

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

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## LOWER TOWNSHIP PLANNING BOARD

A regularly scheduled meeting of the Lower Township Planning Board was held on May 18, 2017 at the Lower Township Municipal Building. The meeting was called to order at 7:01 P.M. by Chairman Robert Crompton. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT: Chairman Robert Crompton  
Jay Young  
Daniel J. Senico  
Michael Rosenberg (Mayor's Designee)  
Andrew Bulakowski  
John Armbruster, Zoning Board Vice-Chairman(40:55D-23.2 members of the Board of Adjustment may serve as temporary members of the Planning Board for the Waterman application.)

MEMBERS EXCUSED: Erik Simonsen  
Frank Sippel  
Jennifer Dowe  
Chris McDuell  
Brian Sullivan  
Christopher Vassar

MEMBERS ABSENT: John McNulty

STAFF PRESENT: Avery S. Teitler, Board Solicitor  
Thomas Thornton, Acting Board Engineer  
William J. Galestok, Board Secretary  
Lisa A. Schubert, Recording Secretary

STAFF EXCUSED: Shawn Carr, Board Engineer

Handouts:

List of Board Solicitor voucher dated May 10, 2017.

List of Board Engineer vouchers dated May 18, 2017.

The New Jersey Planner: March/April 2017, Vol. 78, No. 2.

Mr. Teitler read the agenda for the benefit of the public.

1. Discussion of approval regarding 8100 Bayview, LLC for the location known as 8100 Bayview Drive, Diamond Beach.

Mr. Barry Gehring was sworn in by Mr. Teitler.

Mr. Gehring explained to the Board the storage shed is very large and blocks views. He explained he spoke with the owner today and he said he would install landscaping to hide the building. He explained he has pictures of the building if the Board would like to see. Mr. Teitler explained that this is out of the Boards hands. He explained it is a civil matter. He explained the application had no variances. He explained he encourages to work this out with the owner. He explained not much can be done by the Board at this point.

Mr. Gehring explained it seems to be working out with the owners.

3. Minor subdivision & hardship variance applications for the creation of two (2) newly described lots. Hardship variances needed for lot area, frontage & width, submitted by Lawrence & Jerrilyn Christy for the location known as Block 141, Lots 5-10, 149 Pennsylvania Avenue.

Mrs. Jerrilyn Christy, applicant and Mr. William Sweeney, Licensed Land Surveyor, were sworn in by Mr. Teitler.

Mrs. Christy explained to the Board that she is asking for a two-lot subdivision with variances. She explained the total lot size is 150 x 100. She explained that most of the lots on the street are 25 to 50 wide.

Mr. Sweeney explained most of the lots in the area are non-conforming. He explained that within Block 141 and Block 146 there were six conforming lots and 21 non-conforming lots. He explained the proposed 50' lot would fit in the neighborhood. He explained the house sits in the middle of the lot and if it was off centered, there is enough lot area for two conforming lots.

Mr. Thornton summarized Engineer comments dated May 2, 2017.

There was a discussion that the existing driveway would remain until the lot is sold. Mr. Teitler explained the subdivision cannot be filed with the driveway straddling the lot lines. He explained the driveway would have to be removed or a cross easement would have to be provided. The Board explained it may be beneficial to have a shared driveway. Explaining this is not a wide street and would reduce an additional driveway.

There was a discussion regarding having the flood zone information on the plan. Mrs. Christy explained they had been told that only a small portion of the property in the rear was in a flood zone and they wouldn't need flood insurance. Mr. Thornton explained he doesn't feel having the information on the plan would be inconsistent what has previously been provided on plans.

Mr. Galestok read Cape May County Planning Board comments dated May 10, 2017 in which they waived this application.

Mr. Galestok read Bureau of Fire Safety comments dated April 17, 2017 in which they found this application acceptable.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Bulakowski made a motion to conditionally approve this application. The motion was seconded by Mr. Young.

VOTE:	Mr. Young	YES	Mr. Rosenberg	YES
	Mr. Senico	YES	Mr. Bulakowski	YES
	Chairman Crompton	YES		

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

- Minor subdivision & hardship variance application for the creation of two (2) newly described lots. Hardship variances needed for lot area, frontage & width, submitted by Bruce Waterman for the location known as Block 426.02, Lots 2 & 34, 144 & 146 Sunset Drive.

Mr. Senico excused himself from this application due to a conflict of interest.

Mr. Bruce Waterman, applicant, was sworn in by Chairman Crompton.

Chairman Crompton called for a short recess at 7:27 P.M. The meeting was called back to order at 7:41 P.M.

Mr. Sweeney was previously sworn in and is still under oath.

Mr. Waterman explained he is the contract purchaser. He explained it was a 60 x 100 lot and when the survey was done, it was found that the adjacent houses chimney was on this lot.

Mr. Sweeney explained they are proposing to move the lot line over to make the side yard setback conforming. He explained the proposed vacant lot would be 56' wide and the proposed house would meet the requirements for the zone.

Mr. Teitler asked if this was a relocation of the lot line? Mr. Sweeney explained it was by moving it 3.20'. Mr. Waterman explained on the tax records this lot is listed as a 60 x 100 lot. He explained he was just purchasing the vacant lot.

Mr. Galestok explained combined the property is 15,000 square feet. He explained this is a similar application as the previous application because the house is more centered on the lot.

Mr. Waterman submitted a tax map page into evidence. He explained 43 lots were conforming and 38 were non-conforming.

There was a discussion of merger and it was determined the lots were merged.

The Board asked if the majority of the lots were improved. It was explained they were improved.

Mr. Waterman explained the zoning is R-3 with sewer. He explained the single family dwelling is the best use of the property. He explained the combined lots would have a duplex which would be out of character with the area.

Mr. Thornton summarized Engineer's comments dated May 3, 2017.

Mr. Galestok read Cape May County Planning Board comments dated May 17, 2017 in which they waived this application.

Mr. Galestok read Bureau of Fire Safety comments dated May 3, 2017 in which they found this application acceptable.

This portion of the hearing was opened to public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Rosenberg made a motion to conditionally approve this application. The motion was seconded by Mr. Young.

VOTE:	Mr. Young	YES	Mr. Rosenberg	YES
	Mr. Bulakowski	YES	Mr. Armbruster	YES
	Chairman Crompton	YES		

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

Mr. Bulakowski made a motion to approve the Resolution from the April 13, 2017 meeting. The motion was seconded by Mr. Rosenberg. Motion carried.

Mr. Young made a motion to approve Board Engineer vouchers. The motion was seconded by Mr. Senico. Motion carried.

Mr. Rosenberg made a motion to approve Board Solicitor voucher. The motion was seconded by Mr. Bulakowski. Motion carried.

Mr. Bulakowski made a motion to adjourn at 7:55 P.M. The motion was seconded by Mr. Senico. Motion carried.

Respectfully submitted,

Lisa A. Schubert,  
Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

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