

CALL TO ORDER

Mr. O'Leary called the meeting to order at 7:34 pm 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, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Madewell, O'Leary.

Members Excused Suljic, Aikens, Potter.

Members Absent: None.

Also Present: Angelo Bolcato, Esq.
Nevitt Duveneck, PE

COMPLETENESS / HEARINGS / CONCEPT:1.) Aileen & David Fields B:10 L:16.03

Mr. O'Leary said the application was for a use variance and a minor site plan. Mr. Hughes and Mr. Corcoran stepped down from the meeting for this application.

Mr. Todd M. Hooker, Esq. and Mr. Ken Dykstra, PS were representing the applicant. Mr. Hooker said he had received Mr. Duveneck's report and they have addressed all of the issues for completeness. Mr. Duveneck went over his report dated August 23, 2018 with the Board. He said he was supplied with all of the information he had requested. He felt the Board could deem the application complete.

A motion to deem the application complete with a temporary waiver of item number 12 on schedule G was made by Ms. Van Sickle. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Leuthe, Didyk, Taylor, Van Sickle, Madewell, O'Leary.

Mr. O'Leary noted the applicant is under contract to purchase the property. Mr. Hooker said the purchase is contingent on the approval of the application. Mr. Hooker requested the Board carry the notice to the September 20, 2018 meeting.

A motion to carry the notice to the September 20, 2018 meeting date was made by Ms. Van Sickle. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Leuthe, Didyk, Taylor, Van Sickle, Madewell, O'Leary.

Mr. Hughes and Mr. Corcoran returned to the Board.

AUDIENCE:

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

Ms. Michelle and Mr. Mark Devenezia stated they own Mulch Concepts located at 193 Route 94 and they were before the Board to seek an opinion from the Board. Ms. Devenezia gave the Board a brief history of the property and the existing resolutions the prior owner had obtained from the Board. She said they were unaware that the front part of the property was deemed open space when they bought the property. She wants to rent it to a local business for outdoor storage. Mr. O'Leary suggested they attend a Technical Review Committee meeting with the Board Engineer. He advised Ms. Devenezia she is proposing two principle uses on one property.

Ms. Didyk suggested the property owners farm the front portion of the property. Mr. Devenezia said it would not be enough to help cover the taxes on the property. Ms. Devenezia said the small, family owned business they have could not support the taxes.

Mr. Duveneck suggested the owners contact their attorney to see if the condition can be legally removed from the resolution.

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

OLD BUSINESS:

1.) Cannabis Conditional Use Ordinance

Mr. O'Leary felt the proposed ordinance should address odor issues with any potential outdoor growing. Ms. Didyk felt the drafted ordinance has already addressed this issue. Mr. O'Leary suggested adding camps and houses of worship as institutions that a growing facility would need to be kept away from. Mr. Taylor felt that it will become a legal product and it did not have to be kept away from residential and institutions. Mr. Hughes said the ordinance only allows for indoor growing and the facilities must be secure.

Mr. O'Leary suggested adding a requirement to buffer the operation from a neighboring residential zone. There was a lengthy discussion on landscape buffering. Mr. Taylor felt the cannabis growing operation is just like any other agricultural operation. The Board agreed there should be a landscape buffer between a cannabis growing facility and any residential zone.

Mr. Bolcato will make the suggested changes and the proposed ordinance will be sent to the Township Committee for approval.

NEW BUSINESS:**1.) Fence Ordinance**

Ms. Didyk asked why there is a need for a fence ordinance. She expressed a concern with the small lots in the downtown area of Lafayette with frontages of 35 feet, felt taking 3 feet from either side of the property will leave only 29 feet of fencing, and it would look like a Brownstone in NYC. Mr. O'Leary felt without an ordinance, a neighbor is not required to put the nice side of the fence facing outward. Ms. Didyk said she was unaware of any problems with fencing in town and there is no need for the ordinance.

Mr. Leuthe offered to draft something that would be reasonable for Lafayette. He suggested having the fence only 6 inches off the property line so the neighbor could utilize the fence too. He suggested a maximum height of three feet in the front for sight visibility. He said a property owner could not utilize their neighbor's fence when there is a pool involved. Mr. Leuthe will meet with Mr. Suljic to draft some guidelines.

2.) GOZ Requirements – Return of Sidewalk Escrow

Mr. O'Leary explained the Gateway Overlay Zone requires the addition of a sidewalk with any new development. Mr. Duveneck said Ms. Jan Hopper, owner of Living Pawsitively, contacted him regarding the return of the money she posted to construct a sidewalk. When she came before the Board, there was a requirement in her resolution. He said he checked with Ms. Leo and it was determined that the Board would have to make the decision to return the money. Mr. Duveneck noted that the bushes that were on the site plan are no longer in place. He asked if the Board wanted the bushes replaced. Ms. Didyk felt the sidewalk should be put in. There was a discussion on the front yard landscaping. The Board agreed the walkability is an important factor and decided the sidewalk should be installed. Mr. Duveneck will advise Ms. Hopper of the Board's decision.

RESOLUTIONS: None.

ORDINANCES: None.

ZONING REPORT: See Attached

BILLS: List #8

Mr. Leuthe went over the bills with the Board.

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

CORRESPONDENCE:**1.) Andrew Borisuk, SC Planning Board**

Re: Stavola Beaver Run Quarry, LLC – Waiver Request

2.) Jeffrey R. Houser, PE – House Engineering, LLC

Re: Treatment Works Approval Application Notice for 37 Sunset Inn Rd

3.) From: Eugenie A. Voitkevich, Esq
Re: Notice of Tort Claim

ADJOURNMENT:

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

Respectfully submitted,

Stephanie Pizzulo
Board Secretary