

**UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
FEBRUARY 16, 2012**

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, William Brown, Anthony Inserra, Gary Riordan, Donald Kissling, Susan Ragan, Janet McCrosson and Chair Renee Scrocca.

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

APPROVAL OF THE FEBRUARY 16, 2012 MEETING MINUTES

A motion was made by Mr. Riordan and seconded by Ms. McCrosson, to approve the minutes. In favor: Inserra, Riordan, Ragan, McCrosson, Scrocca. Abstain: Bready, Brown, Kissling.

PAUL DIETRICH SWORN

OFFICIAL BOARD MEMBER OATH

William Brown, Daniel Bready and Donald Kissling were sworn in by Solicitor Marcolongo.

AGENDA

1. ST. MAXIMILIAN KOLBE PARISH (RESURRECTION CHURCH) – BLOCK 650, LOT 5 – PB01-12

Application is for preliminary and final site plan approval together with variances for the number of parking spaces proposed and a waiver of architectural drawings for the expansion of the parking area and proposed parish hall in two phases at 200 West Tuckahoe Road, Marmora.

Mr. Marcolongo and Mrs. Scrocca stepped during this application.

Dorothy McCrosson, Esquire, acted as Board Solicitor and Ms. McCrosson acted as Chair during this application.

William Brewer, Esquire, represented the applicant.

Msgr. Peter Joyce and Joseph Maffei were sworn.

Mr. Maffei reviewed the previous approvals that were granted for the construction of a new church and large parking area. He explained that the applicant is now proposing to utilize the existing church, however they would like to pave the parking area, upgrade the entrances and install a retention basin since there is not much storm water management currently. Additional landscaping and lighting are also proposed along with handicap parking. The Knights of Columbus have asked the church to put up a fellowship building. At this time they do not know if they can afford to construct the building or when it would be constructed. The church wanted to incorporate the building into this application. They are asking for preliminary approval only for the building and request to waive the architectural drawings.

Mr. Dietrich recommended extending the sidewalk so that when the rest of the Town Center gets sidewalk this would tie into that sidewalk. He explained where he would like the sidewalk to be located.

Mr. Maffei testified they are requesting a variance for parking. There is sufficient parking for the church but the parish hall would require additional parking.

Mr. Dietrich stated that if the parish hall is built at least one handicap parking space will be needed.

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

MR. BROWN – This is a request for preliminary and final site plan approval by the St. Maximilian Kolbe Parish to pave the parking lot and add drainage and lighting at 200 W. Tuckahoe Road in Marmora. They will extend the sidewalk to meet the requirements of the Town Center. They are requesting a variance for parking, 165 spaces required, 130 spaces proposed. There was no public comment.

MR. BREADY – Nothing to add.

MR. RIORDAN – William Brewer, Esquire, represented the applicant. Joseph Maffei gave expert testimony in support of the application. The proposed plans conform to the Township Master Plan. Mr. Dietrich requested the applicant add a handicap ramp and extend the sidewalk down Tuckahoe Road and east toward the post office. He believes the benefits of granting the variance outweigh any detriments. The variance can be granted without impairing the intent and purpose of the zoning ordinance.

MR. INSERRA – Nothing to add.

MR. KISSLING – He concurs.

MRS. RAGAN – She concurs.

MS. McCROSSON – The applicant will return to the Board for final approval to construct the parish hall at a later date.

A motion was made by Mr. Bready and seconded by Mr. Riordan to grant preliminary and final site plan approval for the reconfiguration and paving of the parking lot, all the improvements set forth on the plans in a two-phase project, a variance for the number of parking spaces along with preliminary approval for the parish hall, waiver for presentation of the preliminary architectural elevations of the parish hall at this time and to be required at final approval and two plan revisions, one to extend the sidewalk north to Tuckahoe Road and easterly to the property line common with the post office and to add a handicap parking space in front of the hall should the hall be constructed. In favor: Bready, Brown, Inserra, Riordan, Kissling, Ragan, McCrosson.

2. MARCIA HOCKER / 553 REALTY ASSOCIATES LLC – BLOCK 553, LOT 7 – PB03-11

Applicant is requesting site plan waiver to amend their final site plan approval to remove a condition of their 1995 approval and to permit the change of use of Unit E from storage to retail at 14 Route 50, Seaville.

William J. Kaufmann, Esquire, represented the applicant. He informed the Board that the applicant would like to remove a condition of final site plan approval from 1995. The project was given preliminary site plan approval as indicated in Resolution PB05-95. Final site plan approval was granted as indicated in PB10-95. A subsequent approval (PB09-98) was granted by the Board to allow the units to be used for office space. He read the conditions from 1995.

Edwin J. Jesiolowski, Haddonfield, New Jersey, Registered Architect, was sworn. He was involved in this project in 1995. He prepared the plan dated 10/12/11 titled Request for Change of Use Unit E.

Mr. Jesiolowski testified there are three properties that adjoin each other. The subject building consists of units A through E. Unit E is currently a storage facility and cannot be used as a rental space. The applicant is proying to join Unit D and E and lease as one continuous unit. There is presently access between the two units. They are hoping the additional square footage would make this a more attractive rental space. There are no proposed changes to the parking. The parking will comply with the requirements of the TCC zoning district. Twenty-eight parking spaces are required and they have 39 spaces. There are no proposed changes to the façade of the building. There are no proposed changes to units A, B or C.

Mr. Jesiolowski testified the unit was made into storage space since they did not meet the square footage requirements of the Cape May County Department of Health in regards to

toilet facilities. The applicant understands that County approval is needed. If the County does not give approval then the unit would remain storage.

Mr. Jesiolowski testified there is one large septic system on site servicing four units. He does not know who will rent the unit. There is no plumbing being added. Units D and E are currently empty.

Mrs. Scrocca stated there was no one from the public in attendance.

MR. RIORDAN – The applicant is requesting amendment to final site plan approval to remove a condition of their 1995 approval and to permit the change of use of unit E from storage to retail at 14 Route 50. 553 Realty Associates LLC is the owner of Block 553, Lot 7. William Kaufmann, Esquire, represented the applicant and Edwin Jesiolowski gave expert testimony. This request originated due to a deed restriction placed on the property because of health department regulations at the time of construction in 1995. The applicant has agreed to make application to the Cape May County Health Department. There is sufficient parking on site. The applicant has agreed to limit the number of units to four.

MR. BROWN – Nothing further to add.

MR. KISSLING – He concurs.

MRS. RAGAN – The property is zoned TCC. The proposed use is permitted in this zone.

MR. INSERRA – Nothing to add.

MR. BREADY – He concurs.

MS. McCROSSON – Units D and E will be made into one large unit.

MRS. SCROCCA – This is a matter of taking what is currently being used as four units and keeping it as four units but making the property more attractive and hopefully resulting in an increased ratable for the Township. Based upon the fact that there are no real changes to the building and no changes to the site plan including parking, lighting and drainage and plenty of parking, she believes that the benefits outweigh the detriments and the variances can be granted without impairing the intent and purpose of the zoning ordinance.

A motion was made by Mrs. Ragan and seconded by Mr. Brown to grant the application for site plan waiver and removal of the condition that unit E shall be used for storage only and permit use of that unit for retail/office with the condition that the entire property will be limited to a total of four units. In favor: Brown, Bready, Inserra, Riordan, Kissling, Ragan, McCrosson, and Scrocca.

RESOLUTIONS

AUTHORIZING CONTRACT WITH DEAN R MARCOLONGO, ATTORNEY AT LAW, FOR PROFESSIONAL SERVICES

A motion to adopt the Resolution was made by Ms. McCrosson, seconded by Mr. Riordan, and approved.

BILLS

A motion to pay the bills was made by Ms. McCrosson, seconded by Mrs. Ragan, and approved.

CORRESPONDENCE

Solicitor Marcolongo announced that correspondence has been received from Wanda Gaglione, Municipal Clerk, requesting that the Board revisit the proposal of rezoning a 900 ft section of Tuckahoe Road to commercial zoning and provide the Committee with a report on their findings. They feel there may be additional information and this matter should be given a second look. The Board should consider whether or not they would like to retain a planner. The last two times the Board retained Marcia Shiffman to represent the Board.

Chair Scrocca stated that the Board needs expert guidance and she thinks they should ask Township Committee to fund a planner since the Board cannot make an informed decision without one.

Solicitor Marcolongo stated that a public hearing is needed so that the public would have the opportunity to express their opinion.

The Board will get proposals from Heyer and Gruel and Remington & Vernick. Mr. Dietrich stated that the Board could rely on the two previous planning reports. Chair Scrocca stated that new information is needed.

DISCUSSION

Solicitor Marcolongo informed the Board that the Appellate Division will hear the oral argument for the Strathmere Deannexation matter on March 21, 2012.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Kissling, seconded by Ms. McCrosson, and approved. The meeting was adjourned at 8:13 p.m.

Submitted by,

Shelley Lea
Zoning Officer