

CALL TO ORDER

Mr. O'Leary called the meeting to order at 7:35 p.m. and stated the meeting was open to the public in compliance with Public Law 1975, Chapter 231, sections 4 & 13.

FLAG SALUTE

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

Members Absent: Hughes.

Also Present: Ursula Leo, Esq.

AUDIENCE:

The Board agreed to move the audience portion of the agenda before approving the minutes.

Mr. O'Leary opened the meeting to the public.

Mr. Bill Killpatrick of 15 Garrison Road, Lafayette approached the Board to discuss the Township's plans to widen Garrison Road. He said he owns the white historic farm house in the bend of the road where the widening is to take place. He said he did understand the town wanted to widen the road to increase safety however he felt it was in contrast to the town's Master Plan in trying to keep Lafayette rural and the State's Master Plan.

Mr. O'Leary advised the Board that Lafayette had applied to the State for a grant to straighten Garrison Road.

Mr. Corcoran felt Garrison Road was dangerous. He said the Township applied for the grant because of the safety issue with the road and for no other reason. He said the grant has been approved by the State. He said the town was not trying to widen the road only straighten it out. He said it will not increase traffic on the road.

Mr. O'Leary said the roads are governed by the Township Committee and the Land Use Board has no jurisdiction over the roads in town. Ms. Leo said the proper venue to discuss this matter with is the Township Committee. She said this Board has little knowledge of the proposed work and no jurisdiction over it.

Mr. Corcoran said once the engineering and designs are in place, Mr. Killpatrick will be noticed and is welcome to review the plans.

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

MINUTES: July 23, 2009, August 20, 2009, August 27, 2009, September 17, 2009, September 24, 2009, October 15, 2009, October 22, 2009, November 12, 2009.

A motion to approve the minutes of the July 23, 2009 meeting with the noted corrections was made by Mr. Corcoran. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Leuthe, O'Leary.

A motion to approve the minutes of the August 20, 2009 meeting with the noted corrections was made by Mr. Fette. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Fette, Randazzo, Corcoran, Hahn, Didyk, O'Leary.

A motion to approve the minutes of the August 27, 2009 meeting with the noted corrections was made by Mrs. Straub. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Straub, Leuthe, Taylor, Didyk, O'Leary.

A motion to approve the minutes of the September 17, 2009 meeting with the noted corrections was made by Mr. Corcoran. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Hahn, Straub, Leuthe, Taylor, O'Leary.

A motion to approve the minutes of the September 24, 2009 meeting with the noted corrections was made by Mr. Hahn. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Randazzo, Hahn, Didyk, Straub, O'Leary.

A motion to approve the minutes of the October 15, 2009 meeting was made by Mrs. Straub. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Straub, Leuthe, Taylor, O'Leary.

A motion to approve the minutes of the October 22, 2009 meeting was made by Mr. Leuthe. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Randazzo, Corcoran, Hahn, Straub, Leuthe, Taylor, O'Leary.

A motion to approve the minutes of the November 12, 2009 meeting with the noted corrections was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Hahn, Didyk, Straub, Taylor, O'Leary.

OLD BUSINESS:

1.) Signs

The Board reviewed the working copy of the proposed changes to the sign ordinance that Mr. Luthman has presented at an earlier meeting date. The Board discussed adding pictures of different types of signs into the ordinance. After some discussion, the Board decided not to include the pictures. Mr. Luthman had compiled his proposed changes from the town's current ordinance, the I.C.C. Sign Regulation, Wantage Townships sign ordinance and a draft ordinance compiled by attorney Richard Clark.

There was a discussion on "obsolete sign copy". There was a discussion on whether the sign is just the face with the copy or if it is the entire structure. The Board went through Mr. Luthman's proposed ordinance and made some corrections and changes.

Ms. Leo talked about "off-premise signs" and billboards. If the town chooses to prohibit off-premise signs they will need to justify the reasoning behind it with aesthetic, safety or traffic concerns. They cannot just prohibit them without justification. Ms. Leo will draft a section regarding the prohibiting of off-premise signs and billboards. The Board felt section prohibiting billboards should be moved to the sign section of the ordinance.

Mr. O'Leary asked the Board to consider "sandwich board signs, signs on silos, color signs and the number of colors allowed, signs on canopies, temporary signs, and billboards for next months workshop meeting. The Board agreed to carry the discussion on the sign ordinance to next month's workshop meeting.

2.) Master Plan Re-Exam

The Board Secretary will send copies of the annual reports from the past six years to the two planners who have submitted cost estimates to the Board for the required Master Plan work. Mr. Randazzo suggested there be a sub-committee to explore and recommend a planner to do the needed Master Plan work. A sub-committee consisting of Mr. Randazzo, Mr. Hughes and Mrs. Straub was formed to handle this matter.

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

NEW BUSINESS:

1.) Regulation of Unsafe Buildings

The Board discussed the "Unsafe Buildings" ordinance Mr. Fette had proposed to the Board. The Board felt a better approach would be to draft a property maintenance ordinance. Mr. Fette said he will get the property maintenance ordinance from Montvale and Ms. Leo said she will get one from Andover so the Board can get some ideas on what they want to draft for their ordinance. The Board discussed some of the structures in town that were of concern.

Ms. Didyk left the meeting at 10:25 p.m.

2.) Ordinance on Vacancies and Work Sessions

The Board discussed the language under the vacancies section of the proposed changes and they agreed that if a Board Member cannot attend a meeting they will need to call or email the Board Secretary to be excused.

A motion to recommend the changes to the Township Committee was made by Mr. Luthman. It was seconded by Mr. Randazzo and passed with a roll call vote. Fette, Luthman, Randazzo, Corcoran, Hahn, Straub, Leuthe, Taylor, O'Leary.

RESOLUTIONS:

No.	Name	Application Number(s)	Block and Lot	Status
1	Gualano, Teresa	MNR09-15	B: 22 L:9	Application was approved on 1/28/10

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

ORDINANCES:

No.	Name	Citation	Memorialized	Date to Clerk	TC Agenda	First Reading	Adopted	Sent to County/ Coded Systems
1	Amendment to Chapter 12 – 21 Day submission requirement	12-5.1	5/28/09	6/2/09	7/7/09	8/4/09	9/1/09	Sent in January
2	Ridgeline	13-3.1	12/17/09		1/19/10	1/19/10	2/16/10	
3	Residential Zone Changes	13-8	12/17/09		2/16/10			

PENDING APPLICATIONS:

No.	Name	Application Number	Complete Date	Time to Act	Status
1	Barnside Inc	VAR09-14	n/a	n/a	<i>Deemed incomplete 12/17/09</i>
2	D'Agostino	MNR09-16	n/a	n/a	<i>Deemed incomplete 12/17/09. Trying to get info in for 2/25/10 meeting date.</i>

TRC REPORT: None.

ZONING REPORT: None.

BILLS: None.

EXECUTIVE SESSION

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

A motion to come out of executive session and release the minutes when the litigation has concluded was made by Mr. Randazzo. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Hahn, Straub, Leuthe, Taylor, O'Leary.

CORRESPONDENCE:

1.) From: Christopher A. Melick, PP

Re: LOI for Block 29 Lot 5 – Lewisburg Rd

- 2.) From: ANJEC
Re: Resource Booklets – Major State Programs Affecting Land Use
- Protecting Our Streams
- 3.) From: NJLM
To: Mayors
Re: Elimination of “Time of Decision Rule”

Ms. Leo explained the proposed changes. She said it has passed the full Senate but has not been signed as of yet.

- 4.) From: Ursala Leo, Esq.
To: John C. Phillips, Esq.
Re: AES Property Holdings v. Lafayette Land Use Board
- 5.) Zoning Practice – Practice Social Services

- 6.) From: Ursala Leo, Esq.
To: Mark J. Hontz, Esq.
Re: Casagrande USA, Inc.

Ms. Leo said she received a call from Mr. Allen Langjahr, Esq. who said he is in the process of being retained by Ms. Van Sickle and he will send a letter to the Board by next week.

- 7.) From: Ursala Leo, Esq.
To: Honorable B. Theodore Bozonelis, AJSC
Re: AES Property Holdings v. Lafayette Land Use Board
- 8.) From: Ursala Leo, Esq.
To: Water Quality Management Plan Policy Advisory Committee, SC Division of Planning
Re: Wastewater Plan Amendment – Nouvelle Associates, LLC
- 9.) From: Ursala Leo, Esq.
Re: Professional Services Contract for 2010
- 10.) From: Ursala Leo, Esq.
Re: Nouvelle Associates, LLC – Wastewater Management Plan
- 11.) From: Jessica Caldwell, PP
Re: Master Plan Reexamination Cost Estimate

ADJOURNMENT

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

Respectfully submitted,

Stephanie Pizzulo
Land Use Board Secretary