
CALL TO ORDER:

The Board Secretary called the meeting to order at 7:40pm and stated it was open to the public in compliance with Public Law 1975, Chapter 231, sections 4 & 13.

FLAG SALUTE

ROLL CALL: Members Present: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, O'Leary, Straub.

Members Absent: O'Connor, Taylor.

REORGANIZATION MEETING:

1.) Chairperson of the Land Use Board for the year 2009.

A motion to appoint Mr. O'Leary as chairperson of the Land Use Board for the year 2009 was made by Mrs. Straub. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub.

Mr. O'Leary chaired the meeting from this point on.

2.) Vice-Chair of the Land Use Board for the year 2009.

A motion to appoint Mrs. Straub as the Vice-Chair of the Board for the year 2009 was made by Mr. Luthman. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, O'Leary.

3.) Board Secretary for the year 2009.

A motion to appoint Mrs. Pizzulo as the Board Secretary for the year 2009 was made by Mr. Corcoran. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O'Leary.

4.) Board attorney for the year 2009.

There was a discussion about the cost of attorney fees and litigation for the previous year. The Board agreed to review the proposals they have received for Board Attorney and set up a committee to interview attorneys and report back to the Board. A motion to appoint Ms. Reading from Dolan & Dolan from January 15, 2009 through April 1, 2009 was made by Mr. Luthman. It was seconded by Mr. Hughes and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O'Leary.

5.) Board Engineer for the year 2009.

Mr. Randazzo reported to the Board on the responses he had received after sending out requests for proposals for engineers. A motion to appoint the firm of Finelli Consulting as the Board Engineer for the year 2009 was made by Mr. Corcoran. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O'Leary.

6.) Board Planner for the year 2009.

A motion to appoint Finelli Consulting as the Board Planner until April 1, 2009 was made by Mr. Randazzo. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O'Leary. Mr. Luthman noted the planner must be made aware of the Board's budget constraints.

7.) Workshop and Regular Meeting Dates

A motion to have the workshop meetings on the third Thursday of each month and the regular meetings on the fourth Thursday of each month with the exception of November in which case there will be only one regular meeting date of November 12, 2009 and December in which case there will be only one regular meeting date of December 17, 2009 was made by Mrs. Straub. It was seconded by Mr. Corcoran and

passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O'Leary.

8.) New Jersey Herald and the Sunday Herald as the official newspaper of the Board for 2009.

A motion to use the New Jersey Herald and the Sunday Herald as the official newspaper of the Board for the year 2009 was made by Mr. Corcoran. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O'Leary.

WORKSHOP MEETING:

AUDIENCE:

Mr. O'Leary opened the meeting to the public. With there being no public present, the meeting was closed to the public.

OLD BUSINESS:

1.) Ridgeline Protection Ordinance.

Mr. Randazzo had made revisions to the proposed ordinance and reviewed it with the Board. The Board agreed to carry this matter to the February workshop meeting.

2.) Ordinance Revisions

Mr. O'Leary said the work product that was being revised by H2M was never supplied to the Board. The Board agreed to request it from H2M. The Board Secretary said she will request it from H2M. The Board agreed to carry this matter to the February workshop meeting.

Mr. Luthman presented a list of old items that still need to be addressed entitled "Old Items List January 2009". He said the Board needs to look at implementing a steep slope ordinance and a requirement for a foundation location survey ordinance. He suggested the Board look into getting a zoning map with the overlays such as the gateway overlay and the environmental sensitive areas.

Ms. Didyk asked to have the Zoning Officer check on the height of the Bubalo house. She wanted all four sides of the house measured to be sure they are compliant with the ordinance. The Board Secretary said she will advise the Zoning Officer he will need to check into this.

NEW BUSINESS:

1.) Review of Sign Ordinance

Ms. Didyk said neon signs are not in keeping with the feel and look of Lafayette. She said a wooden "open" sign would be ok. She said she does not like the signs in front of the Dunkin Donuts. The Board agreed to carry this matter to the February workshop meeting.

2.) Budget for 2009

Mr. Corcoran said the Township Committee penciled in the same budget the Board had for the previous year. Mr. Hughes felt the attorney did not need to be present at all of the workshop meetings. He suggested the Attorney be paid on an hourly basis. Mr. Hahn agreed. There was a lengthy discussion on the Board's budget. Mr. Randazzo suggested the professionals be advised of the budget and they cannot bill anything over that amount. Mr. Corcoran made a motion to pay the attorney at a rate of \$135.00 per hour for the regular meetings and workshop and any detailed prep work for those meeting not to exceed without written authority 13 hours per month from January 1 to March 31, 2009. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O'Leary.

The Board had a lengthy discussion on the engineering and planning budget. Mr. Hughes suggested the engineering and planning have separate budget amounts to be able to keep better track of the spending.

A motion to propose to the Township Committee a budget of \$17,820.00 for attorney fees and \$10,000.00 for litigation, \$15,000.00 for engineering and \$10,000.00 for planning services was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Didyk, Leuthe, Straub, O’Leary.

RESOLUTIONS: None.

ORDINANCES: None.

PENDING APPLICATIONS STATUS REPORT:

No.	Name	Application Number	Complete Date	Time	Status
1	Everswick	VAR08-3	9/25/08	120 Days	Hearing on 9/25/08 – Carried to Oct meeting. Asked to carry to Nov meeting. Dismissed w/o prejudice in Nov. Resolution memorialized in Dec. Re-noticing for Jan.
2	Handweg Drive Realty	VAR08-4	n/a	n/a	H2M report 9/23/08 – Incomplete Contacted attorney – Still working on this. Applicant constructed 5 structures w/o zoning or bldg permits.
3	Barsumyan	MNR08-16	Submitted 9/11/08 Completed 11/6/08	45	Hearing 11/13/08 – Carried to Dec meeting. Asked to be carried to Jan meeting. Asked to be carried to future date.
4	Peck	MNR09-1	n/a	n/a	Subdivision is for lot line adjustment for farmland preservation.
5	Casagrande	MNR09-3 SP09-4 FSP09-5 VAR09-6 VAR09-7	n/a	n/a	Subdivision for expansion of bldg. Expansion of an existing, non-conforming use in R-4 zone.

Ms. Didyk left the meeting at 10:00pm.

TRC REPORT: Waste Management

Mr. Dave Atkinson, PE of H2M Group sent an email to the Board Secretary summarizing the TRC meeting they had with Waste Management. Mr. O’Leary read the email to the Board. The Board felt Waste Management would need to appear before them for site plan approval.

A motion to have the Board Secretary send a letter to Waste Management requesting them to appear before the Board to present a site plan for the pavement of their parking area and meet all of the current ordinances was made by Mr. Hughes. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Hahn, Leuthe, Straub, O’Leary.

EXECUTIVE SESSION: None.

CORRESPONDENCE:

- 1.) Zoning Practice – Code Overhauls

- 2.) From: Jeffery A. Biggs, PE
Re: RFP Board Engineer 2009
- 3.) From: Christopher A. Melick
Re: LOI for 24 Lewisburg Rd
- 4.) From: David Wallace, Esq.
Re: Brian Everswick application – Will be at January meeting appearing pro se
- 5.) From: Maureen E. Kaman, Tax Assessor
Re: Kimber Petroleum property – Merger of lots.
- 6.) From: Megan A. Ward, Esq.
Re: Lafayette Holdings, LLC – Requesting resolution to be revised.
- 7.) From: Nancy reading, Esq.
Re: Consent Order as to Nouvelle Litigation
- 8.) From: Eric A. Wood, Esq.
Re: Haubrich Enterprises, LLC – Disputes any invoices from H2M as it relates to site plan review
- 9.) From: SC Division of Planning
Re: East Coast Development Associates, LLC B:33, L:4,5.01,16 – Prices Lane, Sparta
- 10.) From: Richard R. Keiling, Esq.
Re: Barsumyan application – Carry until road realignment info gathered
- 11.) Zoning Practice – Graduated Density

ADJOURNMENT:

A motion to adjourn was made by Mr. Hahn. It was seconded by Mr. Randazzo and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Land Use Board Secretary