
CALL TO ORDER:

Mr. O'Leary called the meeting to order 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, Fette, Randazzo, Corcoran, Hahn,
Didyk, Leuthe, Taylor, O'Leary.

Members Absent: Luthman, Straub.

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

Ms. Didyk and Mr. Fette took their oath of office.

The Board agreed to handle the minutes after the hearings.

1.) Casagrande

The Board agreed to move the Casagrande matter up on the agenda.

Ms. Sue Van Sickle was present and wanted to know what she needed to do to keep her property as industrial/commercial.

Ms. Leo said she had spoken to Mr. Mark Hontz, attorney for Casagrande. He advised her that his client was looking for property in Sparta to relocate to. Ms. Leo said Casagrande is still in Lafayette and it is still a safety issue. She said they still have not submitted site plan to the Board.

Ms. Van Sickle said her property is a class B-4 Industrial and she pays taxes on a commercial use. Ms. Leo said Casagrande needs to come before the Board with a site plan and a use variance or Ms. Van Sickle would have to show the Board proof the commercial use was in place when the re-zoning took place.

HEARINGS:

1.) Gualano, Teresa MNR09-15 B:22 L:9

Ms. Didyk and Mr. Hughes stepped down from the Board.

Mr. Nicholas Nicoscia, Esq. was the attorney for the applicant. Mr. William Moran, PE was sworn in by Ms. Leo. He gave his qualifications which were accepted by the Board.

Mr. Duveneck said the outstanding items in his report had been supplied to him and he recommenced to the Board they deem the application complete.

A motion to deem the application complete according to the recommendation of the Board Engineer was made by Mr. Corcoran. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Fette, Randazzo, Corcoran, Hahn, Leuthe, Taylor, O'Leary.

Mr. Moran said they had presented a conforming subdivision to the Board. He explained his map to the Board. The property consists of 27.5 acres in the R-4 zone. There will be two conforming lots. One lot will be 11 acres and one lot will be 16 acres. There is a single family two story house that exists on the lot presently.

Mr. Moran explained the wetlands that exist on the site. He said they are aware the guide rail along Meadows Road will have to be removed and replaced according to D.O.T. standards. They do not have any intention of immediate development.

The location of the proposed home will be approved at the time the dwelling is being built. The stormwater will be addressed at the time of the driveway and building permit process. The deeds will be reviewed by the Board Professionals. The proposed driveway will not touch the wetlands buffer. Mr. Duveneck said when the driveway is built it will be staked out to make sure they stay away from the buffer.

Mr. O'Leary opened the meeting to the public. Ms. Tammy Didyk of Beaver Run Road asked about water run off. Mr. Moran said the run off from the house will go into seepage pits in the ground and the driveway will discharge into the wetlands. Ms. Didyk noted there is a swamp about 100 feet behind the existing house. She expressed a concern about the wildlife in it. Mr. Moran said the proposed development will be far away from the swamp. He said they would need to get D.E.P. permits if they go into the buffer.

With nobody else from the public coming forward, the meeting was closed to the public.

Mr. Gualano was sworn in by Ms. Leo. Mr. Gualano said he was very interested in preserving the wildlife. He said he had no present plans to develop the property. He wanted the subdivision because it was misrepresented to him at the time of the purchase of the property.

A motion to approve the subdivision subject to the noted conditions was made by Mr. Fette. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Fette, Randazzo, Corcoran, Hahn, Leuthe, Taylor, O'Leary.

Ms. Didyk and Mr. Hughes returned to the Board.

2.) Barnside, Inc. VAR09-14 B:24 L:3.06

Mr. O'Leary noted the application was still incomplete.

3.) D'Agostino MNR09-16 B:25 L:11.02

Mr. O'Leary noted the application was still incomplete.

MINUTES: May 28, 2009, June 18, 2009, June 25, 2009, July 16, 2009

A motion to approve the minutes of the May 28, 2009 meeting with the noted corrections was made by Mr. Corcoran. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Corcoran, Hahn, Leuthe, Taylor, O'Leary.

A motion to approve the minutes of the June 18, 2009 meeting with the noted corrections was made by Mr. Randazzo. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Randazzo, Corcoran, Didyk, Leuthe, Taylor, O'Leary.

A motion to approve the minutes for the June 25, 2009 meeting with the noted corrections was made by Mr. Hahn. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Hughes, Fette, Randazzo, Corcoran, Hahn, Leuthe, Taylor, O'Leary.

A motion to approve the minutes of the July 16 meeting with the noted corrections was made by Mr. Corcoran. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Fette, Randazzo, Corcoran, Taylor, O'Leary.

OLD BUSINESS:

1) Casagrande

Mr. Fette asked if the property could be re-zoned. Ms. Leo said that would be spot zoning. She will follow up with a letter to Mr. Hontz

2.) Draft Budget for 2010

There was a discussion on the possible litigation in 2010. The Board agreed to the proposed

budget and the Secretary will send it up to the Township Committee for their budget meeting.

3.) Annual Report

A motion to approve and send to the Township Committee the annual report was made by Mr. Randazzo. It was seconded by Mr. Hahn and passed with everyone saying aye.

Ms. Didyk adjourned from the Board.

NEW BUSINESS:

1.) Regulation of Unsafe Buildings

Mr. Fette handed out an ordinance from another town regarding unsafe buildings. He went over the ordinance with the Board. The Board agreed to read over the ordinance and they will address this at the February workshop meeting.

2.) Off Site Signage

Ms. Leo will look into this matter.

3.) Citizens Service Act

Ms. Leo said a new act called the Citizens Service Act was in affect and she felt our ordinances do not address this well enough. The new act talks about board vacancies and removal of board members. Ms. Leo will have a draft ordinance for next month.

The Board discussed the new S-1 Bill. The bill does away with COAH and gives this authority to the State Planning Board. It will also give more power to municipalities when it comes to affordable housing.

RESOLUTIONS:

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

A motion to approve the resolution for buildings #3 & #9 with the noted corrections was made by Mr. Randazzo. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, Randazzo, Corcoran, Leuthe, Taylor, O'Leary.

A motion to approve the resolution for building #4 with the noted corrections was made by Mr. Randazzo. It was seconded by Mr. Hughes and passed with a roll call vote. Ayes: Hughes, Randazzo, Corcoran, Leuthe, O'Leary.

A motion to approve the resolution for building #10 with the noted corrections was made by Mr. Randazzo. It was seconded by Mr. Hughes and passed with a roll call vote. Ayes: Hughes, Randazzo, Leuthe, Taylor.

ZONING REPORT:

Mr. Fette reported he had issued a violation to 85 route 15 for having an illegal apartment in the single family house.

BILLS: List #2

Mr. Leuthe went over the bills with the Board and recommended to pay the bills.

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, Fette, Randazzo, Corcoran, Hahn, Leuthe, Taylor, O'Leary.

EXECUTIVE SESSION:

A motion to go into executive session to discuss pending litigation was made by Mr. Corcoran. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Hughes, Fette, Randazzo, Corcoran, Hahn, Leuthe, Taylor, O'Leary.

A motion to come out of executive session was made by Mr. Hahn. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Hughes, Fette, Randazzo, Corcoran, Hahn, Leuthe, Taylor, O'Leary.

CORRESPONDENCE:

1.) From: ANJEC

Re: 2010 Smart Growth Planning Grant Application

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