
CALL TO ORDER

Mr. O'Leary called the meeting to order at 7:31 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: Luthman, Corcoran, Leuthe, Didyk, Van Sickle, Aikens, Allison, O'Leary.

Members Excused: Hughes, Cutler, Taylor.

Members Absent: None.

Also Present: Nevitt Duveneck, PE

MINUTES: July 23, 2015, August 27, 2015.

A motion to approve the minutes of the July 23, 2015 meeting as presented was made by Mr. Corcoran. It was seconded Ms. Didyk and passed with a roll call vote. Ayes: Luthman, Corcoran, Leuthe, Didyk, Van Sickle, Allison, O'Leary.

A motion to approve the minutes of the August 27, 2015 meeting as presented was made by Ms. Didyk. It was seconded by Ms. Van Sickle and passed with a roll call vote. Ayes: Luthman, Corcoran, Van Sickle, Aikens, Allison, O'Leary.

COMPLETNESS / HEARINGS / CONCEPT:

1.) Wintermute, John and Josiah B:2 L:4.01 MSP15-4

Mr. Duveneck advised the Board that the applicant had submitted a copy of a portion of a site plan that was old and outdated. He said there could be a potential variance that the applicant did not address. He said there may be two out buildings that are not on the submitted plan and there may be an impervious coverage issue. Mr. Duveneck felt a new site plan needs to be submitted along with an updated checklist and an updated request for any waivers they may be seeking. He recommended that the Board deem the application incomplete based on the need for an updated site plan.

A motion to deem the application incomplete based on the Board Engineer's testimony was made by Ms. Didyk. It was seconded by Mrs. Aikens and passed with a roll call vote. Ayes: Luthman, Corcoran, Leuthe, Didyk, Van Sickle, Aikens, Allison, O'Leary.

AUDIENCE:

Mr. O'Leary opened the meeting to the public. With no public present, the meeting was closed to the public,

OLD BUSINESS:

Mr. O'Leary advised the Board Members to make sure their updated ordinance pages get replaced in their books.

Mr. Luthman asked the Board Secretary to check with the clerk about getting the Renewable Energy ordinance codified into the ordinance book. The Board Secretary said she did advise the Clerk of this error and the Clerk will send it in with this year's revisions in December. Mr. O'Leary noted the Renewable Energy ordinance is in the appendix so it may be an error on the part of Coded Systems. The Board Secretary will look into this.

Mr. O'Leary asked if any Board Members were interested in joining the COAH sub-committee to work on the plan.

NEW BUSINESS:

1.) Consideration of amending Accessory Structure Setbacks

Mr. O'Leary asked if the Township Committee was looking to change setbacks for one specific type of accessory structure such as a shed or were they considering changes for all accessory structures. The Board Secretary said the Zoning Officer gets zoning applications for sheds that

cannot meet a 50 or 60 foot setback and the cost of coming before the Board is more than the cost of the shed.

Mr. O'Leary said the Board could define "shed" and address it separate from all other accessory structures. He felt a large pole building or pool should not be 15 feet from a property line. He suggested the Board may want to consider having different accessory structure setbacks for different zones.

Mr. Corcoran said Lafayette is in excess with the setbacks in comparison with the surrounding towns. He went over the accessory structure setbacks of the surrounding towns. He said the Township Committee came up with a proposed setback of 15 feet for the side yard setback and 30 feet for the rear yard setback. He felt the current setbacks are excessive.

Mr. Luthman said he did not have a problem changing the setbacks of a garden shed however he did have an issue with pools and large buildings being that close to a property line. Mr. O'Leary expressed a concern with pool sheds and pole buildings being 15 feet from the property line. Mr. Leuthe expressed a concern with lot averaging development areas. He also said he did not have a problem with a garden shed being 15 feet off of the property line.

Mr. O'Leary read a proposed definition of a shed to the Board. He said a garage type structure could be large and create a noise issue if it is used to fix cars. He felt a garden shed is a passive use and could be closer to the property line.

Mr. O'Leary expressed a concern with the Village Commercial zone since most of the properties are undersized. Mr. Luthman said the Village Commercial zone has its own setback standards.

Mr. O'Leary suggested the Board limit the number of accessory structures that can be 15 feet from the property line. He felt a property owner could put multiple structures along the property line creating an obtrusive situation. Mr. Corcoran felt the major issue was sheds. He suggested the Board address the shed separately from other accessory structures.

Mr. Duveneck felt the standard 10 by 12 shed is not obtrusive. He felt this type of structure could be put 15 feet from the side yard property line and not be a problem.

Mr. Allison suggested the Board allow for one accessory structure limited in size be allowed at the 15 foot side yard and 30 foot rear yard setback. All other structures would have to meet the current setbacks. He felt the Board needed to simplify things for the small structures that people want to put in their yards. Mr. O'Leary felt a definition of shed needed to be added to the ordinance. Mr. Duveneck felt there should be a limit of one per property.

There was a discussion on proposing changes to all of the setbacks for all structures. Mr. Corcoran suggested that the Board address the accessory structure setback issue separate from the principle structure setbacks. There was a lengthy discussion on the size and number of sheds and the setbacks that the Board wanted to propose to the Township Committee. Mr. Duveneck suggested the structure be located 10 feet from the principle structure for firefighting concerns.

A motion to revise the setbacks to allow for one shed, not to exceed 180 square feet, with a side yard setback of 15 feet and a rear yard setback of 30 feet and being at least 10 feet from the principle structure was made by Mr. Allison. It was seconded by Mr. Luthman and passed with a roll call vote. Ayes: Luthman, Corcoran, Leuthe, Van Sickle, Aikens, Allison, O'Leary. Ms. Didyk voted in the negative because she felt there was no need to have the accessory structure at least 10 feet from the principle structure.

Mr. O'Leary said he will talk to the Board Attorney and have her draft a proposed ordinance to send to the Township Committee.

2.) Consideration of amending the Building Height in the Ridgeline Protection Area

Mr. O'Leary said the Board had a discussion on this matter back in July and August of 2014. Mr. Luthman said the previous amendment of the building height was made on Mr. Cutler's recommendation. Mr. Corcoran asked to carry the matter to the October meeting when Mr. Cutler will be present.

Mr. Allison said he will talk to Mr. Bruning to get a clarification on why the Township Committee wants the building height to be increased. Mr. O'Leary felt that Mr. Bruning is concerned about a walk out basement and that is what is driving the height issue. Ms. Didyk said there are plenty of houses with flat roofs and she did not see the need for a pitched roof. Mr. Luthman expressed a concern that the fire department has a ladder truck that will only go 30 feet in height and that increasing the height would be a safety issue.

Mr. Luthman asked Mr. Corcoran to clarify for the Board the sewer study that the Township Committee was discussing at their last meeting. Mr. Corcoran said the Township is looking into the possibility of putting in a sewer line in the commercial area to attract more development. He said they have to do a lot more research on the issue. Mr. Luthman suggested that the Township restrict any sewer to commercial property only.

RESOLUTIONS:

1.) Northwest Jersey Development Co., Inc. B:14, Lots 27.01 & 33.01 MNR15-2

A motion to approve the resolution for Northwest Jersey Development Co., Inc. as presented was made by Mr. Corcoran. It was seconded by Mrs. Aikens and passed with a roll call vote. Ayes: Luthman, Didyk, Corcoran, Van Sickle, Aikens, Allison, O'Leary.

ORDINANCES: None.

ZONING REPORT:

Mr. Cutler left a zoning report for the Board Members review. The Board Secretary went over the report with the Board.

Mr. O'Leary suggested that Mr. Cutler supply a written report for all of the meeting.

BILLS: List #9

Mr. Leuthe went over the bills with the Board and made a recommendation to pay the bills.

A motion to pay the bills as presented was made by Ms. Van Sickle. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Luthman, Corcoran, Leuthe, Didyk, Van Sickle, Aikens, Allison, O'Leary.

Mr. O'Leary asked for an update on the Beaver Run Solar Farm project. Mr. Duveneck said it is 99.9% complete. He said it is not operating at this time. He said the landscaping is not in however; he felt it would be better to plant the evergreen trees when the leaves are off of the trees. Mr. Duveneck said some of the landscaping will be in the right-of-way. He said he discussed this with the Township Road Forman and the Township Attorney. There will be an agreement in place for the trees in the right-of-way.

CORRESPONDENCE:

- 1.) From: Andrew F. Kaplan, P.E., Cornerstone Environmental
Re: Application to Modify Existing Transition Area for SCMUA
- 2.) From: High Point Group
Re: Freshwater Wetlands Application Checklist

ADJOURNMENT:

With no further business to come before the Board, a motion to adjourn was made by Ms. Van Sickle. It was seconded by Mrs. Aiken and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Secretary

