

**BOROUGH OF WOODBINE
COUNTY OF CAPE MAY
PLANNING / ZONING BOARD
SUMMARY MINUTES
July 12, 2017**

REGULAR MONTHLY MEETING was called to order by Vice-Chair Sherby at 7:00 P.M.

MEMBERS PRESENT: Councilman Benson, Councilman Bennett (Mayor's Designee), Mr. Hudgins, Mr. Keenan, Ms. Marra, and Vice-Chair Sherby.

Also, in attendance were Solicitor Brock Russell, Board Professional, Lewis H. Conley, and Board Secretary Monserrate Gallardo-Rodriguez.

MEMBERS ABSENT: Mr. Doran. Chairperson Fisher notified the Secretary via phone that she would be unable to attend this meeting. Mr. Gaines notified via email that he would be unable to attend this meeting. Mr. Watson also notified the Secretary via email that he would be unable to attend this meeting.

Adequate notice of this meeting was provided in compliance with the Open Public Meeting Act by notifying the Atlantic City Press on January 18, 2017, and by posting a copy of said notice on the Lobby Bulletin Board, of the Borough Hall.

An audio recording of this Open Public Meeting is filed with the Secretary of the Board.

Vice-Chair Sherby led the Board to the Pledge of Allegiance.

NEW BUSINESS:

Vice-Chair Sherby requested that the new applications be heard before continuing with the regular meeting.

New Application: Allen Osmundsen

**Application No. 1-6-17
Block 102 Lot 1
Morris Avenue/Tyler Road
Minor Subdivision**

Engineer Mark Gibson of Gibson Associates introduced the above listed application. He stated where the property was located and gave brief details of said property. He stated that he would be presenting a few pieces of evidence for the Secretary to file. Before he began, he was sworn in by Solicitor Russell. Engineer Gibson proceeded to submit a few documents pertaining to the application. Proof of publication was noted on record. Engineer Gibson also commented on a typo that existed in the CMC Planning Board letter dated July 11, 2017. He stated he would have said error corrected.

He continued the hearing by requesting a waiver regarding the septic system. He agreed with all the conditions and/or recommendations from the Board Professional's report dated July 5, 2017. Solicitor Russell commented on said report. Board Members were asked if they had any questions. No one had any questions. Solicitor Russell asked if there were any of the audience that wanted to comment on said application. The hearing was opened to the public. Solicitor Russell swore in Frederick Schalek, resident located at 1000 Morris Avenue.

Mr. Schalek proceeded to give a brief history and a status update of Morris Avenue. He wanted to know what would be done regarding said road. A discussion was initiated regarding this matter. Solicitor Russell swore in Board Professional, Lewis H. Conley. Mr. Conley questioned who had informed Mr. Schalek that he would be

responsible for taking care of the road. Mr. Schalek addressed his question. Councilman Benson also questioned Mr. Schalek regarding this matter. More discussion was initiated.

Solicitor Russell continued the hearing by swearing in Applicant Allen Osmundsen of 276 Myrtle Avenue, Dennisville, NJ. His property adjoined the property in question. Mr. Osmundsen asked Mr. Schalek what he would like to see happen regarding the property in the proposed minor subdivision. Mr. Schalek addressed his question. He stated that he did not have a problem with the minor subdivision but he wanted to know if the Applicant would be required to take care of the road along with Mr. Schalek and Mr. Andrew Castor of 1001 Morris Avenue who was also present in the audience. Mr. Schalek just wanted some agreement that would require the Applicant to help in maintaining the road. Solicitor Russell read from the MLUL regarding this matter. Mr. Conley also read.

Board Professional Conley continued the hearing by discussing the issues that could possibly arise in trying to obtain building permits. More discussion continued regarding the maintenance of Morris Avenue. Engineer Mark Gibson summarized the discussion for the Board Members. Mr. Schalek thanked the Board for their time. The Secretary commented on the circumstances regarding the original land sale. After the discussion, a motion was made and seconded to close the public hearing.

MOTION TO CLOSE THE PUBLIC HEARING FOR APPLICATION NO. 1-6-17 REGARDING THE PROPOSED MINOR SUBDIVISION ON PROPERTY BLOCK 102 LOT 1 IN THE BOROUGH OF WOODBINE was:

OFFERED BY: Mr. Hudgins

SECONDED BY: Councilman Bennett

ROLL CALL: 6 Voted In Favor

0 Abstained 0 Opposed

Engineer Gibson summarized the details regarding the proposed minor subdivision. Solicitor Russell asked if the Board Members had any final questions. No one had any questions. Solicitor Russell summarized the details for the motion.

MOTION TO GRANT A MINOR SUBDIVISION APPROVAL SUBJECT TO CONDITIONS AS LISTED ON THE BOARD PROFESSIONAL'S REPORT DATED JULY 5, 2017 FOR APPLICATION NO. 1-6-17 FOR APPLICANT ALLEN OSMUNDSEN OF BLOCK 102 LOT 1 ALSO KNOWN AS MORRIS AVENUE/TYLER ROAD IN THE BOROUGH OF WOODBINE was:

OFFERED BY: Mr. Hudgins

SECONDED BY: Councilman Bennett

ROLL CALL: 6 Voted In Favor

0 Abstained 0 Opposed

At this time, Vice-Chair Sherby introduced the following application:

New Application: Brian McEwing/
Jodie Schweibinz

**Application No. 2-7-17
Block 107 Lot 5
1057 Tyler Road
Minor Subdivision**

Solicitor Russell swore in Applicant Brian McEwing. He also swore in his Engineer, Paul Dietrich. Engineer Dietrich gave his credentials. Solicitor Russell requested to qualify Mr. Dietrich as an expert and planner. Mr. McEwing stated the purpose for the minor subdivision. Engineer Dietrich proceeded to give details regarding the application. Solicitor Russell summarized what acreage each lot would contain after the subdivision was

done. Engineer Dietrich stated that a study would have to be completed regarding possible endanger species in the area. Board Professional Lewis H. Conley was sworn in by Solicitor Russell. Mr. Conley gave his credentials and then proceeded to explained how the subdivision would be done so that it would not need any variances or waivers.

At this time, Solicitor Russell requested to open the hearing to the public. It was noted for the record that there was no one present to offer any comment on this application. Since no one was present, the hearing was closed to the public.

MOTION TO CLOSE THE PUBLIC HEARING FOR APPLICATION NO. 2-7-17 REGARDING THE PROPOSED MINOR SUBDIVISION ON PROPERTY BLOCK 107 LOT 5 IN THE BOROUGH OF WOODBINE was:

OFFERED BY: Councilman Bennett

SECONDED BY: Mr. Keenan

ROLL CALL: 6 Voted In Favor

0 Abstained 0 Opposed

Solicitor Russell continued the meeting by summarizing the conditions for the voting on the minor subdivision.

MOTION TO GRANT A MINOR SUBDIVISION APPROVAL SUBJECT TO CONDITIONS AS LISTED ON THE BOARD PROFESSIONAL'S REPORT DATED JULY 5, 2017 FOR APPLICATION NO. 2-7-17 FOR APPLICANTS BRIAN McEWING AND JODIE SCHWEIBINZ OF BLOCK 107 LOT 5 ALSO KNOWN AS 1057 TYLER ROAD IN THE BOROUGH OF WOODBINE was:

OFFERED BY: Councilman Benson

SECONDED BY: Mr. Hudgins

ROLL CALL: 6 Voted In Favor

0 Abstained 0 Opposed

APPROVAL OF THE MINUTES for June 14, 2017 as prepared by the Secretary was:

OFFERED BY: Councilman Bennett

SECONDED BY: Vice-Chair Sherby

ROLL CALL: 5 Voted In Favor

1 Abstained 0 Opposed

Councilman Benson abstained.

ESCROW REPORT: The Secretary reported regarding the Regular and Pinelands Escrows. She read an email from the CFO.

UNFINISHED BUSINESS:

Zoning Map and Related Ordinances:

Board Professional Lewis Conley reported that he has reviewed everything regarding the planning grant and would get it ready for submission. He also spoke regarding the Robert Breunig application. He stated that he had sent correspondence to Mr. Breunig and have not yet received a response from him. A brief discussion was initiated regarding this matter which included possible enforcement if conditions on the application were not met. Storm water management was also discussed. Mr. Conley concluded with other active applications on his report.

Recommendations from the Engineer: Board Professional Conley discussed the exceptions to the ordinance regarding definition of how one determines front yard setbacks on corner lots. He stated it should be under definitions and not under exceptions to the ordinance.

Recommendations from the Solicitor: Nothing to report.

There being no other official business to come before the Board, Chairperson Fisher called for a motion for adjournment at 8:10 P.M.

MOTION FOR ADJOURNMENT:

OFFERED BY: Councilman Bennett

SECONDED BY: Ms. Marra

ROLL CALL: All Present Voted In Favor

Respectfully submitted by:

Monserate Gallardo-Rodriguez

Monserate Gallardo-Rodriguez
Board Secretary