



TOWNSHIP OF GALLOWAY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
PLANNING AND ZONING BOARDS

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Heather Butler  
Planning/Zoning Board Administrator

MINUTES  
PLANNING BOARD  
JULY 17, 2014

The meeting was called to order at 7:02 PM. Ken Sooy chaired the meeting.

**Present:** Robert Bruno, Jim Cox, Tom Guercioni, Dan Jones, Betty Mannis, Don Purdy, Matthew Geese, Charles Wimberg, Ken Sooy

**Absent:** Anthony Coppola, Pat Moran

**Approval of Minutes:** June 5, 2014 (Approved)

**Approval of Bill List:** July 8, 2014 (Approved)  
*Cox – Abstained D- 1082 & D-1182*

**Approval of Decision & Resolutions:** #8-14 Susan Bunk (Approved)  
#1-10 RGC 1, LLC Extension of Time (Approved)

**Board Professionals Craig Hurless and Tiffany CuvIELlo were sworn in.**

**EXTENSION OF TIME:**

#7-13 Atlantic Medical Real Estate  
White Horse Pike  
Block 803 Lot: 1  
Zoning District: HC-1  
Extension of time

Planning Board Solicitor Jorge Coombs explained to the board that due to the permit extension act the applicant has until June 20, 2015 to make their submissions.

No Public Comments.

Motion to extend application #7-13 was motioned by Purdy and seconded by Mannis.

Those voting in Favor: Bruno, Cox, Guercioni, Jones, Mannis, Purdy, Geese, Wimberg & Sooy

**Completeness:** #10-14 Walter Sherwood Preliminary Site Plan Complete

## **New Applications**

### **Conditional Use Approval**

#### **PB # 9-14**

George Kurtz  
837 Motts Creek Rd.  
Zone (CV)  
Block 1230, Lot 18

The applicant is requesting a conditional use approval to permit the demolition and reconstruction of a single-family residential unit. The dwelling was damaged during Super Storm Sandy and required demolition. The parcel is located on Motts Creek Road in the Conservation (CV) zoning district.

The applicant is represented by Thomas Darcy Esq.

Mr. Darcy explained how the applicant meets the conditions required for the conditional use approval the applicant is requesting.

Tiffany CuvIELLO, Township Planner, stated that based on Mr. Darcy's testimony and facts that were provided the applicant meets the conditional use standards and the application should be granted.

No questions from the board.

No public questions or comments.

There was a motion to approve application #9-14 for George Kurtz Conditional Use made by Bruno and seconded by Guercioni.

Those voting in favor: Bruno, Cox, Guercioni, Jones, Mannis, Purdy, Geese, Wimberg and Sooy

### **Conditional Use Approval**

#### **PB # 11-14**

Anthony Kelly  
844 Motts Creek Rd.  
Zone (CV)  
Block 1229, Lot 7

The applicant is requesting a conditional use approval to permit the demolition and reconstruction of a single-family residential unit. The dwelling was damaged during Super Storm Sandy and required demolition. The parcel is located on Motts Creek Road in the Conservation (CV) zoning district.

Anthony Kelly and Mary Ann Jarvis were both sworn in.

The applicants are representing themselves.

Ms. Jarvis explained to the board what they are planning to do.

Tiffany CuvIELLO, Township Planner, read from her report dated July 10, 2014. The applicant meets the conditional use standards and the application should be granted.

No questions from the board.

No public questions or comments.

There was a motion to approve application #11-14 for Anthony Kelly Conditional Use made by Purdy and seconded by Cox.

Those voting in favor: Bruno, Cox, Guercioni, Jones, Mannis, Purdy, Geese, Wimberg and Sooy

### **Preliminary Site Plan Approval**

#### **PB # 10-14**

Walter Sherwood  
Aloe St.  
Zone TI District  
Block 251, Lot 4

The applicant is represented by Thomas Darcy Esq.

Vincent Orlando was sworn in; he is a licensed professional planner, licensed professional engineer, licensed landscape architect and a certified municipal engineer in the state of New Jersey. The board accepted Mr. Orlando as an expert.

Mr. Darcy stated the applicant is requesting a preliminary site plan to grant an approval for the existing clearing and grading that took place on the property. In 2003 Mr. Sherwood hired Mr. Orlando's firm to prepare a full blown site plan for an industrial use. That site plan and application was submitted to the Pinelands Commission in 2003. The Pinelands Commission issued a certificate of filing at that time. On February 5, 2004 Atlantic Cape Soil issued an approval for the clearing and grading of the property. In 2008 Mr. Sherwood started to prep the site with the clearing and grading. Mr. Sherwood was unaware that in 2006 Galloway Township passed the tree protection ordinance which requires approvals from the Township prior to any tree clearing. The penalty for clearing the land without the township approval is being barred for two year from making an application for site plan approval.

Mr. Orlando explained the existing conditions of the site. Mr. Sherwood did construct a basin pursuant to the Pineland requirements. The area is grass and is mowed twice a month. The property is very well manicured. Mr. Sherwood is looking to maintain the existing conditions which would be the field area with the basin and the wooded areas. Hopefully in the next few years he will find a tenant and proceed with an application to this board for site plan approval. There were no wetlands or wetlands buffers cleared. The outflow for the basin is approximately 200 feet from the West property line. There is approximately 300 feet of wooded area between the cleared area and Mr. Sherwood's property. The existing cleared area to the nearest residential dwelling is more than 800 feet away. In Mr. Orlando explained his opinion that the basin improves storm water management for the area. There are no variances requested with this application.

Craig Hurless, Township Engineer, read from his report dated July 7, 2014.

Mr. Cox asked if the calculations are with or without a building. Craig explained if Mr. Sherwood does something in the future he would have to come back.

Mr. Purdy confirmed with Craig that the depth of the basin is possibly two or two and a half feet so technically they don't need a fence around it. Craig does not think it is a safety issue in this case but the board is always required to consider that.

Mr. Jones asked when the clay is removed does it go off site? Craig stated that it has to be removed, taken off site or utilized somewhere else and that K4 soils have to be brought in. Mr. Cox asked what the time frame would be. Craig stated that the board would decide that. Mr. Purdy asked Craig; in his professional opinion, is there any way possible that there is any kind of flooding coming in the residential area from this particular project. Craig stated in his professional opinion that if the applicant constructs the basin with the necessary modifications then yes it will reduce the amount of runoff.

Tiffany Stated; with regards to the landscaping, that if and when the property is to be fully developed it would have to come to the board again for approval.

### **Public questions or comments**

Xena Mornahan was sworn in. She questioned the board about the Pineland letter dated May 5, 2014 and expressed concerns about the drainage and runoff from the property.

Alice Gajtowski was sworn in. She lives next to the applicants' property. She explained her issues and concerns with the runoff from Mr. Sherwood's property to hers.

Chairman Sooy moved on to a timeline discussion. Mr. Darcy explained the seasonal high water table and when it peaks. Mr. Darcy stated if approved once he received the signed D&R it would be forwarded to the Pinelands Commission. Sometime in September or early October they hope to get a response from them. Mr. Sherwood would then have approximately 2 months November and December before the water table comes up again. Mr. Darcy is requesting 6 months from now it should be complete.

No board questions

A motion to approve application #10-14 for Walter Sherwood Preliminary Site Plan was made by Bruno and seconded by Mannis

Those voting in favor: Bruno, Cox, Guercioni, Jones, Mannis, Purdy, Geese, Wimberg and Sooy

### **Ordinance Referral #1892-2014 Curb and Sidewalk**

The proposed ordinance was explained by Craig Hurless.

A motion to refer Ordinance #1892-2014 for Curbing and Sidewalks to Council was made by Purdy and seconded by Mannis

Those voting in favor: Guercioni, Jones, Mannis, Purdy, Geese, Wimberg and Sooy

Those Abstained: Bruno, Cox

There was no public comment.

Mr. Purdy stated that the Galloway Township Fire Chief would like the board to be aware of projects coming up and note the width of driveways for apparatus.

Jorge Coombs stated he would be presenting Chairman Sooy with a revised deed for the Agricultural Subdivision done by John Leek.

The meeting adjourned at 8:40 p.m.