

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

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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 July 16, 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
Johnnie Walker (Mayor's Designee)
Daniel J. Senico
Edward Butler
Brian Sullivan
Chris McDuell
Robert Crompton

MEMBERS EXCUSED: Charles Hewitt, Jr.
Robert C. Imler
Michael Beck
Kevin Lare

MEMBERS ABSENT: Gary Playford

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

CORRESPONDENCE:

MEMORANDUM:

TO: Avery Teitler, Esq., Planning Board Solicitor
Anthony Harvatt, II, Esq., Zoning Board Solicitor

FROM: William J. Galestok, PP,AICP
Director of Planning

DATE: June 18, 2009

RE: Permit Extension Act

Handouts:

List of Board Solicitor vouchers dated July 8, 2009.

Planning Board of the Township of Lower, Resolution #09-22.

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

6. Extension of minor subdivision approval, submitted by Ken Gomez for the location known as Block 496.01, Lot 9.01, 222 Fishing Creek Road.

There was a general discussion that Mr. Gomez needed additional time to resolve some matters.

Mr. Senico made a motion to approve an additional six-month extension of subdivision filing. The motion was seconded by Mr. Crompton. Motion carried.

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

4. Minor subdivision and hardship variance applications for the creation of two newly described lots, hardship variances needed for lot area, frontage, width and setback of pool, submitted by Elizabeth Church for the location known as Block 256, Lots 6.01 & 6.02, 110 Maple Avenue.

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

Mrs. Elizabeth Church, applicant, and Mr. William Sweeney, Licensed Land Surveyor, were sworn in by Chairman Dilworth.

Mr. Dwyer explained that Mrs. Church owns two lots for a combined total of 20,000 square feet. He explained that two years ago, she applied for a two-lot subdivision for two conforming lots. He explained that because there was an inground pool and the lot line goes through a portion of the pool. He explained that his client would like to sell the property, but everyone who looks at the house also wants the pool. He explained that they would like to re-subdivide, putting the pool entirely on the lot with the house and reduce the vacant lot to 6,000 square feet.

Mr. Sweeney explained that he did an analysis's of the neighborhood. He explained that there were 34 properties in the general area. He explained that 17 lots conform and 17 lots are non-conforming. He explained that all the corner lots are 50 x 100. He explained that he feels the negative criteria has been met. He explained that he doesn't feel density would be compromised if approved.

Mr. Dwyer explained that everything would conform with setbacks. He explained that no public is present tonight to object to this application.

Mr. Dwyer had Mr. Sweeney's neighborhood analysis's marked into evidence.

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.

There was a discussion about having some wording in the resolution that the Board didn't want to have three lots at this property. Mr. Dwyer explained that they do not have a problem deed restricting that there could be no further subdivision unless Lot 6.02 gets larger.

Mr. Thornton read Engineer comments dated July 6, 2009.

Mr. Dwyer explained that hardship variances for lot area, frontage and width are needed for Lot 6.02. He explained that no variances are needed for Lot 6.01.

Mr. Galestok explained that Mrs. Church posted a bond for the pool with the original subdivision. He explained that if the Board approves this subdivision, it should be noted in the resolution that the bond be returned to the applicant.

Mr. Senico made a motion to conditionally approve this application. The motion was seconded by Mr. Crompton.

VOTE:	Mr. Senico	YES	Mr. Butler	YES
	Mr. Sullivan	YES	Mr. McDuell	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 approve at the next scheduled meeting.

2. Courtesy application for a proposed addition to the Villas Branch of the Cape May County Library; Kent Schellenger.

Mr. Dale Foster, County Engineer, and Mr. Dan Sciullo, from Garrison Architects, were present for this application.

Mr. Foster explained that the Villas Branch is the busiest branch in the County. He explained that not many renovations have been done to this building. He explained that they are proposing a 2,500 square foot addition. He explained that the parking lot to the rear of the building would be eliminated and there will be a detention basin in this location. He explained that there is an MUA easement along the rear property line. He explained that the steps leading into the building would be eliminated and the area would be sloped that it would just be a walk area into the building. He explained that 40 parking spaces would be provided.

Mr. Foster explained that the right turn aisle on Station Avenue would be widened. He explained that new storm drains would be installed. New lighting would be installed. As well as a new flagpole that would be lit all night.

Mr. Foster explained that the corner of States Avenue and Station Road would be extended outward to try and help make people stop for the stop sign. He explained that they will also add a video on the traffic light to try and help with traffic back-up at the light.

Mr. Sciullo explained that the addition would consist of ADA bathrooms, meeting room and reading area. He explained that the stacks would be in a different configuration.

Mr. Foster explained that the library would be closed for several months and a temporary library maybe setup at the old St. Raymond's school.

1. Appointment of Board Engineer for the remainder of 2009.

Mr. Butler made a motion to approve Resolution #09-22, appointing Hatch Mott MacDonald for the remainder of the 2009 calendar year. The motion was seconded by Mr. Sullivan. Motion carried.

Mr. Crompton made a motion to approved Board Solicitor vouchers. The motion was seconded by Mr. Sullivan. Motion carried.

Mr. McDuell made a motion to approve the resolutions from the June 18, 2009 meeting. The motion was seconded by Mr. Crompton. Motion carried.

3. Discussion of the Permit Extension Act of 2008.

Mr. Teitler explained that the Permit Extension Act was past in 2008. He explained that this Act extended permits and approvals covered by the Municipal Law Use Law. He explained that approvals are extended to July 1, 2010, but cannot go longer than January 1, 2011.

Mr. Teitler explained that he looked at the map on the internet and most of Lower Township is concerned environmental sensitive, therefore, the Permit Extension Act does not apply to these areas.

There was a discussion that approval's should be handled and looked at on a case by case basis.

Mr. Sullivan made a motion to adjourn at 7:45 P.M. The motion was seconded by Mr. McDuell. 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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