

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

JANUARY 23, 2014

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, Mr. Haig, Mr. Daniels, Mr. Morales, Mr. Crippen, Mr. Watson, Mr. DiCicco, Mr. Rebmann, Mr. Kelly and Mr. Cherry.. Also present were Stephen Barry, Esquire, Acting Board Solicitor; and Mr. Fralinger, Jr.

APPLICATIONS:

**WALTERS, WILLIAM AND RONALD AND DENNIS TOWNSHIP FIRE DISTRICT #1
- Block 224, Lot 74.03:**

Located on Woodbine-Ocean View Road in the B (Business) District. Applicants seeking a use variance to operate a 6,000 square foot firehouse out of a previously approved 15,000 square foot building. (Application was withdrawn.)

James Pickering, Esquire indicated that he was the attorney on the next application for Mr. Gibson, but asked if the Board would allow him to concede time to address the Robertson Resolution. His request was granted.

Resolution:

ROBERTSON, MALCOLM AND EDSON/DRIFTWOOD PARTNERSHIP - Block 261, Lots 10, 11.01 and 22:

James Moore, Esquire appeared as attorney for the Robertsons and Driftwood. He formally requested that the Resolution for this application be addressed at this time.

Mr. Watson indicated that he believed there was one condition missing from Resolution as he could not find it in the Resolution. He has some concerns. He agrees that the area in an R-10 Zone is not be used for density calculations and wants it added to the Resolution.

Mr. Stevens asked the Board members for anything else they want to add.

Mr. Moore said he was prepared to make the change as requested.

A discussion between Mr. Barry and Mr. Watson as to where to place the discussed language. Mr. Barry then confirmed the language to be added. Mr. Stevens asked Mr. Moore and Mr. Robertson to come forward and initial the change to Resolution.

A motion to approve was then made by Mr. Watson and seconded by Mr. Cherry. The roll call will indicated that Mr. Watson and Mr. Cherry were the only two present for this application and both voted in the affirmative, allowing the motion to carry.

APPLICATIONS (Continued):

GIBSON, JOHN C. - Block 120, Lot 122:

Located on Petersburg Road in Dennisville in an R-3 (Moderate Density Residential) Zoning District. Applicant seeking revised major subdivision approval to readjust lot lines and develop a previously approved subdivision in two phases.

James Pickering, Esquire appeared as the attorney for the applicant. He indicated that the subject property is down the street from Township Hall. The property was previously owned by Gerald Barrett, Inc. and is now owned by Mr. Gibson. He then referred to previous Resolutions. The applicant is seeking a revised major subdivision approval at this time and for the project to be phased into 2 phases.

Mr. Barry administered the oath to John C. Gibson and Mark Gibson, P.L.S.

Mr. Pickering then directed questions to John Gibson.

In response to Mr. Pickering's questions, John Gibson testified that he owns the property and is also Engineer for the Township. He then designated his son, Mark Gibson, to speak on his behalf. Mr. Pickering then directed questions to Mark Gibson.

In response to Mr. Pickering's questions, Mark Gibson confirmed that the property was approved in 2008 for major subdivision approval. He described the lots in question. He indicated that the Ordinances have changed since approval - R3 cluster development now has permissible front yard of 50 feet instead of 75 feet and there also was a provision that required side and rear yards to measure from wetlands on the lot, now bulk requirements are measured as they are for other properties. He indicated that he would like these provisions to be applicable to both phase 1 and phase 2.

Mr. Pickering then reviewed what the applicant is requesting.

Mark Gibson testified that the applicant wants to re-arrange lot lines; and is asking to do the project in phases and requests ordinance changes be incorporated into project.

Mr. Pickering provided an overview of application. No variances are being sought, only an amendment.

Mr. Watson wanted to confirm that the plan presented reflects all changes being request. Mr. Pickering confirmed same by stating yes.

In response to Mr. DiCicco, Mr. Pickering indicated that a major subdivision has 95 days from the plat being signed by all necessary parties. The only thing that the clock ticks on are the zoning changes.

Mr. Stevens indicated that he spoke with Frank Corrado, knowing that he wasn't going to be here, and everything basically stays the same.

Mr. Pickering indicated that the approval was recognized in 2 previous Resolutions, and that the conditions with those will remain in effect.

Mark Gibson agreed that the conditions will remain as imposed previously in Resolutions.

Mr. Stevens then asked the Board for questions, statements, etc.

Mr. Kelly indicated that he wants to become educated as to how things are done. He asked if it is a common practice for land to be donated in these types of applications, and if transferred to the Township, does it come off the tax rolls. (Advised that it is a common practice and that property does come off the tax rolls.) He is concerned that the Township is taking on liability for land that it may not be able to do anything with. Mr. Watson advised that the result is extra open space; also, can't do anything with wetlands; and the good news is that the Township can't do anything with it and the animals love it.

Mr. Kelly said his other concern is with regard to the drainage system and language that Township will end up maintaining same. Mr. Pickering indicated that this is a normal practice, and read condition from previous Resolution.

Mr. Watson advised that the project would have to be watched to make sure everything added in right way.

Mr. Stevens said that he thinks the applicant has been very thorough with this application.

Mr. Stevens asked the Board for any additional questions, there being none, he opened the meeting to the public. There being no public comment, the public portion was closed. Mr. Stevens then asked for the engineer's report.

Mr. Fralinger reviewed his engineer's report. He has no objections to improvements or modifications as shown. Relocation of driveway locations, will ultimately need County approval as they have the ultimate say. Reviewed several conditions he would like to see.

Mr. Pickering then directed questions to Mark Gibson regarding drainage.

Mark Gibson testified that he does not believe that drainage will be impacted negatively with changes requested. Discussed contours and flows for the drainage.

Mr. Fralinger indicated that he has no problem with Mark Gibson's testimony regarding drainage. He continued with his report. He did, however, recommend additional sidewalks.

Mr. Gibson had no objections to adding sidewalk, but indicated that it is a County Road and it will only affect 1 lot. He added that if the County wishes sidewalk to be built, they will build, but would prefer not to. Mr. Fralinger said it's subject to County approval. Mr. Gibson testified that there are no sidewalks in the area that he is aware of. Mr. Stevens added that it was only a recommendation. Mr. Gibson added that sidewalks proposed in the development but not along Petersburg Road.

Mr. Fralinger then continued with his report, with Mark Gibson responding to his comments. Mr. Fralinger advised that all of his comments had been addressed.

Mr. Stevens brought the matter back to the Board. There were no further questions or comments. He then asked for a motion to approve.

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

Other Business:

Correspondence: None.

Resolutions:

DOYLE, LYNN - Block 253.03, Lot 16.04:

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

ROBERTSON, MALCOLM AND EDSON/DRIFTWOOD PARTNERSHIP - Block 261, Lots 10, 11.01 and 22:

See earlier portion of minutes.

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

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

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

Mr. Stevens asked if there was anything else that anyone wants to discuss at this time.

Mr. Watson advised that he did get copy of the Ordinance, and said thank you for same.

Mr. DiCicco wanted to remind everyone that needs courses to get signed up. Mr. Stevens explained that courses are required and must be taken or you will not be able to participate as a Board member. He added that if you don't know what is required, please find out, and it is the responsibility of each Board member to do so. Mr. Watson added that there is a note in each Board members packet as to various dates for the course.

Minutes:

A motion to approve the minutes of the August 22, 2013, September 26, 2013 and December 19, 2013 meetings was made by Mr. Watson, seconded by Mr. Cherry and carried by those members voting on same.

Bills:

A motion was made by Mr. Crippen, seconded by Mr. DiCicco and unanimously carried to pay all outstanding bills.

Mr. Stevens thanked everyone for coming out this evening and that their participation is appreciated.

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 7:53 p.m.

Carla A. Coffey

Carla A. Coffey, Secretary
Dennis Township Consolidated Land Use Board

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