

PLUMSTED TOWNSHIP LAND USE BOARD  
September 6, 2011

The regular meeting of the Plumsted Township Land Use Board was held on Tuesday, September 6, 2011 at 7:30 p.m. in the Municipal Building with the following members present:

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

Attorney McGuckin read the Open Public Meetings Act. A motion to approve the minutes of the regular meetings of June 14, 2011 and July 5, 2011 as mailed/e-mailed was made by Mr. Garces and seconded by Mr. Hallock. Carried by roll call vote with Mr. Bronson, Ms. Galloway, Mr. Hardy, and Mayor Dancer abstaining.

**RESOLUTIONS:**

The following resolutions were read and adopted:

**2011-05** - Approval for a major subdivision with bulk variances to Earl Smith and Henry Jackson, Block 63, Lot 44.01, on motion by Mr. Hallock and seconded by Mr. Riccardi. Carried by roll call vote.

YES: Dowd, Hallock, Riccardi, Dancer, Broccoli.

ABSTAIN: Bronson, Galloway, Garces, Hardy.

**AGENDA:**

**Application for Variance to Construct a Dwelling on a Lot not Fronting on a Public Street. William and Janette Moore, Block 46, Lot 2.**

Engineer Mallon read his letter of 7/13/11. William and Janette Moore were sworn in. The property is located on the easterly side of Route 539, approximately 3,300 ft south of Millstream Road. It lies within the RA-5 Zone and comprises an area of about 8.9658 acres. It is a landlocked piece of property with an existing access from Route 539 through a 50 ft wide access easement using an existing earth road. The applicants intend to construct a residential home and an accessory building on the lot. They agreed to an on-site turnaround and widening the access road to 18 ft. Mr. Moore said the access road does not currently service any other lot. The Moores have also been working with a forester from Toms River who has been guiding them as to which trees to save and where to place the house.

There was discussion between Attorney McGuckin and the Moores regarding the easement being a shared easement and a future maintenance agreement. Engineer Mallon reminded Mr. Moore that he will be required to maintain the easement with regard to plowing and general maintenance for emergency vehicles. He also told him that any garbage and postal services will be at the street. Engineer Mallon stated that since the easement is showing on the Tax Map, it must be on Mr. Moore's deed. Attorney McGuckin agreed there is clearly a recorded access easement.

Engineer Mallon asked for a grading plan to be submitted. This will show that he is in compliance with positive drainage. Miguel Garces asked about clearing. Engineer Mallon said

the grading plan will show that also. The driveway will be approximately 2,000 feet in length and 18 feet wide.

Open to the public; no response; closed to the public.

Discussion followed regarding the requirement of a 50 foot conservation easement around the entire property, except where the access easement cuts across from Lot 1 to Lot 12. The Moores would have to condense their development to stay within these limits, but would still enable them to be within their setbacks. The Board is requiring them to pin the corners. Mr. and Mrs. Moore agreed to this.

Attorney McGuckin summarized. A motion to approve was made by Mr. Riccardi and seconded by Mr. Hardy. Carried by roll call vote.

YES: Bronson, Dowd, Galloway, Garces, Hallock, Hardy, Riccardi, Sorchik, Dancer, Broccoli.

#### **DISCUSSION:**

##### **Pinelands Amendments**

Tabled until further notice. Engineer Mallon had not heard back from Pinelands since their meeting.

##### **Recreational Open Space Inventory**

Mayor Dancer spoke to the Board about putting a Township owned piece of land, Block 87, Lot 3, on the ROSI. He explained that a homeowner next to the lot, Michael McCay, Block 87, Lot 4.04, has a house and an accessory building on his property, for which he obtained all the proper permits and inspections. Since that time, the DEP determined that the accessory building and part of his well were in wetlands. The Mayor, Committeeman Sorchik and Glenn Riccardi all sat in on a meeting regarding this matter. The Mayor asked for a recommendation from the Land Use Board to the Township Committee to put Lot 3 on the ROSI to help Mr. McCay get some relief.

A motion to approve was made by Vice Chairman Hallock and seconded by Mr. Riccardi. Carried by roll call vote with Ms. Galloway abstaining.

YES: Bronson, Dowd, Garces, Hallock, Hardy, Riccardi, Sorchik, Dancer, Broccoli.

ABSTAIN: Galloway.

**INFORMALS:** None.

There being no further business to discuss, a motion to adjourn was made and seconded. Carried by all ayes. The meeting adjourned at 9:10 pm.

Respectfully submitted,

Kelly Creighton,  
Secretary