

**South Harrison Township
Planning/Zoning Board of Adjustment
February 11, 2008**

The South Harrison Township Planning/Zoning Board of Adjustment held a regular meeting on February 11, 2008 at 7:00 p.m. in the South Harrison Township Municipal Building.

The meeting was called to order by Marc Nagtegaal, Chairperson and was followed by the flag salute.

Requirements of the "Open Public Meetings Act" were met.

Roll Call: Robert Schenk – present, Gary Spinner – present, Thomas Sorbello – present, Melvin Robertson – present, Marc Nagtegaal – present, Joseph Wille – present, Charles Tyson, – absent, Robert Campbell – present, Joseph Calabro – present, Jonathan Roth – present, John Coleman – absent, Gary Thompson, Board Solicitor – present, James Spratt – Board Engineer – present, Leah Furey, Planner – absent, Celeste Keen, Secretary – present.

Minutes:

Motion to approve the regular minutes of November 1, was made by Gary Spinner, second by Melvin Robertson. Motion carried.

Motion to approve the work session minutes of November 15, was made by Robert Campbell, second by Melvin Robertson. Motion carried.

Motion to approve the reorganization minutes of January 3, was made by Gary Spinner, second by Melvin Robertson. Motion carried.

Motion to table the work session minutes of January 28, was made by Joseph Calabro, second by Robert Campbell. Motion carried.

Robert Campbell asked Gary Thompson for clarification on the Master Plan process. Mr. Thompson explained that the Board approves the Reexamination of the Master Plan, the Township Committee does not approve the Master Plan. Items that implement the Master Plan go before the Township Committee so that changes in the ordinances can be adopted by the Committee.

Old Business:

Resolution R-08-06

**Resolution Authorizing Report to the Township Committee
Re: Proposed Amendments to the Land Use & Development Ordinance**

Motion to adopt resolution R-08-06 was made by Joseph Wille, second by Robert Campbell.

Roll Call: Robert Schenk – abstain, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Campbell – yes, Joseph Calabro – abstain, Jonathan Roth – abstain **R.C.V.: 6 – yes', 0 – no's, 3 – abstentions.**

Motion carried.

Resolution R-08-07

**Resolution Granting an Extension of Final Major
Subdivision Approval to Santo Maccherone
Re: Block 1, Lots 2, 3, 6–9 and Block 5, Lots 4, 27**

Motion to adopt resolution R-08-07 was made by Joseph Wille, second by Melvin Robertson.

Roll Call: Robert Schenk – yes, Gary Spinner – yes, Thomas Sorbello – abstain, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Campbell – yes, Joseph Calabro – yes, Jonathan Roth – yes **R.C.V.: 8 – yes’, 0 – no’s, 1 – abstention. Motion carried.**

Resolution R-08-08

**Resolution Granting an Administrative Approval for a Revision
to the Sign Plan and Sign Easement for Cambridge Meadows
Re: Block 11.01, Lot 7**

Motion to adopt resolution R-08-08 was made by Joseph Wille, second by Gary Spinner.

Roll Call: Robert Schenk – abstain, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Campbell – yes, Joseph Calabro – abstain, Jonathan Roth – abstain **R.C.V.: 6 – yes’, 0 – no’s, 3 – abstentions. Motion carried.**

Resolution R-08-09

**Resolution Granting Amended Preliminary & Final Major
Subdivision Approval and a Waiver to Willow Pond Homes, Inc.
Re: Block 7, Lots 16.01 & 16.02**

Motion to adopt resolution R-08-09 was made by Thomas Sorbello, second by Joseph Wille.

Roll Call: Robert Schenk – abstain, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Campbell – yes, Joseph Calabro – abstain, Jonathan Roth – abstain **R.C.V.: 6 – yes’, 0 – no’s, 3 – abstentions. Motion carried.**

New Business:

**Valley Green – #010-193-07
Madison Estates (Major Subdivision)**

Jeffrey Daniels, applicant’s attorney, appeared before the Board. Daniel Schempp, applicant and Pam Pellegrini, applicant’s engineer appeared before the Board and were sworn.

James Spratt, Board’s engineer, was sworn.

Mr. Daniels summarized the application through the preliminary major subdivision approval for Block 19, Lot 3. The development is located on the Northwesterly corner of State Highway 45 and Marl Road and will consist of six (6) new lots and the remainder of the existing lot.

Ms. Pellegrini reviewed her response letter addressing the points of Mr. Spratt's review letter dated February 5, 2008. Most conditions have been satisfied, the outstanding revisions are agreed to be provided to the Board's satisfaction.

Joseph Calabro requested clarification regarding the advantages of providing rain gardens for stormwater management. Ms. Pellegrini explained the principle of the bio retention system, commonly referred to as rain garden, is a shallow depression that is landscaped with certain types of plantings whose purpose is to collect the runoff from the driveways. The impurities in the rainwater runoff from the impervious surface of the driveway is directed into the bio retention system. The homeowner is the primarily responsible to maintain the rain gardens, secondly the Homeowners Association is responsible. Mr. Daniels noted that that language will be contained in the Homeowners Association documents. Finally, the Township will have the right, but no obligation, to come onto the properties to repair them and charge the lot owners and/or Homeowners Association.

Gary Spinner asked if there would be any common area within the development that would require a Homeowners Association. Mr. Daniels stated that there was none.

Marc Nagtegaal advised caution during construction to prevent stormwater runoff onto neighboring residents or onto the road.

Gary Thompson stated that currently the Parkland Trust is to be submitted prior to any building permits issued.

Motion to collect Parkland Trust upon final approval was made by Joseph Calabro, second by Joseph Wille.

Roll Call: Robert Schenk – no, Gary Spinner – no, Thomas Sorbello – no, Melvin Robertson – no, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Campbell – no, Joseph Calabro – yes, Jonathan Roth – no, John Coleman – absent **R.C.V.: 3 – yes', 6 – no's, 0 – abstentions. Motion denied.**

Motion to open the meeting to the public on this matter only was made by Thomas Sorbello, second by Robert Campbell. Motion carried.

Lester Shoemaker, Jr. of 87 South Main Street, Mullica Hill inquired as to who would be responsible to inspect rain gardens? Marc Nagtegaal advised that during construction the Township Engineer would be responsible, after completion the homeowner will be responsible with the Homeowner's Association being subsequently responsible.

Motion to close the meeting to the public on this matter only was made by Gary Spinner, second by Joseph Calabro. Motion carried.

Motion to approve major subdivision application subject to all conditions set forth was made by Thomas Sorbello, second by Robert Campbell.

Roll Call: Robert Schenk – yes, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Campbell – yes, Joseph Calabro – yes, Jonathan Roth – yes **R.C.V.: 9 – yes’, 0 – no’s, 0 – abstentions. Motion carried.**

Payment of the Bills:

Motion to approve payment of the bills was made by Joseph Wille, second by Robert Schenk.

Roll Call: Robert Schenk – yes, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Campbell – yes, Joseph Calabro – yes, Jonathan Roth – yes **R.C.V.: 9 – yes’, 0 – no’s, 0 – abstentions. Motion carried.**

Mel Robertson advised Lester Shoemaker, Jr. of discussions held regarding his father’s property. Mr. Robertson wanted to assure Mr. Shoemaker that the Township in no way has any intentions on using eminent domain to obtain the property. Mr. Robertson felt that in the future if the property was to be sold, a “Peddler’s Village” style establishment would be a better alternative than more housing development.

Joe Calabro suggested having informal meetings with the Board professionals, for a fee, to get the opinions of the professionals. Gary Thomson advised that the Township currently has an informal review fee within the fee ordinance.

Open Meeting to the Public:

Motion to open the meeting to the public was made by Thomas Sorbello, second by Gary Spinner. Motion carried.

Lester Shoemaker, Jr. of 81 Main Street, Mullica Hill feels informal reviews should be held at public meetings. The Board advised that all informal reviews would be held during the regularly scheduled Planning/Zoning Board meetings.

Close Meeting to the Public:

Motion to close the meeting to the public was made by Robert Schenk, second by Joseph Wille. Motion carried.

Adjournment:

Motion to adjourn was made by Gary Spinner, second by Thomas Sorbello. Motion carried.

Respectfully submitted,

Celeste Keen
Board Secretary