

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 January 21, 2010 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, Jr.
Johnnie Walker (Mayor's Designee)
Robert C. Imler
Daniel J. Senico
Edward Butler
Brian Sullivan

MEMBERS EXCUSED: Michael Beck
Kevin Lare
Chris McDuell
Robert Crompton

MEMBER 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:

Letters:

TO: Mayor Michael Beck & Council Members

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

DATE: January 19, 2010

RE: Proposed Zoning Amendments; Elimination of the R-5 Residential Zoning District changing it to C-Conservation; changing "PonderLodge", lands purchased by NJDEP to C-Conservation from the current R-1 Zone.

Memorandum:

TO: Gary Douglass,
Superintendent of Public Works

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

DATE: January 20, 2010

RE: Bottle Creek Subdivision;
Performance Bond balance as of
January 20, 2010 equal to \$26,746.96;
estimated cost of site improvement completion

Handouts:

List of Acting Board Engineer voucher dated January 21, 2010.

400-57G. New Subsection

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

2. Minor subdivision application for the creation of two (2) newly described lots, submitted by The Ross Family Partnership for the location known as Block 369.01, Lots 1-8, 513 Village Road.

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

It was discussed that the minor subdivision committee reviewed the application and found that it met the requirements and no variances were required.

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

400-14E. Minimum off-street parking. The following material shown **thus** shall be added to 400-14E.

No **non-residential** parking area or driveway shall be located within six feet of any property line.

Mr. Galestok explained to the Board that he has a proposed Ordinance change for the R-1 and R-2 Residential Zone pertaining to driveways. He explained that this is the only zone where driveways must be six (6) foot from the property line. He explained that all other zones would allow a driveway right to the property line. He explained that the proposed change would only apply to residential use and allow the driveway up to the property line. For non-residential uses, it would remain six (6) foot.

The Board explained that they didn't have a problem with this change.

400-57G. NEW SECTION: Reconstruction of a single family dwelling or duplex dwelling upon destruction by Act of God, Fire or Flood. Any single family dwelling or duplex dwelling that is damaged or destroyed by any "Act of God," fire or flood may be reconstructed or replaced by right without any requirement for variance or Zoning Permit.

Mr. Galestok explained that the down side to this is if it is non-conforming. The example used was the structure on the corners of Fishing Creek and Breakwater Roads. This house basically sits on the corner. This is an 'L' shaped lot. It is possible that the house could be placed further away from the corner.

The Board asked what if it met setbacks? Mr. Galestok explained that there is an Ordinance in place for a 40 wide lot or wider. If it is a conforming use, a variance would not be required provided all the requirements for the zone where met.

There was a discussion that there are several corner properties that this proposed Ordinance would cause a problem.

There was a discussion that a hardship variance could be applied for. Mr. Teitler explained to the Board that the Zoning Board takes each application on its own merit and they would have to make the decision to approve or deny a setback variance.

Mr. Hewitt made a motion to adjourn at 7:14 P.M. The motion was seconded by Mr. Sullivan. 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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