

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

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## LOWER TOWNSHIP PLANNING BOARD

A regularly scheduled Work Session meeting of the Lower Township Planning Board was held on March 12, 2009 at the Lower Township Municipal Building. The meeting was called to order at 7:03 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  
Edward Butler  
Chris McDuell  
Robert Crompton

**MEMBERS EXCUSED:** Michael Beck  
Kevin Lare  
Gary Playford  
Daniel J. Senico  
Robert C. Imler  
Brian Sullivan

**STAFF PRESENT:** Jon Batastini, Esq. Board Solicitor  
Thomas Thornton, Board Engineer  
William J. Galestok, Board Secretary  
Lisa A. Schubert, Recording Secretary

**STAFF EXCUSED:** Avery S. Teitler, Board Solicitor

CORRESPONDENCE:

Handouts:

2008 Planning Board Variance Report.

List of Board Solicitor vouchers dated February 25, 2009.

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

2. Appointment of Planning Board Sub-Committee on Council for Affordable Housing - Fair Share Plan (COAH).

Mr. Galestok explained that a COAH committee was needed. He explained that they needed volunteers from Planning Board to help the COAH consultant. Mr. Butler, Mr. Crompton and Mr. Senico would be on the committee.

Mr. Galestok explained that the first draft of the COAH plan has been assembled. He explained that the consultant, has done a vacant land analysis and determined that there is very little vacant land left.

The Board explained that there was a meeting in Dennis Township with Mr. Joseph Doria, DCA Commissioner, and they are working closer for more 55 and older units.

There was a discussion that a resolution was passed by Township Council supporting Senate Bill #2524 proposed by Senator Van Drew, Assemblyman Albano and Assemblyman Milam.

1. Discussion of Annual Variance Report.

Mr. Galestok explained that there was nothing of real significance. He explained that there were several subdivisions for under sized lots denied.

Mr. Hewitt made a motion to approve the resolutions from the January 22, 2009 and February 19, 2009 meeting with a change that 'the engineer's comments are incorporated as part of the resolutions.' The motion was seconded by Mr. Crompton. Motion carried.

Mr. Hewitt made a motion to approve Board Solicitor vouchers. The motion was seconded by Mr. McDuell. Motion carried.

5. Minor subdivision & hardship variance applications for the creation of two newly described lots, hardship variance needed for lot frontage, submitted by Dennis & Marie Hasson for the location known as Block 390, Lots 1, 2687 Bay Drive.

Mr. Galestok explained that the applicant will proceed with the application, but will be coming back with a dune review and hardship variance for a pool.

Mr. Thornton explained that flag lots are only permitted in the R-1 & R-2 zone. He asked because this property is in R-3, would bulk requirements apply to the R-1 & R-2 zone? Mr. Galestok explained that he didn't think so. He explained that a use variance would not be needed. Mr. Thornton explained that variances would be needed for frontage and width.

Mr. Batastini explained to the Board that there are similar size lots in the area that could apply for subdivision. He explained that the Board would want to think about that if granting this application. Would they want to set a precedent? He explained that if this subdivision was approved and the neighboring property owners came before the Board with a similar application, the Board would be hard pressed to deny.

There was a discussion that Cedardale Avenue is a paper street. It was explained that there are some streets there that have walkways to the bay.

There was a discussion that the plan indicates an easement for Lot 1.02, but Lot 1.02 has frontage on Bay Drive.

6. Minor subdivision & hardship variance applications for the creation of two newly described lots, hardship variances needed for lot frontage & width, submitted by Claudio Pawlus for the location known as Block 423, Lots 5 & 6, St. John's Avenue.

There was a discussion that this is an odd shaped, oversized lot. The only reason for the subdivision is the lots have merged.

There was a discussion that the land at the end of Lincoln Blvd. zoned R-5 could be developed one day. There was a discussion about possibly re-zoning this Conservation.

It was discussed that the DRBA owns some land there and what the DRBA doesn't own, the Township does. This zone was for mid-rise development. It was discussed that this area may never be developed.

There was a discussion that maybe this area would be good for a wind energy area.

It was discussed that there was a meeting at the Coast Guard base. The speaker at that meeting explained that they estimate that there are approximately two (2) bird kills a year due to windmills.

There was a discussion that in the draft Ordinance a conditional use would be needed.

The foundation must be certified by a local Engineer because of the soil type in this area. The windmill company has their Engineer that certifies the system itself.

Mr. Galestok explained that he has looked into some grants that may be available for possibly having windmills for the Township.

Mr. Thornton explained that there are Smart Start Programs that money could be received for going with more efficient air conditioning and heating systems.

Mr. Butler made a motion to adjourn at 7:52 P.M. The motion was seconded by Mr. Hewitt. 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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