

UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
JULY 16, 2009

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.

OPEN PUBLIC MEETING NOTICE

SALUTE TO THE FLAG

ROLL CALL

Present: Daniel Bready, William Brown, James Kelly, Gary Riordan, Donald Kissling, Susan Ragan, Janet McCrosson, Chair Renee Scrocca.

Absent: Curtis Corson, James Schroder, and Mayor Richard Palombo.

Also in attendance were Dean Marcolongo, Board Solicitor; Paul Dietrich, Board Engineer; Shelley Lea, Board Secretary and Zoning Officer.

APPROVAL OF THE JUNE 17, 2009 MEETING MINUTES

A motion to approve the minutes as submitted was made by Mr. Riordan, seconded by Mrs. Ragan, and approved. Abstain: Brown, Kelly.

APPLICATIONS

1. **JOHN JAMES GERMANIO – BLOCK 348, LOT 71.01 – SD02-09**

Applicant is requesting a 2 lot minor subdivision on Route 50 in Tuckahoe.

Mr. Bready stepped down during discussion and voting on this application.

John James Germanio, PO Box 545, Woodbine, New Jersey and Peter Mitt, Professional Planner and Licensed Landscape Engineer from EDA, were sworn.

Mr. Mitt testified the applicant is proposing to create 2 lots from 1 existing lot. The applicant has received approval from the NJDEP for the footprint of disturbance. The lot is located in both the Tuckahoe Village (TV) zone and the Agricultural (AR) zone. There are no variances or waivers requested.

Mr. Mitt explained that a footprint of disturbance is needed where there is restricted soils or wetlands on the lot or on an adjacent lot. NJDEP approves an area on the property and limits the area of disturbance or construction. This area is shown on the “plan of minor subdivision” by Stephen C. Martinelli, dated 1-07-09 and revised 7-02-09.

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Paul Dietrich, Township Engineer, was sworn. He testified he reviewed the submitted plat and finds that it complies with the plat requirements for a minor subdivision. Since the lot is split zoned and only meets the requirements of the TV zoning district there should be a restriction shown on plat that the principal structures should be constructed entirely within the TV zone or no more than 20 ft. into the AR zone.

Mr. Germanio agreed to this requirement.

The meeting was open to the public.

Sonia Forry, 2085 Route 50, Tuckahoe, was sworn. She asked what the applicant intended to construct on the lot. She asked about any historical restrictions since the lot is located in the historical district. She wants anything that is built on either lot to be compatible

Mr. Germanio testified that he is subdividing the property then selling the lots. He will not construct anything on the property.

Mr. Dietrich explained there are no historical restrictions in the zoning ordinance.

Hearing no further comment the meeting returned to the Board for findings of fact.

MR. KELLY – John James Germanio is the owner of the property. The property is located on Route 50 and is also known as Block 348, Lot 71.01. The applicant is requesting a minor subdivision to create 2 lots to be known as lots 71.04 and 71.05. Peter Mitt, Professional Planner, gave testimony in support of the application. The lots are split zoned. The front is zoned TV and the rear is zoned AR. There are no variances requested. A footprint of disturbance has been received from the NJDEP. Ms. Forry, property owner within 200 ft., has concerns about the structures that will be built on the lots due to the historic nature of the area. Mr. Dietrich has stated that construction is permitted in the TV zone only and can encroach into AR zone only 20 ft. This restriction will be included in a revised plan. The applicant has agreed to comply with the COAH regulations.

MR. RIORDAN – There were 2 exhibits submitted, correspondence from the NJDEP dated 5/28/09 and soil boring information. Mr. Bready stepped down. The application must comply with COAH regulations.

MR. KISSLING – Concurs.

MRS RAGAN – Concurs.

MS. McCROSSON – Nothing to add.

CHAIR SCROCCA - No variances or waivers are requested. The proposed minor subdivision meets the criteria for a minor subdivision pursuant to our ordinance. She adopts the findings of the board.

A motion was made by Mr. Kelly and seconded by Mr. Riordan, to grant the minor subdivision subject to the a revised plan be submitted with the corrections stated and the

standard conditions. In Favor: Bready, Brown, Kelly, Riordan, Kissling, Ragan, McCrosson, Scrocca.

RESOLUTIONS

1. LORRICK LLC / SNAP FITNESS – BLOCK 651, LOT 1 – PB04-09

A motion to adopt the resolution was made by Mr. Kissling and seconded by Mr. Riordan. In favor: Bready, Riordan, Kissling, Ragan, McCrosson, Scrocca. Abstain: Brown and Kelly.

BILLS

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

ADJOURNMENT

A motion to adjourn was made by Mr. Kelly, seconded by Mr. Brown, and approved. The meeting was adjourned at 8:00 p.m.

Submitted by,

Shelley Lea