

**UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
FEBRUARY 18, 2010**

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.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

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

Absent: William Brown, Frank Conrad, James Schroder and Mayor Palombo.

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

APPROVAL OF THE JANUARY 21, 2010 MEETING MINUTES

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

ANNOUNCEMENTS

Mr. Dietrich informed the Board that a public visioning would be held on March 4th at the Middle School at 6:00 p.m. The planners have finished a draft of the form-based code that will be reviewed at that time.

Mr. Dietrich also announced that Frank Conrad visited the Municipal Land Use Center with him today to interview for the \$200,000 mobility grant the Township is receiving through the NJDOT to do a traffic analysis. The analysis would include a look at Exit 20 and possibly converting it to a full interchange to pull traffic off of Route 9, which would help with the congestion in Marmora.

Mr. Dietrich stated that he has received a draft copy of the Conservation Plan that will be included in the ordinance amendments for windmills and solar panels. This would be treated as a Master Plan Reexamination.

SWEAR IN BOARD PROFESSIONALS

APPLICATIONS

1. SWIM AGAIN POOL & SPA / SKI CONNECTION / JOSEPH BYRON – BLOCK 599, LOT 28 – PB07-09

Joseph Byron, owner of Swim Again Pool and Spa, 215 Route US 9 South, Marmora and Paul Casaccio, 5 Cedar Hollow Court, Beesleys Point, and Vice President of Clayton Industries were sworn.

Mr. Byron stated that he is before the Board to correct a sign violation that he received. He is requesting the Board allow 2 real estate type signs approximately 18” x 24” and 1 banner approximately 3’ x 6’. The building frontage is 630 sq. ft. with a 2’ x 8’ attached sign. The building is approximately 50 ft. off Route 9. His business is not listed on the existing freestanding that is located 10 ft. from the property line.

Mr. Byron testified that he operates a multiple use store. He currently sells ski and snowboard equipment and pools and spas in the warmer months. His drive by customers rely on the signs to know what products are available and what is on sale. The proposed banner would be changed seasonally or monthly depending on what seasonal products are offered at that time. He stated that in this economical time the signs are critical to his business. The sign on the building is hard to see due to the distance it is set back off of the road. He feels these signs are important and have an effect on his business.

Mr. Casaccio testified the main Plaza 9 sign out front is a 62 sq. ft. where 100 sq. ft. is permitted. The shed in front of the building is shown on the site plan as a designated display area.

Ms. Lea stated that several notices have been sent to the applicant in regards to the illegal signs on the property. Signs sweeps are done continuously throughout the Township. It is difficult to enforce the ordinance when the applicant continuously displays signs on the property.

Mr. Dietrich explained that the Road Department picks up the illegal residential signs in the Township along with the signs attached to telephone poles.

There was no comment from the public. The Board members were asked for findings of fact.

MR. RIORDAN – The applicant is requesting a site plan waiver and variance to allow 2 portable signs and a banner at 215 Route US 9 South in Marmora, Block 599, Lot 28. The applicant is Swim Again Pool & Spa / Ski Connection. The Principal is Joe Byron. The applicant represented himself. Paul Casaccio of Clayton Industries provided testimony. Mr. Byron testified the signs are informative and easier to read than the sign on the building. There was no public comment. He feels it has been demonstrated that

certain benefits might outweigh the negatives without impairing the intent of the zoning ordinance.

MR. KELLY – The Zoning Officer testified in regards to sign sweeps throughout the Township and notices sent to various businesses.

MR. BREADY – He believes the benefits outweigh the detriments. He has no problem with granting the variances.

MR. KISSLING – The applicant is requesting an individual exception to the ordinance. He feels the ordinance needs to be enforced.

MS. McCROSSON – The current signs are in violation of the regulations. The signs look cluttered and she feels it would be a benefit to consolidate them.

MRS. RAGAN – She believes that any more than one sign makes the property look messy.

MRS. SCROCCA – She stated there are 6 different things on the property being used as advertising. The sign ordinance is in place for aesthetic and safety reasons. She is not in favor of granting the application since she doesn't believe the benefits outweigh the detriments. She does not believe the application could be granted without impairing the intent and purpose of the ordinance.

Mr. Casaccio requested to amend the application to remove the banner and one sign and allow the sandwich board sign in the center of the property.

The Board gave additional findings of fact.

MRS. RAGAN – Currently the site looks messy. Allowing only one additional sign would make the property look nicer.

MRS. SCROCCA – She believes this is a good balance. The amended application increases visibility and less signs is not as much of a safety or aesthetic problem.

A motion was made by Mrs. Ragan and seconded by Mr. Riordan, to grant the amended application for site plan waiver and variance to allow one 3' x 2' changeable sign located near the mini storage sign in the middle of the property. In favor: Bready, Kelly, Riordan, McCrosson, Ragan, Scrocca. Opposed: Kissling.

BILLS

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

ADJOURNMENT

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