
CALL TO ORDER:

Mr. O'Leary called the meeting to order at 7:41 p.m. 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: Randazzo, Hahn, Didyk, Straub, O'Leary.

Members Absent: Hughes, Fette, Luthman, Corcoran, Leuthe, Taylor.

Also Present: Richard Clark, Esq.
 Nevitt Duveneck, PE

HEARINGS:

1.) Handweg Drive Realty VAR08-14 B:14 L:7

Mr. O'Leary read a letter from the applicant's attorney asking to be carried to the October 22, 2009 meeting date. The Board agreed to carry the matter without further notice

2.) Jiggetts, Danita VAR09-12 B:22 L:20.06

Mr. O'Leary read a letter from the applicant's attorney asking to be carried to the October 22, 2009 meeting date.

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

Mr. Straub stepped down from the Board for this hearing because her property fell within 200 feet of the applicant's. With Mrs. Straub stepping down, there was no longer a quorum to vote on the application. The Board and applicant agreed to proceed and the Board Secretary will make sure at least one other Board Member listens to the recording before a vote is taken.

Mr. Alan Langjahr, Esq. said he was representing the applicant.

Mr. Duveneck went through his report and recommended to the Board the application be deemed complete.

A motion to deem the application complete was made by Mr. Randazzo. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Randazzo, Hahn, Didyk, O'Leary.

Mr. Langjahr said his client was seeking a minor subdivision with a variance for the remainder lot. Mr. Dan Kent, PP and land surveyor was sworn in by Mr. Clark and gave his qualifications which were accepted by the Board. Mr. Kent went over the proposed subdivision with the Board. He went over the maps he had submitted to the Board with a date of 1-26-09 and a revision date of 3-25-09. Mr. Kent said they were proposing a lot line adjustment between the properties owned by the Peck's and the Golembioski's. He said the land is an open field which is used by the Peck's for their cows. He said if approved the subdivision would leave the Golembioski's with 3.066 acres in a 4 acre zone. Mr. Kent said the Peck's property has already been accepted by farmland preservation. He said the Golembioski's lot is fully developed with a house and driveway, a septic and a well. He said the original subdivision was done in 1972. Mr. Kent said the property being subdivided and sold to the Peck's will be farmed but will not be part of the farmland preservation because the County has closed out its funding.

Mr. Harold Peck, Mrs. Sally Peck and Mr. Richard Golembioski of 144 Meadows Road were sworn in by Mr. Clark. Mr. Golembioski said he was aware he will lose his farm assessment once the property is subdivided.

Mr. Duveneck asked if the applicant will apply to farmland preservation for the newly added piece of land to his property. Mr. Langjahr said the County has already advised Mr. Peck it will not consider this piece of land for preservation. Mr. Duveneck asked if the applicant would be willing to deed restrict the property so no development can occur there. He said they would still be able to construct agricultural buildings just not a residence. Mr. Peck agreed to this.

Mr. Duveneck noted there is still plenty of room on the remainder lot to expand the structure and add onto or put in a new septic if needed. He felt there was no need for an L.O.I. as was requested in the H2M report because the applicant was not going to develop the annexed area.

Mr. O'Leary opened the meeting to the public. With nobody from the public coming forward, the meeting was closed to the public.

Mr. Clark noted the applicant was seeking a minor subdivision with a "c" variance. He said the approval will be making a conforming lot non-conforming and Mr. Golembioski will lose his farm assessment.

A motion to prepare a favorable resolution to be ready for the next meeting date was made by Mr. Randazzo. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Randazzo, Hahn, Didyk, O'Leary.

Mrs. Straub returned to the Board.

The Board discussed the Jiggetts application and the letter asking to be carried. The Board felt it had been carried a number of times already. The Board agreed the Secretary will send a letter to the applicant stating the matter will be heard at the October meeting with no further adjournments.

OLD BUSINESS:

Mr. O'Leary said the Board received a letter from H2M stating they would settle on the amount due them for their professional services in accordance with the terms of the letter they received from the Board Secretary.

Mr. O'Leary handed out a revised sign ordinance and discussed development complex signs. Mr. Duveneck said the flags need to be controlled in some manner. The Board will carry the sign ordinance to its next workshop.

NEW BUSINESS:

Mr. Clark explained his billing procedures to the Board.

Mr. Duveneck asked about the foundations that were being constructed on the AES Property Holdings property. Mr. Clark said he spoke to Mr. Kurnos and only the foundation is allowed at this time. They are not allowed to add a slab or go any further with the project.

RESOLUTIONS:

1.) Lafayette Asphalt SP09-10, FSP09-11 B:1.02 L:1

A motion to approve the resolution was made by Mr. Randazzo. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Randazzo, Didyk, Straub, O'Leary.

ORDINANCES: None.

ZONING REPORT: None.

BILLS: List # 13

A motion to pay the bills as presented was made by Ms. Didyk. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Randazzo, Hahn, Didyk, Straub, O'Leary.

EXECUTIVE SESSION: None.

CORRESPONDENCE:

1.) From: Mr. John E. Ursin, Esq.

Re: Handweg Drive Realty – Asking to be carried to October meeting date.

2.) From: Keith A. Hyche, Esq.

Re: Jiggetts Application – Asking to be carried to October 22, 2009 meeting date.

3.) From: Anna Rose Fedish, Clerk
Re: Recent submission to COAH

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