

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

SEPTEMBER 6, 2012

WORK SESSION - NOTES

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 Mr. Watson. The following members were present: Mr. Watson and Mr. Daniels. Also present were Frank Corrado, Esquire, Board Solicitor ; and Andrew Previti, Board Engineer.

APPLICATION TO BE REVIEWED FOR COMPLETENESS:

PERRY, THOMAS E. - Block 121, Lots 18.04 and 19:

Located in a Residential (R3) Zone on Woodbine Boulevard in South Seaville. Applicant seeking minor subdivision approval to create three separate parcels from the existing two lots. Variances for minimum lot area, front and side yard set back and maximum accessory building coverage are also requested.

James Pickering, Esquire appeared as attorney for the applicant. Mark Gibson also appeared on behalf of the applicant.

~ James Pickering, Esquire - on behalf of the applicant. Currently 2 parcels of property. Proposing the 2 lots be subdivided to create 3 new lots. Two lots would be developed with single family dwellings with the middle lot remaining vacant. Most lots in the area are less than 1 acre, and although in a 3 acre zone, that the proposed 2 acres are appropriate to the neighborhood. Subdivision is pretty much straightforward and

will submit proofs at the formal hearing. One lot is 3.85 acres (Lot 19) and Lot 18.04 is 3 acres.

~ Mark Gibson - situate near in the VR Zone and is an appropriate density for the area and meets all set back requirements other than pre-existing conditions which are not exacerbated.

~ Previti - has done a full review of this application and believes the only real comment has to do with a right-of-way issue. A right-of-way easement currently exists on Lot 18.04 and on only a small portion of Lot 19. The existing structure is very close to the easement line. The Board will have to discuss and decide how to address.

~ Corrado - question as to whether this application is a use variance or a C variance. After discussion concluded that this is a C variance.

~ Watson - ask for any further questions. None.

~ Previti - application deemed complete to be heard at regular meeting.

GALIA, JOHN F. - Block 119, Lot 19.01:

Located in a Residential (R3) Zone on Dennisville Road in South Seaville. Applicant seeking minor subdivision approval to create two separate parcels from the existing 4.83 acre lot. Variances for minimum lot area, frontage, width and side yard set backs are also requested.

James Pickering, Esquire appeared as attorney for the applicants. Mark Gibson also appeared on behalf of the applicants.

~ James Pickering - larger lot to be divided into 2 smaller lots.

~ Gibson - 4.83 acres. Proposing to cut off 35,000 square foot lot with frontage on Dennisville Road. In Village Residential Zone

~ Pickering - refer to map and show location of property. Remaining property would be approximately 4 acres. Family member has special needs and this would allow them to live closer so the Galia family can help out.

~ Gibson - describe surrounding area. Refer to map and describe sizes of nearby lots in area. Would be very similar to other lots in area.

~ Pickering - went with the 35,000 figure because that is what the proposed Master Plan is proposing in that area.

~ Gibson - read from draft Master Plan as to proposed standards.

~ Pickering - as lot exists today it is not in the VR Zone, it is currently in an R3 Zone.

~ Previti - review his report. Only real issue is the size of the lot. Comment asks if additional property can be given to the smaller lot, but if it is going to conform to the proposed Master Plan, he has no problem with it.

~ Gibson - Mr. Galia is building for his mother and sister. Proposing 35 foot side yard setback on north side in consideration of neighbor who has an undersized lot; and a 20 foot side yard set back on the south side.

~ Gibson - driveway referred to by Previti is owned by the Ganns family and had driveway in its current location when they built first. Meets the intent of shared driveways. Mr. Galia believes that this is referred to in the Deed. There is about 200 feet of asphalt driveway that turns into stone.

~ Pickering - will notice and be at September meeting.

Application was deemed complete to be heard at regular meeting.

PINE HAVEN, LLC - Block 251, Lots 8, 9, 13, 14, 15, 16, 18, 22, 103, 105 and 106:

Located on Route 9 in Ocean View in a Residential (R3) District. Applicant seeking amended site plan approval to remove an existing miniature golf course and construct a new swimming pool in its place.

James Pickering, Esquire appeared as attorney for the applicant. Matt Hender also appeared on behalf of the applicant as the planner for the project.

- ~ James Pickering, Esquire - for the applicant. Matt Hender is planner for the project.
- ~ Previti - handed out copies of his report.
 - ~ Pickering - subject of 2 projects in the past several years - described those applications. Those projects are done. This application is very minor compared to previous projects. Campers have requested additional swimming area and the applicant wants to construct a new swimming pool. Will comply with fencing and all State requirements for a swimming pool at a campground.
 - ~ Hender - proposed pool will be in same set back as existing pool.
 - ~ Corrado - is there enough detail?
 - ~ Previti - no. Believes it can be deemed complete as long as additional testimony can be given with respect to certain details such as hours of operation, life guards, if used at night a lighting plan, etc.
 - ~ Pickering - will be used same as existing pool. There is not a lifeguard - is not required by the State of New Jersey.
 - ~ Corrado - Previti just wants something on the record.
 - ~ Previti - continue with comments. Suggest that if use goes beyond 7:00 p.m. that there be lights. Would like reference made on plan to previously approved site plan. Would like additional references and/or testimony on other comments in his report as well, including compliance with the ADA lift requirement. May also want to address increased noise levels and provide testimony as to that.
 - ~ Pickering - describe fencing in the area.
 - ~ Previti - subject to his comments, feels can be deemed complete with either testimony at the meeting or a revised plan.
 - ~ Pickering - will notice and be at September meeting.

Application was deemed complete to be heard at regular meeting.

~ Corrado - advise that he cannot participate in the next 2 applications. Has talked to Daniel Young, Esquire and he has agreed to sit in as conflict attorney for these matters. Pickering has asked that the Swan application be heard in September. He may ask Eileen to poll the Board and if agreeable to Young, will proceed with Swan.

~ Pickering - has no problem continuing Narrigan, but would like to get Swan on the agenda because of time considerations.

SWAN, RUSSELL & BENJIE - Block 4, Lots 10 and 11:

Located in a Residential (R3) and Conservation (C) Zone on Route 47 in Eldora. Applicant seeking minor site plan approval, as well as a use variance to construct a 3,000 square foot bio-medical facility and associated site improvements.

James Pickering, Esquire appeared as attorney for the applicants. Lewis Conley also appeared on behalf of the applicants as engineer and planner for the project.

~ James Pickering - attorney for applicants. Lewis Conley engineer and planner on project. One of last parcels on Route 47 in Eldora, very large parcel. Applicant propose putting their bio-medical facility on the site. Their business researches horseshoe crabs and potential medical uses. The site is specifically suited for this project due to its location to tidal waters.

~ Conley - 141 acres. Proposing a 3,000 square foot building. There was a question of access. In his opinion the applicants own the easement and have access directly to Route 47. The DOT was on site today and want to be sure that nothing was detrimental to the DEP that owns property on either side of this site.

~ Pickering - asking for preliminary and final site plan and use variance. Believes that it is a minor site plan, but can discuss if necessary. Number of reasons why it should

be considered a minor site plan.

~ Previti - provided definition of a minor site plan. It's his opinion that technically it looks like a minor site plan, but may be otherwise. Read qualifications - and per those qualifications he believes it can't be considered as a minor site plan and procedurally it has to be considered a major site plan with a lot of waivers.

~ Conley - taking existing building down and replacing with a new 3,000 square foot building in same location.

~ Pickering - a major calls for a lot more detail.

~ Previti - not suggesting that, suggesting that waivers be addressed where they can't comply. Feels technically cleaner to go this route.

~ Pickering - will prepare as a major and notice as such.

~ Previti - nothing really has to be added to the plan, can list waivers on paper.

~ Pickering - business only active 6 months a year.

~ Conley - didn't ask for a lot width variance because of building set back distance.

~ Previti - he and Conley had a discussion previously concerning types of vehicles accessing property and believes trucks will be able to negotiate the site.

Application deemed complete to be heard at regular meeting.

NARRIGAN, SUSAN - Block 261, Lot 23, Unit 2:

Located in a General Commercial (GC) Zone on Route 9 in Clermont. Applicant seeking an amendment to previously granted use variance and major site plan to construct an outdoor chapel/gazebo, a 28' X 14' open gazebo and paver sidewalk, a 34' X 16' Porte-Cochere, and a 25' X 20' covered porch and also relocate an existing storage building.

James Pickering, Esquire appeared as the attorney for the applicant. Also appearing on behalf of the applicant was Matt Hender as the project planner.

~ James Pickering, Esquire - attorney for applicant - with Matt Hender. This is the Abbey Homes Estate which was approved in either 1999 or 2000. The application approved the Woodland Village and the movement of the home to the rear of the property as a catering business. Has been a good thing for the Township. The applicants are requesting changes to the Abbey Homes Estate to make it more beneficial to its customers. Explained what application is looking for. Provided history of the Woodland Village property and this site. Original plan had 2 small gazebos. The amended site plan removed one of the gazebos and put in a basin. Mr. Narrigan then built a gazebo, without a permit, and since he had to come to the Board he decided to add the additional requests.

~ Pickering - gazebo was built without a permit and now trying to get everything worked out.

~ Previti - site has been condominiumized and he is not sure how to proceed under the circumstances.

~ Pickering - taking position that they are here only for the approvals they are requesting and if some one has issue with what exists elsewhere on the site, they can bring it up.

~ Previti - burden is not on the Township, burden is on the applicant. Also has concerns to drainage basin.

~ Pickering - no change to drainage basin, gazebo has actually be built on pillars coming out of the drainage basin. Agrees that this application should be pushed back to the October meeting.

~ Previti - suggests that Pickering speak with the conflict attorney and determine what additional information is needed.

~ Pickering - thinks the Board only needs to look at the area being disturbed. Will

have consent of the Catanoso family and have them sign the application as well.

~ Previti - doesn't think it will be a big deal from an engineering standpoint.

~ Hender and Previti - discussion regarding basin.

~ Previti - biggest issue is how Board is to proceed.

~ Pickering - feels it will make sense to have a work session with the conflict attorney in October.

This application was deemed incomplete at this time.

~ Corrado - ask about status of Master Plan revisions.

~ Previti - received memo that Township Committee has not authorized Marsha to proceed as yet because they are seeking funding.

~ Corrado - if not done by meeting, will have to proceed.

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 8:12 p.m.

Carla A. Coffey

Carla A. Coffey, Secretary
Dennis Township Planning Board