

# ALLOWAY TOWNSHIP PLANNING BOARD

Township Municipal Building, Auditorium  
49 South Greenwich Street  
Alloway, New Jersey 08001

## MINUTES FOR REGULAR MEETING – March 9, 2016

Meeting called to order at 7:01 P.M.

Statement of adequate notice of meeting was read and the flag salute performed.

**Present:** Allen English, Beth Reilly, Kristen Coleman, Alexis Coleman, Craig Kane, Ron Zarin, Warren Wieting, Biff Crossley, Walter Leslie, Phil Donohue

**Absent:** Jack Cianfrani

Reappointed member, Phil Donohue – Alternate No. 2 (absent at January meeting) was sworn in by Solicitor Albano.

A Motion was made by Member Kane, seconded by Member K. Coleman, to approve the minutes from the January 13, 2016 meeting. Unanimous voice vote.

Chairman Coleman opened the meeting to the public for comment on matters not on the agenda. None.

Public comment closed.

Resolutions:	2016-01	Reorganization
	2016-02	Solicitor
	2016-03	Engineer
	2016-04	Planner

**Business:** Fieldstone Estates, LLC (B 109, L 4.01) – Extension of Major Subdivision Approval

John D. Jordan, Esquire, attorney for Jay Perry, Applicant's representative, appeared with Mr. Perry. Mr. Jordan gave an overview regarding the 2005 approval and Permit Extension Act which ultimately extended said approval to December 31, 2015. Messrs. Jordan and Albano discussed their respective interpretations of the ability to further extend the major subdivision approval. Mr. Perry, 293 Auburn Road, Pilesgrove, New Jersey, was sworn and briefly outlined his desire to further extend the approval so that planning and construction could/may commence within the next three (3) years. He advised the subdivision consists of 9 lots on a cul-de-sac with one lot fronting on Route 540. There are bonds in place.

Mr. Albano discussed with the Board his interpretation of the law in that the approval could be extended six (6) months out from December 31, 2015. After said time period an application would have to be filed to re-establish the subdivision. The Board questioned Mr. Perry as to his immediate desire with regard to the subdivision. He advised he is currently investigating developing the subdivision. The Board felt it would be prudent to review the 2005 approval, and 2007 extension thereof prior to granting an extension of the approval. It was ultimately decided that the approval could be extended to June 30, 2016 (without prejudice) while the Board reviews the prior approval(s). Messrs. Jordan and Perry agreed such a resolution was fair and reasonable at said time. A motion was made by Member Reilly, and seconded by Member

Donohue, to extend the approval to June 30, 2016. A roll call vote was taken with nine (9) affirmative votes.

Better Homes Building Products (B 63, L 17) – Bulk (“C”) Variance

Jordan Goldberg, Esquire, appeared on behalf of Applicant, Better Homes Building Products. He was accompanied by Gilbert Warren, CFO, of Applicant. Mr. Warren, residing at 50 Charter Oak Lane, Medford, New Jersey, was sworn and provided testimony, together with Mr. Goldberg, regarding the desire to receive two (2) bulk variances, one for lot width, and one for lot area. The property is pre-existing and non-conforming, current has a home located thereon which has been abandoned and is foreclosed. Applicant’s plan is to demolish the existing residence and build a new, approximately 2,000 square feet residence thereon. Salem County Health Department approval has already been secured for an on-site septic system.

The Board questioned whether adjacent land could be purchased from a neighboring property owner to bring the lot into compliance. Applicant made an attempt to contact an adjoining neighbor, but was unsuccessful.

The Board next reviewed the February 29, 2016 letter by its Engineer, Mark R. Brunermer, P.E.. Items 1 through 7 were confirmed to have been complied with by the Board’s Secretary. Item 8 (waiver of requirement for an EIS) was granted for completeness purposes.

It was noted that Lot 18 should be listed as Lot 16 (typographical error) in Item 4 under Zoning.

The technical review portion of the letter was discussed noting the deviation between the floor plan and site plan as to the garage entry being on the front or side of the home. Applicant advised the garage would be located on the side of the home, not the front. Applicant also confirmed that the existing cesspool would be closed and after inspection approved by the Salem County Health Department, together with approvals for the new well and septic by same. The Environmental Impact Statement may be waived as long as confirmation is had regarding whether there is an existing underground/in basement oil tank which must be removed and/or remediated. The existing home must be properly demolished and landfilled, together with Applicant obtaining any and all other outside approvals.

No comment was made by the Board to the application.

A motion was made by Member Donohue, and second by Member \_\_\_\_\_, to open the meeting to the public. None was made. A motion was made by Member Donohue, and second by Member Reilly, to close the public portion of the meeting.

A motion was made by Member Crossley, and seconded by Member Donohue, to grant the bulk variances as to lot area (1.47 with 2.0 acres being required) and lot width (176.27’ with 200’ being required) to demolish and landfill the existing structure and construct a single family dwelling thereon.

Angelo Massari, Inc. (Block 13, Lot 7) - Site Plan Renewal–Clay Extraction

Joseph M. DiNicola, Jr., Esquire, attorney for Applicant, appeared to request a five (5)- year extension of the site plan approval for a clay mining operation on the property. Member Leslie requested to step down from the application as a voting member as his property borders that of the clay mining operation. Mr. Albano advised he could still comment as a member of the public on the application.

Mr. DiNicola presented his client, Greg Massari, 305 North Virginia Avenue, Carneys Point, New Jersey, who was sworn and testified that the approval was originally granted in approximately 1980. There is approximately 164.01 acres with 52.7 acres set aside for clay extraction with 10 acres being closed in 2011, 9.48 acres being used now, and approximately 8.33 acres set aside for future use. The amount of clay being extracted has dramatically reduced over the last 10 years. No more than a 10-acre area is open at any one time and the area being extracted is graded so that no holes or puddling occur. The extraction may only take place to a depth of 30' and the water table is at 60' in the area. There is a restoration plan in place should the area cease to be used.

Mr. DiNicola advised that approximately \$310,000 in taxes have been collected by the municipality over the last 10 years, Applicant is not requesting any changes to the existing approval, and confirmed that maintenance and performance bonds are in place and renewed each year.

Mr. Brunermer requested an updated map be filed with the Board as well as reviewed and approved by the Soil Conservation District. Applicant agreed to same.

A motion was made by Member Donohue, and second by Member K. Coleman, to open the meeting to the public. None was made. A motion was made by Member Donohue, and second by Member K. Coleman, to close the public portion of the meeting.

Member Donohue made a motion to renew the approval for five (5) years, and was seconded by Member Reilly.

#### Master Plan Update

The Master Plan was briefly discussed with Solicitor Albano advising same must be reviewed every 10 years, the Township and Board are able to advise that no changes are necessary at the present time, but have the ability to re-exam at any time within the 10-year period, certain criteria must be included in the plan, i.e., recycling plan, etc.. There is no need for COAH provisions as same is to be dismantled and no firm plan is in place for the future. The Master Plan has no jurisdiction of roads currently built. A public hearing to be scheduled later this year must be held with notices being sent to all bordering municipalities.

Chairman Coleman opened the meeting to the public for comment on matters not on the agenda.

G. Philip Lewis, Esquire, together with his clients, Karen Atanasio (owner) and her son appeared to advise an application had been made and approval received for a "D" variance on March 8, 2016, to operate a construction business upon property located in Quinton Township. The entrance to the property is located in Alloway Township and as a condition of the approval, application must be made to the within Board. A site plan application will be filed in the near future.

Correspondence was briefly discussed. Member Donohue questioned the SCIA expansion and Mr. Leslie advised he will send a letter to SCIA requesting they advise of the current status of use and planned expansion at the landfill.

The Gaskill bulk variance was briefly discussed as the property in question had previously received a bulk variance to construct a home fronting the lake upon a substandard lot. It was also discussed that a section of the Ordinance was inadvertently removed during codification which states that unless acted upon, such approvals

expire within one (1) year. The Township Solicitor is to prepare an ordinance to reinsert same into the Code.

The tape machine stopped working during the Gaskill discussion.

On motion by Member Donohue, seconded by Member Reilly, the meeting was adjourned at 8:25 PM.  
Unanimous voice vote.

Respectfully submitted,

Suzanne D. Pierce  
Planning Board Secretary