

**Upper Pittsgrove Township
Land Use Board Minutes
November 18, 2010**

TO: Township Committee
Land Use Board Members

Alan Newkirk, Twp. Clerk
L. Andrew Hoglen, Zoning Officer

A regular meeting of the Upper Pittsgrove Township Land Use Board was held in the Upper Pittsgrove Municipal Building on the above date. The meeting was called to order at 7:30 P.M. by Board Chairman John Coombs 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, Thomas Buzby, Glenn Myers Sarah Tarpine-Smith, Edward Meschi, Ralph Sickler, Dale Wilson, Eric Kern and Linda Buzby.

Also present was: George G. Rosenberger, Jr., Board Solicitor, Stephen J. Nardelli, Board Engineer, Christine Shimp, David and Beverly Coutch, Diane Telsey, Robyn Willis-Weston, Thomas Vincent, and Sarah Walker, Recorder.

Business to come before the Board:

1. Minutes from October 21, 2010 Regular and Closed Session minutes
2. Christine's Dance Studio
3. Robyn Willis-Weston
4. Resolution

1. Minutes –

A motion to approve the minutes from October 18, 2010 meeting as received was made by Thomas Buzby. This motion was seconded by Ralph Sickler and adopted unanimously.

2. Christine's Dance Studio – Block 18 Lot 28

The Board Chairman opened the public hearing for Christine's Dance Studio. The applicant was requesting a waiver from submitting a formal site plan as a bulk variance relief for frontage. Christine Shimp explained the application to the Board. In 1992 Ms. Shimp received approvals to operate a dance studio in a 12 foot by 36 foot area of an existing pole building. Recently she expanded the studio to include all the floor area. She

was back before the Board for waiver of site plan review to ensure there was adequate parking for this expansion. This business was located off Richwood Road on a private right-of-way (ROW). Ms. Shimp was requesting Bulk Variance relief for frontage: required frontage was 300 feet, provided 0 feet. Since the applicant was requesting a waiver from submitting a formal site plan, the Board Engineer did not prepare a written report, but Mr. Nardelli was prepared to answer questions regarding parking. Ms. Shimp described the flow of traffic through the site as well as providing the Board her class schedule, showing the classes at staggered times to minimize the traffic and pedestrians in and out of the parking areas. She explained the surface types of all parking areas. Ms. Shimp stated that the handicap parking will be addressed at the time she applies for construction permits. Ms. Shimp marked one set of plans exhibit 1 which showed the locations of all pole- and building-mounted lights. After a brief discussion, the Board Chairman opened the hearing to the public for comment. There being no one present speaking either for or against this application, the Chairman closed the hearing to the public for comment. Board member Thomas Buzby asked the Board to consider a Stop sign where traffic flows from the main parking lot, out to the ROW. Board member Eric Kern shared his knowledge of the site and felt that all conditions were correctly shown and that a stop was unnecessary. Mr. Kern addressed Board Solicitor, George Rosenberg's concern as to the width of the ROW, which was 16 to 20 feet and allowed for cars backing out of the area containing 6 spaces to navigate without causing safety concerns. Ralph Sickler made a motion to grant the waiver of site plan request along with the Bulk Variance for the frontage. This motion was second by Glenn Myers and adopted unanimously.

3. Robyn Willis-Weston – Block 19 Lot 22

The Chairman opened the hearing for Robyn Willis-Weston. This application was for a Minor Subdivision to create one new lot. Ms. Weston was represented by Diane Telsey. Ms. Telsey explained to the Board that it was the applicant's desire to subdivide off this 4.69 acre lot to build a home for her son and herself. The remaining 28.2 acres would contain the existing home. It was this dwelling for which a Bulk Variance was necessary for front setback. Lot 22 was currently being farmed by Marjac Nursery and it was the applicant's intent to sell the remaining portion of Lot 28 to the nursery. Board Engineer, Stephen Nardelli, commented on his review letter dated October 29, 2010. The applicant was asking for a waiver from providing a Letter of Interpretation (LOI) from the Department of Environmental Protection at this time as well as from providing contours and a grading plan. It was noted that the applicant turned in revised plans at the meeting that addressed the comments in Mr. Nardelli's letter. Board member Eric Kern stated that the area being subdivided was the best location for the subdivision. Board member Thomas Buzby wanted to see an LOI prior to the issuance of the zoning permit on the new lot. The Board agreed. The Board Chairman opened the hearing to the public for comment. There being no one present speaking either for or against this application, the Chairman closed the hearing to the public for comment. Dale Wilson made a motion to deem the application complete with the following three items being waived: contours, grading plan and from providing a letter of interpretation on the entire parcel. The LOI was required on the new lot only. This motion was seconded by Thomas Buzby and adopted unanimously. Dale Wilson made a motion to grant minor subdivision approval

for the creation of one new lot, Bulk Variance for the existing dwelling on the remainder. This motion was seconded by Thomas Buzby and adopted unanimously.

4. Jesse Nelson, Sr. – Block 49 Lot 3

Jesse Nelson, Jr., representing his father was before the Board requesting a re-approval of the Major Subdivision done by his father April 16, 2009 and memorialized in Resolution 12-2009 in May 2009. Due to unavoidable circumstances, the plans were not filed, and the time has run out. It was noted that there were no ordinance changes that would change the previous approval. Thomas Buzby made a motion to grant Major Subdivision approval for one new lot and require the same conditions set forth in Resolution 12-2009. This motion was seconded by Edward Meschi and adopted unanimously. Thomas Buzby made a motion to adopt a Resolution 11-2010 as read by the Board Secretary, memorializing the re-approval. This motion was seconded by Edward Meschi and adopted unanimously.

5. Resolution -

Thomas Buzby made a motion to adopt the resolution for Bancroft NeuroHealth that had been previously mailed to all members. This motion was seconded by Ralph Sickler. All those who voted in favor 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 Thomas Buzby and adopted unanimously.

Respectfully submitted,

Linda Buzby, Secretary
Upper Pittsgrove Township
Land Use Board