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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 February 20, 2025, the Lower Township Municipal Building. The meeting was called to order at 6:01 P.M. by Vice-Chairman Chris McDuell. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT:	Vice Chairman Chris McDuell Jeffrey Lindsay, Mayor's Designee Marissa McCorkel Gunär Arenberg Lindsey Selby Roy Abrams Alyce Parker
MEMBERS EXCUSED:	Frank Sippel Chairman Michael Rosenberg Roland Roy Steve Morris Anthony Vetrano
STAFF PRESENT:	Avery S. Teitler, Board Solicitor William J. Galestok, Board Secretary Patrick L. Wood, Recording Secretary Cody Stanford, Acting Board Engineer Kathryn M. Steiger, Planning Clerk
STAFF EXCUSED:	William Cathcart, Board Engineer

CORRESPONDENCE:

Handouts:

- List of Board Engineer Vouchers, dated February 20, 2025
- List of Board Solicitor Vouchers, dated February 20, 2025

Vice-Chairman McDuell read the agenda aloud for the benefit of the public.

At 6:01 P.M., Mr. Abrams joined the meeting.

1. Minor subdivision and hardship variance application for the creation of two (2) newly described lots that are deficient in lot area, frontage, and width, submitted by James Ritchey for the property known as Block 351, Lot(s) 3-7, 89 Wildwood Avenue

Mr. James Ritchey, applicant, was sworn in by Vice-Chairman McDuell.

Mr. John E. Halbruner, AIA, was sworn in by Vice-Chairman McDuell, and provided credentials, which were accepted by the Board.

In response to concerns expressed by the Board regarding lot sizes at the original presentation, Mr. Teitler explained the application is being represented to review proposed new lot sizes that may be more harmonious to the neighborhood.

On behalf of his client, Mr. Halbruner testified as follows:

The application has been revised, making the lots more, but not entirely, equal in size by shifting the lot lines. The proposed vacant lot will be 5850 square feet. The remaining lot, with existing house, will be 6840 square feet. These changes bring the lots closer to conforming, although variances are still needed for width, frontage, and minimum lot size. The lot with the existing house needs a variance for lot area, since the building coverage will be 35%, vs the maximum of 30%.

In response to the Board's discussion on maintaining neighborhood consistency, a Neighborhood Study was submitted into evidence. Results show 20% of lots are conforming, with 30% of the area being 5000 to 7500 square feet, and the remaining 49% of lots are undersized/non-conforming.

This information, including the study, support compatibility and pattern consistent with the neighborhood, and trusts the Board is happy with the results.

The Board requested correction of the new application information to mirror the revised plans. The applicant's attorney may provide a written letter to reflect that change.

Mr. Stanford recapped the two (2) new lot sizes and needed variances for both, and reminded the applicant that if approved, three (3) mylars and six (6) copies.

This portion of the meeting was opened to the public. No comments were made from the public. This portion of the meeting was closed to the public.

Mr. Teitler summarized this is a straightforward request and the applicant has complied with the Board's requests, adding the submitted neighborhood study confirms consistency.

Mrs. Selby made a motion to conditionally approve the minor subdivision and hardship variance application, seconded by Mr. Arenberg.

VOTE:	Mr. Lindsay	YES	Mrs. Selby	YES	Mr. Arenberg	YES
	Mr. Abrams	YES	Ms. McCorkel	YES	Ms. Parker	YES
	Vice Chairman McDuell	YES				

Motion approved.

The Board Solicitor will prepare a memorializing resolution to review and approve at the next scheduled meeting.

2. Minor subdivision and hardship variance application for the creation of two (2) newly described lots that are deficient in lot area, frontage, and width, submitted by Robert Hart for the property known as Block 113, Lot(s) 27,28,48+49, 203 Bay Avenue (SUB 1558)

Mr. D. Scott DeWeese, II, Esq., is representing the applicant.

Mr. DeWeese summarized the application, which was previously presented, where public comments included concerns over the number of units of the dwelling. Updated information will be provided to clarify those concerns. Mr. DeWeese requested the previous testimony be incorporated into this evening's presentation.

Mr. John E. Halbruner, AIA, was previously sworn in by Vice-Chairman McDuell, whose credentials were accepted by the Board.

Mr. Halbruner provided an overview of the application, as follows:

The lot is an unusual size, fronting on three (3) lots, basically creating a double lot. The presentation was to divide the lot in two, which is consistent with the neighborhood. Due to uncertainty of whether the dwelling was a one (1) or two (2) family dwelling, the request was tabled until this meeting, to introduce proof of number of units.

Mr. DeWeese requested the following witness be sworn in to provide testimony of dwelling units.

Ms. Lauren Walsh, 406 N. Marion Avenue, Wenonah, NJ, was sworn in by Vice-Chairman McDuell.

In response to Mr. DeWeese's request to provide familiarity and information about the property, Ms. Walsh testified as follows:

When Ms. Walsh's sister acquired the property in 2019, which is used as a single-family dwelling (SFD) by family only. This is not a rental property. The upstairs unit existed when the property was purchased; however, is not habitable as a second unit, as the kitchen was removed. The upstairs is a space to watch television, which does have a bathroom. Access is via an exterior stairway.

Mr. Galestok advised a condition of the approval can include language be inserted into the Resolution, stipulating the property must remain a SFD.

Mr. Stanford advised no Engineer's Report is required.

In response to the Board's inquiry about surrounding neighborhood lot sizes, Mr. Halbruner submitted a Radius Neighborhood Study. Study results show approximately 44% of lots are 5000 square feet or less, with 33% of lots conforming to the 7500 square foot requirement.

Mr. Halbruner confirmed to the Board's question regarding parking that two (2) parking spaces will be available off Yale Avenue.

This portion of the meeting was opened to the public.

Ms. Lisa Mills, resident of 218 W. Ocean Avenue, was sworn in by Mr. Teitler.

Ms. Mill requested a review of the survey, showing the dimensions of the lots, and noted that a considerable number of double lots exist on Ocean and Bay. A discussion ensued on what constitutes a double lot, with Mr. Halbruner commenting that it may be typical for multiple lots to configure a 7500 square foot plot.

Ms. Mill then stated:

- Concern regarding the number of units was resolved with previous testimony
- Creating another cluster of small lots has to the charm of the area
- Drainage issue – More properties will cause more drainage problems

Ms. Kate Alexander, resident of 232 W. Ocean Avenue, was sworn in by Mr. Teitler.

Ms. Alexander expressed the following:

- Concern the proposed lots are in line with the neighborhood lots
- Noted that the surrounding homes are modest in size relative to the lot size
- More building without the Township providing the necessary infrastructure
- Concern about the permeability of the ground
- Brings more water into the area with more homes
- Water lays in the yards for weeks
- Accountability and concern for drainage
- Noted this area is referred to as “the bowl,” due to drainage issues

This portion of the meeting was closed to the public.

In response to the concern voiced regarding drainage, Mr. Galestok stated this Board does not have jurisdiction over those issues. Concerns must be directed to the Township Manager. Further, since the application is not asking for a coverage variance, it should not impact the impervious coverage.

Mr. Teitler then commented this is a common issue with all coastal towns, where discussions are ongoing regarding drainage, pumping stations, etc.

Mr. Galestok noted that if the garage did not exist on this property, it would qualify under the “Loechner Exception,” requiring no action by this Board. For the benefit of those in attendance, Mr. Teitler provided a brief overview of this exception that addresses mergers of non-conforming lots.

Mr. Teitler then summarized, as follows:

- Confirms with other lot sizes
- If a structure did not exist, this application would not be required
- No duplex exists
- The motion for the variance and subdivision can be handled under one motion.

Mr. Abrams made a motion to conditionally approve the minor subdivision and hardship variance application, seconded by Mrs. Selby.

VOTE:	Mr. Lindsay	YES	Mrs. Selby	YES	Mr. Arenberg	YES
	Mr. Abrams	YES	Ms. McCorkel	YES	Ms. Parker	YES
	Vice Chairman McDuell	YES				

Motion approved.

The Board Solicitor will prepare a memorializing resolution to review and approve at the next scheduled meeting.

Mrs. Selby made a motion to approve the Minutes from the meeting of January 16, 2025, seconded by Mr. Arenberg. Motion carried.

Mrs. Selby made a motion to approve the Board Engineer vouchers, seconded by Vice-Chairman McDuell. Motion carried.

Mrs. Selby made a motion to approve the Resolutions from the meeting of January 16, 2024, seconded by Mr. Abrams. Motion carried.

Mrs. Selby made a motion to approve the Board Solicitor vouchers, seconded by Mr. Abrams. Motion carried.

At 6:38 P.M., Mr. Abrams made a motion to adjourn the meeting, seconded by Mrs. Selby. Motion carried.

Respectfully submitted,

Patrick Wood,
Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

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