

Minutes of the Commercial Township Land Use Board meeting was held virtually via Zoom in Port Norris on January 27, 2021. Frank DiDomenico called the meeting to order at 6:35pm. It was advised that the meeting was being electronically recorded in accordance with the Open Public Meeting Act and that anyone wishing to speak must state his or her name and address in a clear tone of voice. The Flag Salute was dispensed by Mr. DiDomenico.

SYNOPSIS:

Roll Call:

Michael Vizzard, Mayor
John Nardone, Environmental Commission
Ryan Broughton, Committeeman
LaRae Smith, Class IV Board Member; Chairperson
Debra Karp, Class IV Board Member; Vice Chairperson
Aaron Harden, Class IV Board Member
Dean Berry, Class IV Board Member
Edward Fox, Class IV Board Member
Heike Wheatly, Class IV Board Member
Matt Wheatly, Alternate I
Emmett Vandegrift, Alternate II
Steve Nardelli, Engineer
Frank DiDomenico, Solicitor
Gretchen Esquilin, Board Secretary

REORGANIZATION:

First order is to appoint a Chair. Only a Class IV member can be nominated for the Chair or Vice Chair positions.

LaRae Smith nominated by Mr. Harden and seconded by Ms. Karp for Chair.
With no other nominations a vote was taken as thus:

Roll Call:

Ryan Broughton Yes
John Nardone Yes
Michael Vizzard Yes
Edward Fox Yes
Aaron Harden Yes
Debra Karp Yes
Dean Berry Yes
LaRae Smith Yes
Heike Wheatly Yes

LaRae Smith was named Chairperson. Frank DiDomenico resumed with Reorganization.

Debra Karp was nominated by Mr. Broughton for Vice Chair and seconded by Mr. Nardone.

Roll Call:

Ryan Broughton Yes
John Nardone Yes
Michael Vizzard Yes
Edward Fox Yes
Aaron Harden Yes
Debra Karp Yes
Dean Berry Yes
LaRae Smith Yes
Heike Wheatly Yes

Debra Karp was named Vice Chairperson.

Frank DiDomenico was nominated by Mr. Berry and seconded by Mr. Harden for Board Solicitor.
With no other nominations a vote was taken thus:

Roll Call:

Ryan Broughton Yes
John Nardone Yes
Michael Vizzard Yes

Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

Frank DiDomenico was named Board Solicitor.

Mr. DiDomenico announced the nomination for Secretary. Heather Whitaker resigned and Gretchen Esquilin has been appointed Secretary by the Committee as a Township employee. A formal appointment will be recognized by the Board. A motion was made by Ms. Karp and seconded by Ms. Wheatly for the nomination of Gretchen Esquilin for Board Secretary. With no other nominations a vote was taken thus:

Roll Call:

Ryan Broughton	Yes
John Nardone	Yes
Michael Vizzard	Yes
Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

Gretchen Esquilin is Board Secretary with an Alternate being named at a later date.

Fralinger Engineering was nominated by Mr. Nardone and seconded by Mr. Harden for Board Engineer.

With no other nomination a vote was taken thus:

Roll Call:

Ryan Broughton	Yes
John Nardone	Yes
Michael Vizzard	Yes
Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

Fralinger Engineering, PA is the Board Engineer.

Our meeting dates right now are the 4th Wednesday of the Month at 6:30pm, a motion was made by Ms. Smith and seconded by Mr. Harden to keep the meeting dates and times the same. With no other nominations a vote was taken thus:

Roll Call:

Ryan Broughton	Yes
John Nardone	Yes
Michael Vizzard	Yes
Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

Meetings are to be held on the 4th Wednesday of each month at 6:30 pm.

Currently we have South Jersey Times as our Primary paper with the Daily Journal and Atlantic City Press as the Alternates. A motion was made by Mr. Harden and seconded Ms. Karp to keep it the same. With no other nominations a vote was taken thus:

Roll Call:

Ryan Broughton	Yes
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John Nardone	Yes
Michael Vizzard	Yes
Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

South Jersey Times is the official paper of the Board with the Daily Journal and Atlantic City Press as alternates.

Minutes:

November 25, 2020

A Motion was made by Mr. Fox and Seconded by Ms. Karp to approve the minutes.

Roll Call

Ryan Broughton	Yes
John Nardone	Yes
Michael Vizzard	Yes
Ed Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

Resolutions:

Resolution 2020-13: Covia Holdings

A Motion was made by Mr. Nardone and Seconded by Ms. Karp to approve the resolution.

Roll Call

Ryan Broughton	Abstain
John Nardone	Yes
Michael Vizzard	Abstain
Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Abstain
Matt Wheatly	Abstain
Emmitt Vandegrift	Abstain

New Business

William Myers/Daniel DeTullio
Block 181 Lot 10; 8780 Highland St.
Minor Subdivision

Steve Nardelli was sworn in.

This will first be heard for completeness. Mr. Nardelli's report was referenced for completeness.

Mr. DiDomenico noted Mr. Nardelli's recommendation that the application be deemed incomplete until the applicants can provide a letter of interpretation from the NJDEP regarding the wetlands.

Mr. Nardelli: The application to take Lot 10, basically and cut it in half. There's an existing house on the one portion of it, but there's wetlands that pretty much has the whole back of the property shows up on the DEP Wetland Map. It comes all the way up to the clearing that's on the property now. It's hard to tell what the buffer would be associated with it from the State. It could go from 50' to 150' depending on what the State determines. So, I think it's close enough that the applicants should provide a letter of interpretation from the State. They can do it in a couple of ways. They can either flag the wetlands line and get a line verification or they can go for what they call "a footprint of disturbance" which is they would stake out an area on the new lot that they would construct a home on and the state would verify

that it's clear of any wetlands. That's what I'm recommending. I think it's close enough that it should be provided. The applicant would have to provide it anyway if they go for a septic approval or to build a home, then the agencies are going to require it.

Mr. Nardelli stated that he had no objections to waiving the requirements for a key map on the plan and providing a grading plan.

Mr. DiDomenico addressed the applicants and they agreed that the application is considered incomplete at this time. Mr. DiDomenico then referenced his letter from January 21, 2021 regarding bulk variances.

Mr. William Myers, Applicant, was sworn in.

Mr. DiDomenico: This is a split lot zone. What we have is one lot and it's divided; the northern portion is Conservation Zone and the and the southern portion along the roadway is Village Residential (3). The bulk of the property is in the Conservation Zone. My opinion is that the applicant has to meet the standards for the Conservation Zone and what I utilize is the minimum bulk variance would be a minimum of 3 acres with 300' frontage or width. And here we have 2 lots proposed, one is 1.12' front with 2.28 acres that would trigger 2 variances for frontage which is required to be 300' and again, lot area is required to be at least 3 acres. The second lot has 102' on Highland and with 2.02 acres, again, 300' feet is required and 3 acres is required so that's two more bulk variances.

Mr. Myers: We didn't know all this going in. We were led to believe that we wouldn't have to deal with the Conservation if we were planning on building up front in the Residential Zone.

Mr. DiDomenico informed Mr. Myers that there are significant variances involved and advised seeking legal counsel.

Mr. DiDomenico then addressed the public attending that have an interest in the application. He advised that the application would not be heard due to it being deemed incomplete. He discussed the petition that had been submitted to the Secretary by the public. The Board cannot accept a petition and anyone appearing in favor/against the application must be done virtually or in-person depending on the meeting setting.

With no other questions from the public, applicants, or board on completeness a motion was requested.

A motion was made by Mr. Nardone and Seconded by Ms. Karp to deem the application Incomplete.

Roll Call

Ryan Broughton	Yes
John Nardone	Yes
Michael Vizzard	Yes
Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

The Application is deemed Incomplete.

Mr. DiDomenico turned over the continuation of the meeting to the Chairperson.

CORRESPONDENCE

- *The New Jersey Planner*, Vol. 81 No. 5

BOARD BUSINESS

- Enrollment for NJPO – Mandatory Training Class for members that have not yet received training. Classes will be virtual, see Board Secretary for more information.
- Acknowledgement of new member, Emmitt Vandegrift with instructions to be sworn in.

BILL LIST
APPROVE BILL LIST

A motion was made by Ms. Karp and seconded by Ms. Wheatly to approve the Amended Bill List.
All in favor, none opposed.

Roll Call

Ryan Broughton	Yes
John Nardone	Yes
Michael Vizzard	Yes
Edward Fox	Yes
Aaron Harden	Yes
Debra Karp	Yes
Dean Berry	Yes
Heike Wheatly	Yes
LaRae Smith	Yes

OPEN TO PUBLIC

Mark Sheppard stated he was garnering information for possible future subdivision.

Ms. Karp acknowledged the recent passing of former Land Use Board member, Chris Cannon on January 16, 2021. She had left board due to health complications.

A motion was made by Ms. Karp to close meeting to the public. All were in favor.

ADJORN MEETING

With no other business, Ms. Smith adjourned the meeting.

Gretchen Esquilin
Board Secretary
Next meeting: February 24, 2021