



**MUNICIPAL BUILDING, 590 MAIN ST., P.O. BOX 218, LEESBURG, NJ 08327**

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LAND USE BOARD  
BARBARA SUTTON, Secretary  
(856) 785-1120 ext. 116

**AGENDA FOR MEETING of JANUARY 4, 2012  
7:00 PM**

1. Call to order.
2. Open Public Meetings Act announcement.
3. Roll Call.
4. Pledge of Allegiance.
5. Reorganization.
6. Vote on minutes of the 12-7-11 meeting.
7. Correspondence.
8. Worksession – Continue review for the update of the Master Plan and implementation of amendments to Pinelands Comprehensive Management Plan regarding clustering, wetlands management and forestry regulations.
9. Other.
10. Adjournment.

## MAURICE RIVER TOWNSHIP LAND USE BOARD

Meeting Minutes: January 4, 2012

Present: B. Stowman, Chairman, C. Thompson, V. Chairman, Mayor K. Ireland, Committeeman K. Langley, R. Chard, J. Carrara, R. Hoffman, G. Gross, J. Lafferty, J. Pflaumer, Alt. #1, T. Imbaratto, Alt. #2, M. Benson, Solicitor, C. Morrissey, PE and T. CuvIELLO, Planner.

The Chairman announced that this meeting was held in accordance with the Open Public Meetings Act of New Jersey.

Solicitor Benson swore in reappointed members Chard, Lafferty and Gross.

Chairman Stowman asked the Solicitor, Planner and Engineer to step out during reorganization. Reorganization was as follows:

Chairman – Nominations were opened on a motion by Chard, seconded by Carrara and a unanimous vote. Carrara nominated Ben Stowman. Hoffman seconded. Stowman was reappointed Chairman by a unanimous roll call vote.

On a motion by Chard, seconded by Ireland and a unanimous vote, nominations for vice-chairman were opened. Lafferty motioned to reappoint the remaining slate including Charles Thompson as Vice Chairman, Michael E. Benson, Solicitor, Tiffany CuvIELLO, Planner, Dixon Associates, Engineer and Barbara Sutton, Secretary. The motion also included the meeting date and time to remain the first Wednesday of the month at 7:00 PM. Ireland seconded. Unanimous roll call vote.

The minutes of the 12-7-11 meeting were approved on a motion by Chard and seconded by Thompson. Gross abstained. All other members vote in favor of the motion.

The Secretary announced receipt of the following correspondence:

1. The November 2011 issue of the NJ Planner publication.
2. Letter from Pinelands dated 12-20-11 addressed to Richard H. Daniels, Esq. regarding the status of the Lafferty application.
3. Letters dated 12-6-11 and 12-12-11 from Rebecca J. Ashton regarding the Lafferty matter.
4. Pinelands memo dated 12-13-11 regarding the adoption (10-14-11) of Comprehensive Management Plan amendments related to solar energy facilities that became effective upon publication in the NJ Register on 1-3-12. CuvIELLO stated that she reviewed this language during the public hearing process and the Board can also address this amendment during our review for the Master Plan update.
5. Zoning Officer's Report of Active Forestry Permits for 2011.

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**Worksession**

Planner CuvIELlo distributed her analysis of development potential in some additional areas of the Township based on the Pinelands mandatory clustering regulations.

Area 9 in the PC Zone – South of Leesburg-Belleplain Rd. This area is heavily impacted with wetlands and wetland buffers. There is little to no development likely to occur in this area. However, CuvIELlo pointed out that the definition of “parcel” can include non-contiguous land which may allow this area to be used for development opportunities if the owner has or acquires land elsewhere.

Area 10 in the PC Zone – South of Hunters Mill Rd. along Rt. 347 and Belleplain Rd. CuvIELlo explained that there are three parcels with a potential for a small number of units. The remainders of parcels in this zone are either too small for any significant development or owned by the State of New Jersey.

Area 11 in the PC Zone – Whibco Parcels. CuvIELlo stated that this analysis included only the Whibco land located in the PC Zone. The mapping differentiated mining and non-mining parcels. There are limited wetland impacts on the mining parcels. Whibco’s mining site #1 has the largest open water area. CuvIELlo informed the Board that the definition of a wetland does include open water. The Board previously discussed the option of only using upland area in calculating bonus units. The Board further discussed whether open water should be excluded in density calculations. Since wetlands are included in density calculations and open water is considered wetland, exclusion of that area from density calculations may not be discretionary, but the point can be argued.

Lance Landgraf, Planner with Marathon Engineering, stated that Whibco currently has no plans other than mining, but are keeping their options open. He also noted the basic needs (i.e. electrical service) that would be necessary to develop this area.

Wade Sjogren of Whibco, Inc. stated his concern regarding the effect that “down-zoning” could have on property values. He stated that transfer of development rights seems to be fair and allows for more opportunities, however, he advised the Board that Whibco, for practical purposes, is not interested in residential development at this time as it is not compatible with their mining operations. He went on to state that there may be some types of commercial uses that would be compatible.

There was further discussion regarding bonus provisions and whether the Board wants to allow density transfers. CuvIELlo stated that the Pinelands Commission says that the base density applies to the entire lot and accepts that bonuses can be based on just uplands.

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Cuviello provided a written summary of six concerns that have been raised by the Board during the worksession meetings.

1. Bonus Density application. The Board's discussion resulted in a consensus that bonuses should apply to all parcels as they exist with no restriction to allow bonuses only on parcels created after the effective date of the amendment. Cuviello will provide some examples for the next worksession in order for the Board to decide whether to restrict bonus calculations to upland area.
2. Calculation of land area in determining density. Cuviello stated that a conditional use could be created for lake front development and special standards for end use of mining operations. There was some favorable discussion to allow open water to be included in determining bonus units.
3. Clarify the ordinance definition of "parcel". Many mining and farming operations include non-contiguous parcels. Pinelands CMP definition does allow the inclusion of non-contiguous parcels in certain circumstances.
4. Density Transfer is permitted in the Forest and Rural districts. The use of density transfer for the implementation of cluster regulations may allow for growth around existing developed areas. More discussion on this subject is needed.
5. Appropriate ownership of preserved open space. Several methods were discussed including a homeowner's association, non-profit conservation organization, the municipality or inclusion of the open space as part of one of the building lots.
6. Regulation of development on the permitted residential lots. Lot width, front yard setbacks and percentage of required uplands were discussed.

Cuviello will prepare examples and sample language to address the above items for discussion at our February worksession.

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Chairman Stowman reappointed the same slate for the 2012 Site Inspection Committee. They are: Roger Hoffman as Chairman, Ben Stowman, Jody Carrara, Robert Chard and Kathy Ireland, Alternate.

There being no further business, Chard motion to adjourn at 8:56 PM. Pflaumer seconded. Unanimous.

Respectfully submitted,

Barbara Sutton, Secretary