

A Regular Meeting of the **BERKELEY TOWNSHIP PLANNING BOARD** was held on July 5, 2012 7:00P.M at the Municipal Building, 627 Pinewald Keswick Road, Bayville, New Jersey.

Roll Call, Present were Chairman Anthony DePaola, and Board Members, Robert Winward, Paul Kaywork, Jack Wiegartner, Councilwoman Frances Siddons, Brian Gingrich and Dominick Lorelli. Also attending were, Alan Dittenhofer P.E. Board Engineer, Gregory McGuckin Esq., Board Attorney, Donna Rado for Linda Sullivan-Hill C.S.R., Board Court Reporter, and Melissa Kazmac, substituting for Planning Board Secretary.

REGULAR MEETING AGENDA BERKELEY TOWNSHIP PLANNING BOARD

Chairman DePaola led the Flag Salute and read the public announcements.

Sunshine Act Statement: This meeting was advertised in the Asbury Park Press and the Press of Atlantic City and posted in the Clerk's Office on the Bulletin Board as required by the "Open Public Meeting Act." Please be advised that there is to be NO SMOKING in this building in accordance with New Jersey legislation.

Approval of Minutes- Minutes from the June 7, 2012 Meeting. Motion made by Mr. Winward, seconded by Jack Wiegartner to approve the minutes. Motion Carried.

Vouchers Submitted for Payment –

Engineering, \$3,730.00

Legal Fees \$530.00

Motion made by Mr. Wiegartner, seconded by Mr. Gingrich to approve the bills. Motion Carried.

- 1. Ordinance Review – Review and consideration of an Ordinance to amend Chapter 35, Land Development, of the Code of the Township of Berkeley in response to amendments to the Pinelands Comprehensive Management Plan related to cluster development, wetlands management and forestry within the Pinelands area of the Township**

Mr. Oris explains to the Board how the town has always been in compliance with the Pinelands Commission. The Pinelands Commission has asked municipalities to update their plans to remain in compliance. The Township Council adopted the ordinance on the first reading and the Planning Board is asked to either adopt a Resolution or send a letter of approval for the Township Council. In

order to stay in compliance with the Pinelands Comprehensive Management Plan they need to adopt the ordinances by July 31, 2012. Only the governing body can adopt the ordinance.

Chairman DePaola suggests to the Board they agree with the changes as the Township Council did.

The Plan preserves properties, and open space while eliminating clustering.

Will help preserve and improve water quality in Barnegat Bay.

Mr. McGuckin recommends adoption and that a letter be sent by himself on behalf of the Planning Board to the Township Council.

Motion by Mr. Winward, seconded by Mr. Gingrich to send a letter to Township Council recommending the adoption of the ordinance.

2. Master Plan – Review and consideration for adoption of Environmental Resource Inventory prepared by Maser Consulting, PA, as part of the Township Master Plan

Mr. Oris explains how the Master Plan is a planning tool when you are looking at land uses or properties with historical value. This document was paid in part by a state grant (75%); the document was submitted to the Environmental Commission and endorsed by them as well. The Township of Berkeley has been working with the State of New Jersey since 2003 towards controlling sprawl development and protecting the Townships delicate remaining woodlands and Barnegat Bay shorelines. This Environmental Resource Inventory as proposed in the Township's grant application to Sustainable Jersey was also an opportunity for the Township to explore the potential for altering past practices for managing stormwater in light of heightened concerns about its degradation of the fragile Barnegat Bay ecosystem.

This map will advance the cause of reforming engineering practices for stormwater management along the Bay and support ongoing efforts by the New Jersey Department of Environmental Protection and Ocean County's departments of planning and engineering to convert traditional stormwater basins into bio filtration basins. It will also reinforce the Township's recent efforts to incorporate requirements for more sustainable stormwater management Best Management Practices into its development regulations based on standards found in the Leadership in Energy and Environmental Design (hereinafter "LEED") rating systems of the U.S. Green Building Council.

Finally, the discovery of historic and cultural sites within the State parklands through the field work was a bonus for the Environmental Resource Inventory and enabled the mapping to be more informative about the Township's past and tell the stories of how the first settlers of the Township used the bogs to first

extract iron from the mud to smelt into bars in forges and transport with mules (hence the name "Mule" Road) and then to harvest cranberries.

The benefits of preparing an ERI are many. Once prepared, an ERI can be used as a:

- Factual basis for municipal land use planning;
- Resource in the preparation of the land use element of the Township's Master Plan;
- Guide in the site plan review process;
- Tool in determining zoning regulations and municipal ordinances;
- Basis for a land capability analysis and for determining the intensity and location of development;
- Indicator of sensitive areas and areas suitable for development;
- Tool to increase understanding of natural systems;
- Long-term planning tool to identify potential land use and natural resource problems and
- Educational tool for residents to learn more about their community

The Sustainable Jersey grant requires that the Township incorporate the ERI into its land use decision making process. If the Township Planning Board elects to adopt the ERI as part of the Master Plan, the justification and foundation is in place for the implementation of ordinances for resource protection, conservation and preservation. Finally, it should be noted that the Township of Berkeley will earn 20 points towards its Sustainable Jersey certification upon completion of the ERI.

The Township of Berkeley is located in the eastern portion of Ocean County. It is bordered to the north by Toms River Township, South Toms River Borough, Beachwood Borough, Ocean Gate Borough, Pine Beach Borough, Island Heights Borough and Seaside Park Borough. It is bordered to the south by Lacey Township and to the west by Manchester Township. To the east is the Atlantic Ocean. Regional access to the Township is gained by the Garden State Parkway via Exit 77 as well as County Routes 530, 619, 618 and 621 and State Route 9.

According to the 2010 tax records, the Township of Berkeley covers 41.4 square miles or roughly 26,500 acres. The Township can be divided into three sections. First, there is the barrier island that encompasses approximately 2,200 acres, which contains Island Beach State Park. Then there is the eastern mainland, lands east of the Parkway. Finally, there is the western mainland, which includes lands west of the Parkway. Most of these lands are under the Pinelands regulations. Berkeley has a wealth of water resources.

Public Portion

Mrs. Margarite- concerned with land development, population, unhappy with government from top down, feels we should be able to develop land without restrictions.

Motion made by Mr. Kaywork seconded by Mr. Winward to adopt the Environmental Resource Plan as part of the Master Plan. Motion Carried.

Consideration of Agenda Application

Applicant: Bayville Storage, LLC

PB# 11-674

Type of Application:	Amended Preliminary & Final Major Site Plan
Block: 973	Lot: 7.01
Address:	820 Route 9
Project:	3400 sq.ft. storage building
Engineer:	Stuart Challoner, PE

A letter dated July 3, 2012 from Warren Peterson attorney for Berkeley Storage LLC. Application 12-006, asking for an adjournment of that hearing until August 2, 2012.

Chairman DePaolo asks Mr. Oris as well as Dave Roberts to explain tomorrow's meeting with the State regarding the Town Center.

Mr. Roberts and Mr. Oris explain to the Board members how they are feeling good about tomorrow's meeting with the state. They feel very good the State will endorse their Town Center Plan and we will be able to move forward with the Route 9, Johnson property.

Chairman DePaolo also goes over with the Board members a letter that he is asking they sign which is regarding Planning Board Member attendance to meetings. The Chairman explains how the Planning Board provides the orderly guide of growth and development in this community. Important functions include adopting the Master Plan as well as any amendments made to the Master Plan. Administering site plan and land subdivision review, approving conditional use applications and making reports and suggestions to The Township Council of proposed development regulations. The Chairman reminds the members that the Planning Board meets the first Thursday of every month at 7pm. Attendance at these meetings is extremely important. If the

Board does not a quorum there can be no vote on any applications, or business at hand.

Meeting is adjourned. The next meeting is August 2, 2012 at 7 p.m.

Respectfully Submitted for Approval,

Melissa Kazmac