

CALL TO ORDER

This meeting is open to the public in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

FLAG SALUTE

ROLL CALL: **Members Present:** Luthman, Corcoran, Didyk, Taylor, Van Sickle, Aikens, Allison, O'Leary, Cutler(7:35pm).

Members Excused: Leuthe

Members Absent: Hughes.

Also Present: Ursula Leo, Esq.
David Banisch, PP

MINUTES: April 28, 2016, May 26, 2016.

A motion to approve the minutes of the April 28, 2016 meeting was made by Ms. Van Sickle. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Luthman, Corcoran, Didyk, Taylor, Van Sickle, Allison, O'Leary.

A motion to approve the minutes of the May 26, 2016 meeting was made by Ms. Van Sickle. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Luthman, Corcoran, Didyk, Taylor, Van Sickle, Aikens, Allison, O'Leary.

COMPLETNESS / HEARINGS / CONCEPT:

1.) Keever, Walter B: 14 L: 24.02 VAR 16-1

Mr. Walter Keever of 47 Old Beaver Run Road, Lafayette was sworn in by Ms. Leo. Mr. Keever explained to the Board he needed to put a second story and an addition on the side of his home. He said he did not want to enlarge his existing septic so he is proposing taking the two bedrooms from downstairs and relocating them upstairs and enlarging the downstairs for office space.

Mr. Allison asked Mr. Keever if the lot next to his had a structure on it to which Mr. Keever said no. Mr. O'Leary noted there was a line of trees along the property line. Mr. Keever said he is keeping the trees in place. Mr. Keever said he asked his neighbor to sell him some property to which his neighbor said no.

Mr. Banisch asked if the neighboring houses were at about the same setback from the road as his. Mr. Keever said some are closer to the road than his. Mr. Banisch asked why the addition was not added to the front of his house. Mr. Keever said the existing interior layout did not allow it. Mr. Banisch felt Mr. Keever had met the positive and negative criteria.

Mr. Keever said since his house was in the Ridgeline Viewshed Protection Area he had received approval by the Township Engineer to add the second story. Mr. Keever asked if he could increase the total height to the maximum allowed in the zone. Ms. Leo said that as long as the height complies with the Township ordinance, it will be allowed. Ms. Leo went over the conditions with the Board.

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

A motion to approve the application was made by Ms. Didyk. It was seconded by Ms. Van Sickle and passed with a roll call vote. Cutler, Luthman, Corcoran, Didyk, Taylor, Van Sickle, Aikens, Allison, O'Leary.

AUDIENCE:

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

Ms. Claudia Casser of 17 Woodruff Way, Columbia, NJ addressed the Board.

Mr. Luthman said he has met with Ms. Casser as a representative of the Open Space Committee and because of that he stepped down from the Board.

Ms. Casser said she was before the Board on behalf of her mother who has Alzheimer's. She said she needs to subdivide the property before her mother dies for legal reasons. She explained that the property is held in a family partnership. She gave the history of the property to the Board. She said that there is a 14 acre landlocked lot. She explained that if the existing house were to be subdivided off it would have to share a driveway with the rest of the property that she was hoping to preserve. She asked the Board if they would consider a shared driveway. Mr. O'Leary said Beaver Run Road is a County road and the County would need to weigh in on the driveway opening.

Mr. Banisch suggested that Ms. Casser figure out what she wants to do with the landlocked lot, figure out how much of the property is going into farmland preservation, figure out what variances will be needed and craft a lot with the existing house so it has the required frontage and then return with an application. He advised her that nothing the Board says tonight would be binding. He suggested she hire an engineer to help her create the proposed subdivision.

Ms. Leo said she would not allow the Board to comment on the issue of the shared driveway. She suggested Ms. Casser attend a TRC meeting to get her questions answered.

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

Mr. Luthman rejoined the Board.

OLD BUSINESS:

1.) Possible Amendment to Renewable Energy Ordinance

Mr. Banisch said he looked through the ordinance to see if it was discriminatory on the smaller lots. He handed out a marked up copy of the existing ordinance. Mr. Banisch went over some proposed changes he had come up with. There was a lengthy discussion on the size of the solar array compared to the size of the dwelling on a lot.

Mr. Allison expressed a concern about the expense to the homeowner to come before the Board for a variance for a solar array.

There was a lengthy discussion on accessory setbacks for the various zones. Mr. Banisch suggested a catch all ordinance for grandfathered undersized lots. Mr. O'Leary felt ground mounted solar system are seen as an industrial structure.

The Board discussed the screening of the array. Mr. Banisch said screening residential from residential is a new concept. He said a screening ordinance may be difficult to control and comply with. Topography and deer create difficulties. There was a lengthy discussion on the height of the array and the screening of it.

Mr. Frank DeWitt of Augusta described the average height and angle of a typical solar array. He said the array on the ground allows for more angling and usually require fewer panels. He said the utility will not allow anything beyond the homeowners need. Mr. DeWitt said it is the back of the array that is objectionable. He said the front cannot be screened. Mr. DeWitt said he will get the Board some sample ordinances from other towns for their review.

Mr. Banisch will continue to look at ways to revise the ordinance.

2.) Proposed Cemetery Zoning Ordinance Amendment

Mr. Banisch said he had a conversation with Mr. Chad Warnken regarding the 20% coverage that they are requesting for the proposed cemetery zone. Ms. Leo went through Mr. Banisch's memo and suggested some changes.

Mr. Banisch went over his memo with the Board. There was a discussion on the proposed 20% coverage allowance. He felt they wanted some flexibility. The Board felt 15% was sufficient.

Mr. Banisch discussed the proposed disturbance area. He suggested limiting the tree clearing around the perimeter of the property. The Board agreed to include preserving the trees as a

buffer of the site. Mr. Banisch discussed the managing of a stockpile of dirt and brush. He felt it could be an issue.

The Board went through the proposed ordinance and made some minor changes.

3.) COAH Update

Mr. O'Leary said the Township had a mediation session with Fair Share Housing Center. He said they were also supposed to have a court hearing but it was postponed until September. Mr. Banisch said the settlement will require some adjustment in the number of units of affordable housing. He discussed the number of units on various sites. He said they need to get the objector out of the way by resolving the cemetery zone. He felt after that the Township should be able to get a 10 year plan approved.

NEW BUSINESS:

1.) Zoning Setbacks

Mr. O'Leary said he attended the last Committee meeting and they were looking for the Board's input on revising the setbacks for accessory structures. Mr. Luthman expressed a concern with a two car garage being 10 or 20 feet from the property line. The Board agreed to carry this to the July meeting date.

Mr. O'Leary noted that there are clothing bins at the Old Lafayette Village site that are visible from the highway. Mr. Cutler said he did issue a permit for them and the ordinance allows them to be there.

Mr. O'Leary advised the Board that the Township Committee is looking at adopting an ordinance for the maintenance of foreclosed properties. They also have one proposed for the maintenance of all residential properties.

RESOLUTIONS: None.

ORDINANCES: None.

ZONING REPORT: See Attached

Mr. Cutler went over the report with the Board.

BILLS: List #6

The Board Secretary went over the bills with the Board.

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

CORRESPONDENCE:

- 1.) From: Warren County Soil Conservation District
Re: Grant for Animal Waste Management Plans

ADJOURNMENT:

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

Respectfully submitted,

Stephanie Pizzulo
Secretary