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

LAND USE BOARD
LILLIAN JOHNSON, Secretary
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Email: LJohnson@mauricerivertwp.org

AGENDA FOR MEETING of March 6, 2013
@ 7:00 pm

1. **Call to order.**
2. **Open Public Meetings Act announcement.**
3. **Roll Call.**
4. **Pledge of Allegiance.**
5. **Vote on minutes of the 2/6/13 meeting.**
6. **Vote on following Resolutions**

   #2013-02 for the conditional use, major site plan of Atlantic Masonry Supply Inc. for resource extraction renewal on block 247 lot 35, 41, 42, 43.

   #2013-03 for the amendment to the 2012 Master Plan Update, relating to bonus density calculations for clustering projects.
7. **Correspondence.**
8. **CJA Services LLC for conditional use and waiver of site plan for the automotive repair garage, block 4 lot 9.**
9. **John Lafferty, Sr.-Request for extension to file minor subdivision involving block 124 lot 9, 11, 12.**
10. **Other**
11. **Adjournment**

MAURICE RIVER TOWNSHIP LAND USE BOARD

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

Meeting Minutes: March 6, 2013
Present: B. Stowman, Chairman, C. Thompson, V. Chairman, Mayor A. Sarclette, Committeewoman K. Ireland, R. Chard, R. Hoffman, G. Gross, J. Lafferty, Jr., J. Pflaumer, Alt. #1, T. Imbaratto, Alt. #2, T. Cuviello, Planner, C. Morrissey, Engineer and M. Benson, Solicitor.

The Chairman noted that J. Carrara was not in attendance so Alt. #1 would be able to vote.

Flag Salute

The minutes of the 2/6/13 meeting were approved on a motion by Chard and seconded by Hoffman, all in favor.

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Resolution No. 2013-02, approval of conditional use and site plan application for resource extraction renewal, for Atlantic Masonry Supply, Inc., at block 247, Lot 35; Block 247, Lots 41, 42, and 43, Maurice River Township.

Discussion Held on Site Inspection of 3/4/13. Ben stated it was well blazed. One thing the site committee requested the applicant to do: One site has been a little more active and had some water depth. The discussed with Atlantic Masonry's Engineer on site the possibility of signage, "danger" or "active mine". They were in agreement to do something that would see reasonable to our engineer. If not satisfactory to our engineer, he will make a recommendation.
Resolution was adopted on a motion by Chard, seconded by Thompson, Unanimous roll call vote.

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Resolution No. 2013-03, approving amendment to the Master Plan Reexamination report and update. The resolution was adopted on a motion by Chard, seconded by Ireland, Unanimous role call vote. The Twp. committee had its first meeting on the resolution. The March meeting will have 2nd reading and public hearing.

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The Secretary announced receipt of the following correspondence:

1. County of Cumberland Department of Planning, County Transportation Plan
2. Email from Robert Brewer ref: Lt. Governor Kim Gaudagno.
3. Winter 2013 Estuary News Newsletter
4. Freshwater Wetlands Application Checklist/Notice submitted by Cumberland Riflemen, Inc. rec'd 2/13/13.
5. Resolution of the NJ Pinelands Commission dated 2/8/13, approving the proposed installation of 3,850 linear feet of perimeter security fencing, construction of a 48 square foot security guard booth and an approximate 3, 920 square foot paved fire truck turnaround on Block 291 Lot 24.
6. Email dated February 25, 2013 from Pinelands in reference to the reformatting of its letters and other documents in an effort to improve communication and efficiency.

7. Copy of letter from Linda Costello to Julius Konchak/Atlantic Masonry, Re: approval Atlantic Masonry Supply Inc's. request for extension by 90 days. New exp date is May 31, 2013.
8. Copy of letter from Linda Costello to Robert LeClerc/Mayslanding Sand and Gravel, Re: Mays Landing Sand & Gravel's request for extension of their resource extraction license by 60 days. The new exp date is May 17, 2013.
9. Copy of letter from Linda Costello to Cynthia Chemerys/Albrecht and Huen, Re: Albrecht & Huen, Inc's Resource Extraction License for Block 263 Lot 40. It is a 6 month extension retroactive to December 6, 2012, with a new exp date of June 5, 2013.
10. Jan/Feb edition of the New Jersey Planner.

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John Lafferty, Sr., Request for Extension to file Subdivision
Block 124 Lot 9, 11, 12

The board received a request from Terry Bennett requesting an extension of the 190 day statutory window for Mr. Lafferty to file his minor subdivision with the County Clerk.

Terry Bennett spoke on reasons for extension citing section f of NJSA 40:55d-47.
Currently they have until March 13 to file subdivision with county clerk. Due to litigation they would like to wait until the law suit is decided.

Michael Benson agreed that superior court action does constitute an action by a government entity that will result in either approval or disapproval and as a consequence it does make sense to extend.
There was a discussion on length of the extension.
Benson recommended giving a 190 day extension.

Motion to grant extension Chard, seconded Hoffman, Gross and Lafferty abstained, Stowman, Thompson, Sarclette, Ireland, Chard, Hoffman and Pflaumer voted in favor.

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CJA Services LLC/Conditional Use/Site Plan/Completeness
Christopher Andolaro was sworn in.
He testified that it is a single member LLC. Benson stated he can represent himself.
Stowman explained to the applicant that the board would first see if the application is complete.

T. Cuivello stated she received additional information to the questions she had and does think it is sufficient to get through the completion process. She may have questions in terms of site plan issues and conditional use issues and clarification.

C. Morissey stated that it would make sense for the applicant to give testimony to each item of the response. Applicant should walk through each item for further details and the board would be more prepared to render a review of the site plan.

Applicant stated it is a major and minor auto repair and towing operation.
Discussion was held on the property configuration.

Other things on site: law office, Quansa hut, steel frame building (repair garage) and tennis courts. The property has multiple uses.

Lot 9.01 is residential with a 100 ft rearward setback and road frontage.

There are residences around property, distance to those is not noted.

One owner of property, buildings are rented.

It has been there since 1973 and has been before the board for other things before.

The steel frame building was a chemical storage warehouse previously with board approval.

If it had stayed a storage facility it would not need new approvals, but the use has changed.

The applicant rented the steel frame building without approvals and violations were issued.

PVC 5 does permit auto repair business as conditional use. If they can not meet the conditions for a conditional use they will need variances.

It is the only lot w/multiple business in the area, was sub-divided in the 1990's.

Applicant stated it is approx. 300 ft. to the eastward homeowner.

Lisa Gaglaino, CJA services office manager, was sworn in.

She believes it is 250-300 ft to the residence to the left and that there is a natural and physical divider. She stated nothing is done between the building and that property.

Discussion was held on parking.

4 employee, 4 customer parking spaces, where waiting cars are parked.

Discussion was held on the trailer that is on sight at the building.

It was not on site when the violations were sent out or at the date of certificate of filing.

It was put there 1-1 ½ years ago.

It is not permanent.

10x50 ft trailer used as an office and customer waiting area.

It will require approval from Pinelands and then permits from construction/zoning office.

To be consistent with the current certificate of filing the board can not act on the trailer.

The board continued with completeness.

The applicants spoke on their written response to the completeness reviews from Morrissey and Cuviello.

There was more discussion on the trailer.

Motion to deem application incomplete by Sarclette, seconded by Chard, Lafferty abstained, Stowman, Thompson, Sarclette, Ireland, Chard, Hoffman, Gross, Pflaumer infavor.

Benson addressed public, explained motion. Applicant will have to re-advertise.

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Motion Lafferty to open public comment, seconded Thompson, All if favor.

No one for public comment

Motion to close public comment by Thompson, seconded Ireland, All in favor

B. Stowman read letter from Barbara Sutton.

Discussion was held.

Motion to adjourn, Chard, seconded Hoffman, All in favor.

Respectfully Submitted,

Lillian J. Johnson

Secretary