

Planning Board Meeting 11-5-2015

**TOWNSHIP OF OCEAN
Planning Board
Meeting
November 5, 2015**

Pledge of Allegiance

STATEMENT: Pursuant to the provisions of the New Jersey, Open Public Meetings Act, adequate notice of the meeting was properly provided by sending copies of the notice of meeting to the Asbury Park Press and the Press of Atlantic City. Notice was posted on the bulletin board in the Administration Building.

The regular meeting of the Planning Board was held on the above date and time; Chairman Bill Sneddon called the meeting to order.

ROLL CALL

Members Present	Nicholas Bonamassa	Daniel Collamer	James Eckert
	Ben LoParo	Aaron Shapiro	William Sneddon
	Dennis Tredy	Tina Wetter	John Petrosilli
	Don Lippincott		

Members Absent: Ralph Avellino

Professionals Present: Steve Yost, Esq., Jason Worth, T & M Engineering

MINUTES

Chairman Sneddon asked if there were any amendments or discussion on the minutes of Regular Planning Board meeting of May 7, 2015.

Motion was made by Aaron Shapiro to approve the minutes of May 7, 2015 and seconded by Dan Collamer. Roll Call (Ayes) Shapiro, Collamer, Bonamassa, Eckert, Tredy, Wetter, Petrosilli, Lippincott.

Chairman Sneddon asked if there was a motion to approve the vouchers for payment.

James Eckert made the motion to approve the vouchers, Ben LoParo seconded it. Roll Call (Ayes) Eckert, LoParo, Bonamassa, Collamer, Shapiro, Tredy, Wetter, Petrosilli, Lippincott, Sneddon.

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CORRESPONDENCE:

Letter from State of New Jersey Pinelands Commission dated September 14, 2015

RESOLUTIONS: NONE

OLD BUSINESS:

- a. Docket 03-13-PB, Seaman Higgins, 112 Wells Mills Road, Block 44 Lot 3; discussion regarding lights and fence.

Chairman Sneddon stepped down due to a professional relationship with the applicant.

Dan Collamer, Vice Chair asked the applicant to step forward and present his case.

Seaman Higgins was sworn in by Attorney Yost. Mr. Higgins stated that his residence is 123 Beach Haven West Boulevard, Manahawkin, NJ
Attorney asked if Mr. Higgins was the owner of Jay Holdings LLC and he said yes he is the sole owner.

Mr. Higgins stated that he is asking for a waiver of the three proposed street lights, along Wells Mills Road, the county decided not to put in the sidewalks and curbs. Without them we feel the lights are unnecessary. They do not provide any lighting on the site itself. Without the curb and sidewalk there is no protection for the lights if a car should run off of Wells Mills Road. In other parts of town where the lights are installed they light up the sidewalk, we don't have a sidewalk so we do not see the need for putting the lights in.

Also asking for relief from putting the fence on the rear of the property. It doesn't provide any purpose with respect to security or protection for us or the public because it is wooded behind the property.

Engineer Jason Worth stated that the relief sought has come to our office and we know that these were items discussed by the board prior so we felt that the applicant should come before the board with this request.

He did mention that the county did eliminate the sidewalk and curb in front of the site so the lights do not serve a purpose other than being along the street. As far as the fence he does confirm that the property is fenced on the east and west side for several hundred feet to the back to a wooded area.

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Vice Chair asked if from the engineers point of view if there is adequate lighting on the site. Engineer Worth said that the street lights would not provide any lighting into the site they would only have lit up the sidewalk. The site has sufficient lighting as far as the parking lot area is concerned. Vice Chair asked about the omission of the fence at the rear. Engineer Worth said with the fence on each side and the gate in the front there is really no other access thru the rear of the site as it is wooded.

BOARD COMMENTS:

John Petrosilli said that he thought it was the applicant that was to put sidewalks and curbs in not the county.

Engineer Worth stated that it was their plan but because Wells Mills Road is a County road they needed their approval. Thru that approval process the county instructed them not to put in the curb and sidewalk.

Seeing no other comments, the Vice Chair asked for a motion of approval or denial.

James Eckert made a motion for approval and Ben LoParo seconded it. Roll Call (Ayes) Eckert, LoParo, Bonamassa, Shapiro, Tredy, Wetter, Petrosilli, Lippincott, Collamer

Chairman Sneddon brought up that we needed to discuss an old case.

Attorney Yost stated that the case referred to is Manny Pereira which an application that has been around forever. He reached out to his attorney, and they said that they don't represent him anymore. He also called the Pinelands Commission, and they said there has been no movement in a long time. He cannot come before us until he gets his certificate of filing with the Commission.

Attorney Yost is recommending that we should send him a notice that we are putting it on the December agenda and state that the board is going to take action to dismiss his case without prejudice.

Secretary Clune said that in talking with our attorney she went over what she will send to Mr. Pereira.

- 1) Notice of Violation – he isn't in compliance with the Comprehensive Management Plan of the Pinelands that we adopt.
- 2) Also regarding the use of the property being commercial in forestry area
- 3) I will send the Notice of Violation listing all of the ordinances that he is in violation of.

Aaron Shapiro made a motion authorizing Attorney Yost to send a letter to Manual Pereira in reference to dismissing his application without prejudice.

NEW BUSINESS: NONE

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Chair asked what we have tentative for December. Secretary stated what she has pending and Attorney Yost stated that we should have a closed session in December re Mt Laurel.

Chair asked for a motion to open to the public

All in favor to open to the public

OPEN TO THE PUBLIC

Chair stated there was no one to come forward

Chair asked for a motion to close to the public

All in favor to close to the public

CLOSED TO THE PUBLIC

Chairman Sneddon thanked Dan Collamer for his service as a member of the Planning Board.

Chair asked for a motion to adjourn

Dennis Tredy made a motion to adjourn and Nicholas Bonamassa seconded it. All in Favor

Meeting adjourned at 7:19 P.M.

Respectfully Submitted By:

Laurie Clune

LC/ld