

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 6:01 p.m. by Vice Chairman Garbowski who read the following statement: “Be advised, no new item of business will be started after 10:30 p.m. and the meeting shall terminate no later than 11:00 p.m.”.

The Board saluted the flag.

Roll call:

Present – Mr. Boorstein, Mr. Caspar, Deputy Mayor Mr. DiLolle, Mr. Garbowski, Mr. Kozak, Mr. Laughlin, Mr. O’Reilly. Absent – Mayor DiLucia, (excused), Mr. Helsel, (excused), Mr. O’Brien, (excused), Mr. Schwaiger, (excused), Mr. Verratti, (excused), Mr. Wisner, (excused), Mr. Snowden, (excused). Also present – Marla Gaglione, Solicitor.

Proper notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings on January 8, 2021.

Ordinance Amendments – Chapter 175:

1. Ordinance O-08-2021 – Chapter 175-138 – Storage of Recreational Vehicles & Boats

Ms. Gaglione reviewed the proposed ordinance amendments. This ordinance added utility trailers to the storage of recreational vehicles. It also increases the storage of recreational vehicles from one to two. The rest of the ordinance is staying the same. Mr. Kozak asked if the recreational vehicles are permitted to be stored in the front yard. Ms. Gaglione replied storage of recreational vehicles is not permitted in the front yard; this part of the ordinance has not changed.

Mr. DiLolle asked the definition of a utility trailer and if that would include a commercial trailer. Ms. Gaglione replied that a utility trailer is not explicitly defined in the ordinance. Mr. O’Reilly stated that the intent of the ordinance change was for a personal use utility trailer, the size can be a gray area; however, it definitely was not intended for any commercial trailers. Mr. DiLolle stated his concern and asked if the ordinance can state non-commercial utility trailers. Ms. Gaglione replied that the Board can make the recommendation to the ordinance amendment but also that it should include the language “non-commercial utility trailers” or provide a definition of utility trailers that states they are non-commercial. The Board will vote on it to include that recommended change. Mr. DiLolle agreed with that change.

Motion passed to open to the public.

1. Mark Kozachyn questioned the requirement to remove the storage of a recreational vehicle after 12 consecutive months. Ms. Gaglione stated that if one was stored for the winter months and then used in the summer then that would not be considered storage for 12 consecutive months. Mr. O’Reilly stated there was discussion on this point in the ordinance by the Ordinance Committee.

Ordinance Amendments – Chapter 175 (continued)

1. Ordinance O-08-2021 (continued)

The intention was so that these trailers or campers don't sit on someone's property with no intention or capability to be moved. Mr. Kozak commented that it's probably unenforceable because how would anyone know if the vehicle has been moved in a 12-month period. Mr. O'Reilly replied that they did discuss this as well and he wasn't sure how to put some "teeth" behind it to make it enforceable. Mr. Kozak replied he likes the idea and reasons behind it but maybe they should look at another Township's ordinance to see if there is some other wording that can be used to put some "teeth" behind it. Mr. O'Reilly stated that they can bring it back to the Township Solicitor to come up with some intentional verbiage on this point in the ordinance.

Ms. Gaglione stated that the motion would be to recommend ordinance O-08-2021 with the addition of "non-commercial utility trailers" in the language and that Section F be reworded to include enforceable language regarding the time a recreational vehicle, boat, or trailer can be stored on a property. Motion by Mr. Kozak, seconded by Mr. Caspar to recommend the ordinance to the Ordinance Committee with the recommended changes. Roll call vote: Ayes – Mr. Kozak, Mr. Caspar, Mr. Boorstein, Mr. DiLolle, O'Reilly, Mr. Laughlin, Mr. Garbowski. Nays – Zero. Abstentions – Zero.

2. Ordinance O-09-2021 – Chapter 175-161.6 - RG-C Commercial District

Ms. Gaglione reviewed the proposed amendment for the Board. She stated the point of the amendment is to use the Schedule of Limitations for the RG-PR Zoning District in the RG-C Zoning District when considering an existing residential use with a valid Certificate of Occupancy. Mr. O'Reilly explained that there are residential properties in the RG-C Zone that constrains the residents from doing some improvements to their properties because they have to use the RG-C requirements. So if someone wanted to install a shed on their property, instead of having to have a side yard setback of 50 feet, which is required for a commercial use, they can use the setback requirement for the RG-PR Zone which is less restrictive. Mr. DiLolle asked if this is something that effects a lot of properties in the town. It was determined that it is just the Pinelands area in the town zoned RG-C which are mostly located south of Malaga Road with a few other areas around Clayton Road and Corkery Lane. Mrs. Farrell stated that she, the Zoning Officer, Ms. Pellegrini, and Mr. Coe discussed this issue and this is how they thought it best to try to eliminate the constraints on residential properties is this commercial zone.

Motion by Mr. Kozak, seconded by Mr. Caspar to recommend the amendments to ordinance O-09-2021. Roll call vote: Ayes – Mr. Boorstein, Mr. Caspar, Mr. DiLolle, Mr. Kozak, Mr. O'Reilly, Mr. Laughlin, Mr. Garbowski. Nays – Zero. Abstentions – Zero.

Ordinance Amendments – Chapter 175 (continued)

3. Ordinance O-10-2021 – Chapter 175-89 – Accessory Buildings

Ms. Gaglione reviewed the proposed amendments for the Board. The amendments include allowing a shed up to 300 square feet with setbacks of five feet from the rear and side property lines, excluding corner lots. In addition, an accessory building greater than 300 square feet is permitted to have a maximum height of 22 feet from the ground to the peak and must comply with the setbacks for the zone. Also added is an accessory structure greater than 300 square feet shall be permitted to have a maximum height of 24 feet and must meet the setbacks for the zone. It must also have a principal use except on qualified farmland. Mrs. Farrell stated that the Board received the annual report from the Zoning Board which shows numerous use variances granted for accessory structures. These amendments will eliminate the need for a use variance for accessory structures unless the structure is proposed to be larger than the principal use. Ms. Gaglione added that is the goal of the annual reports so the Board can look at the number of variances being granted and then recommend revising the ordinance to address the need for so many variances.

Mr. Boorstein asked what the setbacks were previously. Mrs. Farrell replied they were the same as proposed. Mr. O'Reilly stated that the average shed is more of a 12' x 20' or 12' x 24' size than a 10' x 20' shed so they increased the size with the same setbacks. Mr. DiLolle questioned if a person could construct an accessory building that is 2000 square feet if their house is 2000 square feet. Mr. O'Reilly responded that in order for someone to have that size building they most likely have a decent size property in order to meet the required setbacks.

Mark Kozachyn inquired about the size and number of structures allowed when associated with qualified farmland. Mrs. Farrell stated that buildings associated with qualified farmland used for livestock have to be at least fifty feet from the property lines and 100 feet from the right-of-way; that is the requirement under the agricultural zone. There is also the Right to Farm Act which allows structures to be placed on farmland without a principal use. There is no requirement for the number of buildings but the setbacks have to be met. The minimum number of acres to qualify for farmland assessment is six acres; the County will consider the principal use or the home as one acre and then you must have at least five farmable acres. Mr. Kozachyn asked if someone who has twenty-five acres can put up as many buildings as they want even if they encroach into residential areas and the residents have to look at all the ugly buildings. It was restated that the setbacks for the zone have to be met. Mrs. Farrell suggested Mr. Kozachyn research the Right to Farm Act if he is concerned about the number of buildings permitted on farmland. Ms. Gaglione stated they are a protected population under that act as far as what they are permitted to do.

Motion by Mr. Caspar, seconded by Mr. Kozak to recommend the changes to ordinance O-10-2021 as proposed. Roll call vote: Ayes – Mr. Boorstein, Mr. Caspar, Mr. DiLolle, Mr. Kozak, Mr. O'Reilly, Mr. Laughlin, Mr. Garbowski. Nays – Zero. Abstentions – Zero.

Ordinance Amendments – Chapter 175 (continued)

3. Ordinance O-11-2021 – Chapter 175-11-Lot Coverage, 175-117- Lot Grading, 175-145-Pools

Ms. Gaglione reviewed the ordinance concerning lot coverage and the proposed changes. The changes include what surfaces qualify as lot coverage and eliminates the water surface for inground swimming pools. With regard to the lot grading and drainage, the changes proposed state the Zoning Office will request the Township Engineer to perform a site inspection for disturbance of 500 square feet or more of the property, at the owner’s request. Any proposed impervious surface within five feet of a property line will require a lot grading waiver application. Mr. O’Reilly stated that this change is a result of zoning variances granted for lot coverage with regard to inground swimming pools. The grading plans are being reviewed by the Township Engineer and as long as they are in compliance with the grading the pools are approved. This change will allow the Township Engineer to determine the lot grading for inground swimming pools, and if it meets the ordinance, the Township Engineer can waive the lot coverage requirement without having a resident come to the Zoning Board for a lot coverage variance. Ms. Gaglione stated this is another example within the annual report of many variances being granted and these changes will make it easier for the residents. Mr. Kozak commented on the change of not counting the water surface as impervious coverage since any rain water goes into the pool. The Board members were in agreement.

Motion by Mr. Caspar, seconded by Mr. Kozak to recommend the changes to ordinance O-11-2021 as proposed. Roll call vote: Ayes – Mr. Boorstein, Mr. Caspar, Mr. DiLolle, Mr. Kozak, Mr. O’Reilly, Mr. Laughlin, Mr. Garbowski. Nays – Zero. Abstentions – Zero.

Public Portion:

Motion passed to open the meeting to the public. There being none, motion passed to close the meeting to the public.

Reports:

1. Mrs. Farrell stated the Board received the annual reports from the Zoning Board.

Approval of Minutes:

1. 4/22/21 regular meeting.

Motion by Mr. Caspar, seconded by Mr. Kozak to approve the minutes from the 4/22/21 regular meeting. Voice vote; all ayes, motion passed. Mr. DiLolle abstained.

Adjournment:

The meeting was adjourned at 6:45 p.m.