

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 December 14, 2017 at the Lower Township Municipal Building. The meeting was called to order at 7:00 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
Chris McDuell
Michael Rosenberg (Mayor's Designee)
John McNulty
Andrew Bulakowski
Christopher Vassar

MEMBERS EXCUSED: Erik Simonsen
Daniel J. Senico
Frank Sippel
Brian Sullivan
Jennifer Dowe

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

STAFF EXCUSED: Shawn Carr, Board Engineer

CORRESPONDENCE:

Handouts:

List of Board Solicitor vouchers dated November 3, 2017.

List of Board Solicitor voucher dated December 14, 2017.

List of Board Engineer vouchers dated December 14, 2017.

The New Jersey Planner: September/October 2017 - Vol. 78, No 5.

Chairman Crompton read the agenda for the benefit of the public.

1. Minor subdivision & hardship variance applications for the creation of three (3) newly described lots. Hardship variances needed for lot area, frontage & width, submitted by Meca Investments, LLC for the location known as Block 362, Lots 7-13, 13 Sprucewood Avenue.

Mr. Ron Stagliano, Esq., represented the applicant.

Mr. Marcello Mogavero, applicant, was sworn in.

Mr. Stagliano explained the application is for 13 & 15 Sprucewood Avenues. He explained 15 Sprucewood Avenue is Township owned and under contract by his client to purchase if the subdivision is approved. He explained 13 Sprucewood Avenue has 180' frontage & 90' lot depth and 15 Sprucewood Avenue has 25' frontage and 90' depth.

Mr. Stagliano explained his client would like to create three new lots to construct single family dwellings. He explained single family dwellings are a permitted use in the zone, but the lots would be short on lot area, frontage & width. He explained the proposed lot sizes are not out of character for the area. He explained they cannot make three conforming lots because there isn't vacant adjacent land available.

Mr. Stagliano submitted into evidence a colorized tax map page.

Mr. Stagliano reviewed the subdivision plan and explained they have tried to make the lots as equal in area as possible.

Mr. Mogavero explained his intension is to construct single family dwellings that would

meet all the required setbacks, height and building coverage. He explained no other variances would be needed to build except for what he is before the Board tonight.

Mr. Mogavero explained what is proposed would not be out of character with the other lots sizes in the area and may be a bit larger than some of the lots.

Mr. Stagliano and Mr. Mogavero reviewed the marked up tax map page indicated the undersized lots in the area.

Mr. MacPherson summarized Engineer's comments dated November 22, 2017.

Mr. Galestok read Bureau of Fire Safety comments dated November 20, 2017 in which they found this application acceptable.

Mr. Galestok read Cape May County Planning Board comments dated November 30, 2017 in which they waived this application.

This portion of the hearing was opened to the public.

Mr. Rob Fromhold was sworn in.

Mr. Fromhold explained he does not know when the other houses on the undersized lots were built, explaining they could have conformed. He explained two 90 x 90 lots would be fine, but feels three undersized lots are being jammed in. He asked about off street parking, if water and sewer would be provided, how tall the houses would be and what the houses would look like? The Board explained the allowed height is 35'. Mr. Stagliano explained they are not asking for any other variances except for the lots themselves. He explained there would be two off street parking spaces and the lots would be city sewer and city water. It is not yet decided what the houses would look like.

Ms. Barbara Peacock was sworn in.

Ms. Peacock asked what the square footage of the homes would be? Mr. Mogavero explained he didn't have the square footage yet. He explained he was waiting for approval from the Board. Ms. Peacock explained she has concerns they would be four bedroom houses which would add people and the need for more parking. Mr. Mogavero explained the houses would have driveways, but don't know if there would be garages. Ms. Peacock explained she doesn't think the road can support three more homes.

Mr. Thomas Peacock was sworn in.

Mr. Peacock explained he has a 45' lot. He explained he doesn't have a problem with two houses. He asked if pilings would be needed? Mr. Mogavero explained he doesn't think pilings are needed in this area.

Ms. Gloria Bishop was sworn in.

Ms. Bishop explained she has concerns with parking. She explained people think this is a through street and if three houses are built, there is not enough room to turn around. She explained she has no problems with two houses.

Ms. Nicole Quinn was sworn in.

Ms. Quinn explained three houses is too much. She explained she has no problem with two houses. She explained there is already a parking issue. She explained there is a boat and camper parked on the street that could be moved, but three houses is added congestion to the street.

This portion of the hearing was closed to the public.

Mr. Stagliano explained there is a hardship with the configuration of the land. He explained they will be providing off street parking. He explained the size of the houses will be dedicated by the buyer of the lots. He explained the variance request for lot area is not that far off.

Mr. Galestok explained the Planning Board has had similar cases before. He explained the Schalek case came before the Board twice and twice denied. The Board was trying to hold the applicant to conforming. The applicant appealed and won. The Judge ruled in favor of the applicant with one of the reasons being the amount of undersized lots in the area.

Mr. Bulakowski made a motion to conditionally approve the application. The motion was seconded by Mr. Vassar.

VOTE:	Mr. Young	YES	Mr. Rosenberg	YES
	Mr. McNulty	YES	Mr. McDuell	YES
	Mr. Bulakowski	YES	Mr. Vassar	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. Rosenberg made a motion to approve the November 9, 2017 minutes. The motion was seconded by Mr. Young. Motion carried.

Mr. Bulakowski made a motion to approve the Acme resolution. The motion was seconded by Mr. Rosenberg. Motion carried.

Mr. Bulakowski made a motion to approve the resolutions from the November 9, 2017 meeting. The motion was seconded by Mr. Rosenberg. Motion carried.

Mr. Rosenberg made a motion to approve the Board Solicitor & Board Engineer vouchers. The motion was seconded by Mr. McDuell. Motion carried.

Mr. Young made a motion to adjourn at 7:56 P.M. The motion was seconded by Mr. Bulakowski. 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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