

**TOWNSHIP OF DENNIS
PLANNING BOARD
571 Petersburg Road
Dennisville, NJ 08214
(609) 861-9705**

OCTOBER 27, 2011

MINUTES

This meeting was published in accordance with the "Open Public Meetings Act". Notice of this meeting was published in an annual meeting notice in the Cape May County Herald and posted in Township Hall.

The meeting was called to order by Chairman Stevens. The following members were present: Mr. Stevens, Ms. Baldwin, Mr. Steinman, Mr. Turner, Mr. Burian and Mr. Bittner. Also present was Andrew Previti, Board Engineer.

Mr. Stevens called the meeting to order. He then advised that there were no applications or correspondence to come before the Board this evening, however amendments to the Pinelands Comprehensive Management Plan and correspondence dated May, 2011 are on the agenda for discussion and he asked for the Board's input on same.

Other Business:

Board Discussion: Amendments to Pinelands Comprehensive Management Plan.

Mr. Previti provided background information to the Board. He indicated that the Board has reviewed and adopted a Resolution previously regarding the clustering issue. The Township has now received additional modifications to the Plan with respect to wetlands management and forestry, but no changes were made to clustering. An Ordinance was adopted covering all 3 issues. It was indicated that clustering is permitted in the Pinelands District under certain conditions and if certain requirements are met. He explained how clustering in the Pinelands District would be permitted per the proposal and gave examples. It is currently permitted with lots being 3.2 acres, and the proposal decreases it to 1 acre with deed restrictions on the balance of the property.

There was a discussion on how the balance of the property could be used and who retains ownership of deed restricted areas. Mr. Stevens wanted to know if it would be best to have a definitive answer. Mr. Watson and Mr. Previti discussed lot sizes in the Pinelands; which currently require a minimum 5 acre lot. There will still be a minimum lot size, but only certain areas will be able to be developed on that lot (1 acre of 5 acre parcel could be developed for example and 4 acres

would be deed restricted).

There was then a general discussion by Board members.

Mr. Burian asked how hard it was to undo a deed restriction. Mr. Previti advised that if all parties were in agreement, it was not really that hard.

Mr. Stevens believes that the Pinelands have acted for the benefit of the residents. Mr. Previti indicated that there are areas where this isn't true, such as Egg Harbor Township. Mr. Stevens said the Board needs to look at what is best for Dennis Township.

Mr. Watson asked if there was a benefit for those clustering, will that remain and will there be any real benefit. Mr. Previti said it was addressed in the plan; and there are bonuses which work best for larger parcels; and it works on a percentage basis. Mr. Burian asked for him to use a real life situation, for example, if some one has 200 acres in the Pinelands, Mr. Previti explained what could be done with the 200 acres, how it could be divided, developed and deed restricted.

Mr. Stevens then called for 5 minute recess.

Mr. Stevens called the meeting back to order and passed out an article from a newspaper for all to read. Mr. Stevens gave his opinion on the article - that change is good, but need to determine the motivation for change and how it will effect those involved. He said will not be comfortable until he has a lawyer sitting here providing an interpretation and he can't and won't move for a decision tonight. He will also ask the Board for their feelings.

Mr. Watson gave his opinion as to the water supply and where it will be going in this area.

Mr. Stevens asked whether or not the Township Committee has taken a position on this. Mr. Previti advised that they had not.

Ms. Baldwin asked how many people own parcels over 200 acres in the Township. Mr. Watson indicated that he was not sure.

Mr. Burian wanted to know if there are any other towns addressing these issues. Mr. Previti indicated that none of the other towns he deals with are. Mr. Burian would like to see how other towns affected are addressing various issues because they may be picking up something that we haven't. Mr. Previti advised that he can touch base with Upper Township and see what they are doing.

Ms. Baldwin indicated that the letter also says that it asks that a sample Ordinance be considered, and wanted to know what if the Board doesn't make recommendation to adopt. Mr. Previti said that the Township has to make a decision and may be considered not in compliance if the do not.

Mr. Stevens advised that the Board was not here to pick it apart, that it was going to become a reality, and the Board needs to decide if it is the right thing for our Township. He also indicated that right now he doesn't feel fully informed and would feel more comfortable if the Board's attorney were present. Mr. Watson said he is comfortable, and they are going to do it no matter what we say.

Mr. Previti indicated that the letter also says that they are willing to answer questions and he suggested inviting them to a meeting to answer questions.

Mr. Stevens informed the Board that he will not be here for November or December meetings.

Mr. Burian said he is having problem with a paragraph on page 19, he feels it will create a burden on landowners in the Township. Mr. Previti said that there are options.

Mr. Watson said that he feels any habitat saved is a good thing. Mr. Previti said that the homeowner has the right to build and make decisions with land outside the cluster.

Mr. Stevens indicated that questions have been raised that need to be answered and he feels the Board should notify Township Committee that the matter is under review. He wants to discuss the matter with the full Board present and not just a small group in order to get most input. He also advised that he would like to form a subcommittee and meet with other Townships, as the more input the better.

Mr. Watson suggested finding out how many parcels there are in the Township, how many 100 acres lots, etc. to determine how many would be affected. Mr. Previti said that he spoke with Mr. Corrado and he doesn't think affected property owners are required to be notified. Mr. Stevens believes that there is a lot at stake and he would like to get as much information as possible, and he wished Mr. Crippen was here; this is a very big deal; and he wants to do what is right by the residents of the Township. He would like Mr. Corrado to be present, as well as a representative from the Pinelands, to come down in January to meet and discuss the issues, and, if necessary, a special meeting can be scheduled, so that questions can be answered. He also asked that everyone write their questions down so they can be addressed at that time.

Other Business:

Correspondence:

Mr. Previti advised that he has received a letter from A.E. Stone saying that they have complied.

Resolutions:

SCHOOLHOUSE DEVELOPMENT ASSOCIATES, LLC - Block 245, Lots 56.01, 56.02, 57, 58.01 and 58.02:

A motion to approve was made by Mr. Watson, seconded by Mr. Burian and carried by all members voting on same.

A.E. STONE, INC. - Block 225.01, Lot 8.07:

A motion to approve was made by Mr. Burian, seconded by Mr. Watson and carried by all members voting on same.

Bills:

A motion was made by Ms. Baldwin, seconded by Mr. Bittner and unanimously carried to pay all outstanding bills.

There being no further business to come before the Board, a motion to adjourn was made, seconded and unanimously carried to adjourn meeting.

Meeting adjourned at 8:17 p.m.

Carla A. Coffey
Carla A. Coffey, Secretary
Dennis Township Planning Board