

**Woodstown Planning Board
Minutes
October 2, 2013**

This meeting was called to order by Vice Chairman Hathaway who provided a statement that adequate notice of this meeting was provided in accordance with the requirements of the Open Public Meeting Act.

Members Present: Donald Dietrich, Shane Godshall, Alfred Edwards, Lorraine Pfeffer, Cecil Colsch, Keith Johnson, Donald Johnson, Douglas Hathaway, Veronica Soultz, Valerie Lacy, Judith King, Andrew Hoglen

Also Present: Gary D. Thompson, Esq., Board Solicitor, Steven Bach, Board Engineer, Suzanne Wollyung, Board Secretary, Jean Jack, Recorder

Members Absent: Forrest Eichmann, Jesse Stemberger

The minutes from the August 7, 2013 regular meeting were approved on a motion by Mr. Colsch. The motion was seconded by Mr. Godshall, followed by a show of hands: Yes: Mr. Dietrich, Mr. Godshall, Mr. Edwards, Mr. Colsch, Mrs. Pfeffer, Mr. Hathaway, Mr. K. Johnson, Mr. D. Johnson. Abstain: Mrs. Soultz, Mrs. King, Mrs. Lacy

Old Business:

Adopt Resolution NO.: 2013-4 Granting Preliminary and Final Site Plan Approval, Bulk Variance and a Waiver to Woodstown Presbyterian Church RE: Block 11, Lot 2 (46 Auburn Road): A motion was made by Mr. Colsch to adopt Resolution 2013-4. The motion was seconded by Mr. K. Johnson with the following roll call vote: Yes: Mr. Godshall, Mr. K. Johnson, Mr. D. Johnson, Mr. Colsch. Abstain: Mr. Edwards, Mrs. Lacey, Mrs. King, Mrs. Pfeffer. No: None.

New Business:

Estate of Betsy L. Griffith—Block 40/Lot 8, 298 Bailey Street: Application for Minor Subdivision. Completeness/Public Hearing: Mr. Thompson stated for the record that in addition to the Minor Subdivision, the applicant is seeking 8 Variances, necessitated because the lot is in two zoning districts, the Conservation District and the R2 Residential district. A portion of lot 8 in the R2 district a front yard setback of 13.3' is provided where 30' is required. Proposed lot 8.01 includes a shed for which testimony will be provided and a front yard setback of 5.8' where 30' is required. For the Conservation district the proposed lot 8 requires Variances as to minimum lot size and proposed to have 0.54 acres where 5 acres is required. It has a minimum lot width of 122' where 300' is required and a minimum lot depth of 160' where 400' is required. For proposed lot 8.01, the same Variances are required. The proposed minimum lot size of

1.65 acres, a minimum lot width of 275' and a minimum lot depth of 212'. There are a total of 8 different Variances the Board would have to grant for purposes of approving this Minor Subdivision.

Mr. Miller introduced the applicants, co-executors of the estate, Mr. Leroy Griffith and his niece, Christine Schoenberg. Mr. Thompson proceeded to swear them in. Mr. Thompson asked that we start with the issue of completeness. There are three waivers that are being requested as to checklist items # 26, 62 & 64. Mr. Miller stated that a portion of the property is being conveyed to the Borough for open space purposes. The Borough Engineer prepared the plot plan and the dimensions of the lot are indicated on that plan. At this time to avoid a conflict of interest, Mr. Thompson asked that the Mayor and Council member, Mrs. Soultz step down and that the alternate members take their place. Mr. Miller asks for waivers, because the Borough is purchasing the property as open space and has no plans to develop it. Since no construction will be taking place, there is no need for the affordable housing requirements, or DEP application or utility plans. Mr. Bach was then sworn in and stated that since no construction is planned with this application, all three waivers are appropriate to approve. He asked for a motion on completeness. Motion by Mrs. King to deem the application complete with waiver of items # 26, 62 & 64. The motion was seconded by Mr. Edwards with the following roll call: Yes: Mr. Godshall, Mr. K. Johnson, Mr. D. Johnson, Mrs. King, Mr. Hathaway, Mr. Colsch, Mr. Edwards, Mrs. Lacy, Mrs. Pfeffer. No: None.

Mr. Thompson stated for the record that he did review the Affidavits of Service and Publication. He would like to bring to the attention of the Board that there are 8 different variances required for this application and that the notice did not specify the individual variances, but a general request for all and any variances that may be required. He recommends that the Board proceed with the public hearing this evening with the understanding that the applicant would hold the Board harmless as to any subsequent challenge by anyone that there was not adequate public notice because the variances were not spelled out in the notice in the newspaper or to the neighbors and that the Board would not defend any challenge to jurisdiction. It would be up to the estate and/or the Borough to do so. Mr. Miller agreed. Mr. Thompson asked that it be made a condition of any approval granted by the Board.

Mr. Bach reviewed the comments from his letter dated September 27, 2013. Mr. Bach stated that he has no objections to the 8 variances that are being required here as long as the conditions outlined in his review are met. He recommended that we go forward. Mr. Thompson asked Mr. Miller if the estate agreed to all the conditions of approval set forth in Mr. Bach's letter of September 27, 2013. Mr. Miller agreed.

At this time Vice Chairman Hathaway opened the meeting to the public. Mayor Donald Dietrich was sworn in and stated that it was the intention of the Borough

to take over this portion of the property as open space. This will create the opportunity for grant money from the "Safe to School" project to build sidewalks on Bailey Street so children walking to school won't have to walk in the street. Mr. Thompson asked the Mayor if the Borough has entered into a contract with the estate. Mr. Miller stated that the contract should be signed within the next 30 days, with settlement within the next 60 days. Mr. Thompson then asked the Mayor if the Borough would be comfortable that it be a condition of the approval of the variances that the proposed lot must be sold to the Borough. The Mayor agreed. The public portion of the meeting was closed. Motion by Mrs. Pfeffer to grant the Minor Subdivision with 8 variances. The motion was seconded by Mr. Colsch with the following roll call: Yes: Mr. Godshall, Mrs. King, Mr. K. Johnson, Mr. D. Johnson, Mr. Hathaway, Mr. Colsch, Mr. Edwards, Mrs. Lacy, Mrs. Pfeffer. No: None.

Mr. Thompson gave the members an update on the changes to C.O.A.H.

With no additional business, the meeting adjourned at 7:44 PM.