

PLUMSTED TOWNSHIP LAND USE BOARD
November 17, 2015

The regular meeting of the Plumsted Township Land Use Board was held on Tuesday, November 17, 2015 at 7:30 p.m. in the Municipal Building with the following members present:

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| <u> X </u> Walter Bronson, Chairman | <u> X </u> Eric Sorchik |
| <u> X </u> James Dowd | <u> X </u> Jack Trotta, Mayor |
| <u> X </u> Wendy Galloway | <u> X </u> Dominick Cuzzo, Alt #1 |
| <u> X </u> Ronald Dancer | <u> X </u> , David Leutwyler, Alt #2 |
| <u> AB </u> Douglas Hallock, Vice Chairman | <u> X </u> , Robert Bowen, Alt #3 |
| <u> X </u> Robert Hardy | <u> X </u> , John Neyenhouse, Alt #4 |
| <u> AB </u> Vincent Lotito (Designee) | <u> X </u> John Mallon, Engineer |
| <u> X </u> Glenn Riccardi | <u> X </u> Gregory McGuckin, Attorney |

Attorney Mc Guckin read the Open Public Meetings Act. Chairman Bronson read a letter of resignation submitted by Mr. James Dowd. Each member thanked Mr. Dowd for his service starting out on the zoning board and staying on after combining the zoning and planning boards. Mr. Dowd did not stay for the meeting.

Chairman Bronson noted that the minutes from September 1st were distributed earlier that day but would like time to review them before a vote to accept is taken.

RESOLUTIONS: None

AGENDA: Old Business

Block 79, Lot 11 Reina-Ruggiero, Final Major Subdivision:

Buckalew Lane and Holmes Road

Carried from our September first meeting, Reina-Ruggiero, Final Major Subdivision. Mayor Trotta and Deputy Mayor Sorchik recused themselves. Chairman Bronson noted that the full presentation was heard at the September 1st meeting, including comments and questions from the Board and the public. The session was closed. At the request of the applicant due to a lack of adequate qualified members to vote on the application, the application was continued to this meeting. Several members have since listened to the tapes and qualify to vote on the application. With the exception of Mr. Dancer and Mr. Hardy. Chairman Bronson said that there are seven Board members eligible to vote, therefore a simple majority in favor is needed to accept the application.

Mr. Doug DeVincens, attorney for the applicant, reviewed the application touching on the Board's previous discussion as how the application would be voted on. Whether this is considered a "D" variance or not. The township is satisfied that it only requires a simple majority vote. The Engineer, Mr. Bruce Jacobs, was asked to summarize what happened at the last hearing as well as memorialize some discussions that he has had with the Township engineer and what the applicant is willing to do with regard to the property. Chairman said he would allow that and to open it up to the members who have listened to the tapes to present any questions they might have. Mr. Jacob's having been previously sworn in began. Chairman Bronson noted on the record that Mr. Hallock had arrived. Mr. Jacob's summarized Township Engineer's noted remarks of a section of the right of way is just under the width and the applicant agrees to widen that to a

normal 18 foot cart way width. They've agreed to limit the clearing around each individual dwelling to be 25' to the sides and the rear. Discussion if the driveways were to be paved or stone. To keep them consistent with the neighborhood the applicant is willing to keep them gravel and to help minimize runoff. The three along Buckalew Lane are back pitched and runoff flows into the lot as the roadway is a little higher than the driveways. Roof run off will be contained into concrete drywells. Along the rear of the lots conservation easement markers will be posted to indicate that this area is a conservation area. Signs along the Easterly side to acknowledge this is associated with the Colliers Mill Wildlife management area. At the time of building permit, a tree location mapping of trees of 10" in diameter or larger for each lot. Mr. Mallon corrected Mr. Jacobs and said they **will install** a contributor fixture light at the intersection of Buckalew and Holmes. The curb and sidewalk fund will be voluntary. A shade tree easement will not be required because of where it is. Spot elevations around the homes. A notice on the map and in the deeds about the noise and odors that would come about from the air and ground by the raceway, Fort Dix and farming. Mr. Mallon said they will comply with the technical notes in his letter. A letter of no interest or an approval letter from the fire commission will be needed. The maps will not be signed until that is obtained. Removal of trailers from lot 11.04. Waiving of markers for lot 11.05, a sign along the road to designate State Wildlife management area. Mr. Mallon informed the members to keep in mind that a good portion of the road will be put in an easement. A right of way will be created and where the existing road is now will be an easement. If that road ever gets relocated that easement will be vacated.

A notice to be included in the contract that each deed of conveyance the buyers acknowledge that the lots are lower than the roads, therefore the water will run back towards their houses. The Township will not install any additional drainage.

Mr. Riccardi asked about the 25' clearance, is this a deed restriction? It is a condition to building the home only. Other than the conservation easements which will be marked. As for a single lot, the Township does not have a tree ordinance to control clearing on individual lots.

Mr. Mallon wanted a condition in the Resolution to place a street sign at the intersection of Holmes Road and Buckalew Lane if there wasn't one already in place.

Chairman Bronson asked for motion to approve the application subject to the conditions stipulated earlier this evening by the Board and the professionals. Mr. Cuzzo made a motion to accept the application with conditions for approval. Ms. Galloway seconded. Roll call votes of all ayes were made by Ms. Galloway, Mr. Hallock, Mr. Riccardi, Mr. Cuzzo, Mr. Leutwyler, Mr. Bowen, Mr. Neyenhouse and Chairman Bronson.

New Business:

Platt-Ground Mount Solar Variance, Block 63, Lot 45. East Millstream and Tower Road.

Mr. Mallon read his review letter for this application. Mr. Platt, Homeowner and Mr. Maier, solar contractor, asked for variances to install ground mount solar arrays in excess of Ordinance height requirement to be 10.58, whereas 6 feet is allowed. They are allowed 400 sq. ft. by Ordinance and are asking for a total 2100 sq. ft. Mr. Maier stated that no vegetation will be cleared. The existing fence is a split rail type. The panels will be screened by the existing vegetation of pine trees to the east and the south, the house is West from any of the public, neighbors etc. he stated there will be

no glare. No changes in grading. The height variance is sought for optimal solar access. If the system is lowered the angle would change and would require more panels and area of coverage needed. All power would be trenched underground to the house.

Open to Public: None

Closed to Public.

Ms. Galloway voiced concern about the safety feature set in place to protect the homeowner as well as any children in the area. Mr. Riccardi stated the code requirement for auto shut down, and screening or enclosure underneath the arrays.

A motion to approve the application as presented with a condition not to clear any trees for construction of the solar arrays was made by Mr. Riccardi and seconded by Mr. Leutwyler. Votes of all ayes to approve the application were made.

New Business: Informal

Lennar-Greenbriar at Crosswicks Creek-Sketch Plat Major Subdivision, Block 40, Lots 10 & 18.

Mr. Bob Calabro from Lennar, introduced the presentation as an informal in hopes of presenting a more formal application in the near future. Ms. Julia Algio, engineer with Maser, gave an overview of the concept and plan for the site. Total tract acreage is 169 acres. Located within the municipal boundary as well as the County boundary. Crosswicks Creek and Shingle Run bound the property. The site contains freshwater wetlands and floodways located within FEMA flood zones A, AE and X. The property is contained in the Light Industrial Zone, with a small amount in the R-40 Zone. Lot 18 is in the RA-5 Zone. The entire property is within the PRRC overlay zone and in accordance with the New Egypt Redevelopment Plan. An established sewer service area line is marked in blue. Proposal for the Greenbriar development total to consist of 454 single family lots; 263 single family detached lots, 68 duplex units, and 123 triplex units. A clubhouse and recreation area is proposed with a swimming pool and tennis courts. This will be a gated private community with private roadways will be the communities responsibility. A Boulevard entry from Provinceline Road, with all the others to be a neighborhood street concept. There will be public sewer and public water. A series of basins to handle storm water runoff. The existing tree line that borders the property along the waterways will remain intact.

Questions by the board about how the wetlands encroachment would be addressed and what DEP permits would be anticipated. Ms. Algio mentioned the transition area averaging plan, a General permit #11, General permit #10, a couple of road crossing permits, possibly a utility crossing permit will all be in the detail of design. DEP will review a storm water management plan. Mr. Hallock asked if there would be a fence around the whole community being it is presented as a gated community. There will be automated access gates at both the primary and secondary entrances. Mr. Hallock also brought up the Ordinance about chain link fencing to be required to separate the adjoining farmland that surround the site. The applicant was not familiar with this Ordinance and would look into it. A setback Variance is anticipated within the tract boundaries. Mr. Mallon informed the applicant the Provinceline Road is located within North Hanover Township and they would have to contact them to discuss any turning lane plans along that roadway. Mr. Mallon suggested that they also consider a boulevard entrance along the Route 528

entrance as well. Mr. Mallon anticipates a lot of traffic in that area. Mr. Hardy was concerned about the roadway width and snow removal. Age restrictions on residents was mentioned. At least one occupant of the age 55 and over unless there is a death, the surviving spouse can remain. No one under the age of 19 can live there. Children under the age of 19 may visit but it is limited to 30 days. A General Development Plan (GDP) will be submitted over the winter of 2016. If they get an approval for the project the applicant may come in for an entire preliminary approval very soon thereafter. This way all the engineering is done and feasible for the plan to be executed overall. Verses them having to come back in to amend the plan. Then they will come back in for finals in sections. Initial ground breaking potential could be in early 2017. Mr. Dancer mentioned in the developers agreement is hopeful that the sewer infrastructure would be completed by the end of 2017, beginning of 2018. The first production and home closing would be March of 2018. From 2018-2026 there could be somewhere between 50 and 54 units built per year.

Mr. Riccardi suggested a technical review committee or an Ordinance be constructed to ensure that the homes and their design do not reflect a cookie cutter vision in the neighborhood. The discussion was opened to the public. Mr. Serbes was the first resident to speak his concerns about the horses on his property as his land is right next to the access road of the development. He also asked if the sewer would be accessible to the homes along Provinceline. Which at this time, is not in the plan to include those properties. The neighbor at 4 Provinceline also had the same concerns with her horses being spooked and later access to her property from the development. She was informed that her property is next to some wetlands that would not be disturbed. She requested some kind of screening to be put in place and is concerned about the increase in traffic. A traffic study will be done and will be included in the GDP. The informal is closed to the public.

Mr. Hallock asked if they planned to install traffic lights at the access points and what time of year they planned on doing the traffic study. Keeping in mind this a farming community and slow moving equipment will be traveling that road. Chairman recommended a subcommittee of the board to meet on a regular basis to bounce things off of. Mr. Riccardi stated that a technical review committee would save the board a lot of time. Ms. Galloway, Mr. Sorchik, Mr. Riccardi and Mr. Leutwyler volunteered for the subcommittee. The members were invited to tour other developments being built to get an idea of the proposed Greenbriar community.

Chairman asked about gaining the assistance of a planner to work with the Land Use Board for larger scale projects. T&M Planner, Stan Slachetka, can be the board's advisor. The sewers for the Greenbriar Community will be gravity fed. If space and the engineering allow for it.

INFORMALS:

Mr. JohnTeresa and his realtor Beth Kimmick addressed the board to see what their thoughts were on him buying the Masonic Hall at 9 Brindletown. Mr. Teresa wants to change the use from commercial to 100% residential. This property has no parking. He has an idea to put in a closed waste tank system for a one bedroom home. Before the use variance is sought Mr. Teresa was advised to speak with the Ocean County Health Department about the engineering and possibility to change the cesspool system already in place prior to coming before the Board to try to obtain a use variance. Mr. McGuckin stated that he would need 5 affirmative votes and everyone but the class I and Class III members. He would need a planner to testify as to the basis for changing the

use from commercial to residential. Mr. Teresa would have to make certain proofs under the Municipal Land Use Law before the board in order to for it to be discussed and granted.

Mr. Andy Brownell of 82 Hopkins Road approached the Board stating that a 3 acre building lot not fronting on the public road, approved in 2012 for his property which a time restraint was put in as a condition to granting the approval. However this falls under the Permit Extension Act which is due to expire on 12/31/15. Mr. Brownell is asking informally what to do so as not to lose the approved 3 acre building lot. He was advised to submit a letter for an Amended Resolution along with a \$50 application fee and a copy of the current Resolution. And to bring his escrow up to \$500.00. To be heard at the next Land Use Board meeting on December 1, 2016.

No further discussion

Chairman Bronson asked if there was any further business to be brought before the board. Being none, a motion to adjourn was made and seconded. Carried by all ayes.

Respectfully Submitted,

Joan Gruca