CALL TO ORDER:

Mr. O'Leary called the meeting to order at 7:36pm 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, O'Connor, Luthman, Corcoran,

Didyk, Straub, Hahn, Leuthe, Taylor,

O'Leary.

Members Absent: Randazzo.

Also Present: Ursula Leo, Esq. Nevitt Duveneck, PE

HEARINGS:

1.) AES Property Holdings SP05-14 B:17 L:2.05

The board secretary reported she spoke to Mr. George Sweeney, Esq. who would be representing the applicant. Mr. Sweeney advised her AES Property Holdings would be taking over the Tower Alpine application. The secretary advised Mr. Sweeney the applicant would need to submit a completed application and escrow monies. Mr. Sweeney was also looking for an extension on the resolution for preliminary approvals.

2.) Barsumyan MNR08-16 B:14 L:15.07

The board secretary advised the board she sent the applicant a copy of the resolution which talked about the road realignment. The applicant asked to be carried to the April meeting.

3.) Peck, Harold MNR09-1, VAR09-2 B:14 L:11.01

The application was still incomplete.

4.) Handwerg Drive Realty VAR08-14 B:14 L:7

The board secretary said she was unable to get in touch with the applicant's attorney. There was a discussion on how to get the applicant to comply with the court to appear before the board with an application for the buildings that were built without permits and which now require variances. The board attorney will contact the applicant's attorney and advise them to appear in April or the application will be denied.

5.) Casagrande MNR09-3, SP09-4, FSP09-5, VAR09-6, VAR09-7 B:15 L:6.01

The board secretary said she has advised the applicant of the application and escrow fee amounts and to date they have not paid those fees. She spoke to the property owner who was not aware the application was not moving forward. Ms. Leo suggested the zoning officer write a letter to the applicant advising them they could not delay this matter any further without incurring a violation. Ms. Didyk said there is a safety issue with the cranes near the roadway. Ms. Leo said she will contact the applicant's attorney.

OLD BUSINESS:

1.) Ridgeline Protection Ordinance

Mr. Duveneck had developed a ridgeline map from the existing zoning map. He explained the map to the board. There was a discussion of the elevation line for the protection area. Mr. Duveneck suggested there be a list of all of the block and lots which will be affected by the new ordinance. There was a discussion on a driveway that was under construction on Statesville Quarry Road that would fall within the ridgeline protection area. The driveway is under construction prior to a permit being issued. The board wanted the zoning officer to issue a formal stop work order so there is a paper trail if needed in the future. The board agreed to review the map and carry this matter to the April meeting.

MINUTES: July 17, 2008

A motion to approve the minute of the July 17, 2008 meeting was made by Mr. Luthman. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Luthman, Corcoran, Hahn, Leuthe, Taylor, Straub, O'Leary.

Mr. Taylor asked if the Board had received the electronic version of the changes to the ordinance that H2M had been working on. To date the Board had not received this.

NEW BUSINESS:

1.) Zoning Map Errors

The board secretary said she has not received any notification from board members of any errors on the zoning map. There was a discussion on why the Waste Management site was located in the Public Zone on the zoning map.

Mr. O'Leary advised the board that the Open Space Committee has received additional funds from Green Acres and they now have \$800,000.00.

RESOLUTIONS: None.

ORDINANCES: None.

ZONING REPORT:

Mr. O'Connor reported that the property owner at 85 Route 15 was taken to court and the tenants are now out of the house. Mr. O'Connor had a question about the lot lines and setbacks on the Bubalo subdivision. Mr. Duveneck suggested Mr. O'Connor look at the plans to see what the setback would be.

BILLS: List #3

A motion to pay the bills as presented was made by Mr. Leuthe. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, O'Connor, Luthman, Corcoran, Didyk, Straub, Hahn, Leuthe, O'Leary.

EXECUTIVE SESSION: None.

CORRESPONDENCE:

1.) From: Richard Keiling, Esq.

Re: Barsumyan Subdivision – Asking to be carried to the April meeting date.

2.) From: NJPO

Re: State Planning Conference

ADJOURNMENT:

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

Respectfully submitted,

Stephanie Pizzulo Land Use Board Secretary