OLDMANS TOWNSHIP

 PLANNING BOARD MEETING

December 20, 2021

The Regular Meeting of the Oldmans Township Planning Board was held on December 20, 2021. The meeting was called to order by Chairman Sandy Collom at 7:00 PM. This meeting was held in compliance with the Sunshine Law.

IN ATTENDANCE: George Bradford, Sandy Collom, Dan Daly, Sue Miller, Anthony Musumeci, Tina Nipe, Earl Ransome, Steve Smith, Mike Tuturice, and Melinda Taylor. Professionals in attendance: Ron Uzdavinis, Solicitor and Tom Tedesco, Engineer.

MINUTES OF PREVIOUS MEETINGS: A motion was made by George Bradford, seconded by Tina Nipe and approved by all those who attended the November 15, 2021 regular meeting.

CORRESPONDENCE: Public Notice from the Pilesgrove Planning Board was previously e-mailed to Oldmans Township Planning Board Members.

SUBCOMMITTEES:

Economic Nothing to report.

Environmental Nothing to report.

Farmland Preservation Update Meeting to be held between Salem County Ag Board representatives and Oldmans Township in January, 2022.

OLD BUSINESS:

Public Hearing for Redevelopment Study of Oldmans Landfill – Presented by Brian Slaugh, Professional Planner from Clarke Caton Hintz.

Oldmans Township operated a municipal landfill which is approximately 2,000 feet off Pedricktown-Woodstown Road. The landfill was closed in 1988 ad capped. It was used for residential purposes and some dry waste from industrial. The area is 21 acres with 6.5 acres used as the landfill. The landfill only needs to meet one (1) of eight (8) criteria in order to qualify as an area in need of redevelopment. Mr. Slaugh stated that landfill meets three of the eight criteria:

1. Land is owned by the municipality, unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. The landfill is surrounded by wetlands and on a flood plain which is not good for development. Lack of access to the landfill (dirt lane).

2. Areas with deleterious land use are detrimental to the safety, health or welfare of the community. The stigma of being located close to a landfill depresses the land value of area properties. Public perception is that it is not desirable to be located close to a landfill.

3. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. There are five planning areas in the State of New Jersey. Oldmans Township is in Planning Area II which is a smart growth area.

Public Hearing on Redevelopment Area of Landfill

Julia Cassidy Are solar panels, housing and/or job sites allowed on the landfill?

Brian Slaugh “Normal” use by humans would not be allowed. The landfill needs to remain capped per State law. The site would be suitable for solar. State encourages solar which does not need to be anchored into the ground so it won’t disturb the cap covering the landfill.

Keith Walton Concerned about solar panels causing glare due to airport runway proximity.

Brian Slaugh Panels now absorb the sunlight.

Keith Walton Older solar panels caused glare.

Brian Slaugh Township Committee has to adopt a Redevelopment Agreement with the solar company after seeking bids. A requirement of the bid process could be non-glare panels.

Hearing Closed to Public

George Bradford made a motion to accept the Redevelopment Study and refer the study to the Township Committee for consideration which was seconded by Tina Nipe.

Roll Call Vote:

Sandy Collom Yes

Dan Daly Yes

Sue Miller Yes

Tina Nipe Yes

Earl Ransome Yes

Steve Smith Yes

Mike Tuturice Yes

Melinda Taylor Yes

8-aye/0-no

NEW BUSINESS:

Application 2021-08

Matthew Cassidy

Block 10/Lots 14 & 15

S. Railroad Avenue

Minor Site Plan and Bulk Variances

Frank J. Hoerst III, Solicitor, represented the applicant. Both Matthew Cassidy, applicant and Thomas Berchard Jr., NJ Licensed Professional Engineer, were sworn in.

Tom Tedesco recommended that the application be deemed complete for a minor site plan with waivers. Tina Nipe made a motion to deem the application complete, Earl Ransome seconded and roll call vote was held:

Roll Call Vote:

George Bradford Yes

Sandy Collom Yes

Sue Miller Yes

Anthony Musumeci Yes

Tina Nipe Yes

Earl Ransome Yes

Steve Smith Yes

Mike Tuturice Yes

Melinda Taylor Yes

9-aye/0-no Application deemed to be complete.

Technical Review:

Exhibit A1 – Site Plan

Exhibit A2 – Aerial photo

Mr. Cassidy explained that there were two houses, one on each lot, each with its own garage, all of which were demolished. The property is located along S. Railroad Avenue. He would like to build one building to house two upstairs apartments with each apartment being 1,000 square feet. One apartment will be a one bedroom and the other apartment will be a two bedroom. The downstairs commercial space will house his own bakery business, P-City Bakery as well as additional commercial space for rent. The parking lot will be partially paved and partially gravel. This is a permitted use on the VC (Village Commercial) Zone.

Bulk Variances are being sought for front yard setback, side yard setback and sign setback:

 Front Yard Setback at 19.4’ versus 30’ allowed

 Side Yard Setback at 6’ versus 15’ allowed

 Sign Setback at 8’ versus 10’ allowed

 Parking or Driveway Area proposed at 1.34’ (rear) and 2.5’ (side) versus 4’ allowed

 Buffer Parking Area at 2.5’ versus 10’ allowed

 Parking area at 42% versus 35% allowed

Mr. Cassidy stated that the houses that were torn down were close to the neighboring property lines, four to five feet. The proposed gravel parking area is for overflow and he wanted to minimize the impervious coverage. South Railroad Avenue (County Route 602) is a County Road.

The two contiguous lots will be consolidated into one lot.

The driveway is 24’ wide which is sufficient for two-way use. The alley should not be used as an access point. The Township standard for a parking area is 25’. There are sixteen (16) parking spaces proposed.

Mr. Cassidy stated he employees five bakery workers with a maximum of three per shift. Hours of retail operation are Friday 7:00 am to 6:00 pm and Saturday/Sunday 8:00 am to 2:00 pm. Bakery workers arrive at 4:00 am.

Solid waste – Use a dumpster service which will be located behind the building on a concrete pad. Supplies are delivered to the bakery via a van which is owned by the applicant. Mr. Cassidy picks up the supplies and delivers them to the bakery.

Septic – The septic will be at grade level and not mounded. Some septic tests have been completed. Additionally, there was some discussion about the neighboring septic location at the business formerly known as Store Moore. It is the responsibility of Mr. Cassidy to confirm that his building will not be a problem for the neighbor’s septic.

Parking – the last parking space may have to cut into the alley. The alley is maintained by the Township.

Gravel parking lot will minimize impervious surface and reduce stormwater runoff.

Second commercial space – could be professional office or confectionary products. Bakery would use 50% of the downstairs (approximately 1,000 sq. ft.)

Stormwater Drainage – Since the applicant is proposing that the stormwater drain onto a County road, County Planning Board approval would be required. Increased runoff cannot go to neighboring properties. Mr. Tedesco expressed his concern that there currently there are drainage issues already located on S. Railroad Avenue. The applicant will install a swale to move away runoff from the back side of the proposed building.

Landscaping (Exhibit A-3)– Proposed trees along the Store Moore property need to be removed. The proposed landscaped island will be moved away from the septic field. There is proposed landscaping along the alley line which will screen some of the neighbors. There are shrubs and junipers between the parking lot and the Keating property. The Keatings indicated that they would like a fence installed. Mr. Tedesco suggested a solid six (6) foot vinyl fence. Older fencing already exists at the rear of the property. Four feet may have to taken away from the island landscaping to accommodate the concrete pad and walkway needed for the dumpster. Two trees on the north side by the septic field will need to be removed so that they won’t interfere with the septic field. An additional proposed tree will have to moved closer to the front of the property. The tree closer to the street can stay were proposed.

Lighting – Three light poles are proposed along the Keating side. Mr. Tedesco stated that the light intensity is going toward the Keating’s house; there should be no intensity on a neighboring property or move the light. A 6-8’ decorative light in front of the building was proposed in lieu of the light by the Keating’s house which would lessen the light intensity. The applicant agreed to shield the other two lights.

ADA Compliance – Oldmans requires one handicapped parking space per 25 spaces. There is one designated handicapped parking space available. It would be up to the Oldmans Construction Dept. to determine if the building itself would require any ADA compliance for residential and commercial purposes.

The applicant agreed to add wheel stops on the gravel portion of the parking lot to help delineate the parking spaces since the parking spaces cannot be painted out. There is only one way in and out of the parking area – along S. Railroad Avenue, not the alley.

It was suggested that the sidewalk between the parking lot and building be reduced by two feet in order to allow more buffering space between the parking area and the Keating’s house. This change must be reflected on the revised site plans to be submitted.

Public Hearing:

Julia Cassidy Employee for the bakery. Most of the packing cardboard is reused for her own personal use so there isn’t an overwhelming amount of recycling.

Helen Keating Happy with the addition of fencing along her side of the property and the added two foot setback that is created by the reduction in the size of the sidewalk. Also likes the lamppost idea rather than the big street light.

Harry Moore Cautioned Mr. Cassidy about having trees too close the septic. Wanted to know if the septic was a field or bed.

Matthew Cassidy Septic will be at grade and will be septic bed.

Closed to Public

If the Planning Board grants approval that requires a fence along the Keating property, an additional variance will be required since the fence will be six feet rather than the four feet that allowed.

The following items will be revised on the site plan:

* Two trees removed by septic field and one tree moved.
* Reduce the sidewalk between the parking lot and building 2 feet
* Add pad for dumpster
* Shields on two lights
* Move location of one light and change to residential type lighting

While some of the variances would remain, the variance for the side buffer could be eliminated, the rear setback would still require a variance. Also have to add the variance for the fence height.

George Bradford made a motion to approve the application, subject to revisions, Steve Smith seconded and a roll call vote was taken:

Roll Call Vote:

George Bradford Yes

Sandy Collom Yes

Sue Miller Yes

Anthony Musumeci Yes

Tina Nipe Yes

Earl Ransome Yes

Steve Smith Yes

Mike Tuturice Yes

Melinda Taylor Yes

9-aye/0-no Application approved.

Application 2021-09

Edward Kelly, Dennis J. Kelly Sr. and Dennis J. Kelly Jr.

Block 22/Lot 4

194 Pointers-Auburn

“D” Use Variance

Mayor George Bradford and Committeeman Anthony recused themselves. Since this is a D variance the Planning Board will be a seven member board with five votes needed.

Exhibit A-1 Site Plan

Tom Tedesco recommended deeming the application complete. Sandy Collom made a motion to deem the application complete which was seconded by Earl Ransome. Roll call vote was taken.

Roll Call Vote:

Sandy Collom Yes

Sue Miller Yes

Tina Nipe Yes

Earl Ransome Yes

Steve Smith Yes

Mike Tuturice Yes

Melinda Taylor Yes

7-aye/0-no Application deemed complete.

Technical

Dennis Kelly Sr. (property owner) and Devon Kelly (daughter) were sworn in. Both work on the farm.

If the proposed houses are approved, they would conform as a minor subdivision. No lot lines are being eliminated and no new lot lines are being created since the farm is preserved by the SADC. The Kelly’s sold their farm in Carneys Point where they resided and now want to live in Oldmans. Requesting approval to build two homes on one lot which is not a permitted use in Oldmans. There is currently a home on the lot which will be demolished and new agriculture buildings will be build at the location of the home being demolished. Per the farmland preservation deed from the SADC (page 3 of 6), it is permissible to tear down a house and rebuild but not allowed to subdivide the lot. As part of the application package a letter was submitted from the SADC stating the property owner is not allowed to subdivide the preserved farm. The benefits of having the owners build two homes is that this is a viable farm operation in Oldmans and the land has been preserved. One option is to appear before the appellate court to seek approval over the SADC. In summary, applicant wishes to demolish one house and build two houses, all on Lot #4. The SADC stated in their July 30, 2021 letter that the Kelly’s would be allowed to seek a variance from Oldmans Township to build two homes on one lot. If one house becomes vacant in the future, the house cannot be sold. The only way to sell either house is to sell the whole lot in its entirety.

Public Hearing

Dean Sparks Was there an exception area carved out when the farm was preserved and approved by the SADC?

Frank Hoerst There is no exception area. There is a resolution from the SADC approving two houses on one lot, per municipal approval.

Keith Walton There are a couple of exception areas in Salem County that were not used correctly which had to be corrected. Could the two houses be used for any other purpose such as commercial use?

Frank Hoerst The approval from the SADC allows two houses for residential purposes only but the owner can construct other buildings for agriculture purposes.

Closed to Public

Dan Daly Was the property owner given the opportunity to subdivide prior to the June 2019 farmland preservation?

Frank Hoerst There was no contemplation at that time to subdivide. The houses can’t be rented to an outside tenant but the houses could be used for housing of employees such as a farm manager.

Sue Miller made a motion to approve the application to build two houses on one lot, Sandy Collom seconded and a roll call vote was taken:

Sandy Collom Yes

Sue Miller Yes

Tina Nipe No

Earl Ransome No

Steve Smith No

Mike Tuturice No

Melinda Taylor No

2-aye/5-no. Application denied.

There being no further business, Sue Miller made a motion to adjourn, Sandy Collom seconded which was agreed to be all to adjourn at 9:35 pm.

Melinda Taylor

Secretary