

**REGULAR MEETING  
JULY 24 2012  
7:00 P.M.**

Mayor Brown called the meeting to order at 7:00 p.m. read the following statement and led the flag salute.

IN COMPLIANCE WITH CHAPTER 231 OF THE PUBLIC LAWS OF 1975, NOTICE OF THIS MEETING WAS GIVEN BY WAY OF ANNUAL NOTICE PUBLISHED IN THE ATLANTIC CITY PRESS, ON JANUARY 5, 2012, THE EGG HARBOR AND HAMMONTON NEWS ON JANUARY 11, 2012 AND POSTED AT TOWNHALL.

**Roll Call:**

**Committee Present:** Anthony Gabris, Ed Hagaman, Susan Polk, Larry Riffle, Mayor Brown

**Municipal Clerk:** Kimberly Johnson

**Solicitor:** Elias Manos

**Chief Financial Officer:** Dawn Stollenwerk

**Marathon Engineering:** Dave Wood & Lance Landgraf

**Approval of Committee Minutes:** Mayor entertained a motion to approve the minutes of the July 10, 2012 meeting; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

**Proclamation / Mrs. Evelyn Weeks Ricci:** Mayor entertained a motion to congratulate Mrs. Ricci on her 90<sup>th</sup> Birthday, so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown. Mayor read Proclamation which will be presented to Mrs. Ricci at her birthday celebration.

**Presentation: Ordinance #7-2012 & Ordinance #8-2012 / Mr. Dave Wood, PE, PP & Mr. Lance Landgraf, PP, AICP, Marathon Engineering: Ordinance #7-2012:** Mr. Landgraf explained the Pinelands Commission adopted three sets of amendments to the Comprehensive Management Plan which established standards for wetlands management, forestry and residential cluster development in the Pinelands Forest and Rural Development Areas. He stated the Pinelands Protection Act requires municipalities located within the Pinelands Area to adopt these amendments. Mr. Landgraf explained the mandatory clustering provision will require subdivisions of two or more units, to be clustered, typically closer to roads in the FAR, RDA, and DVC Districts to limit disturbance on large tracts of land. Mr. Landgraf reported there is also a density bonus requirement which the Planning Board worked on with the Pinelands to increase the parcel size. Mr. Landgraf explained the number of residential lots permitted within the cluster shall be calculated on the basis of the size of parcel of land and the density permitted shall be applied as follows:

<b>Parcel Size</b>	<b>RDA and DVC Districts</b>	<b>FAR District*</b>
<50 acres	0	0
50-99.99 acres	10%	25%
100-149.99 acres	15%	30%
≥150 acres	20%	40%

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Mr. Landgraf reported an analysis was completed by Mr. Wood which depicts a low impact relating to the bonus density, due to the many restrictions in the FAR Zone which would be a low to moderate impact. Mr. Landgraf stated the Pinelands did allow the Planning Board's request that the ownership of the balance of the parcel outside of the cluster development will be determined by the Planning Board.

**Hearing: Ordinance #7-2012 / Amending Chapter 144, Land Development Ordinance:** Mayor entertained a motion to read by title; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

*An Ordinance Amending Chapter 144, Land Development, of the Code of the Township of Mullica, County of Atlantic, State of New Jersey*

Mayor opened to the public. Hearing no public comment, Mayor entertained a motion to adopt; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

**Ordinance #8-2012:** Mr. Landgraf stated this Ordinance, which he indicated, has been discussed for the past ten years, and has been and is a goal in the Master Plan, is to extend the Elwood Village Center down the north side of the White Horse Pike to the old Devonshire Inn site. Mr. Landgraf stated the current zoning is FAR, which does not allow any uses to occur within that structure. Mr. Landgraf reported this extension is supported by the Pinelands Commission, however, with the restriction that a swap of zones occurs. Mr. Landgraf explained at the western end of the Elwood Village Center, which is mostly undevelopable land of very small lots, will be changed to the FAR Zone. Mr. Landgraf showed maps to the public depicting the areas of change.

**Hearing: Ordinance #8-2012 / Amending Chapter 144, Land Development Ordinance / Zoning Map:** Mayor entertained a motion to read by title; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

*An Ordinance Amending Chapter 144, Section 118, Zoning Map of the Land Development Ordinance, of the Code of the Township of Mullica, County of Atlantic, State of New Jersey*

Mayor opened to the public.

Ms. Leslie Laurito asked for a better understanding of the Elwood Village Center. Mr. Landgraf stated the EVC promotes commercial uses and residential uses to center developments along the corridors within the municipality. Ms. Laurito, adjacent property owner to the Devonshire Motor Lodge, expressed her concern of her neighborhood changing. Mr. Gabris stated when the owners of the Devonshire Motor Lodge came before the Board for an interpretation, of a half-way house, there was a great deal of concern, and this zoning change makes that use a non-permitted use. Mr. Landgraf stated the following are permitted uses in the EVC Zone: single family homes on 2 acre lots; agricultural, forestry, campground uses, planned residential development, education uses, places of worship, parks, playgrounds, playfields, recreational uses, light industrial uses (excluding trash transfer stations and auto salvage yards), professional offices, medical offices, nursing homes, senior citizen houses, commercial shopping centers, etc. (Chapter 144-134).

Mr. Richard Domenico questioned the status of Old Egg Harbor Road (Paper Street). Mr. Landgraf stated there is no change to the roadway; it is currently a paper street.

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Mrs. April Halvorson questioned the “approval” signs at the corner of Columbia Road and White Horse Pike. Mr. Landgraf stated he is not aware of the approved lots.

Mr. Francis Paulsgraf stated the approval sign for two acre lots is where the Adams residence was which was destroyed by fire.

Mr. Landgraf further explained to the public and referenced on the map the approximate 46 acres to be changed from FAR Zoning to EVC Zoning. Mr. Landgraf indicated there is no proposal for development of this area; this change allows different uses for the lots.

Mr. Richard Halvorson questioned the subdivision process, access to Old Egg Harbor Road and future developments. Mr. Landgraf explained homes are required to front on an improved street, noting the road would need to be built, and a subdivision application would be required. Mr. Landgraf added the purpose for this change is to encourage development in this area.

Ms. April Halvorson asked if the benefits are rateables and questioned the location of 2 acre zoning. Mr. Landgraf replied that rateables are a positive aspect, and stated it would be ideal to have commercial rateables along the White Horse Pike. Mr. Landgraf explained the Elwood Village and Elwood Village Center Zones are 2 acre requirements, and that commercial uses are now concentrated in the Village Center Zones which was completed in 2005.

Ms. Laurito asked why the area by the former drive-in theatre was not considered. Mr. Landgraf stated this was the best connection to the Elwood Village Center.

Mr. Halvorson questioned septic. Mr. Landgraf stated the establishments are responsible for their own septic.

Mayor closed public portion and entertained a motion to adopt; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

### **Committee Reports:**

**Public Safety:** Mr. Hagaman reported the following: Municipal Court collected \$26,883.00 for the month of June and the municipality retained \$13,592.19.

Calls from June 20<sup>th</sup> to July 20<sup>th</sup> for the Fire Department were 36 and EMS calls was 63. Save the Date for Mullica Township Police Department National Night Out, August 7, 2012, 5:00 pm - 8 pm at the Mullica Township Recreational Complex. This event is designed to heighten crime and drug prevention awareness, generate support for and participation in local anti-crime efforts; strengthen community spirit and police-community partnerships, send a message to criminals that neighborhoods are organized and fighting back. In the past two weeks a number of residential burglaries were reported in the Nesco area. The majority of the events reported involve thefts of scrap metals after entry was made. Residents are urged to be on the lookout for anyone acting suspiciously. Please report anything that looks odd or out of the ordinary to the police department immediately. Occasionally residents tell us that they have seen suspicious activity, but didn't want to call 911 because they didn't think it was an emergency. The direct line to our police dispatch center for reporting non-emergency police matters; is 609-652-2037.

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**Administration:** Ms. Polk reported the schoolyard garden is growing greatly and urged residents to come out and harvest the fruits and vegetables.

**Public Works:** Mr. Riffle reported the following: Please call Public Works with any tree brush which needs to be chipped, please note we are one week behind due to the storms. Beginning July 21<sup>st</sup>, the transfer station is accepting recyclables. Cans, bottles, plastics, cardboard and newspapers can all be placed in the Recycling container. Jackson Road is currently closed for repairs to the bridge.

**Development & Housing:** Mr. Gabris reported the August Historical Society Meeting has been cancelled. Mr. Gabris stated the Discovery House on Richards Avenue is organizing a 5k fun run, roll-a-thon and kids run scheduled for September 29<sup>th</sup>, with more information forthcoming.

**Revenue & Finance:** Mayor reported the Tax bills will be mailed out by the end of the week. The due date has been extended until August 27<sup>th</sup> to pay 3<sup>rd</sup> quarter taxes without penalty. Mayor stated the tax rate for 2011 was 3.96 and the 2012 rate is 3.91, noting a five cents savings. Mayor thanked this Committee, the County and the Schools for keeping our rate down.

### **Old Business:**

**Request of Towing Refund / Mr. William Weygand:** Mayor stated many accusations were made and because of that he did a lot of research regarding this issue. Mayor stated the following: Mr. Weygand applied for a towing license in 1999, which was approved by the Police Department and was recommended by the Governing Body that Mr. Weygand apply to the Zoning Board to confirm his tow lot was in compliance, and Mr. Weygand never made application to the Zoning Board. In the interim the Chief of Police advised Mid-Atlantic Communications that Mr. Weygand was added to the towing roster. Again Mr. Weygand was before the Governing Body and was instructed to again apply to the Zoning Board, which he did not. The Governing Body advised the Chief Mr. Weygand was not approved for towing, and was therefore, removed from the roster. The correspondence from Mrs. Simon, Municipal Clerk from 2000 offered Mr. Weygand a refund of \$1,000.00, in accordance with Chapter 60, Section 12B.4, Towing, of the Code of the Township, from 1999. Mayor Brown made a motion to refund \$1,000.00 to Mr. Weygand. Mr. Weygand stated he was not aware that \$500.00 was to be withheld and he did not accept the refund because he wanted to be on the towing roster. Mr. Riffle seconded the motion. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

### **New Business:**

**Resolution 83-2012 / Extend 3<sup>rd</sup> Quarter Taxes Due Date:** Mayor entertained a motion to extend until August 27<sup>th</sup>, so moved by Ms. Polk seconded by Mr. Riffle. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

**Resolution 84-2012 / Authorizing Community Wildlife Protection Plan:** Mayor entertained a motion to approve; motion made by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

### **Public Discussion:**

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Ms. Kathy Dickerson, Mullica Woods, presented a visa gift card from the residents of Mullica Woods for National Night Out and asked if there were any developments regarding the rent complaint filed. Mayor stated it will be addressed on the first meeting in August.

Mr. Dave Goldberg expressed his dissatisfaction with the bicycle races that ride through Mullica and submitted a copy of Title 39, Rights and Duties of Persons on Bicycles. Mr. Goldberg urged Committee to cease these riders or make them obey the law, noting state law requires a bicyclist must obey all state and local automobile driving laws.

Mr. Bill Cavage agreed some of the bicyclist have gotten out of control.

Mayor entertained a motion to adjourn; so moved by Ms. Polk made a motion to adjourn the meeting seconded by Mr. Hagaman. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson, RMC