

**UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
MARCH 16, 2006**

The regular meeting of the Upper Township Planning Board was held at Township Hall, 2100 Tuckahoe Road, Petersburg, New Jersey at 7:30 p.m.

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Daniel Bready, William Brown, Robert Caldwell, James Kelly, David Mason, Curtis Corson, Gary Riordan, James Schroder, Bruce Thompson, Richard Palombo, Renee Scrocca.

Absent: None

Also present were Dean Marcolongo, Board Solicitor; Paul Dietrich, Board Engineer; Shelley Lea, Board Secretary.

APPROVAL OF FEBRUARY 16, 2006 MEETING MINUTES

A was made by Mr. Kelly and seconded by Mr. Thompson to approve the minutes.
Abstain: Corson.

APPLICATIONS

1. **CHURCH OF THE RESURRECTION – BLOCK 650, LOT 5 – PB01-06**

Application is for a two lot minor subdivision, side yard setback variance, variance for the number of parking spaces provided and percentage of impervious coverage and preliminary and final site plan approval to construct a church and rectory at 200 W. Tuckahoe Road, Marmora.

Solicitor Marcolongo stepped down during this application since he is a member of the church. Mayor Palombo, Chairperson Scrocca, Mr. Kelly and Mr. Schroder, also stepped down during the application since they are members of the church. Mr. Caldwell acted as Chairperson during this application.

Dorothy McCrosson, Esquire, represented the board. Dennis M. Coughlin, Esquire, represented the applicant. Reverend Robert Gregorio, 200 West Tuckahoe Road,

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Marmora, Joseph Maffei, Professional Engineer and Stephen Martinelli, Professional Land Surveyor, were sworn in.

Mr. Maffei testified that two variances are needed as a result of the minor subdivision. The purpose of the subdivision is to separate the two proposed uses on site. The applicants propose to construct an addition to the existing church and convert it into classrooms. A new church will be constructed on the newly created lot. The church will own both of the properties. The proposal provides for adequate parking and drainage. The green space in the rear of the property will be preserved.

Mr. Dietrich stated that the minor subdivision would make it easier for the applicant to obtain the necessary approvals from the Cape May County Health Department. The variances are needed due to the steep topography in the rear of the property.

The meeting was open to the public. Hearing no response the meeting returned to the board for findings of fact.

MR. BROWN – The applicants are requesting a two lot minor subdivision. There are two variances requested. The owner of the property is Church of the Resurrection. The site is located at 200 W. Tuckahoe Road in Marmora also known as Block 650, Lot 5. Variances are requested for impervious coverage, 48.1% proposed where 40% is permitted and side yard setback variance, 13 ft. proposed where 50 ft. is required.

MR. CORSON – The property is unique due to the contour of the property in the rear. Variances are needed since the applicants are constructing the church closer to the front of the property and preserving the open space in the rear. He believes the benefits of granting the variances outweigh any detriment.

MR. RIORDAN – He feels this is a benefit to the area.

MR. CALDWELL – The applicants are proposing to construct a new church and utilize the existing church for classrooms.

A motion was made by Mr. Corson and seconded by Mr. Riordan, to grant the minor subdivision with the standard conditions. Those in favor: Bready, Brown, Caldwell, Mason, Corson, Riordan, Thompson.

Mr. Maffei reviewed the preliminary and final site plan portion of the application. He stated that the new driveway has been realigned as requested by Mr. Dietrich. The new church will be constructed on the newly created lot. Parking is proposed throughout the entire site. The church will be the main focus of the site. A side yard setback is needed for proposed lot 5.01. They are requesting a variance to allow 48.1% impervious coverage for the existing parish. The proposed addition to the existing church will require a side yard setback variance. The wooded area in the rear of the property will be preserved. The stone parking area will be paved. They are proposing storm water management that currently does not exist. There will be a path leading to the gazebo in

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the back of the property. They are proposing additional landscaping. They will require a variance for 197 parking spaces.

Mr. Coughlin stated that both buildings are normally not used at the same time. They will address the comments in Mr. Dietrich's letter dated February 2, 2006. The existing church will be used as a school for CCD classes, etc.

Mr. Dietrich believes the parking will be sufficient. There is no need for additional parking spaces since the buildings are not occupied at the same time. He feels it is a benefit to share the parking spaces since there will not be any more impervious surface. The zoning scheduled on the plan indicates the building height is 35 ft. and the ordinance allows churches to be 55 ft. high. He requested the grade at the entrance along Tuckahoe Road be clearly delineated. He requested the grading be verified from the handicap stall to the building to ensure it is ADA accessible. He requested the applicants confirm the overflow from the drainage system does not go into Tuckahoe Road and create a problem.

Father Gregorio testified they have no intention at this time to use the existing church as a catholic school.

Mr. Maffei testified they would continue to take the trash and recyclables to the street for collection. They will look into an on site trash enclosure.

The meeting was open to the public. Hearing no response the meeting returned to the board for findings of fact.

MR. RIORDAN – The applicant is Church of the Resurrection located at 200 W. Tuckahoe Road in Marmora also referred to as Block is 650, Lot 5. The applicants are proposing to construct a new 15,215 sq. ft. church with 665 seats. The existing church will be used for classrooms. EDA prepared the site plan dated 9/12/05. There are 197 parking spaces proposed. They are requesting a side yard setback variance to allow 13 ft. where 50 ft. is required on proposed Lot 5.01. They are also requesting a variance for impervious coverage to allow 48.1% where 40% is permitted. They propose to pave the parking area that is currently stone. The plan includes storm water management.

MR. CALDWELL – He believes this is a fine project. There was no public comment.

A motion was made by Mr. Bready and seconded by Mr. Riordan, to grant preliminary and final site plan approval and variances for number of parking spaces provided, side yard setback and percentage of impervious coverage with the condition that revisions are made to the plan as shown on the report by Mr. Dietrich dated 2/2/06 and the standard conditions. Those in favor: Bready, Brown, Corson, Caldwell, Mason, Riordan, Thompson.

2. FOX CHASE BANK – BLOCK 653.01, LOT 6 –PB02-06:

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Application is for a site plan waiver and a variance to allow a larger building mounted sign than permitted at Route 9 and Pine Road in Marmora.

Charles Gemmel, Esquire, represented the applicant. Mr. Gemmel stated that a signage package was not available at the time of site plan approval in 2004. The bank is nearly complete. The proposed sign will be located on the front of the building facing Route 9. They are proposing a 42 sq. ft. sign where 16 sq. ft. is permitted. There is a building mounted sign located on the south side.

Phillip Doerle, President of Compass Sign Company in Levittown, Pa, was sworn in. He has been in the sign business for 10 years. He submitted pictures of the building that were marked into evidence. Exhibit A-1 shows the building with and without the proposed sign. The proposed sign has face lit channel letters similar to other signs in the area. He testified that a 16 sq. ft. building mounted sign could not be read from Route 9 since the building is located more than 50 ft. from the road. This is a standard size for Fox Chase Bank.

He submitted a second photo that was marked as Exhibit A-2. The photo shows a Fox Chase Bank in Warminster, Pa. The sign on the building is identical to the proposed sign. He testified that other signs in the area are larger than what is proposed.

Mr. Dietrich stated that the bank building is close to being finished. The monument sign is currently under construction. He believes the proposed sign fits in well with the area. He believes the sign is proportional to the building.

The meeting was open to the public. Hearing no response the meeting was closed to the public and returned to the board for findings of fact.

MR. KELLY – Fox Chase Bank is the owner of the Block 653.01, Lots 5.01 & 6 located on Route 9 and Pine Road in Marmora. The applicant obtained site plan approval in 2004. Charles Gemmel is representing the applicants. They are requesting to install a 42 sq. ft. sign where only 16 sq. ft. is permitted. There was no public comment. There was not a sign package proposed when they received site plan approval. Phillip Doerle testified the sign is similar other signs on Route 9. The sign is the same as other branches of the bank. Mr. Dietrich has indicated the sign is in proportion with the size of the building. He submitted photographs of the proposed building mounted sign that were marked as Exhibits A-1, A-2 and A-3. He also stated that the size of the sign is similar to others in the area.

MR. SCHRODER – This is a very nice building. He believes the sign will fit in with the area.

MRS. SCROCCA – The size of the sign will increase visibility since the bank is set back off the road. She believes the safety to the public outweighs any detriment. The sign is similar to others in the area.

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A motion was made by Mr. Palombo and seconded by Mr. Kelly, to grant the variance to allow a 42 sq. ft. building mounted sign and site plan waiver with the standard conditions. Those in favor: Bready Brown, Caldwell, Kelly, Mason, Corson, Riordan, Palombo, and Scrocca.

REDEVELOPMENT PLAN

Mr. Dietrich stated that earlier this year the Township Committee approved a report and maps recommended by the Planning Board. The report was sent to the Department of Community Affairs / Smart Growth for their consideration. They have asked for clarification of two of the State planning areas located in planning area 5, which is a highly environmentally sensitive area. The clarification has been made on the map. The Freshwater Wetland Act protects wetland areas from development. The area is still included within the redevelopment study area due to common ownership.

The meeting was open to the public.

Henry DeCinque, Jr., 6 Harbor Road, Beesleys Point, was sworn in. He has concerns about what can be built on the property and that the township will take his property.

Mayor Palombo stated that BL England has put the property up for auction. The township fears another type of industrial company such as chemical or recyclable plant would have the opportunity to bid on the property. They want to ensure the township has control over what goes on the property. The DEP has first right of refusal on the property. The township would like to secure the property so it works in the benefit of the township. It does not make any sense to construct homes on the property since it would be a tax burden to the school system. The township committee is still optimistic the plant will remain. The township committee and planning board would like the property to be used for a marina or some type of open space that would still generate commercial ratables in the event the plant closes.

Mr. Corson stated that grant money would be available through the redevelopment plan for properties within the redevelopment zone.

George Miller, Esquire, represented Thomas and Helen Innocente. They support the plan. They request that the 208 Water Plan be part of the redevelopment plan.

Mr. Dietrich stated that the 208 Plan would be included in the plan. They cannot start formulating the redevelopment plan until this is approved by the State. The State will not look at any amendments to the 208 Water Plan until this is approved or the town centers are adopted and endorsed.

Hearing no further discussion the meeting was closed to the public and returned to the board for findings of fact.

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MR. PALOMBO – The area previously approved by the planning board must be further clarified. The area now being delineated is not buildable and involves wetlands. Based Before the State will accept the plan and determine area for redevelopment the area must be delineated. The point of area is the northern most part of Upper Township, the Beesleys Point area. Approximately 80% is owned by BL England.

MR. RIORDAN – The Beesleys Point study area map is dated August 2005 and revised 12/14/05. The plan has now been amended to include two redevelopment areas as described.

MRS. SCROCCA – This is a technicality. They board must clean up a house keeping item.

A motion was made by Mr. Kelly and seconded by Mr. Riordan, to recommend the proposed revisions to the redevelopment plan. Those in favor: Breaady, Brown, Caldwell, Kelly, Mason, Corson, Riordan, Schroder, Thompson, Palombo, Scrocca.

RESOLUTIONS

1. JAMES GERMANIO AND PAUL GERMANIO – BLOCK 453, LOTS 240, 241, 242 – SD01-06:

A motion was made by Mr. Schroder and seconded by Mr. Brown to adopt the resolution. Abstain: Corson.

2. PLANNING BOARD RESOLUTION – SP03-06- RECOMMENDATION TO THE TOWNSHIP OF UPPER REGARDING REVISIONS TO THE DEVELOPMENT OF CERTAIN PROPERTIES IN THE BEESLEYS POINT SECTION OF THE TOWNSHIP DESIGNATED AS AREAS IN NEED OF REDEVELOPMENT AS PREVIOUSLY DETERMINED BY RESOLUTION SP01-05 OF THE PLANNING BOARD ADOPTED SEPTEMBER 29, 2005.

A motion was made by Mr. Kelly and seconded by Mr. Bready to adopt the resolution. Those in favor: Bready, Brown, Caldwell, Kelly, Corson, Mason, Riordan, Schroder, Thompson, Palombo, Scrocca.

BILLS

A motion was made by Mr. Corson and seconded by Mr. Schroder to approve the bills for payment. Those in favor: Bready, Brown, Caldwell, Kelly, Mason, Corson, Riordan, Schroder, Thompson, Palombo, Scrocca.

LOCAL GOVERNMENT ETHICS LAW FINANCIAL DISCLOSURE STATEMENT

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These forms were sent in your packages. Please return them to the board secretary as soon as possible.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Corson, seconded by Mr. Kelly, and approved. The meeting was adjourned at 8:40 p.m.

Submitted by,

Shelley Lea