

**Upper Pittsgrove Township
Land Use Board Minutes
May 15, 2014**

TO: Township Committee
Land Use Board Members

Linda S. Buzby, Twp. Clerk
L. Andrew Hoglen, Zoning Officer

A regular meeting of the Upper Pittsgrove Township Land Use Board was held in the Township Hall on the above date. The meeting was called to order at 7:30 P.M. by Board Chairman reading the public announcement stating that adequate notice had been given provided under the “Open Public Meetings Act” and a flag salute.

Members present were: John Coombs, Robert Duus, Jack Cimprich, Glenn Myers, Ralph Sickler, Alan Gardner, Thomas Buzby and Linda Buzby.

Also present was: Sarah Walker, Recorder, George G. Rosenberger, Board Solicitor, Michael Fralinger, Board Engineer, Sarah Birdsall, Board Planner, Ross Levitsky, Esquire, Arret Dobson, James Clancy, Kevin Eaise, and Township visitors.

Business to come before the Board:

1. Minutes from March 20, 2014
2. Dobson Turf Management, LLC – Use Variance
3. Kevin Eaise – Minor Subdivision/Lot Line Adjustment & Bulk Variance
4. 256 Harding, LLC – Use Variance
5. Resolution -
Wamsley, LLC

1. Minutes –

A motion to approve the minutes from the March 20, 2014 meeting was made by Robert Duus. This motion was seconded by Glenn Myers and adopted unanimously.

2. Dobson Turf Management – Block 5 Lot 46

The Board Chairman and Board member Jack Cimprich recused themselves from participating in this application. The Vice-Chairman opened the hearing for Dobson Turf Management, LLC for Use Variance and Bulk Variance with a waiver request from providing site plan. Ross Levitsky explains the bifurcation of this application and was

going to present the Use Variance request at this time. Mr. Levitsky explained that Mr. Dobson wished to open a retail store for the sale of lawn mowers, golf carts, snow plows and salt spreaders. They were proposing a 60' x 100' building to house the showroom and repair and installation area to the rear. They were proposing to house 7 trucks used in the lawn care management portion of the business and employ between 12-15 people. The company services local municipal governments, colleges, youth athletic organizations and schools, like Woodstown High School. They were proposing to be open 6 days a week possible hours from 9AM-5PM. Mr. Dobson stated that the close proximity to Route 55 made this parcel particularly useful for their business. Mr. Levitsky stated that across the street from the lot in Pittsgrove Township were commercial businesses and also a trailer park. Fencing would be located down both sides of the property to match the existing fence. James Clancy was the applicant's planner. Mr. Clancy explained the conceptual plans and why, to him, this site was particularly suited for this use. Mr. Clancy stated that the applicant had looked at other commercial properties in the area, but could not find one suited to their needs. Board Planner, Sarah Birdsall, commented on her review letter dated May 9, 2014. This lot is zoned residential and there needed to be special reasons placed on the record when considering this variance. Ms. Birdsall did not feel the burden had been met. She questioned to what extent the property had been marketed as a residential property. Board Engineer, J. Michael Fralinger, commented on his review letter dated May 14, 2014. Mr. Fralinger reminded the Board that a full Site Plan should be required if the use is granted. The Board Vice-Chairman opened the hearing to the public for comment. Sherry McGroarty wanted to see the proposed conceptual plans for the site. She had no further comment. There being no one else present speaking either for or against this application, the Board Vice-Chairman closed the hearing to the public for comment. Mr. Levitsky summarized the application. He stated that the special reasons for the granting of the variance request included the location of commercial businesses directly across the street in Pittsgrove Township. He stated that the granting of the variance would create no substantial detriment to the public good, Master Plan or current zoning. The Board Solicitor stated that there was not strong enough testimony presented to go against the zoning scheme to grant this application. The Board Planner concurred that sufficient special reasons had not been placed on the record. After some discussion, Thomas Buzby made a motion to grant Use Variance approval to construct a 60' x 100' building; one-half as retail showroom for lawn mower and golf-cart sales, one-half as a shop/repair area to be utilized for repair of lawn mowers and installation of snow plows and salt spreaders. This motion was seconded by Glenn Myers and adopted upon a call of the roll: Aye – Sickler, Myers, Buzby, Duus, Gardner and Buzby. Nays: None.

3. Kevin Eaise – Block 22 Lots 2 & 3

The Board Chairman opened the public hearing for Kevin Eaise. This application was for a Minor Subdivision Lot Line Adjustment with Bulk Variance request. Mr. Eaise explained to the Board his application. He was before the Board several years ago for a subdivision lot line adjustment to acquire some land from his neighbor Vernon Hamilton, which was approved. The subdivision was never perfected because Mr. Hamilton refused to sign the deeds. Mr. Eaise now was the owner of Lot 2 and he wanted to do this line adjustment to add the area containing an existing pond to his lot for his children's enjoyment. A Bulk Variance was required because Lot 2 would contain 3.10 acres

including the required 100 foot agricultural buffer. Both lots were developed and no new construction was being proposed. Board Engineer, J. Michael Fralinger commented on his letter dated May 14, 2014 regarding the completeness review. Mr. Fralinger stated that the following waivers were being requested: from providing Item #10 on Checklist A, a Letter of Interpretation from the Department of Environmental Protection, Item # 14 location of all wetlands on the parcels, #16 from providing 2 foot contours and #17 from providing a grading plan per Checklist D. Mr. Fralinger had no objections to granting these waivers since both lots were developed. Ralph Sickler made a motion to grant the waiver requests and to deem this application complete. This motion was seconded by Robert Duus and adopted unanimously. Mr. Fralinger continued with his technical comments. The Board Chairman opened the hearing to the public for comment. There being no one present speaking either for or against this application, the Board Chairman closed the hearing to the public for comment. Ralph Sickler made a motion to grant Minor Subdivision Lot Line adjustment with Bulk Variances. This motion was seconded by Robert Duus and adopted unanimously.

4. 256 Harding, LLC – Block 5 Lot 57

The Board Chairman opened the hearing for 256 Harding, LLC. Board member Jack Cimprich recused himself from acting on this application. It is noted that the applicant nor any representative was present. Board Engineer, J. Michael Fralinger, Jr. commented on his completeness review dated April 23, 2014. He reviewed the requested waivers with the Board. The applicant was requesting a waiver from Item #4 from Checklist “A” requiring full-size plans, from Checklists “A” Item #10 and “I” item #9 for a Letter of Interpretation from DEP. Other waivers requested from Checklist “I” were #7 showing all existing structures, uses and trees, Item “8 showing all streams, brooks and drainage structures, and Item #11 showing utility easements on the property. After a brief discussion Robert Duus made a motion to grant the requested waivers since the lot was already developed. This motion was seconded by Ralph Sickler and adopted unanimously.

5. Resolution

Robert Duus made a motion to adopt the resolution for Walmsley, LLC that had been previously mailed to all members. This motion was seconded by John Coombs. All those who voted in favor of the approval of this application voted in favor of the Resolution.

There being no further comment and business before the Board, Robert Duus made a motion to adjourn the meeting. This motion was seconded by Linda Buzby and adopted unanimously.

Respectfully submitted,

Linda Buzby, Secretary
Upper Pittsgrove Township
Land Use Board