

UPPER TOWNSHIP PLANNING BOARD  
MEETING MINUTES  
SEPTEMBER 22, 2006

The regular meeting of the Upper Township Planning Board was held at the 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, Robert Caldwell, Curtis Corson, James Schroder, Bruce Thompson, Richard Palombo, Renee Scrocca.

Absent: William Brown, James Kelly, David Mason, Gary Riordan.

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

**SWEAR IN BOARD PROFESSIONAL – PAUL DIETRICH**

**APPROVAL OF AUGUST 17, 2006 MEETING MINUTES**

A motion to approve the minutes was made by Mr. Corson, seconded by Mr. Schroder, and approved.

**NEW BUSINESS**

1. **BARRY WETZLER – BLOCK 453, LOTS 10 & 11.01 – SD11-06**

Application is for sketch plat classification of a proposed 9 lot major subdivision at 979 Dennisville/Petersburg Road, Petersburg.

Mr. Caldwell stepped down during this application.

Joseph Maffei, P.E., was sworn in. He testified that the subdivision includes improvements including a new road. There are over 3 new lots proposed in the subdivision. There are a total of 9 lots.

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

MR. SCHRODER – The subdivision will include new roads. There are over 3 lots proposed.

MR. PALOMBO – There was no public comment.

MRS. SCROCCA – The subdivision meets the classification for a major subdivision.

A motion was made by Mr. Schroder and seconded by Mr. Corson, to classify the subdivision as a **major subdivision**. In favor: Bready, Corson, Schroder, Thompson, Palombo, Scrocca.

2. STODDARD & MARJORIE BIXBY – BLOCK 348, LOTS 88, 88.01 & 92 – SD12-06

Application is for sketch plat classification of a proposed 22 lot major subdivision at 1479 Route 50, Petersburg.

Mrs. Scrocca stepped down during this application. Mr. Caldwell acted as Chair.

Joseph Maffei, P.E., was sworn in. He testified that the applicants are proposing to create 22 lots. The subdivision includes new roads.

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

MR. SCHRODER – There will be new roads in the subdivision. There are over 3 new lots proposed.

MR. PALOMBO – There was no public comment.

A motion was made by Mr. Corson and seconded by Mr. Schroder, to classify the subdivision as a **major subdivision**. In favor: Bready, Corson, Schroder, Thompson, Palombo, Caldwell.

3. EDWARD BIXBY – BLOCK 12, LOT 4.02 – SD10-06

Application is for a 2 lot minor subdivision at 545 Route 49, Tuckahoe.

Edward Bixby, 4 Goshen Road, Cape May Court House and Robert Prettyman, 900 Washington Avenue, Woodbine, were sworn in.

Mr. Dietrich advised that there are no variances required. The existing pole barn encroaches into the setback from the wetland buffer. This is a pre-existing condition and does not require a variance. Both the proposed lots meet the bulk requirements. The plan meets the requirements for a minor subdivision. A wetland delineation by the N.J.D.E.P. has been done.

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

MR. CALDWELL – He believes the applicant has standing to make this application. There will be 2 lots. There was no public comment.

MR. CORSON – There are no variances required.

MR. PALOMBO – There is a pre-existing non-conforming pole barn on the property. The board engineer has testified that both lots meet the requirements in this zone.

A motion was made by Mr. Corson and seconded by Mr. Bready, to grant the application for minor subdivision. In favor: Bready, Caldwell, Corson, Schroder, Thompson, Palombo, Scrocca.

### **BILLS**

A motion to approve the bills for payment was made by Mr. Corson, seconded by Mr. Schroder, and approved.

### **REVIEW OF ORDINANCE IN REGARDS TO GROWTH BASED AFFORDABLE HOUSING**

Mr. Dietrich stated that a growth share ordinance would be reviewed at a later date. At this time the centers need to be adopted. The board has to adopt a natural resource inventory to cover the natural resources in the township. This will require a public meeting.

The board also has to complete a housing plan for COAH and a land use ordinance plan. The master plan reexamination is also being done at this time. It is supposed to be reviewed next year. A sub-committee should be formed to meet in early October to review the documents before presenting to the full board.

Mrs. Scrocca would like for the members on the sub-committee to be Mayor Palombo, Deputy Mayor Corson, Gary Riordan and Jim Kelly. The alternate will be Jim Schroder.

Mr. Corson would like coyotes included in section 4.2 of the Natural Resource Inventory since they exist in the township.

### **DISCUSSION**

#### **CLAYTON DEVELOPMENT – BLOCK**

Mr. Thompson stepped down during discussion due to a conflict.

Solicitor Marcolongo stated that the applicant was granted a two lot minor subdivision on December 15, 2005. The approval included the creation of a lake. The property is 20 acres. The applicant is currently in the process of building the lake. The township has received complaints from residents of Peach Orchard Road in regards to the truck traffic. There are currently 120 trucks per day removing material from the site. The material is going to Atlantic County near the Black Horse Pike.

Mr. Clayton is aware of the complaints and is not permitting trucks on site until 9 a.m. to avoid the children waiting for the buses. The trucks are required to stop by 2:30 p.m. Digging on site cannot begin until 7:30 a.m. instead of 6:30 a.m. like they were before. The original depth of the lake was supposed to be 25 ft. It will now be reduced to 15 to 18 ft. They anticipate the heavy truck traffic to be done by 12/31/06.

Mr. Dietrich stated that Mr. Clayton has been watering the road to cut back on the dust and has been sweeping the dirt off the road. He feels this does qualify as a mining operation.

Mr. Dietrich has listened to the tape and read some of the findings given. The tape reveals that Mr. Clayton informed the board that some of the material would be taken from the site. No one anticipated this much truck traffic.

A motion was made by Mr. Schroder and seconded by Mr. Corson to do whatever is necessary to bring the application back before the board. A transcript will be ordered at the townships expense. Notices must be sent to everyone within a 200 ft. radius of the property. In favor: Bready, Caldwell, Corson, Schroder, Palombo, Scrocca.

### **RESOLUTIONS**

1. SCARBOROUGH PROPERTIES – BLOCK 651, LOTS 1 THROUGH 5, 10, 11, 16 AND BLOCK 653.01, LOTS 1 THROUGH 5 – PB11-04

A motion to adopt the resolution was made by Mr. Corson, seconded by Mr. Schroder, and approved. Abstain: Caldwell, Thompson.

2. ROBERT &NANCY STANTON AND JOHN & CAROLINE GARRAHAN – BLOCK 574, LOTS 13 & 12.01 – SD09-06

A motion to adopt the resolution was made by Mr. Schroder, seconded by Mr. Corson, and approved. Abstain: Caldwell, Thompson.

3. RUTH MANAGEMENT, LLC (CEDAR SQUARE) – BLOCK 560, LOT 1.01 – PB08-06

A motion to adopt the resolution was made by Mr. Corson, seconded by Mr. Schroder, and approved. Abstain: Caldwell, Thompson.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Mr. Palombo, seconded by Mr. Schroder, and approved. The meeting was adjourned at 8:25 p.m.

Submitted by,

Shelley Lea