

**Township of Lumberton
Land Development Board
Regular Meeting
January 15, 2009**

The regular meeting of the Lumberton Township Land Development Board was called to order by Chairman Bennett on Thursday, January 15, 2009 at 7:12 p.m.

Chairman Bennett read the following statement:

In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner:

On January 2, 2009 advance written notice of this meeting was posted on the bulletin board in the main lobby in the Town Hall; was mailed to the Burlington County Times and the Courier Post; was filed with the Clerk of Lumberton Township and was mailed to all persons who requested and paid for such notice.

Please note that unless otherwise modified by Resolution of the Land Development Board, all meetings shall begin at 7:30 p.m. and no new matter shall be initiated after 11:00 p.m., except where the Land Development Board, by majority vote of those present, shall specifically authorize the extension of the meeting beyond 11:00 p.m.

Those testifying before the Board on any application are required to be sworn in. The Board's Engineer and Planning Consultant have taken an oath upon their agreement and their testimony on an application is under oath on a continuing basis.

Roll Call

Citizen Member	Thomas Ammerman Robert Bennett, Chairman Thomas Bintliff Sheldon Evans Beverly Marinelli Robert Morton John Pagenkopf	
Representatives of Governing Body	James Conway, Jr. Lewis Jackson	
Alternate #1	Nancy Bleznak	(Absent)
Alternate #2	Craig Potter	
Alternate #3	Doug Alba	(Absent)
Alternate #4	Ed Borm	
Solicitor Consulting Engineer & Planner	Peter Emmons, Esq., Gibbs, Gregory & Emmons Gregory J. Sullivan, P.E., P.P., Remington, Vernick & Arango	
Board Secretary	Catherine Borstad	

Mr. Sullivan was sworn to provide testimony.

Minutes

A. Regular Minutes for December 18, 2008 meeting

Motion was made by Ms. Marinelli, seconded by Mr. Conway to approve the meeting minutes of December 18, 2008. The vote was affirmative with the exception of Mr. Jackson, who abstained, and the motion carried.

Correspondence

- a. Letter from Mr. Edward Sheehan, dated 12/30/08, regarding 20 Maple Ave, Cave Holdings

Ms. Marinelli asked if the letter was adequate. Mr. Emmons stated that the applicant is not permitted to do this. Mr. Emmons stated that if the applicant is to change the use he will need to submit a new application for site plan approval. Mr. Emmons will address this matter with Mr. Sheehan.

- b. Letter from Patrick McAndrew, dated 12/23/08, regarding 1586 Route 38, B & R Properties.
- c. Letter from Patrick McAndrew, dated 01/12/09, regarding 1586 Route 38, B & R Properties.

Resolutions

- a. 2009-04 Adopting report of findings and recommendations for the 2008 Annual Report to the Lumberton Township Committee.

Mr. Emmons went over the report with the Board. Mr. Emmons stated that this report is required by any Board of Adjustment. He stated that at the end of every year the Board will go over all variances that have been granted and compile a report to send to the Township Committee with any recommendations regarding the zoning code. Mr. Emmons stated that in the 2007 report there were nine suggested ordinance revisions which still remain.

Mr. Emmons suggested tabling the resolution until next months meeting to allow the Board members time to go over the report to make any recommendations.

Motion was made by Mr. Conway, seconded by Ms. Marinelli to table Resolution 2009-04 until the February meeting. The vote was unanimous and the motion carried.

Items for Action

- a. Discussion for Formulating an Ordinance for Creek Maintenance.

Mr. Emmons stated that this is needed to clarify that any resident who has creek frontage is responsible to maintain that creek frontage to keep the water flow moving. He stated that simple amendments in the code will clarify.

Mr. Pagenkopf stated that there are State regulations with the maintenance of open waters. He stated that the Board will have to make sure the code is in compliance with the state regulations.

Mr. Jackson stated that the Committee wanted to give the Land Development Board consideration to review.

Mr. Conway stated that the Bridge Commission is presently keeping the area clear. Mr. Conway stated that this is to encourage land owners to maintain their creek frontage.

Mr. Sullivan stated that he would like to take a look at the proposal.

Mr. Conway suggested Mr. Emmons revise the Ordinance and then forward to Mr. Sullivan for any comments.

Old Business

a. 20 Maple Ave, LLC., (Cave Holdings)

Mr. Emmons will send a letter to the attorney. He stated that this is on the agenda to keep the Board aware of the status of the application.

Public Comment

There were none.

Comments from Professionals

Mr. Sullivan thanked the Board on behalf of Remington & Vernick for the appointment.

Ms. Borstad stated that all new members are required to take the NJ Planning mandatory training program. She asked Mr. Borm to let her know which day and time he will be taking the course. She stated that if anyone on the Board would like to take any of the advance classes to let her know.

Comments from the Board

A. Bill List

Motion was made by Ms. Marinelli, seconded by Mr. Conway to approve the bill list. Mr. Pagenkopf stated that he would be abstaining from the RBA-Ferrell bill. The vote was unanimous and the motion carried.

Mr. Pagenkopf stated there was a correction to his email.

Adjournment

Motion was made by Mr. Conway, seconded by Mr. Bintliff to adjourn at 7:31p.m. The vote was unanimous and the motion carried.

Respectfully Submitted,

Caryn L. Cutts
Land Development Board Secretary