MAURICE RIVER TOWNSHIP LAND USE BOARD

Meeting Minutes: April 4, 2012

Present: B. Stowman, Chairman, Mayor K. Ireland, R. Chard, G. Gross, J. Lafferty, Jr., T. Imbaratto, Alt. #2.

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

The minutes of the 3-7-12 meeting were approved on a motion by Chard and seconded by Lafferty. Unanimous.

The Secretary announced receipt of the following correspondence:

1. The January/February 2012 issue of the New Jersey Planner publication.
2. Memo from the Township Clerk that the Township Committee has approved the requested 90-day extension of Dominic Zanghi's mining license. The extension will expire on 6-28-12.
3. A copy of Millville's Master Plan reexamination report adopted 2-14-12.
4. Notice that Commercial Township will hold a public hearing on an amendment to their development regulation ordinance on 4-19-12.
5. From Department of Community Affairs, a certificate for the successful completion of the Basic Course in Land Use Law and Planning granted to Tom Imbaratto.
6. Notice from the Partnership for the Delaware Estuary, Inc. of a workshop to be held at Cumberland County College on 5-2-12 on the topic of "Living Shorelines".

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Dorchester United Methodist Church
Informal Discussion

Rev. William Hess, of the Dorchester UMC was present to informally discuss a proposal for an addition to the fellowship hall behind the main church building at the corner of Main and Church Streets in Dorchester. Jerome Irick, PE was also in attendance and presented two possible scenarios for placement of the addition. Both would require a setback variance from Church Street, however, the one that would allow the construction to take place in line with the existing structure was preferred by the church.

After some discussion regarding the road right-of-way width compared to the actual pavement; the amount of traffic that normally uses this street; additional off-site parking available to the church; stormwater management and septic calculations, the Board's advice was to submit an application for the most desired placement of the addition and present a case for the Board's consideration that addresses the items raised in this discussion.

John Lafferty, Sr.
Ordinance Interpretation for Village–Oriented Commercial or Retail Use as per Section 9.20

Jack Lafferty, Jr. stepped down due to a conflict as a member of the applicant's immediate family.

Solicitor Benson explained that this application was for an interpretation of the ordinance and not a development application.

Terry Bennett, Esq. represented Mr. Lafferty in his request for a determination by the Board as to whether a particular type of use, as described in this application, would meet the definition of a village-oriented commercial use.

Tiffany Cuviello, Board Planner, prepared a review report dated 4-2-12 to address this matter. She pointed out the ordinance definition of "Village Oriented Commercial or Retail Use" as well as excerpts from the 2000 Master Plan that addressed the intent behind the village-oriented commercial or retail use as well as types of uses to consider. One of the uses listed was an automotive repair shop.

Cuviello recommended that the focus be on the scale and services provided. Both the Master Plan and the Land Use Ordinance indicate that the permitted land uses are not limited by the use, but by scale and services to the local community.

Benson agreed with the Planner's analysis and stated that auto repair is not a tourist activity, but addresses needs within the village and nearby areas. He also added that the scale of the business has as much to do with how far reaching it is as well as the physical size of the business.

Since the Master Plan does provide for some automotive repair, Bennett asked the Board to consider an automotive repair business that had the fifteen (15) characteristics that he put forth and in his application. He elaborated on those items and asked the Board to state a precedent.

Benson clarified that the question actually before the Board was whether the use described in this application could be considered a permitted use in the PVC-3 Zone.

Cuviello reminded the Board to focus on scale and client base.

Chard motioned to accept the described use as a village-oriented commercial or retail permitted use as per Section 9.20 of the Land Use Regulations Ordinance. Ireland seconded. Gross abstained. By roll call, all others voted in favor of the motion.

Master Plan Update and Ordinance Revision for Clustering

Cuviello stated that draft language would be provided for the May meeting.

Mayor Ireland advised the Board that the Township was awarded the Planning Assistance Grant that was applied for.

On a motion by Ireland and seconded by Gross, the public portion of the meeting was opened. There was no public comment. On a motioned by Ireland and seconded by Gross, the public session was closed.

On a motion by Ireland and seconded by Gross, the meeting was adjourned.

Respectfully submitted,

Barbara Sutton, Secretary