

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 April 15, 2010 at the Lower Township Municipal Building. The meeting was called to order at 7:05 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.
Robert C. Imler
Johnnie Walker (Mayor's Designee)
Kevin Lare
Edward Butler
Robert Crompton

MEMBERS EXCUSED: Michael Beck
Daniel J. Senico
Brian Sullivan
Chris McDuell

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:

Letter:

TO: Ms. Leslie Gimeno, PP, AICP
Director of Planning
Cape May County Planning Board

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

DATE: March 19, 2010

RE: West Rio Grande Avenue
"Shawcrest", Lower Township

Handouts:

List of Board Solicitor vouchers dated April 14, 2010.

List of Board Engineer vouchers dated April 15, 2010.

List of Acting Board Engineer voucher dated April 15, 2010.

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

3. Extension of site plan approval for 'The Grand West', submitted by Achristavest, LLC for the location known as Block 699, Lots 3-14.01, 9600 Atlantic Avenue.

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

Mr. Corrado explained that his client received site plan approved with a memorializing resolution date of September 21, 2007. He explained that the permit extension act extended the approval to January 2011. He explained that the Governor extended the permit extension act until December 31, 2013 and they are asking for a one year extension from that time. So an expiration date would be December 31, 2014.

Mr. Imler made a motion to approve the request. 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.

2. Revised dune review application to expand line of disturbance for construction and removal and installation of landscaping, submitted by Richard & Lorraine Strauss for the location known as Block 512.14, Lot 28, 2805 Shore Drive.

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

Mr. Richard Strauss, applicant, and Mr. Joseph Maffei, PE, PP, were sworn in by Chairman Dilworth.

Mr. Dwyer explained to the Board that a dune review application was approved with a five-foot disturbance area. He explained that much of the vegetation currently on the lot is inferior and they would like to clear the lot and plant native vegetation. He explained that there are three holly trees along the neighboring lot line that they would keep along with a small pine.

Mr. Maffei explained to the Board that all indigenous and tolerant plants to the area are proposed. He explained that various plants that would be planted.

Mr. Thornton read Engineer comments dated April 10, 2010.

Mr. Dwyer explained that they are okay with Mr. Thornton's comments.

There was a discussion that the conditions of the previous plan have not been met.

The Board explained that the plan before them would wipe out the entire site. They explained that plants that are already establish with root systems are proposed to be removed and don't know how long it would take for new plants to establish this kind of root system. The same vegetation that is on this site is along on properties south of this one. They explained that the limit of disturbance is meant to keep the site from being demolished. They explained that the plants that are already established help stabilize the dune.

Mr. Dwyer submitted photos of the site into evidence.

The Board explained that they have always had the five-foot disturbance area with no problem. Mr. Dwyer suggested a ten-foot disturbance area. Mr. Maffei explained to the Board that there would be no problem with the front of the property. The Board explained that there are concerns with the rear of the property. There appears to be a lot of existing vegetation that is well rooted. Mr. Maffei explained there would be dune grass along the rear of the property. He explained that there isn't a lot of disturbance with planting this. He explained that they are just plugs and the roots go deep and it spreads.

The Board explained that they have held to the five-foot disturbance for years and people

have met the requirements in the past. There was a discussion that not every lot was the same.

The Board explained that the Environmental Commission would like a five-foot disturbance. There was a discussion among the Board that they would be okay with a 7 ½ foot disturbance area. There was a discussion that the 7 ½ feet would be from the house and not the deck.

The Board explained that they wanted the applicant to understand that the Township does not have a program for sand replenishment. Mr. Strauss explained that he understood this.

Mr. Thornton explained that with the present plan of the house, it would exceed the allowed height limit. Mr. Dwyer explained that the house would conform with the height.

There was a discussion that there would be one pile per post for the rear deck. It was explained that they would auger the first eight feet then pound the remaining. Mr. Dwyer explained there would be builders risk insurance if there is damage to the neighboring properties.

The portion of the hearing was opened to the public.

Mr. Perry Buckley was sworn in by Chairman Dilworth.

Mr. Buckley asked if the house would be on pilings? It was explained that the house would be on pilings and there were approximately 57 pilings.

This portion of the hearing was closed to the public.

The Board asked if CAFRA approval was received? Mr. Dwyer explained that CAFRA approval is in place.

Mr. Hewitt made a motion to conditionally approve the 7 ½ foot disturbance area. The motion was seconded by Mr. Butler. 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 the Board Solicitor vouchers. The motion was seconded by Mr. Imler. Motion carried.

Mr. Crompton made a motion to approve Board Engineer and Acting Board Engineer vouchers. The motion was seconded by Mr. Hewitt. Motion carried.

Mr. Crompton made a motion to approve the resolutions. The motion was seconded by

Mr. Hewitt. Motion carried.

1. General discussion of compensation trends for Board Solicitors in surrounding municipalities and future compensation for Lower Township Board Solicitors.

There was a discussion that with the budget the way it is, there will probably not be an increase in the Board Solicitor's salary this year. However, in the future, the salary should be increased and addressed every year after.

Mr. Galestok explained that application fees may need to be increased. He explained that there should be a fair fee. The escrow fee should be increased too, but the fee should not be open ended and should be limited. There was a discussion about raising the resolution to \$300.00.

There was a discussion that obviously there cannot be a big increase in the salary, but there should be small increments over the years. The Board discussed a \$1,400.00 increase, doubling the current salary and asking for a salary of \$7,500.00.

There was a discussion that a salary increase cannot be proposed this year, but can for the 2011 budget.

Mr. Galestok explained that he would work on an application fee increase and present it to the Board at a future meeting.

The Board recommended an increase in Board Solicitor salary to \$7,500.00.

Mr. Butler made a motion to adjourn at 8:00 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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