
CALL TO ORDER:

Mr. O'Leary called the meeting to order at 7:35 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: Hughes, Fette, Randazzo, Corcoran, Hahn, Straub, Leuthe, Taylor, O'Leary, Luthman (7:36pm).

Members Excused: Didyk.

Members Absent: None.

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

COMPLETENESS/ HEARINGS:

1.) Barnside, Inc. VAR09-14 B:24 L:3.06 Deemed Incomplete 12/17/09

2.) D'Agostino, Kimberly MNR09-16 B:25 L:11.02 Granted waivers 3/25/10

Mr. O'Leary and Mr. Hahn stepped down from the Board for this application.

Mr. Duveneck went over his report with a date of 5/26/10 and recommended the application be deemed incomplete due to missing information. He said he did not supply any technical review of the application because of the missing information. Mr. Hughes asked for clarification on what was still missing to which Mr. Duveneck said the verification from Sussex County Department of Health on the soil testing. Mr. Duveneck said the results are on the plans however there is no verification from the County. He said the revised plans were submitted last Thursday and he did not have time to thoroughly review them. Mr. Luthman said the revised plans should have been submitted 21 days prior to the meeting date.

Mr. O'Krepky said Sussex County Health Department does not have a signed form for the soil test witnessing as other counties do.

Mr. O'Krepky submitted to the Board an application which was submitted to the County for a septic design with a date of 5/23/08 which was marked and entered as exhibit A-1. He felt the applicant had met the requirement for the witnessing of the soil logs. There was a discussion on the soil log testing procedures.

Mrs. Straub felt the Board needed a technical response from the Board Engineer.

Mr. O'Krepky asked if the septic plan was acceptable for submittal. He said he will locate his copy of the septic plan stamped by the Sussex County Health Office and supply a copy to the Board Engineer.

A motion to deem the application incomplete was made by Mr. Randazzo. It was seconded by Mr. Hughes and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Leuthe, Taylor, Straub.

Mr. Luthman noted the lot frontage requirement has been changed to 250 feet. He said the proposed lot looks to be 232 feet. He said the requirement changed on March 16, 2010 so it does apply to this application. Mr. O'Krepky said he did not know about this however he said he will need to redraw the map.

The application was carried to the July meeting. It was agreed by the applicant's professionals and the Board that all revised materials and missing information need to be submitted by July 1, 2010.

Mr. O'Leary and Mr. Hahn returned to the Board.

AUDIENCE:

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

OLD BUSINESS:

1.) Master Plan Sub-Committee Recommendation

Mr. Randazzo reported to the Board that the sub-committee had interviewed two candidates; Mr. David Banisch and Ms. Jessica Caldwell. He said the sub-committee felt both candidates were capable however they recommended Mr. Banisch as planner to the Board because he looked at the COAH decision very thoroughly. Mr. Randazzo gave an overview of each candidate. He said both candidates were ok with our COAH deadline. Mr. Randazzo discussed the candidate's fee schedules. He said Ms. Caldwell would be less expensive. Mr. Hughes went over the candidate's strategies on how they would handle the COAH and Master Plan issues.

A motion to appoint Mr. David Banisch of Banisch Associates as the Land Use Board Planner to handle the reexamination report and for general planning needs of the Board from June 1, 2010 to December 31, 2010 was made by Mr. Randazzo. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Hahn, Straub, Leuthe, O'Leary.

BILLS: List # 5

The Board agreed to review the bills at this point in the meeting because Mr. Leuthe needed to leave.

Mr. Leuthe went over the bills with the Board. He recommended the Board pay the bills as presented.

A motion to pay bills list #5 as presented was made by Mr. Leuthe. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Hahn, Straub, Leuthe, O'Leary.

Mr. Leuthe left the meeting at 8:30pm.

NEW BUSINESS:

1.) Review of EI, P, VC, HC, & GC Zones

The Board went through the current ordinance starting at section 13-9. There was a discussion on where to place the parking requirements within the ordinance. The Board discussed and made changes to the parking requirements. There was a discussion on the height of principle and accessory buildings. The Board noted they had not included the requirements for home occupation into the new revised residential section. Ms. Leo said she would write an ordinance for the Township Committee to fix the problem. The Board went through the ordinance discussing proposed changes and stopped at 13-11.3c. They agreed to continue with the discussion at the next workshop meeting.

2.) Review of Proposed Clothing Bin Ordinance

Ms. Leo said towns are required to allow clothing bins set by ordinance. She presented an ordinance to the Board for their consideration. Mr. Fette said there are organizations that are setting clothing bins out and when the town challenges they the clothing collection company threatens to sue. Ms. Leo said the ordinance she was proposing echoes State law. Mr. O'Leary said the Township Committee needs to review the ordinance.

A motion to recommend to the Township Committee they review and adopt the proposed ordinance was made by Mr. Fette. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Hahn, Straub, Taylor, O'Leary.

3.) Wind Energy Ordinance

The Board discussed the proposed ordinance. The Board felt there will be a noise issue. Ms. Leo said that even though the renewable energy device is inherently beneficial, the

Board can set reasonable restrictions especially with regards to size. The Board carried the matter to the next workshop meeting.

RESOLUTIONS: None.

ZONING REPORT:

Mr. Fette said he had sent a violation to Sparwick Contracting for the placement of the shipping containers on their property with the truss roof that was built over them. He reported that no building permit had been applied for or issued for the truss roof. He suggested they come before the Board with a site plan application or remove the structure from the property.

EXECUTIVE SESSION: None.

CORRESPONDENCE: None.

ADJOURNMENT:

A motion to adjourn at 10:03 p.m. was made by Mr. Hahn. It was seconded by Mr. Fette and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Land Use Board Secretary