

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE PUBLIC BODY AT ITS NEXT MEETING. THIS BOARD WILL NOT BE RESPONSIBLE FOR ANY MIS-STATEMENTS, ERRORS OR OMISSIONS OF THESE MINUTES, AND CAUTIONS ANYONE REVIEWING THESE MINUTES TO RELY UPON THEM ONLY AT THEIR OWN RISK.

## LOWER TOWNSHIP PLANNING BOARD

A regularly scheduled meeting of the Lower Township Planning Board was held on May 19, 2011 at the Lower Township Municipal Building. The meeting was called to order at 7:00 P.M. by Chairman Jay Dilworth. 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 Jay Dilworth  
Charles Hewitt, Jr.  
Michael Beck  
Johnnie Walker (Mayor's Designee)  
Kevin Lare  
Paul St. John  
Brian Sullivan  
Robert Crompton

**MEMBERS EXCUSED:** Daniel J. Senico  
Chris McDuell

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

CORRESPONDENCE:

Handouts:

List of Board Solicitor vouchers dated May 17, 2011.

List of Board Engineer vouchers dated May 19, 2011.

Lower Township Planning Board Resolution No. 11-17.

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

1. Informal discussion of Lower Township MUA proposed solar panel project, 2900 Bayshore Road, Villas, Matt Ecker, PE.

Mr. Ecker explained the solar project was bid upon last year. He explained that there will be three sections with panels. He explained that CAFRA approval was needed because of wetlands. He explained that the MUA and the Township are in discussions for a four-array system. He explained that this array could be used for the senior center, school and the Township Complex. He explained that the proposed arrays are fixed panels and there would be a special clover plant planted under the arrays.

Mr. Galestok explained there is a resolution in support of the solar arrays. Mr. Hewitt made a motion to approve Resolution #11-17. The motion was seconded by Mr. St. John. Motion carried.

2. Informal discussion regarding trash enclosure, stone driveways and lighting for Cape May Mobile Estates, Block 510, Lots 14.01, 15.01 & 16.

The Planning Board approved the administrative changes with consent from the Planning Board Engineer.

5. Minor subdivision application for the creation of two (2) newly described lots, submitted by Bernard Dera for the location known as Block 334.12, Lot 5-7, 316 Arizona Avenue.

Chairman Dilworth explained that the application was reviewed and approved by the subdivision committee.

Mr. Hewitt made a motion to conditionally approve this application. The motion was

seconded by Mr. Sullivan. Motion carried.

4. Dune review application to construct a single family dwelling, submitted by Gary Luthe for the location known as Block 287, Lots 3-5 & 6.01, 301 Woodland Avenue.

Mr. Gary Luthe, applicant, was sworn in by Chairman Dilworth.

Mr. Luthe explained that they would like to demolish the existing single family dwelling and construct a three-story single family dwelling. He explained that they have already obtained a CAFRA permit.

Mr. Thornton read Engineer comments dated May 13, 2011.

Mr. Thornton explained that the property looks like it is a corner property, but the Township owns a ten foot wide parcel of land along Woodland Avenue. He explained that the plan shows the setbacks as if it is a corner property. He explained that it does appear that the applicant is crossing over the Township's property for the driveway and front door.

Mr. Luthe explained that plan would be changed to reflect the driveway will be moved to Delaware Avenue. He explained that there will be a fence around the pool. He explained that plans will show the elevations between the house and pool.

The Board asked Mr. Luthe if he had any photos of the site showing vegetation? Mr. Luthe explained he did not. He explained that there are some cactus and small trees on site.

The Board explained that they like a slit fence placed around the area of construction. They explained that it is usually a ten-foot limit of disturbance. Mr. Galestok explained that the property is basically flat and there is a bulkhead. There was a discussion that the limit of construction would not go beyond the pool area.

There was a discussion that the bulkhead must be noted on plan.

There was a discussion that Woodland Avenue is a side yard. The Township property is paved making this property look like a corner property. Mr. Galestok explained the sidewalk does not appear on the plan. If the sidewalk goes up to or over the property line, the owner would have to go before Council to allow them to use this area. Mr. Thornton explained that he just wanted to Board to be aware of this.

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. Sullivan made a motion to conditionally approve this application. The motion was seconded by Mr. Hewitt.

VOTE:	Mr. Hewitt	YES	Mr. Walker	YES
	Mr. St. John	YES	Mr. Sullivan	YES
	Mr. Crompton	YES	Chairman Dilworth	YES

Motion carried.

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

3. Informal discussion regarding planters for 1804 Bayshore, LLC, Block 263, Lot 8, 1804 Bayshore Road.

Mr. Robert Lamey and Mr. Ron Frame, were present for this discussion.

Mr. Lamey explained that at last month's meeting, they said that they would take the planters out in front of the units. He explained that after considering this, they have decided they would like to keep them. He explained the reason they would like to keep them is the doors to the units open out. He explained that kids like to skateboard along the front of the building. He is afraid that kids will be skateboarding and the open will be opened and someone will get hurt. Mr. Thornton explained that he met the applicant's on-site. He explained that there are five stores, each with their own entrance. He explained that to comply with ADA requirements, there must be accessibility to the stores. He explained that if the planters remain, anyone in a wheelchair would have to go into the traveled way. There was a discussion that additional handicap spaces could be provided, but then there would be a loss of two regular parking spaces.

There was a discussion if drainage would be affected if the planters were removed. Mr. Galestok explained that he feels the planters could help with drainage. Explained the downspouts could be put into the planters.

There was a discussion if changing the parking area and number of parking spaces could be done administratively. Mr. Teitler explained that he didn't think this could be done administratively. He explained that variances were granted for number of parking spaces and this revision would reduce the number of spaces even more. He explained that notices would also be required.

There was a discussion regarding eliminating some of the planters and leave the parking as is. This could be done administratively.

Mr. Hewitt made a motion to approve the resolutions from the April 14, 2011 meeting. The motion was seconded by Mr. Sullivan. Motion carried.

Mr. Hewitt made a motion to approve the Board Engineer and Board Solicitor vouchers.

The motion was seconded by Mr. Sullivan. Motion carried.

Mr. Crompton made a motion to approve the April 14, 2011 minutes. The motion was seconded by Mr. St. John. Motion carried.

Mr. Hewitt made a motion to adjourn at 7:55 P.M. The motion was seconded by Mr. Crompton. 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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