

PLUMSTED TOWNSHIP LAND USE BOARD

July 5, 2011

The regular meeting of the Plumsted Township Land Use Board was held on Tuesday, July 5, 2011 at 7:30 p.m. in the Municipal Building with the following members present:

<input checked="" type="checkbox"/> Chester Broccoli, Chairman	<input type="checkbox"/> Walter Bronson
<input checked="" type="checkbox"/> Ronald Dancer, Mayor	<input checked="" type="checkbox"/> Glenn Riccardi
<input checked="" type="checkbox"/> James Dowd	<input checked="" type="checkbox"/> Eric Sorchik
<input type="checkbox"/> Miguel Garces	<input type="checkbox"/> Wendy Galloway
<input checked="" type="checkbox"/> Douglas Hallock, Vice-Chairman	<input checked="" type="checkbox"/> John Mallon, Engineer
<input type="checkbox"/> Robert Hardy	<input checked="" type="checkbox"/> Greg McGuckin, Attorney

Attorney McGuckin read the Open Public Meetings Act.

RESOLUTIONS:

The following resolutions were read and adopted:

2011-03 - Approval for a minor subdivision and bulk variance in order to re-adjust the existing lot line to Edward J. Comisky, Block 89, Lot 11, and Ronald Voorhees, Block 89, Lot 22, on motion by Mr. Sorchik and seconded by Mr. Dowd. Carried by roll call vote.

YES: Dowd, Sorchik, Dancer, Broccoli.

ABSTAIN: Riccardi

2011-04 - Approval for preliminary and final site plan approval for the installation of solar panels on the previously improved property to H. Thomas Widmeier Family 2000, LP, Block 44, Lot 36, on motion by Mr. Sorchik and seconded by Mr. Dowd. Carried by roll call vote.

YES: Dowd, Sorchik, Dancer, Broccoli.

ABSTAIN: Riccardi.

Mr. Sorchik recused himself from the next application, Smith/Jackson. The application was postponed briefly while the secretary went to call another board member to come in to comprise a quorum.

DISCUSSION:

Pinelands Clustering

Engineer Mallon said he provided Board members with an e-mail that contained changes to Pinelands. He stated he was still trying to set up a meeting with the Pinelands Commission.

INFORMALS:

Don Reed, Block 60, Lot 8

Mr. Reed, owner of 791 Monmouth Road, asked the Board for permission to build a three car garage on this property without a site plan. He feels that others have been able to do this without needing a site plan. He said the property is zoned LI, but is being used as a residence and a business that is going out of business. He gave his reasons for not wanting to do a site plan as costly and time consuming, and that he shouldn't have to do it because others have not had to. Glenn Riccardi stated that any other property owner that was granted this was a residential structure and had road frontage, which Mr. Reed does not. He commented that the example that

Mr. Reed used was the person who made living space out of their garage so they put up a new garage. He said it has been the Board's practice to revert back to the residential zone, which they conformed to the R-40 zone standards. Mr. Riccardi reminded Mr. Reed that he was told in 2003 that he needed a site plan. He also brought up a court order that prevents Mr. Reed from bringing trailers onto this property, which has been ignored. The court ruling was given to Attorney McGuckin to read. Attorney McGuckin read the ruling and said Mr. Reed is prevented from continuing the use of the easement or right of way by and for commercial use, or any uses other than for ingress and egress for personal use to access the residence by the owners of Lot 8, Block 60. Mr. Reed asked if it was the Board's interpretation that he could not take his trailers out. Attorney McGuckin and Chairman Broccoli agreed that the order prevents Mr. Reed from doing this, however, the Board has no right to enforce it. Mr. Reed suggested that it shouldn't be discussed then, since it can't be enforced. Chairman Broccoli stated that he was inclined to ask for a site plan so he could see how Mr. Reed was going to get the trailers off the property. Mr. Reed replied he would do it the same way he's been bringing them in and out for 8 or 10 years; just drive in, drive out. Mr. Reed said he feels that anyone who falls under the same requirements as he does should also be required to do a site plan. Chairman Broccoli stated that his understanding why the other property, that Mr. Reed used an example, did not need a site plan was because it was a residential property and Mr. Reed's property is multiple use. Engineer Mallon stated that past Township practice has been that if the property is a residence, and they can meet the requirements of the R40 zone, they have not been required to go through the expense of a site plan. With a mixed use property, they are usually required to have a site plan and to come before the Planning Board. Chairman Broccoli stated that the Board wants to maintain the practices that they have in place. Chairman Broccoli told Mr. Reed that he needs a site plan.

Vice Chairman Doug Hallock arrived to the meeting to complete the quorum.

AGENDA:

Application for Major Subdivision with Bulk Variances. Earl Smith and Henry Jackson, Block 63, Lot 44.01

Engineer Mallon read his letter of 6/28/11. The applicant's attorney, Peter Klouser, introduced Peter Strong from Crest Engineering. Mr. Strong showed the Board a colored rendering of the property plans (exhibit A-1). He showed the planned property lines. The lot with the current garage is proposed to have a house built on it. The applicants do not plan any other improvements as part of this subdivision. Mr. Strong felt there would be no problem with emergency vehicles gaining access to the property.

Matt Picaro, the contract purchaser of the lot with the garage, was sworn in. He stated that he collects antique cars and uses the garage as a storage facility. He stated that it is for his personal use and there is no water or sewer running to the property. He said he has no bathroom facilities on the property. Mr. Riccardi said he received a call from one of the neighbors saying there is an outhouse on the property. Mr. Riccardi told Mr. Picaro it must be removed. He intends to construct a single family home associated with the garage, and agreed to obtain a building permit within one year. Mr. Picaro agreed to Engineer Mallon's suggestion of posting security for the removal of the building if he does not get a building permit within one year.

Mr. Higgins, a licensed professional planner, was sworn in. He went over the details of the planned subdivision. He can see no negative impact from this plan. He stated that although this is technically a major subdivision, it is effectively and functionally a minor.

Open to the public. Matt Miller of 21 Tower Road, Block 63, Lot 44.06, was sworn in. He wanted to be on the record to say that he thinks this is a good way to use the property and is in favor of the subdivision. Closed to the public.

Attorney McGuckin summarized. A motion to approve was made by Mr. Riccardi and seconded by Vice Chairman Hallock. Carried by roll call vote.
YES: Dowd, Hallock, Riccardi, Dancer, Broccoli.

There being no further business to discuss, a motion to adjourn was made and seconded. Carried by all ayes. The meeting adjourned at 8:40 pm.

Respectfully submitted,

Kelly Creighton
Secretary