

CALL TO ORDER

Mr. O’Leary called the meeting to order at 7:34 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: Randazzo, Corcoran, Hahn, Didyk, Straub,
Taylor, O’Leary, Leuthe (7:47 p.m.).

Members Excused: Hughes, Fette, Luthman.

Members Absent: None.

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

MINUTES: April 15, 2010

A motion to approve the minutes of the April 15, 2010 meeting was made by Mr. Corcoran. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Randazzo, Corcoran, Didyk, O’Leary.

AUDIENCE:

Mr. O’Leary opened the meeting to the public. With nobody present, the meeting was closed to the public.

OLD BUSINESS:

1.) Ordinance Revisions

Mr. O’Leary noted the Board had started working on this about two years ago. He went over some of the changes the Board had made over the past few years. There was a discussion on how the revised ordinances get to Coded Systems. The Board Secretary will get a copy of the contract between Coded Systems and the Township Committee to see if there can be improvements in getting the ordinances to them in a timely fashion.

Mr. Leuthe joined the Board at 7:47 p.m.

The Board went through the work product the Board Secretary had sent to them. The Board made corrections which were noted by the Board Secretary who will revise the document. Mr. Duveneck, with the help of Mr. Fette will come up with a definition of Building Envelope. There was a discussion on the definition of swale. The Board agreed to use the definition Ms. Leo suggested.

2.) EI, P, VC, HC & GC Zone Review

The Board agreed to carry the review of these sections to the June workshop meeting.

3.) Master Plan Re-Exam

Mrs. Straub said the sub-committee assigned to make a recommendation to the Board on a Planner has received two proposals, one from Mr. Banish and one from Ms Caldwell. Mr. Randazzo said they had solicited three planners however only received two proposals. Mr. Randazzo went over the fee schedules and the “not to exceed” figures for both proposals.

Mr. O’Leary asked Ms. Leo to give the Board an update on the COAH decision with respect to the Nouvelle property. Ms. Leo said on April 21, 2010 they went down to COAH on Nouvelle’s motion to accelerate Lafayette’s denial of Lafayette’s petition for substantive certification and COAH denied Nouvelle’s motion but basically set forth a lot of things the Board needs to comply with in a very short period of time. She said the Board needs to do the following: show that inclusionary zoning is realistic with the nitrate dilution standards, show how 70 units through the growth share zoning can be done given the zoning and the towns open space plan, how the towns 47 family and 23 age restricted units are going to be accomplished through the inclusionary zoning, need to specify which zoning districts are going to include the inclusionary provision, need to include why it is consistent with the D.E.P. approved sewer service area, each inclusionary zoning district must have sufficient acres for development yield and why can’t Nouvelle have more than 39 units which are currently

zoned for. She said they must submit the information no later than October 25, 2010 and appear in November. Ms. Leo was hoping to have the Planner onboard and start by the first week in June.

The sub-committee agreed to have a recommendation to the Board by next Thursday.

4.) Foot Bridge

Mr. Corcoran reported to the Board that the Township has received its permit to remove and replace the foot bridge at the pond. He presented the bridge design to the Board. Mr. O’Leary asked what color the pipe railing would be to which Mr. Corcoran said he did not know. Mr. O’Leary expressed a preference for the color to be of an earth tone.

NEW BUSINESS:

1.) Clothing Bins

The Board Secretary advised the Board she had received a phone call from Planet Aide asking about the towns clothing bin ordinance. Ms. Leo will draft an ordinance for the Board’s review.

RESOLUTIONS: None.

ORDINANCES:

| No. | Name | Citation | Memorialized | Date to Clerk | TC Agenda | First Reading | Adopted | Sent to County/ Coded Systems |
|-----|-------|----------|--------------|---------------|-----------|---------------|---------|----------------------------------|
| 1 | Signs | | 4/15/10 | 4/27/10 | 5/4/10 | 5/4/10 | | |

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 Complete 3/25/10. Carried to May meeting.</i> |

TRC REPORT: None.

ZONING REPORT: None.

BILLS: List # 4

Mr. Leuthe had a concern with the bill from Banish Associates. He said he will look further into the matter.

A motion to pay all of the bills except the Banish Associates bill was made by Mr. Leuthe. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Randazzo, Corcoran, Hahn, Didyk, Straub, Leuthe, Taylor, O’Leary.

EXECUTIVE SESSION

A motion to go into executive session to discuss pending litigation with the minutes being released upon conclusion of the matter was made by Mrs. Straub. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Randazzo, Corcoran, Hahn, Didyk, Straub, Leuthe, Taylor, O’Leary.

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

CORRESPONDENCE:

1.) From: Bill Moran, PE, PP

Re: Revised Subdivision Plan for Gualano

- 2.) From: Renee Reiss, COAH Secretary
To: Mr. Robert Kasuba, Esq.
Re: Motion to Accelerate
- 3.) From: Lori Grifa, DCA Acting Commissioner
To: Richard Hughes and Robert Kasuba, Esq.
Re: Letters sent to DCA
- 4.) From: SC Division of Planning
Re: Lafayette Asphalt – Application declared approved
- 5.) From: Richard Clark, Esq.
Re: COAH
- 6.) From: Roger Thomas, Esq.
Re: Files
- 7.) From: Jason Dunn, PP, LLA
Re: Lafayette Asphalt – Resolution condition compliance
- 8.) Zoning Practice – Solar Design

ADJOURNMENT

A motion to adjourn at 10:42 p.m. was made by Mr. Hahn. It was seconded by Ms. Didyk and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Land Use Board Secretary