

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 February 21, 2013 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.
Johnnie Walker (Mayor's Designee)
Norris Clark
Paul St. John
John McNulty
Chris McDuell

MEMBERS EXCUSED: Michael Beck
Daniel J. Senico
Brian Sullivan
Frank Zeigler

STAFF PRESENT: Avery S. Teitler, Board Solicitor
Shawn Carr, Acting Board Engineer
George Curvan, Board Engineer
William J. Galestok, Board Secretary
Lisa A. Schubert, Recording Secretary

STAFF EXCUSED: Thomas Thornton, Board Engineer

CORRESPONDENCE:

Handouts:

List of Board Engineer vouchers dated February 21, 2013.

The New Jersey Planner: November/December 2012; Vol. 73, No. 6.

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

1. Minor site plan application for placement of a generator and new stairs for a medical facility, submitted by Bio-Medical Applications, Inc., for the location known as Block 496.01, Lot 25, 3301 Bayshore Road.

Mr. Louis C. Dwyer, Jr., Esq., represented the applicant.

Mr. James Bannon, PE, was sworn in by Chairman Dilworth.

Mr. Dwyer had submitted into evidence an aerial photo of the property.

Mr. Dwyer explained to the Board this is the old Rite-Aid. He explained his client is converting the building into a dialysis center. He explained that according to State regulations they need to place a generator on site. He explained the proposed location is where the load/unload zone was. He explained they are also installing an employee entrance on the same side of the building the generator will be located, but at the front corner.

Mr. Dwyer explained the County is requesting new curbing be installed along Bayshore and Breakwater Roads.

Mr. Carr read a letter dated February 15, 2013.

Mr. Galestok read Bureau of Fire Safety comments dated January 2, 2013 in which they approved this application.

Mr. Galestok read Cape May County Planning Board comments dated February 20, 2013.

Mr. Galestok explained the side of the building where the employee doors would be located does not have a sidewalk. He asked if one was going to be installed? Mr. Bannon explained one would be installed.

Mr. McNulty made a motion to conditionally approve this application. The motion was seconded by Mr. Walker. Motion carried.

3. Minor site plan application to replace the storm damaged deck, submitted by H & H Two Mile, LLC, for the location known as Block 820, Lots 2.01 & 4.02, Fish Dock Road.

Mr. Louis C. Dwyer, Jr., Esq., represented the applicants.

Ms. Rachel Hansen, applicant, and Mr. Vincent Orlando, PE, were sworn in by Chairman Dilworth.

Mr. Dwyer explained that the deck was damaged during the hurricane. He explained they would like to repair the deck.

Mr. Orlando explained the deck would be replaced in the same location and would be handicap accessible. He explained it would be a dining deck. Ms. Hansen explained the old deck was not handicap accessible. She explained the proposed new deck would be the same elevation as the bar deck. She explained the elevation would be increased.

Mr. Carr summarized Engineer's comments dated February 7, 2013. Mr. Dwyer requested waivers of driveways, etc.

Mr. Galestok read Bureau of Fire Safety comments dated February 6, 2013 in which they found this application acceptable.

Mr. Galestok read Cape May County Planning Board comments dated January 28, 2013 in which they approved this application.

Mr. Hewitt made a motion to conditionally approve the minor site plan application and waivers. The motion was seconded by Mr. St. Paul.

VOTE:	Mr. Hewitt	YES	Mr. Walker	YES
	Mr. McNulty	YES	Mr. Clark	YES
	Mr. St. John	YES	Mr. McDuell	YES
	Chairman Dilworth	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.

1. Minor site plan application for placement of a generator and new stairs for a medical facility, submitted by Bio-Medical Applications, Inc., for the location known as Block 496.01, Lot 25, 3301 Bayshore Road.

Mr. Teitler read the resolution into the record.

Mr. Hewitt made a motion to approve the resolution. The motion was seconded by Mr. St. John. Motion carried.

4. Preliminary & final site plan and hardship variance applications to reconfigure a hotel facility creating eight (8) new efficiency units in Phase 1 for a total of 108 units. Hardship variance application for sign area and number of parking spaces, submitted by Achristavest Pier 6600, LLC, for the location known as Block 710.01, Lots 1-12.02 and Block 710.02, Lots 1.01-1.03, 9601 Atlantic Avenue.

Mr. Frank Corrado, Esq., represented the applicant.

Mr. Eustace Mita, applicant, and Mr. Vincent Orlando, PE, were sworn in by Chairman Dilworth.

Mr. Corrado explained this application is to refurbish the existing Pier 6600 hotel. He explained they would like to reduce the number of units to 108. He explained the existing restaurant would be relocated and eight suites would be constructed in this area. He explained that at some future date they would return before the Board to increase the number units to 121.

Mr. Orlando explained the existing rooms have been gutted and new electric, paint, carpeting etc., is being installed.

Mr. Orlando explained they are proposing a minor addition that would be bathroom facilities associated with the pool.

Mr. Orlando explained they are eliminating the restaurant and lounge and constructing eight units in this location. He explained they are relocating the coffee shop. He explained they would increase the size of the drop-off area for check-ins. He explained they are proposing additional handicap parking spaces and adding a handicap ramp. He explained they are not eliminating parking spaces. He explained there are currently 121 spaces, 260 parking spaces would be required with the current use and 202 parking spaces would be required with this application.

Mr. Orlando explained they are removing the pool building which would open up the view to the beach. He explained they are proposing a pool vault. He explained they will create a one-way in and one-way out which would be safer than what currently exists. He explained they are proposing two new trash enclosures. He explained new landscaping would be installed too.

Mr. Orlando explained variances are needed. He explained they are pre-existing. He explained the first is number of parking spaces. He explained they are reducing the intensity of the use of the property. He explained they cannot add any additional parking spaces to the site and the number of spaces is not a deterrent to the area. He explained both lot coverage and lot frontage are existing and not changing. He explained the building-mounted sign will be changing, but will be the same square footage and backlit. He explained the freestanding signs

will change, but the square footage remains the same. He explained there is a 560 square foot roof-mounted sign that will be removed and no sign is proposed for the roof, but they will be adding a 60 to 70-square foot sign to the south side of the building for the restaurant.

Mr. Carr summarized Engineer comments dated February 14, 2013.

There was a discussion regarding the hold harmless agreement. Mr. Corrado explained he doesn't feel one is necessary. He explained the back-out parking is existing. Mr. Teitler explained he agrees with Mr. Corrado.

Mr. Orlando explained he would also provide a lighting study.

Mr. Galestok read Cape May County Planning Board comments dated January 30, 2013.

Mr. Galestok read Bureau of Fire Safety comments dated February 6, 2013 in which they found this application acceptable.

Mr. Galestok read an email dated January 31, 2013 from the MUA. There was a discussion that the MUA must think this is a new structure. Not realizing this is an existing structure being re-configured.

The Board asked if the trash providers were contacted regarding the best location for the enclosures? Mr. Orlando explained they did contact the provider and approved the best location for the enclosures.

Mr. Orlando explained they have also provided two bike racks.

There was a discussion that the signs would be internally lit. The Board asked how big the restaurant sign would be? It was said it would be between 60 to 70 square feet. There was a discussion that the sign should not exceed 70 square feet.

This portion of the hearing was opened to the public.

Ms. Jody Curcillo was sworn in by Chairman Dilworth.

Ms. Curcillo explained she was a resident of The Grand. She asked that no additional lighting be installed. She explained the lighting is adequate in that area.

This portion of the hearing was closed to the public.

Mr. Hewitt made a motion to conditionally approve the hardship variance application. The motion was seconded by Mr. St. John.

VOTE:	Mr. Hewitt	YES	Mr. Walker	YES
	Mr. McNulty	YES	Mr. Clark	YES
	Mr. St. John	YES	Mr. McDuell	YES
	Chairman Dilworth	YES		

Motion carried.

Mr. McNulty made a motion to conditionally approve the site plan application. The motion was seconded by Mr. Hewitt.

VOTE:	Mr. Hewitt	YES	Mr. Walker	YES
	Mr. McNulty	YES	Mr. Clark	YES
	Mr. St. John	YES	Mr. McDuell	YES
	Chairman Dilworth	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. Hewitt made a motion to approve Resolution #13-9, approving George Curvan as Board Engineer. The motion was seconded by Mr. St. John. Motion carried.

Mr. Hewitt made a motion to approve Board Engineer, Hatch Mott MacDonald, vouchers. The motion was seconded by Mr. St. John. Motion carried.

Mr. Hewitt made a motion to approve the minutes from the January 10, 2013 meeting. The motion was seconded by Mr. St. John. Motion carried.

Mr. Hewitt made a motion to adjourn at 8:20 P.M. The motion was seconded by Mr. St. John. 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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