

TOWNSHIP OF HAMILTON
MAYS LANDING, NJ 08330
PLANNING BOARD MEETING
DECEMBER 1, 2016

With the absence of Chairman Richard Cheek and Vice Chair Harry Bilicki, the December 3, 2016 Planning Board meeting was called to order by Mary Lisitski, Planning Board Secretary. Members present were, David Adams, Marla Caldwell, Wayne Choyce, John Kurtz, Harry Rogers, Allan Womelsdorf and Alternate Member I, John Percy. Absent members were Harry Bilicki, Charles Cain and Richard Cheek. .

Compliance with the Open Public Meetings Law was acknowledged.

Mr. Percy moved and Mr. Kurtz second to appoint Mr. Choyce as Acting Chair with all members present voting "aye".

Approval of Minutes – none presented.

The following Board Professional was in attendance: Charles Gemmel, Solicitor, and Steven Filippone, Engineer. .

Adoption of Resolution as prepared by Solicitor

Motion made by Mr. Womelsdorf, seconded by Mr. Percy to adopt the Resolution of Interpretation of Section 203-71 for Trampoline Park Consulting, LLC, Block 1135.01, Lot 10.02. as prepared by the Solicitor.

ROLL CALL VOTE: ADAMS – YES; CALDWELL- YES; CHOYCE – YES; ROGERS – YES; WOMELSDORF – YES;

SAID MOTION CARRIED WITH ALL ELIGIBLE MEMBERS (6) VOTING "AYE", NO "NAY, AND NO "ABSTAIN."

Amend recommendation of street vacation of Matthew Lyons to be the area of Orchard Road - Block 18, Lots 9 & 10 and Block 26, Lots 2 and 3 with Lot 1 being eliminated from the recommendation granted November 3, 2016.

Mr. Choyce called upon Mr. Filippone to review matter at hand as he has provided information to the Board.

Upon the Engineer's review it was found that the neighbor's driveway does front on a portion of the request, it is opposite Block 26, Lot 1. The lot line for Lot 1 was difficult to ascertain thus that lot was included in the original request. Mr. Lyons is here tonight to amend his request and that Lot 1 will be eliminated from the vacation as originally requested and recommended.

Discussion ensued regarding the present improved and unimproved street areas and as to how he and his neighbor enter their properties regarding the boundaries of Lot 11 and Lot 1 where it meets Orchard Road. Mr. Lyons has no objections to what Mr. Filippone is suggesting. Upon vacating of the portion of Orchard Road from Fourth Avenue to Block 26 Lot 1 and Block 18, Lot 11, as requested, Mr. Lyons will have to consolidate his 5 lots (Block 18, Lots 9 & 10; Block 26, Lots 1, 2, & 3) into one parcel once the street is vacated. Mr. Gemmel inquired about the small portion that is not being vacated (Lot 1) which Mr. Filippone had explained that part of the driveway of Lot 11 fronts on that portion of Orchard Street and the lot is slightly encroaching on the north half. It was explained to Mr. Lyons that by doing what he is requesting, it accommodates the neighbor so he doesn't have to relocate his driveway. The neighbor will still be able to use that portion and that it is still an improved right of way. Mr. Womelsdorf remarked that as it is still part of the Township right of way, and would the Township have to maintain it to which Mr. Filippone responded yes. Mr. Womelsdorf recalled from the previous meeting that Mr. Lyons agreed to maintain that portion.

Mr. Kurtz made a motion, seconded by Mr. Adams to amend the street vacation of Mr. Lyons as describe. Vacate portion of Orchard Road from Fourth Avenue Block 18, Lots 9 & 10 and Block 26, Lots 2 & 3 **The vacation excludes Block 26, Lot 1 & Block 18, Lot 11.**

Mr. Rogers asked if there were any restrictions or requirements, any time to abide by for filing of deed. Mr. Filippone explained the procedure. Mr. Rogers assumes the property has to be resurveyed to consolidate the lots and his concern was if there were any time requirements so that it is not put off and applicant needs to come back before the Board. Mr. Gemmel thinks that the Township Committee would make their vacation contingent upon a deed of consolidation being executed and recorded probably within 60 or 90 days with adoption of the ordinance, that way it is not hanging out there. The Board could request the Township Committee set a time limit. Upon discussion by the Board members it was decided to let the Township Committee set a time frame for it to be done.

Mr. Filippone explained that a legal description is prepared and will be given to Mr. Lyons who will then be obligated to have someone to prepare the deed of consolidation.

Motion will stand.

ADAMS – YES; CALDWELL – YES; CHOYCE – YES; KURTZ – YES, ROGERS – YES – PERCY – YES, WOMELSDORF – YES.

SAID MOTION CARRIED WITH ALL ELIGIBLE MEMBERS (6) VOTING “AYE”, NO “NAY, AND NO “ABSTAIN.”

PB2016-10 – 5034 Atlantic Avenue, LLC – Block 994 Lot 58.05 – Preliminary and Final Major Site Plan Approval for proposed expansion – **Post pone – applicant request – would like to reschedule December 15, 2016.**

Applicant will not be heard tonight, notices were not sent out. The applicant asking that we move their hearing to December 15, 2016, to which the Board had no objection. No notice from this Board is required.

Reschedule reorganization date to January 12, 2016 (timing conflict with holiday schedule)

Subcommittee to review RFP’s for Professionals for 2016.

Mr. Choyce suggested this be tabled to the December 15, 2016 meeting so that Chairman and Vice Chair can have input into who will sit on the subcommittee. Motion by Mr. Choyce, seconded by Mr. Percy with all members present in favor.

No executive session.

Adjournment – Motion made by Mr. Rogers and seconded by Mr. Kurtz to adjourn the meeting. SAID MOITON CARRIED WITH ALL MEMBERS PRESENT VOTING “AYE”, NO “NAY”, AND NO “ABSTAIN.

Respectfully submitted,

Mary A. Lisitski,
Planning Board Secretary

Adopted 12/15/16