

# PLANNING BOARD MINUTES

July 14, 2014

On the above date at the Port Republic Fire Hall, 116 Blakes Lane, Port Republic, New Jersey, Planning Board Chairman John Fallucca called the meeting to order at 7:00 PM and made a statement in compliance with Sunshine Law.

## **Roll Call**

Members Present; Steven Allgeyer, John Fallucca, Mayor Gary Giberson, Gail Haviland, Robert Haviland, Barry Horas, Jack Kelly, Virginia Laird, and Councilwoman Donna Riegel.

Board Secretary Vicki Cantell

Board Attorney: Mike Fitzgerald

Members Absent: Nick Capille

**Minutes** – Mr. Kelly asked for clarification on the decision of Mr. Kurtz Main Street property side yard set backs. It was unclear whether the Main Street side was recognized as a corner lot requiring a 50 foot set back. Mr. Fitzgerald stated that a 50 foot setback rather than a 25 foot set back would be required. Mr. Kurtz was in attendance and stated that he understood that and agreed to the 50 foot setback. On the motion of Mayor Giberson, second of Mr. Allgeyer and carried to accept the minutes of January 14 with the clarification. Mr. Kelly abstained as did Mr. Horas and Mrs. Riegel as they did not attend that meeting.

**City Council Report** - Mrs. Riegel reported that the new City Hall will be dedicated September 23<sup>rd</sup> at 2 PM. She also noted that South Jersey Gas has not made a decision regarding bringing gas to Port Republic as they had only received 167 responses which is short of what they had been asking for.

## **NEW BUSINESS**

**Kurtz, Block 24, Lot 7** – Bob Haviland and Gail Haviland recused themselves as they reside within 200 feet of this property. Mr. Tom Darcy appeared representing Bill Kurtz who is requesting a 2 lot subdivision on Upper Pomona and Indian Cabin Roads. This property is 10.26 acres and is located within the agriculture zone requiring a minimum 5 acre lot size. They are proposing that Lot 17, 340 Upper Pomona Road, would be 5.15 acres while Lot 17.01, 146 Indian Cabin Road, would be 5.11 acres. Both would meet the size requirements and a 50 foot set back would be needed on both roads (as it is a corner lot.) There are freshwater wetlands on these properties but some are located on adjoining properties. The DEP has been asked to set the buffer and they will be adhered to. There is more than enough land to be able to build while avoiding any transitional areas and the soil boring test have already been completed. The question was raised as to how the adjoining cemetery would be handled. Mr. Darcy stated that they had already been to City Council and all issues had been discussed and settled with the delineated monuments set. The city owns the property but it is maintained by Atlantic County and they have been notified of the subdivision and all arrangements. Mr. Kurtz asked that he be permitted to file the subdivision immediately and Mr. Fitzgerald stated that it would be permissible provided that there is a deed restriction added that all DEP requirements must be met.

There was no public in attendance. On the motion of Mr. Horas, second of Mr. Allgeyer, and carried by unanimous roll call vote of eligible members this application was approved with DEP deed restrictions.

**Building Official**, Jack Kelly, asked if a building permit could be issued on a property that would be coming before the Board for a subdivision. Mr. Fitzgerald explained that he actually could not deny a permit for that reason. As long as only one building permit per property was requested it was the owner/builder's responsibility to ensure that the placement of that building was located properly to allow for a subdivision.

**OLD BUSINESS** - none

**CORRESPONDENCE**

**Coastal Review Maps** – It was noted that the maps are to be updated every five years. While the comment period has passed, there is an upcoming meeting in Margate if anyone was interested.

**Allgeyer** – Notification of a Pineland hearing regarding the subdivision approval and septic concerns was received. The County has already approved the design. It was noted that the issue appears to be one of missing paperwork which has now been submitted by Mr. Darcy and the engineer has submitted his forms also. Neither the city nor the Board is required to participate.

**BILLS** – On the motion of Mayor Gibersonm, second of Mr. Allgeyer and carried by unanimous roll call vote to approve payment to the secretary.

**ADJOURNMENT** – On the motion of Mr. Horas, second of Mr. Allgeyer and carried unanimously to adjourn the meeting at 7:32 PM.

Respectfully submitted,

Vicki Cantell  
Board Secretary