

**Upper Pittsgrove Township  
Land Use Board Minutes  
May 16, 2019**

**TO:** Township Committee  
Land Use Board Members

Linda R. Stephens, Twp. Clerk  
L. Andrew Hoglen, Zoning Officer

A regular meeting of the Upper Pittsgrove Township Land Use Board was held in the Township Hall on the above date. The meeting was called to order at 7:30 P.M. by Board Chairman reading the public announcement stating that adequate notice had been given provided under the “Open Public Meetings Act” and a flag salute.

**Members present were:** John Coombs, Jack Cimprich, Thomas Buzby, William Gantz, Ralph Sickler, David Zeck, Jr., Glenn Myers, George Cassaday and Linda Stephens.

**Also present was:** Adam Telsey, Esq., Board Solicitor, Stephen J. Nardelli, Board Engineer, Dale Taylor, Esq., James Clancy, Lee Fox, Kyle and Amy Morley and daughter, Bruce and Thomas Bishop, Michael and Donna Kavlunas and Krissy DeFrehn, Recorder.

**Business to come before the Board:**

1. Minutes from February 21, 2019
2. Lee M. Fox, Inc.
3. Kyle Morley
4. Resolution –  
Atlantic City Electric

**1. Minutes –**

A motion to approve the minutes from the February 21, 2019 meeting was made by Thomas Buzby. This motion was seconded by Ralph Sickler and adopted unanimously.

**2. Lee M. Fox, Inc. – Block 2 Lot 40.01 – Three Bridge Road**

The Board Chairman opened the hearing for Lee M. Fox, Inc. for a Use Variance and Waiver from providing site plan. Jack Cimprich recused himself from acting on this application. Dale Taylor represented Mr. Fox in this application. Board Engineer, Stephen Nardelli commented, as to completeness, from his review letter dated April 26,

2019. Waivers were being requested - Checklist "A"-Item #10 Letter of Interpretation from DEP, and from Checklist "I" items 5, 7, 8, 9. Mr. Nardelli stated that he saw no issue with granting the waivers. Ralph Sickler made a motion to grant the requested waivers and to deem the application complete. The motion was seconded by David Zeck and adopted unanimously. Lee Fox presented his application to the Board. He was requesting to operate an auction 6-8 weekends per year on Friday evening and Saturday during the day. He wanted approvals to hold an auction on Sunday if weather prohibited auctions the previous days or for special situations. He stated that he had 5 employees on the day of the auctions. He was requesting one identification sign and a directional sign on the frontage of the lot along Route 40. Mr. Fox was proposing no outside storage of the auction items with the exception of equipment. No new lights were proposed. There was currently one pole light and one building mounted motion-sensor light. The hours Mr. Fox was proposing for the auctions would be Friday 4:30PM-9PM, Saturday 10AM-4PM, and as necessary Sunday 10PM-3PM. There would be one food truck located on the property during auction hours only where 40-60 typically attend. Mr. Fox stated that the auction was a country-style auction. James Clancey spoke regarding the proposed stone parking area. Board Member William Gantz questioned provisions for additional parking. Mr. Clancey stated any overflow parking would be directed to the grass area behind the auction building. No ingress or egress would be permitted from Route 40. Board Member Glenn Myers questioned Mr. Fox about the buildings. The existing building was 120 feet by 30 feet and was particularly suited for utilization as an auction. There would be no tractor trailer traffic on the premises and all auction items would be brought in between the hours of 7AM-9PM for unloading.

The Board Chairman opened the hearing to the public for comment. One neighbor, Michael Kavlunas endorsed the proposed use on this property. There being no one else present speaking either for or against this application, the Board Chairman closed the public comment portion of the hearing. Thomas Buzby made a motion to approve the Use Variance request for the auction to be held no more than one weekend a month, Friday and Saturday, Sunday (no more than 6 times a year) if necessary, and to require a site plan be submitted. This motion was seconded by Ralph Sickler and adopted upon a call of the Roll: Ayes: Sickler, Myers, Buzby, Zeck, Gantz, Coombs, and Stephens Nays: None.

### **3. Kyle Morley – Block 56 Lots 19 & 20 – Newkirk Station Road**

The Board Chairman opened the hearing for Kyle Morley. This application was for Minor Subdivision/Lot Line Adjustment with Bulk Variance requests. Mr. Morley explained the Lot Line Adjustment to the Board. He stated that they could not increase the lot to the required 6 acres because it would impede the flow of farm equipment from one field to the next. He continued that they were increasing the area of the lot to make it more conforming and enable any structures to meet current setback requirements. Board Engineer, Stephen Nardelli commented on his review letter dated May 10, 2019 as to completeness. The applicant was seeking waiver requests from Checklist A – Item #10 Provide Letter of Interpretation from DEP. Checklist D – Items #14 (same as A-#10), #16 – 2 foot contours and Item #17 – Grading Plan. Items #16 and #17 would be provided at the time of dwelling construction. Thomas Buzby made a motion to grant the requested waivers and deem the application complete. This motion was seconded by Ralph Sickler.

Mr. Nardelli continued with the technical portion of his review. He stated that Mr. Morley was requesting a waiver from providing the required 100 foot Agricultural Buffer. The Board Chairman opened the hearing to the public for comment. There being none, he closed the public portion to the public for comment. Thomas Buzby made a motion to grant the Minor Subdivision Lot Line Adjustment with Bulk Variances, along with the waiver from providing an Agricultural Buffer. This motion was seconded by Ralph Sickler and adopted unanimously.

#### **4. Resolution –**

William Gantz made a motion to adopt the resolution for Atlantic City Electric Company that had been previously mailed to all members. This motion was seconded by Thomas Buzby and adopted unanimously.

There being no further comment and business before the Board, Ralph Sickler made a motion to adjourn the meeting. This motion was seconded by David Zeck, Jr. and adopted unanimously.

Respectfully submitted,

Linda Stephens, Secretary  
Upper Pittsgrove Township  
Land Use Board