

**Township of Lumberton
Land Development Board
Regular Meeting
January 21, 2010**

The regular meeting of the Lumberton Township Land Development Board was called to order by Chairman Morton on Thursday, January 21, 2010 at 7:30p.m.

Chairman Morton 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 4, 2010 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 (Absent) Beverly Marinelli Robert Morton John Pagenkopf
Representatives of Governing Body	James Conway, Jr. Lewis Jackson
Alternate #1 Alternate #2 Alternate #3 Alternate #4	Nancy Bleznak Craig Potter Doug Alba (Absent) Ed Borm
Solicitor Consulting Engineer & Planner	Peter Emmons, Esq., Gibbs, Gregory & Emmons Gregory J. Sullivan, P.E., P.P., (Arrived 7:40) Remington, Vernick & Arango
Board Secretary	Catherine Borstad

Mr. Sullivan & Mr. Citerone of Remington, Vernick & Arango Engineers, both sworn as the Board's Engineer and Planner for the year.

Minutes

Regular Meeting minutes for December 17, 2010.

Ms. Marinelli stated that although she was not present at the meeting, she listened to the transcript, and has some minor additions to the minutes.

Chairman Morton stated that everyone has received a supplemental insert with changes to the minutes.

Motion was made by Mr. Pagenkopf seconded by Mr. Potter to approve the December 17, 2009 meeting minutes. The vote was affirmative with the exception of Mr. Conway, Mr. Jackson and Ms. Marinelli, who abstained, and the motion carried.

Correspondence

There was none.

Resolutions

- a. 2009-26 Blair, Debra, 16 Fenimore Road, Block 34.01, Lot 7, Use Variance for In-Law Suite. Approved

Motion was made by Mr. Ammerman, seconded by Mr. Potter to approve Resolution 2009-26. The vote was affirmative with the exception of Mr. Conway, Mr. Jackson and Ms. Marinelli, who abstained, and the motion carried.

- b. 2009-27 20 Maple Avenue, LLC (Cave Holdings), 20 Maple Avenue, Block 13, Lot 3.91. Minor Site Plan and Use Variance. Application deemed incomplete, continued to January 21, 2009

Motion was made by Mr. Ammerman, seconded by Mr. Pagenkopf to approve Resolution 2009-27. The vote was affirmative with the exception of Mr. Conway, Mr. Jackson and Ms. Marinelli, who abstained, and the motion carried.

Items for Action

- a. ***Rogers, George & Cyrelson, Florane***
78 Ark Road
Block 37, Lot 10
Bulk Variance (Side Yard Setback) for addition (7:34-7:44)

Mr. George Rogers, applicant, sworn to provide testimony.

Mr. Rogers stated that he would like to put an addition onto his house. He stated that his wife recently retired, and she likes to paint. He stated that the addition will be used for her paint room.

Mr. Rogers stated that the foundation size is 18' x 20'.

Chairman Morton asked how far Mr. Rogers is away from the creek. Mr. Rogers stated approximately 20' from the creek and approximately 200' from his neighbor. Chairman Morton stated that there may be concern with the flood plain. Mr. Rogers stated that he has submitted

a survey that was done by the previous owner which stated that the area had not flooded in over 100 years.

Chairman Morton asked Mr. Rogers how long he has owned the property. Mr. Rogers stated three years. Chairman Morton asked if there had been any flooding problems in those three years. Mr. Rogers stated no.

Chairman Morton asked if Mr. Rogers is going to use the existing foundation as is. Mr. Rogers stated yes.

Ms. Marinelli confirmed that the foundation exists. Mr. Rogers stated yes. Ms. Marinelli stated that currently there is a deck on the foundation. Mr. Rogers stated yes.

Mr. Ammerman asked if the Mr. Rogers stated that the foundation was originally put in by the previous owner. Mr. Rogers stated yes. He stated that the previous owner was going to build a sun-room.

Ms. Marinelli stated that there is quite a bit of distance between this property and the neighbor. She stated that there are woods between the properties.

Mr. Sullivan stated that the survey does not indicate flood plain. Mr. Rogers stated that there was a letter left by the previous owner that he submitted to the township. He stated that the letter stated that the house has not flooded in the past 100 years.

Mr. Sullivan stated that there have been major changes to the rules with the flood plain. Mr. Sullivan asked if the 2006 survey that was submitted is accurate with no changes to the property since that then. Mr. Rogers stated that it is accurate. Mr. Sullivan stated that the applicant is making representation that there have been no changes. Mr. Sullivan stated that the issue in question is whether there is an existing building structure that is in the flood plain. Mr. Sullivan stated that the representation that he has heard from the applicant is that the applicant has inherited the existing foundation. He stated that the foundation has already been approved prior to this owner and is grandfathered in under the new flood plain rules.

Mr. Emmons asked what the setback from the property line is. Mr. Rogers stated 20' (+/-) from the property line.

At this time Chairman Morton opened the meeting up for public comment. There being none, this portion of the meeting was closed.

Motion was made by Mr. Jackson seconded by Mr. Conway. The vote was unanimous and the motion carried.

***b. 20 Maple Avenue, LLC (Cave Holdings)
Block 13, Lot 3.91
I-1 Zone
Minor Site Plan and Use Variance Application(Continued to February 18, 2010)***

Mr. Sullivan stated that he met with the applicant out at the site. He also stated that he has received revised plans last week in his office.

Mr. Ammerman asked if Mr. Sullivan has received everything that was requested. Mr. Sullivan stated yes.

Ms. Borstad stated that the applicant has requested to appear before the Technical Advisory Committee before the next meeting.

Motion was made by Mr. Conway, seconded by Ms. Marinelli to continue the application until the February 18, 2010 meeting.

Old Business

There was none.

Public Comment

There was none.

Comments from Professionals

There was none.

Comments from the Board

Ms. Marinelli asked Mr. Emmons how the year end review was coming along. Mr. Emmons stated that he should have it ready by next month's meeting.

A. Bill List

Motion was made by Ms. Marinelli, seconded by Mr. Conway to approve the bill list. The vote was unanimous and the motion carried.

Adjournment

Motion was made by Mr. Conway, seconded by Mr. Pagenkopf to adjourn at 7:46 p.m. The vote was unanimous and the motion carried.

Respectfully Submitted,

Caryn L. Cutts
Land Development Board Recording Secretary