



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 SEPTEMBER 1, 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 8-4-10 meeting.
6. Correspondence.
7. New Application:

AT&T Mobility - Major Site Plan/Conditional Use for 20 ft. extension to height of existing cell tower and expansion of site plan area for related equipment at 5322 Rt. 49, known as Block 117, Lot 33. Completeness review including requested waivers. Possible public hearing.

8. Review and discuss planner's draft of corrections and comments on the Revised Regional Strategic Plan.
9. Other.
10. Adjournment.

MAURICE RIVER TOWNSHIP LAND USE BOARD

Meeting Minutes: September 1, 2010

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

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

The minutes of the 8-4-10 meeting were approved on a motion by Ireland and seconded by Langley. Gross, Lafferty and Chard abstained.

The Secretary announced receipt of the following correspondence:

1. The July/August NJ Planner publication.
2. Notice from Whitestone Associates that Wawa, Inc. is applying to NJDEP for a Treatment Works approval for the construction of an on-site wastewater treatment and disposal system for Block 253, Lot 8.01. A form will be submitted to the Clerk for the formal consent of the Township. Schellinger stated that this is a small package treatment system.
3. Announcement from Sustainable New Jersey of a Water Conservation Education Workshop on 9-16-10 in Egg Harbor Township and a Webinar on this subject on 9-9-10.
4. Press release from the Pinelands Commission that Executive Director John Stokes will retire as of 1-1-11.
5. Copy of the meeting minutes of the Cumberland County Open Space and Recreation Master Plan Study Committee Meeting #2 on 8-5-10.
6. A copy of the Pinelands no call-up letter on the zoning permit issued to Mullica Hill Rifle and Pistol Club for a forestry operation on Block 263, Lots 50-52.
7. E-mail from Cumberland County Planning Director, Bob Brewer stating that the Rails to Trails project feasibility study should be available this week.
8. Correspondence from Rebecca J. Ashton dated received on 8-9-10 and 8-18-10. Benson read both into the record.

**AT&T MOBILITY
Conditional Use/Site Plan**

**Block 117, Lot 33
5322 Rt. 49**

Chairman Stowman stepped down to eliminate the potential for the appearance of a conflict due to a family connection to the owner of the subject property. Vice Chairman Charles Thompson assumed the Chair for this matter.

This application requested approval of a conditional use/major site plan for a 20 ft. extension to the height of the existing cell tower and the expansion of the site plan area for related equipment.

Warren Stilwell, Esq., represented the applicant. He introduced Peter Longo, PE, Jay Young, radio frequency engineer with AT&T and James Kyle, PP. They were all sworn in at this time.

Kent Schellinger, Board Engineer, stated that his review report dated 8-18-10 was based on Checklists "D" and "J". He stated that he could not support the waiver request for a survey since the setbacks are now changing and only a surveyor can legally show setbacks. The survey should show outbound dimensions, setbacks, location of improvements and the tree line. The Board may want to require that no clearing be done in certain areas of the property since the Board did not have the opportunity to set any conditions on the original approval granted by the court. Elevations do not need to be shown.

Schellinger also stated that engineering details and a structural analysis of the proposed tower extension must be provided. Longo informed the Board that there would be a flange bolted to the existing tower and a tubular extension added to the top of the tower.

After discussing Schellinger's comments with regard to the remainder of the checklist items, he recommended that the Board deem this application incomplete.

Mr. Stilwell stated that the applicant would provide a survey, structural analysis, a series of photo simulations from different vantage points with the added height and the property owner's list on the plan.

There was discussion with regard to whether visual impact needed to be addressed for a permitted use. Benson explained that visual impact is a factor and the ordinance requires an applicant to minimize that impact as much as possible.

Stilwell stated that the applicant could not guarantee the landscaping buffer since they did not own the land. Schellinger explained that the owner must consent to the application. Benson agreed with Stilwell's request to make this item a condition of approval.

Board Planner Tiffany CuvIELLO discussed the necessary variances. She stated that a variance is needed to permit the existing setback of 107 ft. due to the increased tower height and distance to the property line. Safety and visual impacts should be addressed as they relate to the reduced setback. She further stated that a variance is needed for the proposed 228 sq. ft. equipment building as the ordinance permits 100 sq. ft. maximum. All required variances were "c" variances.

On a motion by Chard, seconded by Carrara and a unanimous vote, the application was deemed incomplete. Unanimous.

On a motion by Ireland and seconded by Langley, waivers were granted for Contours (P9), Circulation Plan (P24) testimony would still be needed regarding changes to underground utilities, Facilities Plan (P27), Drainage Facilities, and location of fencing and lighting (J6). Partial waivers were granted for the Natural Resources Plan (P25) except for the portions dealing with visual impact resulting from height increase, Landscaping Plan (P26) some or all of the existing forest may be required to buffer visual impacts from adjoining lots, and the EIS except for addressing visual impacts (P32). Unanimous.

Solicitor Benson announced that for purposes of public notice, this matter will be carried over to the 10-6-10 meeting with no additional notice required.

Western Southern regional Strategic Plan Update

Cuviello provided a draft letter, dated 8-26-10, to the Cumberland Development Corporation that includes the comments discussed by the Board at the August meeting. Schellinger recommended that a paragraph be added to the build-out analysis section to address exempt land sales and the concern with the estimated build-out for non residential development, particularly the PPHB Zone along Route 347. A minor change in the wording of the last sentence in item "a" section 5 will read, "This should indicate Maurice River".

There was a consensus of the Board to make the changes and additions discussed. Revisions as discussed will be made and the letter sent to the CDC before the comment deadline of 9-15-10.

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

Respectfully submitted,

Barbara Sutton, Secretary