



MUNICIPAL BUILDING, 590 MAIN ST., P.O. BOX 218, LEESBURG, NJ 08327

LAND USE BOARD
BARBARA SUTTON, Secretary
(856) 785-1120 ext. 116

**AGENDA FOR MEETING of MARCH 3, 2010
7:00 PM**

1. Call to order.
2. Open Public Meetings Act announcement.
3. Roll Call.
4. Pledge of Allegiance.
5. Vote on minutes of the 2-3-10 meeting.
6. Correspondence.
7. Old Business (if any)
8. Review model ordinance for Pinelands mandatory clustering requirements.
9. Other.
10. Adjournment.

MAURICE RIVER TOWNSHIP LAND USE BOARD

Meeting Minutes: March 3, 2010

Present: B. Stowman, Chairman, C. Thompson, V. Chairman, Committeewoman K. Ireland, Committeeman K. Langley, J. Carrara, J. Lafferty, J. Pflaumer, Alt.#2, K. Schellinger, PE, T. CuvIELLO, PP and M. Benson, Solicitor.

Stowman announced that the meeting was being held in accordance with the Open Public Meetings Act of New Jersey.

The minutes of the 2-3-10 meeting were approved on a motion by Ireland, seconded by Thompson and a unanimous vote.

Resolution No. 2010-03 for the approval of a bond waiver granted to Terry Bennett in connection with his previously approved site plan for Block 218, Lot 62.01, was adopted on a motion by Carrara, seconded by Ireland and a unanimous roll call vote.

The Secretary announced receipt of the following correspondence:

1. Notice of an ANJEC workshop titled, "Mapping Natural Resources of the SJ Bayshore" to be held on 3-15-10 in Glassboro.
2. Copy of a letter dated 2-5-10 to Township Clerk from Senator Van Drew and Assemblymen Albano and Milam stating that they support the township's request to extend the moratorium on the 2.5% tax on non-residential development.
3. Letter from Larry Liggett of Pinelands, dated 2-3-10, regarding several issues that the Township and the Commission have been working on since early December such as Forest Commercial Zones, solar facilities, mining, etc.
4. The Cumberland County Farmland Preservation Plan.

Mandatory Pinelands Clustering Ordinance

Tiffany CuvIELLO, PP was provided with the model ordinance that we received from the Pinelands Preservation Alliance last month. She reviewed the model ordinance and provided a report, dated 2-26-10, to the Board as requested.

CuvIELLO informed the Board that the mandatory clustering requirements apply to the Rural Development and Forest Management Areas. All residential development of two or more units is required to cluster development on one acre lots and preserve the balance of the property. Overall density would remain the same as for the existing zone. Parcels larger than 50 acres qualify for bonus densities. A chart was provided in her report as an example of how this would work.

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Cuviello also compared our existing cluster language to the new provisions. The current ordinance permits clustering in all zones, but does not permit more than 50% of environmentally restricted land to be included in the open space. This is not the case with Pinelands new provisions which actually encourage development to be near other disturbed areas so that larger tracts of sensitive lands, regardless of whether or not they are environmentally restricted, can be preserved.

There was discussion with regard to how Pinelands would determine where the lots could be created. It may be decided on a case by case basis depending on existing development in the area.

James Anderson of Port Elizabeth was in attendance and stated that Pinelands imposed their cluster requirement on a proposed subdivision that he submitted to them three years ago, before it was even adopted. He was told that he needed to ask the Township for variances for reduced lot sizes and scenic setbacks. He stated that he paid a fee, submitted an application and was never issued a Certificate of Filing.

After considerable discussion of Mr. Anderson's experience, he was asked to submit any Pinelands documentation that he received relating to this matter. The Board was very interested in their response to his application.

Schellinger stated that he felt that these changes would affect our build out potential and possibly overwhelm the Township's infrastructure and demand for municipal services. He would like to have the current build out figures based on the current zoning to compare with the new requirements. A few years ago, The Pinelands Commission was working on a build out analysis for the entire Pinelands area, but the Township never received any information.

Sutton stated that a letter was written to the Commission in 2005 requesting build out calculations for the Township. To date, no figures have been provided.

Cuviello pointed out that the new provisions will result in changes to the character and development patterns for each community as it prohibits the creation of large lots. She spoke about the proposed modification offered by the PPA (Pinelands Preservation Alliance) that would only permit density bonuses if the developer consolidates lots that were previously not in the same ownership.

Cuviello further stated that sometime this year we need to adopt an ordinance with the mandatory cluster language for one acre lots. We will also look at bonus densities, recreation options and deed restrictions for open space and possibly changing base lot sizes. A master plan examination report may need to be done just on this issue.

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Further discussion led to the Board's decision to write a letter to Governor Christie and ask that his office look into the ramifications of this mandate on rural communities.

The Secretary informed the Board that Section 19-1.9 of Ordinance 595 requires that any application to the Land Use Board for subdivision or site plan for the construction of multi-family dwellings (3 or more units), single family developments of 50 or more units or any commercial, institutional or industrial development of 1,000 sq. ft. or more of land, must include a recycling plan that meets the requirements of this ordinance. This requirement will be added to the appropriate sections of the Land Use Ordinance at the time of the next codification update.

There being no further business, Ireland motioned to adjourn. Carrara seconded. Unanimous.

The meeting was adjourned at 8:56 PM.

Respectfully submitted,


Barbara D. Sutton, Secretary



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