

**UPPER TOWNSHIP PLANNING BOARD
MEETING MINUTES
JULY 19, 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, James Kelly, Anthony Inserra, Gary Riordan, Joseph Harney, Janet McCrosson, Mayor Richard Palombo and Chair Renee Scrocca.

Absent: William Brown, James Schroder and Susan Morgan.

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

APPROVAL OF THE JUNE 21, 2012 MEETING MINUTES

A motion was made by Mr. Riordan and seconded by Ms. McCrosson to approve the minutes. In favor: Bready, Kelly, Riordan, Harney, McCrosson, Scrocca. Abstain: Mayor Palombo abstained since he recused himself during this matter.

PAUL DIETRICH SWORN

APPLICATIONS

1. LOUIS ALTOBELLI – BLOCK 567, LOT 57.03 – PB03-12 – PB03-12

Applicant is requesting a site plan waiver to permit a 175 sq ft building mounted sign where only 75 sq ft is permitted at 1231 Route US 9 South, Palermo.

Louis Altobelli, 10 Eagles Way, Swainton, New Jersey, was sworn. Mr. Altobelli is the owner of the property. He testified the sign is already on the building. There was more signage on the building when he purchased it then there is now. The building was previously used by Jed Sheds and Autotech. The sign is consistent with his other business, Marmora Auto Body that is located just down the road.

Mr. Altobelli testified that he has recently renovated the building. He feels the building and landscaping look very professional. He feels the sign is consistent with the building. He believes that removing the smaller signs cleans up the building. Photos of the building prior to the installation of the new sign were marked as Exhibits A-1 through A-4. He owns properties in other towns and keeps the signage on all the buildings consistent.

Mr. Altobelli testified the signs are not a detriment. He further testified the signs are an asset to the community. The plans that were submitted to the construction office during the permitting process did show a sign for Seaville Auto Center across the front. Due to the curve in the road the larger sign is easier to see and better for safety. The sign is lit.

Mr. Dietrich stated that the plan was submitted to the construction office for their review but the plan was never sent to the zoning office to review the sign package.

Shelley Lea, Zoning Officer, indicated that a complaint was made about the sign and that is when she went to inspect it. She observed this was a new sign and it was lit and had never received permits. After attempts to have the owner comply a complaint was made to the Municipal Court and a summons was issued.

Daniel Scull, 25 Chestnut Oak Drive, Cape May Court House, New Jersey, was sworn. He testified that he met with the inspectors on site and the sign was inspected.

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

MR. KELLY – The application is for a site plan waiver. The owner is Louis Altobelli. The subject property is block 567, lot 57.03 located at 1231 Route 9 South in Palermo. The applicant is seeking a variance to allow a 175 sq. ft. signs where only 75 sq. ft. is permitted. The owner presented Exhibits A- 1 through A-4 which are pictures of signage prior to taking ownership. The photos are supposed to show how he came up with the 175 sq ft sign that he attached to

the building. He submitted architectural plans that included a sign but those plans were never reviewed for zoning compliance. There was no public comment.

MR. INSERRA – Agrees with the applicant that what is there now is better than what was there before. The sign is not offending and he sees no reason why the variance should not be approved.

MR. RIORDAN – The applicant was represented by himself. Testimony was provided by Daniel Scull. Exhibits A-1 through A-4 were provided to demonstrate the numerous signs in front of the building prior to renovations. The 175 sq ft sign is reported to be less than the total square footage of signs previously on the building. The applicant has testified that the property is well maintained and attractive.

MS. McCROSSON – The applicant testified there are currently fewer signs than shown in the photos. The sign fits the size of the building nicely. She doesn't think there would be any substantial detriment in allowing the sign.

MR. HARNEY – The new sign is substantially larger than the previous sign. The sign does no harm to the building and brings nothing but recognition to the building. The sign does not hinder traffic and there are no safety concerns. He was glad to see the building restored.

MAYOR PALOMBO – He agrees with his colleagues. The signage is aesthetically consistent with the renovations that were made. Part of having a commercial property and service opportunities is to make the public and residents aware of the services. Having signage and being able to identify where that particular property is leads to a safer environment.

CHAIR SCROCCA – Normally she likes to see businesses comply with the area requirements in the ordinance. However, the fact that the applicant came to the construction office with the sign on the plan and got approval mitigates in the applicants favor. She agrees that aesthetically it looks much more pleasing than the mishmash of signs that were there before. The sign is a visual cue for drivers which would increase safety. These are benefits to the township. She believes the benefits outweigh the detriments and that the variance could be approved without impairing the intent and purpose of the zoning ordinance.

A motion was made by Mr. Inserra and seconded by Mayor Palombo to grant the site plan waiver and variance for the area of the building mounted sign with the standard conditions. In favor: Kelly, Inserra, Riordan, Harney, McCrosson, Palombo and Scrocca. Abstain: Bready.

RESOLUTIONS

1. REQUEST TO REZONE – BLOCK 652.01, LOTS 16 THROUGH 19

Solicitor Marcolongo explained that he asked Mayor Palombo and Mr. Inserra to step down during deliberation and voting on this particular matter based upon the recent political election. Mayor Palombo had been named as political leader and Mr. Inserra was running with Mr. Holt.

What he failed to recognize was that Ms. McCrosson also ran in that election and is the assistant republican leader in Upper Township. Mr. Holt did not raise this issue during the hearing but did raise it during a Township Committee meeting. He agrees that it was incorrect for Ms. McCrosson to sit on this hearing.

Chair Scrocca suggested that anyone that is a committee person step down. This would include Mr. Kelly and Mr. Bready. Solicitor Marcolongo stated that at least five board members are needed to make a quorum. He recommends that the matter be rescheduled and that Mr. Heyer is contacted to come back to make any further comments and open it back up to the public. The Township will need to resend the public notices.

A motion was made by Mr. Harney and seconded by Mr. Riordan to not vote on the resolution and reschedule the matter and have Mr. Heyer present and prepared to testify and renote as required in the newspaper and property owners within 200 ft. In favor: Riordan, Harney, Scrocca. Abstain: Bready, Kelly, Inserra, McCrosson, and Palombo.

BILLS

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

ADJOURNMENT

A motion to adjourn the meeting was made by Ms. McCrosson, seconded by Mr. Kelly, and approved. The meeting was adjourned at 7:58 p.m.

Submitted by,

Shelley Lea