

Mr. O'Leary called the meeting to order at 7:36 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, Corcoran, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary, Hughes (7:44pm).

Members Excused: Fette, Luthman.

Members Absent: None.

Also Present: Ursula Leo, Esq.

EXECUTIVE SESSION:

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

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

MINUTES: December 15, 2011, December 22, 2011, January 19, 2012, February 16, 2012, February 23, 2012.

A motion to approve the minutes of the December 15, 2011 meeting with the noted corrections was made by Mrs. Straub. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Corcoran, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary.

A motion to approve the minutes of the December 22, 2011 meeting with the noted corrections was made by Mrs. Straub. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Corcoran, Straub, Taylor, Van Sickle, O'Leary. Mr. Randazzo abstained.

The Board agreed to carry the minutes from the January 19, 2012, February 16, 2012 and February 23, 2012 meetings due to the fact that Board Members did not have a chance to read through them.

AUDIENCE:

Mr. O'Leary opened the meeting to the public. Mr. Nick Corrado of 61 Bunn Rd, Hardyston, N.J. addressed the Board. Mr. Corrado gave the Board Members a handout he had crafted. He asked the Board if the Lafayette Center mall is considered a shopping center. Mr. O'Leary read the definition of "shopping center". Mr. Randazzo said it is the intent of the definition that a strip mall is a shopping center.

Mr. Corrado asked how the Board calculates the 5% allowance for signs. Mr. Corrado complained that Olde Lafayette Village has signs that are larger than 24 square feet which violates the ordinance. He presented pictures of signs at Olde Lafayette Village which he said were put up three weeks ago. Mr. Corrado complained that The Chocolate Goat put up signs without permits.

Mr. Corrado complained about the Outdoor Dining Ordinance. He said the only businesses that have complied were the pizza place and the Dunkin Donuts which are located in his shopping center. He read a letter from the Zoning Officer dated July 11, 2011. Mr. O'Leary said the Outdoor Dining Ordinance has been changed since that letter. Mr. Corrado said that none of the businesses put away their tables and chairs during the winter months as required by the ordinance. He again said the open businesses that put their tables and chairs away are the pizza place and the Dunkin Donuts located in his strip mall. Mr. Corrado complained that the Chocolate Parfait has more chairs outside than they are allowed per the ordinance. He felt there was an enforcement issue.

Mr. Corrado complained that Quick Chek has signs attached to light poles which are in violation of the ordinance. Mr. O'Leary said if Mr. Corrado felt there is an enforcement issue he would need to

take that up with the Township Committee. He said this Board has no jurisdiction of this matter. Mr. Corcoran suggested he contact the Township Clerk to get on the agenda.

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

OLD BUSINESS:

1) Lighting Ordinance

Mr. O'Leary asked the Board if they felt the Township needed a more detailed lighting ordinance or if the current ordinance just needed some adjustments. He said he went through the existing ordinance and came up with some areas that may need to be firmed up.

Mr. Leuthe felt the town did not need anything very detailed. Mrs. Straub said the Dark Sky ordinances are very detailed and talks about having lighting zones. Mr. Taylor agreed that the Dark Sky model ordinance goes overboard. He said he will go through the model ordinance and simplify it and email his draft ordinance to the Board. Mr. Randazzo said the existing ordinance may need to be brought up to date but it needs to be kept simple.

The Board agreed to carry this matter to the next workshop meeting.

2.) Lawler Property

Mr. O'Leary reported that the contract to purchase the Lawler property has been signed by both parties. He said that the tank has been removed and some of the testing indicated there that arsenic has been found on the property however it is being taken care of.

3.) Rehab Funding Program

Mr. Hughes reported that nobody has come forward to date to take advantage of the program. He said the Township has been working on a spending plan.

4.) COAH

Ms. Leo reported that the plan to abolish COAH has been challenged in the courts.

5.) Inspections

Mr. Hughes asked if there are clear directions on inspections for variance and site plan applications. The Board Secretary said if the applicant calls her then she will make sure the correct person does the inspections. There was a discussion on proper communication of inspection requests.

6.) Affordable Housing

Mr. Hughes reported that Advance Housing has final HUD approval and are just waiting for closing documents. He said they are looking to complete construction by the end of the year.

NEW BUSINESS: None.

RESOLUTIONS: None.

ORDINANCES: None.

PENDING APPLICATIONS: None.

TRC REPORT: None

ZONING REPORT: None.

BILLS: List # 2

Mr. Leuthe felt the bills presented by Finelli Consulting Engineers for the revisions made to the zoning map should be sent to the Township Committee for payment and should not be taken from the Land Use Board budget.

A motion to pay bills list #2 with the exclusion of the three bills from Finelli Consulting Engineers for the revisions to the zoning map was made by Mr. Leuthe. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Hughes, Randazzo, Corcoran, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary.

CORRESPONDENCE:

1.) From Megan Ward, Esq.

Re: Request for extension of condition number 9 of the approving resolution for Beaver Run Solar Farm

A motion to grant the requested extension was made by Mr. Randazzo. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Randazzo, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary.

ADJOURNMENT

With no further business coming before the Board, a motion to adjourn was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Secretary