOWNSHIP PLANNING BOARD  
REGULAR MEETING MINUTES  
JUNE 4, 2026

The regular meeting of the Upper Township Planning Board was held at Township Hall at 2100 Tuckahoe Road, Petersburg. The meeting was called to order at 6:00 p.m.

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

**ROLL CALL**

| Member                       | Attendance |
|------------------------------|------------|
| Paul Casaccio, Class IV      | Present    |
| Mayor Curtis Corson, Class I | Absent     |
| Brooke Fisher, Alt 3         | Absent     |
| Joseph Harney, Class IV      | Present    |
| Rich Kaczmariski, Class II   | Present    |
| Ted Kingston, Class IV       | Present    |
| Richard Mashura, Alt 1       | Absent     |

| Member                    | Attendance |
|---------------------------|------------|
| Chris McGuire, Class IV   | Present    |
| Chris Phifer, Class IV    | Present    |
| Samuel Palombo, Class III | Absent     |
| Andrew Shawl, Alt 4       | Present    |
| Travis Tomlin, Alt 2      | Absent     |
| Matt Unsworth, Class IV   | Present    |
|                           |            |

Also in attendance were Jeffrey P. Barnes, Esq., Board Solicitor, Paul Kates, Board Engineer and Elizabeth Oaks, Board Secretary.

Paul Kates and Elizabeth Oaks were sworn in.

**APPROVAL OF THE MAY 7, 2026 PLANNING BOARD MEETING MINUTES**

A motion to approve the minutes was made by:

Mr. Unsworth

Seconded by:

Mr. Shawl

In favor: Harney, Kingston, Phifer, Unsworth, Shawl, Casaccio

Opposed : None

Abstain: McGuire

**BILLS**

A motion to approve the bills was made by:

Mr. McGuire

Seconded by:

Mr. Harney

All members present voted in the affirmative, with Mr. Casaccio abstaining from the Kates, Schneider & Associates invoices.

**RESOLUTIONS**

**Tractor Supply Block 561 Lot 3 – BA 01-2026**

A motion to approve the resolution was made by:

Mr. Unsworth

Seconded by:

Mr. Harney

In favor: Harney, Kingston, Phifer, Shawl, Unsworth, Casaccio

Opposed : None

Abstain: McGuire

**Mazzeo, Ryan - Block 663 Lot 11 – BA 04-2026**

A motion to approve the resolution was made by:

Mr. Unsworth

Seconded by:

Mr. Harney

In favor: Harney, Kingston, Phifer, Shawl, Unsworth, Casaccio

Opposed : None

Abstain: McGuire

Nauti-Dog, LLC - Block 560 Lot 1.01 - PB 04-2026

A motion to approve the resolution was made by:

Mr. Unsworth

Seconded by:

Mr. Harney

In favor: Harney, Kingston, Phifer, Shawl, Unsworth, Casaccio

Opposed : None

Abstain: McGuire

Bailey, Margaret a.k.a. The George Bailey Revocable Living Trust - Block 860 Lot 14 – BA 03-2026

A motion to approve the resolution was made by:

Mr. Unsworth

Seconded by:

Mr. Harney

In favor: Harney, Kingston, Phifer, Shawl, Unsworth, Casaccio

Opposed : None

Abstain: McGuire

Mr. Kaczmarek joined the meeting after the approval of the resolutions.

**NEW BUSINESS**

650 Stagecoach Road, LLC

Block 650 Lot 44 – PB 05-2026

The applicant is seeking a 3-lot minor subdivision with variance relief for minimum lot area of 37,822 square feet, 37,823 square feet and 37,823 square feet where 40,000 square feet is required at 650 Stagecoach Road, Marmora, New Jersey.

Minor Subdivision Plan

Vargo Associates

10/23/25

Attorney

Jon Batastini

Engineer

Joseph Maffei

Three-lot Minor Subdivision with variance relief for lot size.

Jon Batastini, Attorney for the applicant, explained that the application presented is for a 3-lot minor subdivision.

Joe Maffei, P.E., P.P., C.M.E., 5 Cambridge Drive, was sworn in as an expert.

Mr. Maffei testified that the subject property is located on Stagecoach Road in the Marmora section of town also known as block 650, lot 44. The applicant is proposing a 3-lot subdivision. The lot area proposed for each is approximately 37,822 square feet where 40,000 square feet is required. They could have created two conforming lots and one smaller lot requiring variance relief; however, three similar lots would be more consistent and appropriate for the neighborhood. The proposed lots are larger than surrounding lots. The proposed lots meet all other bulk requirements. They exceed light, air and open space.

Mr. Maffei stated the following purposes of zoning that support the application.

- (c.) To provide adequate light, air and open space.
- (e.) To promote the establishment of appropriate densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.
- (i.) To promote a desirable visual environment through creative development techniques and good civic design and arrangements.

Mr. Batastini – The proposed lots are only 5.4% smaller than required. The surrounding lots are much smaller than the proposed. These are more consistent with the neighborhood.

Mr. Maffei – Single-family dwellings are proposed where the surrounding is predominantly existing single-family dwellings. He does not believe there is any substantial detriment to the public good, zone plan or zoning ordinance. The plan ensures disturbance remains under one acre and impervious coverage under a quarter acre to avoid triggering DEP stormwater regulations.

Mr. Shawl questioned the driveway access on a county road.

Mr. Maffei stated that they have proposed three driveways.

Paul Kates, Board Engineer, stated that a grading plan will be required at the time of building permits to prevent runoff from affecting neighboring properties.

The meeting was open to the public. Hearing no one and seeing no one, the public portion was closed and the meeting returned to the board for findings of fact.

Mr. Shawl – The applicant, 650 Stagecoach Road, LLC, came before the board regarding the property known as block 650 lot 44. They propose a three-lot subdivision. The lots are between 37,000 and 38,000 square feet where 40,000 square feet is required. The developer had considered two full size lots and one smaller but felt it was more consistent to divide into three equal size lots. There was no public comment.

Mr. Unsworth agreed with his colleague and is in favor of the application.

Mr. Harney added that there is public water available.

Mr. Kingston added that while the lots are smaller than required, they will be the largest in the area.

A motion to approve the application subject to the condition that a grading plan will be provided at time of building permits, was made by:

Mr. Kaczmarski

Seconded by:

Mr. Unsworth

In favor: Harney, Kaczmarski, Kingston, McGuire, Phifer, Shawl, Unsworth, Casaccio

Opposed : None

Abstain: None

#### Bayberry Cove

#### Block 599 Lot 16 – BA 08-2026

The applicants are seeking a use variance for the expansion of a non-conforming use to construct a 32'x13'8" shed with a gabled roof to replace the existing 10'x12' shed at 435 Route 9 South, Marmora, New Jersey.

|                           |                                                                          |         |
|---------------------------|--------------------------------------------------------------------------|---------|
| Provided by Bayberry Cove | Application                                                              | 4/8/26  |
|                           | Bayberry Cove Site Photos                                                | 4/13/26 |
|                           | Bayberry Cove Aerial Photo                                               | 4/22/26 |
| Variance Plan             | Engineering Design Associates                                            | 4/21/26 |
| Minor Subdivision Plan    | Aqua Terra, Inc                                                          | 2/24/97 |
| Attorney                  | Kris Facenda                                                             |         |
| Engineer                  | Joseph Maffei                                                            |         |
| Variance                  | D(2) Use Variance for the expansion of a pre-existing nonconforming use. |         |

Mr. Casaccio explained to Mr. Facenda that several Board members would be stepping down for this application, leaving five members eligible to vote. Because the application required use variance relief, five affirmative votes would be necessary for approval. Mr. Facenda confirmed that the applicant wished to proceed. Mr. Casaccio, Mr. Unsworth and Mr. Phifer stepped down, and Mr. Shawl served as chair for the application. Joseph Maffei, previously sworn.

Mike Pangburn, Manager Bayberry Cove, was sworn in.

Mr. Facenda - Bayberry Cove is an existing campground and condominium development consisting of approximately 33.7 acres located within the Marmora Town Center District. Because campgrounds are not a permitted use in the zone, the application required variance relief for the expansion of a pre-existing nonconforming use.

Mr. Maffei testified that the applicant proposes replacing an existing 10-foot by 12-foot shed, originally approved in 1999, with a larger shed measuring approximately 32 feet by 13 feet 8 inches. The structure would be in the pool area and would serve as seasonal storage and a snack bar. No additional campsites, buildings, or site improvements were proposed.

Mr. Pangburn testified to the intended operation of the snack bar. It will operate seasonally from Memorial Day through Labor Day. There will be water and electricity, but no cooking facilities, restrooms, heating equipment, or living space. The structure will function as storage outside the seasonal operating period.

Mr. Kates, Board Engineer, advised that he had no engineering concerns with the application, noting that the proposal would not alter drainage patterns and would remain subject to approvals from any agencies having jurisdiction.

The meeting was open to the public.

Mr. McKenna, identified as a 25-year resident of the campground, stated he was in favor of the application.

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

Mr. McGuire – The applicant, represented by Kris Facenda, came before the board regarding the property located at 435 Route 9 also known as block 599 lot 16. The application is to replace an existing shed with a larger shed. The property is over 30 acres. The shed would have no heat, restrooms or cooking. It would be used for storage in the off season. This is a minor change and will cause no change in drainage, circulation or neighboring properties. The variance plan was prepared by Joe Maffei, dated 4/21/26.

Mr. Harney concurs with his colleague and is in favor of the application.

Mr. Kingston added the existing shed was 10' by 12' and the proposed is 32' by 13'8".

Mr. Shawl concurred and believes the proposed will provide more use and is in favor of the application.

Mr. Barnes, Board Attorney, reminded the applicant that five votes would be needed for approval.

A motion to approve the application as presented was made by:

Seconded by:

In favor: Harney, Kaczmariski, Kingston, McGuire, Shawl

Opposed : None

Abstain: None

Mr. McGuire

Mr. Shawl

## **DISCUSSION**

None

## **PUBLIC PORTION**

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

## **ADJOURNMENT**

The meeting was adjourned at 8:08 p.m. by a motion made by:

Seconded by:

All members present voting in the affirmative.

Mr. Shawl

Mr. Harney

Submitted by:

Elizabeth Oaks, Board Secretary