

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

DECEMBER 5, 2012

MINUTES - MASTER PLAN - PUBLIC HEARING

The notice requirement provided for in the "Open Public Meetings Act" has been satisfied. Notice of this meeting was sent to the Cape May County Herald and the Atlantic City Press and posted in Township Hall.

The meeting was called to order by Chairman Stevens. The following members were present: Mr. Stevens, Mr. Watson, Ms. Baldwin, Mr. Turner, Mr. Germanio, Mr. Daniels, Mr. Burian, Mr. Teefy, Mr. Glembocki, Ms. Morgan and Mr. Pettit. Also present were Frank Corrado, Esquire, Board Solicitor ; Andrew Previti, Board Engineer; and John Gibson, Township Engineer.

Public Hearing - Master Plan:

Mr. Stevens advised all present that this meeting is for public input. He provide background as to the purpose of the meeting and that the law requires a review of the Master Plan every ten (10) years. He indicated that the past year has been very intense and much time has been put into the document being discussed this evening. The public now has the opportunity to address the Board with comments, but the Board will be not debating any issues.

Mr. Corrado advised that the Master Plan is not the Zoning Ordinance. This is a vision statement for the land use development of the Township. This is the Master Plan, which must be reviewed every 10 years. The Master Plan is a framework and can be changed. This is the public's opportunity to comment - not debate.

Mr. Stevens also indicated that changes can be made, and nothing is in concrete. He then asked any public member wishing to do so, to come forward with comments and the Board is ready to listen.

Ed Kelly (Hagen Road) asked if the Board is going to make a presentation to those present before comments are received.

Mr. Stevens advised that the information has been on the Township's website and there have been many meetings and he has attended, and the Board will not be making any further presentation.

Mary Bittner (Lake Vista Drive) advised that she used to sit on the Planning Board. She wants to give a general statement of support to the Town Centers. She believes they will help preserve the rural nature of the area and she is very supportive of concept.

Jack Connelly (Petersburg Road) advised that he served on the committee working on the Master Plan review. He wants to voice his support for the Plan and how it contributes to the Township.

John Turner (Ocean View) said he wants to echo his support for the Plan. It's been a long time and we need to get it done.

Mr. Stevens said that he appreciates the comments, and the Board has put in a lot of time.

James Pickering (South Seaville) said that he is generally in full support of the Plan. However, he has question regarding pages 77 and 78 - revised Land Use Classifications - Recommended Permitted Uses - and the fact that the stated uses do not say commercial uses are permitted in the zone. In response to Mr. Pickering, Mr. Previti advised that permitted and conditional uses are addressed in more detail earlier in the report - beginning on page 50 and page 51 - there is a detailed list, and goes forward to page 77, which is basically a summary. Mr. Pickering said he agrees with Mr. Previti, but thinks it would be clearer if the chart were a little more clear.

Mr. Stevens asked if there was any one else who wished to address Board.

Ed Kelly said he had a couple of questions. He said he doesn't want to sound antagonistic, but he doesn't think some people in the Township are in agreement. He wants to know who would oversee wastewater treatment plants and be responsible that the plants are built and operated properly since we don't have Code Enforcement anymore. Mr. Stevens advised him that it is up to the Township to provide Code Enforcement. Mr. Teefy indicated that the Township has Code Enforcement, and that Mario is doing the job. Mr. Previti added that the design and construction requires permits from the State of New Jersey, and depending on the scope of the project, it would be overseen by the Cape May County Department of Health or the State DEP.

Mr. Kelly said that in the Clermont section, as a result of the traffic study done, it was recommended by Maser and a traffic study that there be a 90% reduction in the Clermont section. Mr. Previti said that density where development can occur has been changed to 90% - 2 dwellings per acre or 1 unit on 35,000 square foot lot with traditional system. This is a big reduction from prior draft. He also said that the reduction may not be 90%, but is substantial. Mr. Previti also indicated that there is no Town Center Core in Clermont anymore. He referred

to the Plan and read the area regarding traffic study and reductions. Mr. Kelly agrees that it is drastically reduced, but doesn't agree that it is 90%. He sees changes within the boundaries. He doesn't see how traffic can be handled. He appreciates the work that the Board is doing, but doesn't agree with it all. He also feels that there are other people in the Township who would not agree if they knew what was going on. He also wanted to know why this meeting was not more widely advertised and noticed, and why there were items reviewed and discussed and then ignored. He feels high density housing is being promoted and is a giant step that is not necessary for this Township. He also said that the State doesn't require major changes to the Master Plan, only a review of it, and he feels that the only persons gaining from this are not the Township residents, but the engineers, other professionals and certain landowners. He feels there is a need to "gear back" and why pass something that you think you may want to revise later.

Ms. Morgan asked Mr. Kelly how he suggests information should be given to residents Mr. Kelly said he put something in Spout Off, but because he mentioned the name Maser, he doesn't think it was printed. He also tried to get the Herald's personnel to attend meeting, but they were not available. He also suggested to the Herald that they call the Mayor and was told that he didn't always call back.. Ms. Morgan asked again how he wants the public noticed - on website, meetings posted, etc. Mr. Kelly said he looks at the website on occasion, but doesn't do it daily and feels other people are the same. He would like e-mails, a newsletter, something in the Herald other than a little article.

Paul Dietrich (Tyler Road) said that he wants to say hello and let the Board know what he thinks. He is an engineer and the Township of Upper's Engineer. He said if something isn't done now to develop property, it will revert back. The Township has to get something now to develop a tax base, otherwise DEP Coastal CAFRA permits will expire. He also believes that development can be sustained in Clermont and Ocean View. Mr. Stevens indicated that this has been going on since 2009 and much thought has been put into it. Mr. Dietrich said it has really been going on since 2005 and it has been a long and tedious process. He said that Upper Township pushed through and has had Town Center approvals since 2007. He also said that the flood gates won't be opening up.

Jim DiPietras spoke next and advised that he owns property on School House Boulevard. He said that the Plan is beautiful. When he first came to the Township he saw Ocean View as the business hub. He wants the opportunity to bring a ratable to the Township. He said a lot of great work has been done on the Plan and he hopes it can move forward.

Mr. Stevens asked if there was anyone else who wished to comment. There were none. Mr. Stevens then closed the public portion of the meeting down and brought it back to the Board to poll them as to the approval of Master Plan as it is. He advised that he wants to vote tonight.

Mr. Germanio indicated that he still has a problem with 5 units to the acre in Ocean View, other than that, the Plan is fine.

Ms. Morgan is in agreement with the Plan as is.

Ms. Baldwin is also in agreement, with the exception of adding the clarification change mentioned by Mr. Pickering.

Mr. Daniels in agreement.

Mr. Pettit said that he agrees with Mr. Germanio that 5 per acre is a little crowded.

Mr. Turner in agreement with the Plan as is.

Mr. Watson is also in agreement and is also OK with the charts being amended.

Mr. Glembocki said that it is vital that we continue with the Master Plan, but should take a serious look at the density as the residents have to deal with the traffic issues and problems associated with same. He said he has read nothing that says we have to have a certain ratio. He understands that there are some things that are required, but feels a 5 to 1 ratio is dangerous. He asked the Board to seriously consider taking it down to a 2 to 1 ration throughout the Township, and that it can always be raised in the future. He also said that we don't have city water or sewer and not prepared for it.

Mr. Teefy advised that he agrees with much of what the Mayor said. He agrees that the Master Plan has to be voted on, but he has concerns with density as well, and feels that 5 to 1 is too much, and feels that 2 to 1 is better.

Mr. Corrado indicated that the recommendation by Mr. Pickering is just a clarification to a table, it is not a substantive change. The Plan can be substantively adopted with revisions, but if major revisions to be made, the Board will have to continue this meeting.

Mr. Glembocki said he sees no hurry as times have been extended and if it goes into next year, there is no problem. Mr. Corrado said it is up to the Board.

Mr. Previti then reviewed the density maximums. Only area in Ocean View Center with 5 to 1 is the Town Center Core, which is about 35 to 40% of the Ocean View Center. Bulk of Ocean View Center meets 2 to 1 density, with balance at 5 to 1.

Mr. Corrado advised that we are not adopting a density, but adopting a Master Plan with maximum densities and the Township Committee would decide on the maximum density. The

Township Committee can adopt a Zoning Ordinance that is inconsistent with the Master Plan if it includes a statement as to the deviation and the reason for same. He also indicated that he is not trying to argue, just trying to advise of the legal parameters.

Mr. Glembocki said he doesn't see why everything can't be consistent throughout the Township. Mr. Watson responded that different areas have different criteria.

Mr. Stevens indicated that it is not proper to take issue, everyone was involved. The Township cannot proceed without taxation, we have no water or sewer. He respects the Mayor's opinion, but also respects the opinion of the Board. This is a good Master Plan, and the Board will now make its decision. This was a town effort. He asked if anyone else wanted to say anything.

Mr. Daniels ask whether it is possible that if 5 to 1 is approved, is there anything to say that in the future the State will come in and demand that water be provided. Mr. Corrado responded by saying you can never say never when dealing with the State, but it would be completely unprecedented that the State dictate that because when a certain density is reached, the Township must provide water. Mr. Daniels said that if it should happen, it would be a massive expense to the citizens. Mr. Corrado believes that if the structure (water) is not there, then the development can't occur, it's like putting the cart before the horse.

Mr. Teefy said he sees that some Board members have the same concerns regarding the density of 5 to 1, and all seem to be in agreement with everything else. He asked if a vote could be held regarding the 5 to 1 or 2 to 1.

Mr. Germanio made a motion to table the matter, make changes and then vote on December 20, 2012, which is only another 15 days. Mr. Pettit seconded the proposed motion. Mr. Corrado said the motion has to be a motion to lower the density to 2 to 1 in Ocean View. If the Plan is amended, then we are coming back on December 20, 2012. The motion should be to lower density from 5 to 1 to 2 to 1 in Ocean View Center. Mr. Germanio made a motion reflecting the language stated by Mr. Corrado. Mr. Pettit again seconded the motion. Mr. Corrado clarified what the proposed motion would mean. Mr. Stevens said that if the motion passes, the Board can move forward to vote on the rest of Plan with that change. Mr. Corrado indicated that it would need to be advertised so that public has chance to look at it, then the hearing would have to be re-opened on December 20, 2012.

A roll call on the proposed motion was taken with the motion failing with 5 votes no and 4 votes yes.

A motion to accept Master Plan with the discussed change in the chart was made by Ms. Morgan, seconded by Ms. Baldwin.

At his point it was asked why Mr. Pettit' name wasn't called in the previous roll call. Mr. Corrado advised that since Mr. Pettit was Alternate #2 he could not vote unless two regular members were absent. It was then realized that Mr. Pettit had seconded the motion and as a non-voting member he was not permitted to make or second motions. Mr. Germanio then re-stated the previous motion made by him, which was now seconded by Mr. Daniels. A new roll call was taken and the result was the same.

Mr. Corrado then restated the pending motion to adopt plan, which was again made by Ms. Morgan, and seconded by Ms. Baldwin. Said motion passed with 8 yes votes and 1 no vote.

Mr. Corrado presented a form of motion regarding the Re-Examination. A motion to approve was made by Mr. Watson, seconded by Ms. Baldwin and carried by all members voting on same.

Mr. Corrado then presented a form of motion regarding National Resources. A motion to approve was made by Ms. Morgan, seconded by Ms. Baldwin and carried by all members voting on same.

Mr. Stevens thanked everyone for their courtesies and attendance.

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 8:03 p.m.

Carla A. Coffey

Carla A. Coffey, Secretary
Dennis Township Planning Board