

DENNIS TOWNSHIP CONSOLIDATED LAND USE BOARD
Regular Meeting – November 20, 2025 – 7:00 p.m.

Attendance: Walsh, Watson, Walters, Martucci, Germanio, Penrose, Cowan, McEvoy, Schwinn, Fralinger, Batastini

Applications:

HAVENS, AMY – Block 67, Lot 37.02: Located on Petersburg Road in PV (Pinelands Village) zone. Applicant is seeking a use variance and hardship variance to install a 370 square foot (20' X 18.5') garage/storage shed on an existing concrete pad. Also proposed is an additional 60 square foot concrete pad to match the dimensions required for the garage. **(Postponed)**

PIERSON PLEASANTVILLE, LLC – Block 224, Lots 68.01, 73, 74.02, 75.03 and 78.04: Located on Woodbine-Ocean View Road in a B (Business) zone. The applicant is seeking recertification of their mining and sandwash operation. **(Continued from October 23, 2025.)**

PERAGINE, MICHAEL – Block 226, Lot 19.04: Property is vacant land with frontage on DeVaul's Lane in a R-3 (Residential) zone. The applicant is seeking to subdivide the subject property into two (2) lots and to eventually construct a single-family residence for personal use. Variances from the R-3 zoning requirements (lot frontage, lot area) are being sought. **(Continued from October 23, 2025.)**

FENIMORE, LARRY – Block 251, Lot 13: Located on Main Street in a R-3 (Residential) zone. The applicant is seeking a use variance to permit the construction of a 2,112 square foot pole barn. The proposed pole barn will be utilized for personal storage. The area of the proposed accessory building exceeds the area of the existing single-family residential dwelling (886 square feet).

Walsh – call meeting to order.

Roll call.

Walsh – ask Batastini to swear in Fralinger.

Batastini – administer oath to Fralinger.

Walsh – Havens application has been postponed.

Walsh – first matter this evening is Pierson Pleasantville, LLC.

Paul Baldini, Esquire – attorney for applicant, with Brian Murphy.

Batastini – administer oath to Brian Murphy, P.E.

Baldini – ask Murphy to review application.

Murphy – this is the 2nd 3 year re-certification, indicated that there had been a lapse due to error on his end. Described changes – wet mining, dredge, concrete plant has been installed, other than that in agreement with Fralinger's comments, Cape-Atlantic soil – reviewed and in compliance.

Walsh – will move on to Fralinger's report.

Fralinger – review report/review letter.

Walsh – question on buffers.

Fralinger – 25 feet.

Waltz – any questions of Fralinger?

Baldini – wanted to discuss signage, was agreement on number of signs previously, not in conformance with code, but would like to maintain and agrees to additional signage if necessary.

Batastini – has that relief been granted before?

Baldini – is less than what is required by ordinance.

Fralinger – has no issue in agreeing with prior agreement.

Walsh – any other questions – none, open to public – none.

Batastini – form of motion to recommend re-certification.

Walters – motion to approve

Germanio – second.

Roll call – all in favor – motion passes.

Walsh – next matter – Peragine.

Carol Goloff, Esquire – attorney for applicant. Application last month before Board sought approval for an undersized lot. After previous comments applicant has amended plan to include 3 acre lot in zone. Reminded that there were objections from Julie DeRose and an encroachment on her property – understands concern and agrees that encroachment will be removed and is now a non-issue. Mr DeVaul was concerned with campground being expanded and people walking on his property – proposal of subdivision of 3 acres to construct single family residence will remove issues with respect to the campground. What is propose/applied for is a single family residence owned by the owner's grandson. If this is permitted that part of campground will now no longer be a concern to DeVaul's concern of people walking on his property.

Batastini – administer oath to Vince Orlando.

Orlando – take oath.

Batastini – ask Orlando to review his previous testimony for benefit of those not here last month.

Orlando – state credentials, etc. As indicated by Ms. Goloff, the subdivision plan has been amended to show a 3 acre parcel and 7.6 acre parcel having access to DeVaul's lane which will be strictly for utilities and applicant is willing to make that a condition of approval. Since last meeting, changes have been made, Ms. Goloff has reached out to speak with neighbors/objectors. Minor encroachment on property will be removed and will re-position trailer so it no longer encroaches. Area adjacent to DeVaul's Lane they will plant cyprus trees to block view, also willing to put fence and gate along flagstaff. Other concerns raised – DeVaul's Lane condition – willing to petition and work along with governing body to clear and make Lane more passable; also willing to install a sign at the intersection of DeVaul's lane and Route 9 that there is no outlet – applicant will install sign, but willing to work with the governing body, also willing to pay for sign. Will also install sign (Private Property Do No Enter). Believes what applicant is proposing shows that Peragine wants to be a good neighbor, work with neighbors and be a good citizen. Believes variance can be granted under C1 hardship, no negative issues.

Walsh – if this was a by right subdivision, wouldn't have to deal with this, correct?

Orlando – it would be, but difficulty is Lot 19.4 is owned by Mrs. Peragine and the other is owned by the campground. Intend to abandon site plan for campground and acknowledge they would need to come back. Two separate owners is why they are moving in this direction.

Walsh – any other questions of Orlando?

Watson – looks like 3 or 4 trailers at the rear of Lot 19.4.

Orlando – giving themselves encroachment agreement for those trailers.

Watson – what happens if she sells the lot?

Orlando - encroachment agreement would run with the land, no plans to sell at this time.

Watson – OK.

Penrose – recognizes that seasonal dwellings are there - 4 existing and adding 1 more

Orlando – no, campground not considered a dwelling.

Penrose – why can't applicant make it a clean 3 acres?

Orlando – doesn't want to create an irregular lot and what is being proposed is better a better configuration.

Penrose – what about wetlands?

Orlando – stays out of wetlands and wetland buffers.

Walsh - house on corner to be moved back and 3 houses will encroach, correct?

Orlando – yes.

Walsh – what if houses were re-located?

Orlando – almost impossible to re-locate structures due to infrastructures, that is why they are proposing encroachment agreement.

Walsh – any other questions?

Batastini – time period for DeRose encroachment issue?

Orlando – would do prior to filing of subdivision, can't construct anything until file subdivision and can't file subdivision before moving trailer.

Batastini –

Orlando – will provide appropriate language for restrictions.

Batastini – open to public comment – none.

Fralinger – review updated report/review letter.

Batastini – should also withdraw previous site plan approval.

Orlando – confirm previous site plan approval no longer valid.

Batastini –

Walsh – any further questions - none, open to public.

Karen Barry -

Batastini – administer oath to Karen (34 Baywin Drive, Ocean View).

Barry – Lot 19.04 is going to be separated into 2 lots (single residence on 3 acres and remaining (Lot 19.05 – 7.6 acres) will be it be expansion of campground?

Orlando – can't at this time confirm that 19.05 will be developed as part of the campground, doesn't know final plan at this time, no development at this time and applicant would have to come back to the Board for any development.

Barry – would like 19.05 to not be used as part of campground.

Orlando –

Batastini – explain what Karen is looking for.

Orlando – would not agree to not developing 19.05 for the campground, but development would be very limited.

Orlando – before they do anything with Lot 19.05, they will sit down with Mr. DeVaul and work with him.

Barry – indicated that she had heard otherwise.

Orlando – currently working with DEP.

Barry – is there a minimum width for a street in Dennis Township – concerned because it appears that only way to get off lane is to back down to Route 9.

Orlando – this Board can't do anything to DeVaul's Lane because it is a Township street and that decision is made by the Township Committee and only thing they can do is to petition the Township Committee.

Batastini – that is all anyone on that road can do is to petition the Township Committee.

Walsh – anyone else?

Amanda Moscito, Esquire – (Fox Rothschild on behalf of DeVaul and DeRose) – based upon applicant’s presentation. she believes that it has now made life easier for her clients. Reviewed conditions proposed, Orlando responded.

Batastini – administer oath to Mark DeVaul.

DeVaul – would prefer driveway more eastward – about across from his garage.

Mascito –

Orlando – would make it easier on applicant.

Batastini – administer oath to Michael Peragine.

Michael Peragine – take oath – wanted to position the driveway back a little more so that lights didn’t go into DeVaul’s house, but can work on placement.

Mascito –

Batastini – confirm placement of driveway.

Orlando – to left of garage?

DeVaul – east of garage, there is a willow tree there and would like to keep the willow tree.

Peragine – no problem with keeping the willow tree, but wants driveway in place where headlights don’t go into DeVaul’s house.

DeVaul – within 75 feet of stated point.

Peragine – can work with that.

Orlando –

DeVaul – good with keeping willow tree.

Mascito -no ingress, no egress and utilities only.

Orlando – will amend plan to state access for utilities only.

Mascito – as long as DeVaul is in agreement with conditions (and he acknowledged he was) that is all she has.

Batastini – anyone else?

Goloff – indicated that it was lovely wrapping up of this applicant and making a lot of people happy.

Batastini – form of motion to approve.

McEvoy – motion to approve.

Martucci -second.

Motion passed with 8 yes votes and 1 no vote.

Batastini – thanked all for working to resolve issues.

Goloff – thank Board.

Walsh – next matter Larry Fenimore.

Patrick Martin, Esquire – attorney for applicant – applicant also owns the property at 135 Main Street between subject property and the Calvary Baptist Church. Proposed to construct pole barn, houses in area are very old and were built smaller back then. Only reason variance is needed is because the proposed pole barn size exceeds the size of the existing dwelling.

Batastini - administer oath to Fenimore.

Fenimore – take oath.

Martin – questions to Fenimore.

Fenimore – he lives on Corson Tavern Road, has lived in Dennis Twp for many (45) years, has owned the subject property for about a year, has done some repairs and updating, septic was installed, proposing to install a pole barn on the property for personal storage, has a lot of things that need to be under cover – tractors, motorcycles, etc. Plans on keeping house as a “family

compound". Described location of pole barn and nature of property with trees, buffers, etc. Lot is 3.1 acres and is well wooded on 2 acres in rear.

Martin – all he has.

Walsh – any questions from Board?

Orlando (still under oath) – got septic approval, worked on plan for storage building. Property is off of Route 9 in a residential zone with a lot of commercial uses in the area – greenhouses, campground, Calvary Baptist Church, cemetery, fields, and an area to fly remote control planes. Applicant owns 2 residential homes, historic structures, smaller size – 850 square foot average. Seeking variance from conditional use. Construction of pole barn has no impact due to it being surrounded by commercial uses; will sit 300 plus feet off of the street, buffers remain untouched. Conditions are similar to a D1. Review 3 purposes advancing this application. Addressed both positive and negative criteria.

Batastini – thinks it's just a use variance, not a conditional.

Orlando – accessory building is permitted.

Batastini – still need a super majority vote. Ask Board for any questions of applicant or professional – none.

Orlando – has reviewed and takes no exception to Fralinger's review/report and can comply.

Fralinger – review letter/report. Asked to clarify utilities – gas, water, etc.

Fenimore – no plumbing but possibly a gas heater that he has at his house.

Fralinger – continue with review letter/report.

Walsh – any questions – none.

Batastini – form of motion to approve application.

McEvoy – motion to approve.

Watson – second.

Rollcall – all voting members in favor (Germanio unable to vote on this application.)

Walsh – Resolution – Ocean View Lighthouse, LLC.

Batastini – review Resolution.

McEvoy – motion to approve.

Schwinn – second.

Roll call – all in favor – motion passes.

Walsh – October 23, 2025 minutes.

Voice vote – all in favor.

Walsh – bills – review and ask for roll call vote.

Roll call – all in favor.

Walsh – no further business, wish all a Happy Thanksgiving and see everyone next month.

Meeting adjourned at 8:30 p.m.