

**CALL TO ORDER**

Mr. Taylor called the meeting to order at 7:30pm 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, Suljic, O'Leary, Van Sickle, Aikens, Potter, Madewell, Deller, Andersen, Taylor.

**Members Excused:** None.

**Members Absent:** Leuthe.

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

**MINUTES:** June 27, 2019

A motion to approve the minutes of the June 27, 2019 meeting with the noted correction as made by Mr. O'Leary. It was seconded by Mrs. Aikens and passed with a roll call vote. Ayes: Hughes, Suljic, O'Leary, Van Sickle, Aikens, Potter, Madewell, Deller, Taylor.

**COMPLETENESS / HEARINGS / CONCEPT:**1.) Platz, David        B: 19, L:8    VAR19-2

Mr. David Platz, property owner, said he was seeking a variance because he could not meet the side yard setback requirement for his proposed deck expansion. He said his current deck is 14X15.

Ms. Leo swore in all Mr. David Platz, Mrs. Barbara Platz and Mr. Carmen Blundetto.

Mr. Duveneck went over his completeness report and the requested waivers with the Board. He recommended the application be deemed complete with the noted waivers.

A motion to deem the application complete, with the noted waivers, was made by Mr. O'Leary. It was seconded by Mr. Madewell and passed with a roll call vote. Ayes: Hughes, Suljic, O'Leary, Van Sickle, Aikens, Potter, Madewell, Deller, Taylor.

Mr. Platz said the back of his property is approximately 83 feet wide, which leaves no room for new construction. He said the existing 8x8 deck is too small for even a table to eat at. He said the proposed deck would be about 1 foot shorter than the existing house.

Mr. Duveneck went over his report with the Board. He said the deck is not encroaching any more than the existing house. He felt the applicant is not making the situation any worse. He said the house is the most encroaching structure to the neighbor.

Mr. Hughes asked about the concrete pad shown on the survey. Mr. Platz said there is a shed on the pad and it was there when he purchased the property. Mr. Platz said the house was built in 1945. Mr. Hughes asked about the color of the proposed deck. Mr. Platz said he might stain in a brown color.

Mr. Taylor asked about the steel plate on the survey. Mr. Platz said it is the septic.

Mr. O'Leary noted there is existing vegetation and mature trees along one side of the property restricting the view of the proposed deck from the neighbor.

Mr. Platz said he is in the R-2 zone with a 40-foot setback. He is requesting a 20-foot setback on the one side and about a 23-foot setback on the other side.

Mr. Taylor opened the meeting to the public. With nobody from the public coming forward, the meeting was closed to the public.

A motion to approve the application was made by Mr. Madewell. It was seconded by Ms. Deller and passed with a roll call vote. Ayes: Hughes, O'Leary, Van Sickle, Aikens, Potter, Madewell, Deller, Andersen, Taylor. Mr. Suljic abstained.

Mr. Platz asked if the 45-day waiting period could be waived so he could get started on the construction. Mr. Madewell and Ms. Deller amended their motion to waive the 45-day waiting period.

2.) DeVenezia Realty, LLC B:4, L:2.04 ASP18-6, VAR18-7 (Deemed Incomplete 12/20/18)  
The Board Secretary read an email from Mr. William Hinkes, Esq. asking for the application to be carried to the August meeting date. Mr. Duveneck said he did not understand what relief the applicant was seeking.

Ms. Leo said she will call Mr. Hinkes and find out how they want to proceed.

**AUDIENCE:**

Mr. Taylor opened the meeting to the public. With no public present, the meeting was closed to the public.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**RESOLUTIONS:** None.

**ORDINANCES:** None

The Board Secretary said she received an email from an organization called AC Power that was seeking a letter of support for a community solar project on the Hamm's Sanitation/Waste Management site.

Ms. Leo said the letter of support would have to come from the Township Committee.

**ZONING REPORT:** See Attached

Mrs. Aikens asked if Mr. Suljic has an update on the contaminated soil on Van Sickle Road. Mr. Suljic said the D.E.P. is handling the matter and he should have an update next month.

**LIAISON REPORTS:**

***Township Committee:***

Mr. O'Leary reported the following:

The Lafayette Post Office is being temporarily relocated to Augusta and Sparta. The P.O. boxes will be in Augusta and the mail will be delivered out of Sparta. He said there will be a meeting to get public input. Congressman Josh Gottheimer wrote a letter to the Postal Office expressing displeasure with the Post Office taking action without prior notice to the Township Committee.

The Municipal Building is in the process of being converted from oil to natural gas. The furnace will be replaced due to its age.

The Township adopted a resolution to not collect a "Rain Tax" for impervious surfaces. The Committee agreed that Land Use Board review and Stormwater regulations are already sufficient to cover concerns and the town will not establish a stormwater utility as proposed by Governor Murphy's new legislation. Mr. O'Leary said other towns are doing the same.

The Township Committee adopted the Small Community Solar Ordinance as an amendment to the Renewable Energy Ordinance. There was an article in the Herald, which stated the company started by Alan Spector has secured an undisclosed property serviced by Sussex Rural Electric Cooperative.

The Township Committee introduced the ordinance to amend the Belgium block curbing and the public hearing will be in August.

The D.E.P. has inspected several sites where there have been reports of importation of dirty soil. The Township is waiting to hear back on their testing results although informally there may be an issue with one of the properties inspected.

There was no formal budget presentation to the Township Committee this past spring by High Point Regional High School. A letter has been sent requesting the annual presentation prior to the start of the school year.

Mr. David Korver, Township Fire Official did a presentation to the Township Committee outlining the new requirements of inspecting commercial farms to address concerns of housing occurring in the barns of these properties. Mr. Korver will meet with the Township Officials to coordinate the new inspections and there will be an amendment to the fee schedule to cover the cost of the mandatory inspections.

Members of the Township Committee met with the D.O.T. to discuss the Route 15 bridge replacement. The installation of a traffic light to allow the northbound and southbound traffic to be staggered was discussed. The temporary bridge needs to be installed closer to the pond entrance with a reconfigured access to the pond seems to be a workable option. The retaining wall by the Mabee House will be replaced.

Sidewalks from Morris Farm Road along Route 15 to the new parking lot are in the design stage.

The Township Committee will proceed with a grant application for the resurfacing of part of Statesville Quarry Road between Gorney Road and Lantz Road.

The farmer holding the farm lease on the Lawler property has not been planting or maintaining the property as required. A letter is going out to him regarding lease obligations. The Township may be looking for a new tenant for next year.

Planet Network of Newton made a presentation about a proposal to install fiber optic cabling in the right-of-way to make FIOS available to businesses and residents for the internet.

Mr. Macko was named a "NJ 5<sup>th</sup> District Hometown Hero".

Ms. Ursula Leo, Esq. was elected as the President of the Sussex County Bar Association.

### ***Open Space***

Mr. O'Leary met with Barbara Davis and has provided her with updated historical and background information. Ms. Davis is working with Ms. Barbara Cashen from Lafayette Preservation and Ms. Kathy Reimels, President of the Lafayette Recreation Commission. Mr. O'Leary explained the process to the Board. Once the plan is complete, the Land Use Board will be asked to adopt it as an element of the Master Plan.

### ***Economic Development***

Mr. Hughes advised the Board the engineering for the parking lot across from Lorraine's Cake Shoppe is moving forward as well as the engineering for the sidewalk. Mr. Taylor asked about the sidewalk in front of the Mabee House. Mr. Hughes said they will be put in when the bridge is repaired.

The Board Secretary reported she and Mr. Rich Bruning met with a possible cannabis growing facility interested in operating in Lafayette.

### **BILLS: Bills List # 8**

The Board Secretary went over the bills with the Board.

A motion to pay the bills as presented was made by Mr. O'Leary. It was seconded by Ms. Van Sickle and passed with a roll call vote. Ayes: Hughes, Suljic, O'Leary, Van Sickle, Aikens, Potter, Madewell, Deller, Taylor.

### **CORRESPONDENCE:**

- 1.) From: SC Department of Engineering  
Re: Demarest Holdings, LLC

2.) From: SC Department of Engineering  
Re: Demarest Holdings, LLC

**ADJOURNMENT:**

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

Respectfully submitted,

Stephanie Pizzulo  
Board Secretary