

**Upper Pittsgrove Township  
Land Use Board Minutes  
June 16, 2011**

**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, Jack Cimprich, Robert Duus, Thomas Buzby, Glenn Myers, Ralph Sickler, Edward Meschi, Alan Gardner, William Gantz (late), and Linda Buzby.

**Also present was:** George G. Rosenberger, Board Solicitor, Stephen J. Nardelli, Board Engineer, Sarah E. Birdsall, Board Planner, Clint B. Allen, Esq., Erik Littlehales, Michael Fraser, Jennifer Akers, Walter Downer, Jr. and Township visitors.

**Business to come before the Board:**

1. Minutes from May 19, 2011
2. Bancroft NeuroHealth
3. Jennifer Akers
4. Walter Downer, Jr.
5. Resolution

**1. Minutes –**

A motion to approve the minutes from the May 19, 2011 meeting was made by Robert Duus. This motion was seconded by Edward Meschi and adopted unanimously.

**2. Bancroft NeuroHealth – Block 29 Lot 3**

Board Chairman John Coombs opened the public hearing for Bancroft NeuroHealth. Board members Jack Cimprich and Edward Meschi recused themselves from acting on this application. Bancroft NeuroHealth was represented by Clint B. Allen. This application was for a Use Variance along with amended Preliminary and Final Site Plan approval. Mr. Allen explained that Bancroft wished to add 12 additional parking spaces; five near the vocational building and seven near the horse barn. They were also requesting the placement of two trash enclosures pads, and sidewalks to connect the residential unit patios. Board Engineer, Stephen Nardelli commented on his review letter dated June 6, 2011. Mr. Allen stated that Bancroft NeuroHealth would comply with all

Mr. Nardelli's comments. Mr. Allen stated that the approval of the Use Variance would cause no detriment to the Master Plan and Zoning scheme and would actually enhance safety within the site. 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. Robert Duus made a motion to deem this application complete and to approve the Use Variance request for the 12 additional parking spaces, two trash enclosure pads and the interior walkways, as well as preliminary and final amended site plan approval. This motion was seconded by Thomas Buzby and adopted upon a call of the roll. Ayes: Coombs, Duus, Buzby, Myers, Buzby, Sickler and Gardner. Nays: None.

## **2. Jennifer Akers – Block 6 Lot 9**

The Board Chairman opened the public hearing for Jennifer Akers. Board members Jack Cimprich and Edward Meschi recused themselves for this application. This application was for Use Variance approval to permit two dwellings on one property. Ms. Akers was requesting a bulk variance for the second structure which was setback 42 feet from the front right of way where 50 feet was required. Ms. Akers stated that she wished to rent the small, 1-bedroom cottage located on the same lot as the principal dwelling. The Zoning Officer had determined that this non-conforming structure/use had not been used for more than a year. Therefore the use could not continue without approval by the Land Use Board. After a lengthy discussion, the Board members felt that Ms. Akers should subdivide the cottage off given that Lot 9 contained 13 acres. Sarah Birdsall, Board Planner explained to Ms. Akers that the dwelling could be left on the lot if it was utilized as an accessory apartment under the Township's COAH plan. After some additional discussion Robert Duus made a motion to table the application until the next meeting to give the applicant some time to review all the options presented. This motion was seconded by Thomas Buzby and adopted unanimously. The Board Chairman announced to the public that this application would be continued until the July 21, 2011 meeting at 7:30PM and that no further notice would be given.

## **3. Walter Downer – Block 61 Lots 32, 33 & 34**

The Vice-Chairman opened the hearing for Walter Downer. Board members John Coombs and Alan Gardner recused themselves from this application. Mr. Downer was requesting Minor Subdivision approval for the creation of seven total lots from three existing lot, the net result being four new lots. There were no variances being requested, therefore this application was not open to the public for comment. Mr. Downer explained that he was proposing to make larger than required lots, cleaning up irregular lot lines, and would be selling off the largest portion containing the existing horse farm. Two of the lots contain existing dwellings. He was still considering putting the ground into the farmland preservation program. Board Engineer, Stephen Nardelli, commented on his review letter dated June 13, 2011 as to completeness. Mr. Nardelli stated that the applicant was requesting waivers from the following; providing a Letter of Interpretation from DEP, from providing wetlands calculations, providing 2 foot contours, and providing a grading plan. Thomas Buzby made a motion to grant the requested waivers. This motion was seconded by Jack Cimprich and adopted unanimously. Mr. Nardelli continued to provide comments regarding the technical review of this application. Mr. Downer agreed that

grading plans would be provided when development occurred on the current undeveloped lots. He also consented to provide a right of way easement along Fox's Mill Road. Thomas Buzby made a motion to grant Minor Subdivision approval with the agreed to conditions. Edward Meschi seconded that motion which was adopted unanimously.

#### **4. Resolution -**

Robert Duus made a motion to adopt the resolution for Gary and Shirley Hitchner that had been previously mailed to all members. This motion was seconded by Jack Cimprich. 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, Edward Meschi made a motion to adjourn the meeting to hold a final workshop on the Land Development Regulations Ordinance. This motion was seconded by Alan Gardner and adopted unanimously.

Respectfully submitted,

Linda Buzby, Secretary  
Upper Pittsgrove Township  
Land Use Board