
CALL TO ORDER

Mr. O’Leary called the meeting to order and stated the meeting was open to the public in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

The Board held a moment of silence for deceased Township Committee member John D’Angeli.

FLAG SALUTE

ROLL CALL **Members Present:** Hughes, Suljic, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Aikens, Potter, Madewell, O’Leary.

Members Absent: None.

Members Excused: None.

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

MINUTES: August 23, 2018, September 20, 2018

A motion to approve the minutes of the August 23, 2018 meeting was made by Mrs. Aikens. 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.

A motion to approve the minutes of the September 20, 2018 meeting with the noted correction was made by Mr. Leuthe. It was seconded by Mr. Hughes and passed with a roll call vote. Ayes: Hughes, Corcoran, Leuthe, Taylor Van sickle, Aikens, Potter, Madewell, Didyk, O’Leary. Mr. Suljic abstained.

COMPLETNESS / HEARINGS / CONCEPT:

1.) Aileen & David Fields B: 10 L:16.03 SP18-1, VAR18-2

Mr. Hughes and Mr. Corcoran stepped down for this hearing due to the request for a use variance.

Mr. Todd Hooker, Esq. said they were present for a preliminary and final site plan approval and a use variance for a museum because the Township’s ordinance does not allow for one.

Ms. Aileen Fields, applicant, Ms. Jessica Caldwell, PP and Mr. Mark Gimigliano, PE were all sworn in by Ms. Leo.

Ms. Fields presented a hardcover book entitled “Out of the Nowhere into the Here” with photographs of her artwork. It was presented as exhibit A-1. Ms. Fields said she is a sculptor and wanted a place to show her work. She has a house in Sparta and wants a gallery nearby. She said the gallery she is presently showing in is retiring. She will have some art by others as well. She wants to have a place people can go to see art without travelling to NYC. She said it will take 6-8 months to fix the building. She is planning to have a sculpture garden in the back. She showed the Board where the sculpture garden would be placed on the property. Nothing inappropriate will be placed outside.

Mr. Hooker presented a map of the property entitled “Existing Conditions” dated 9/27/18, which was marked and entered as exhibit A-2. Ms. Fields said the gallery would be open from 9am to 9pm, 6 days a week. She will staff it with college art students and volunteers. She said they would do events by RSVP. She wants to control the amount of people that come to the gallery. She will not have a band outside. She may have poetry readings outside. Ms. Fields is planning to make the gallery a non-profit status. She will eventually have a not for profit gift shop.

Mr. O’Leary asked what the largest sculpture could be to which Ms. Fields said 10 to 12 feet. Ms. Didyk asked for a lighting plan. Ms. Fields said she is proposing ground lighting for the walkways and lights on the sculptures. Ms. Didyk advised the applicant that Lafayette has very specific guidelines for lighting. Ms. Fields said she would abide by the ordinance. She said the lights would be illuminating the sculptures however; they will not be on when there is no outside event. The lights will not be on all of the time. Mr. Duveneck said the ordinance is trying to control sky glow.

Mr. O'Leary asked if there was a plan to change the parking lot or the parking lot lighting. Ms. Fields said there would be no change to the parking lot or the lighting of it except she will have to paint lines for the parking spaces.

Mr. O'Leary asked if anyone would be living on site to which Ms. Fields said no. Mr. Hooker noted that a volunteer might have to stay one night due to bad weather to which Mr. O'Leary said that would not be a problem. He was concerned with a permanent resident. Mr. O'Leary asked if Ms. Fields had approached the neighbor to ask if any overflow parking could be accommodated on their property. Ms. Fields said she did speak to the neighbor however, they did allow the previous owner to park on their property. Mr. O'Leary expressed a concern about people parking on Route 15. Mr. Hooker said he is ok with that being a condition.

Ms. Van Sickle asked if the gallery would be open to the public. Ms. Fields said in the beginning it will be by appointment only and then it will be open to the public during certain hours. Ms. Van Sickle asked if they would be selling the art to which Ms. Fields said no.

Ms. Didyk expressed a concern about water runoff from the front of the property. Mr. Gimigliano said there is a sump pump in the basement that drains to the basin. He said they do not own the property and do not have the history on the property. He said they would not let the water flow onto the front of the property.

Mr. Taylor asked if the existing parking lot lights meet the ordinance to which Mr. Gimigliano said yes. Mr. Duveneck will be conducting a night lighting test.

Mr. O'Leary opened the meeting to the public for questions of Ms. Fields. Having nobody come forward, the meeting was closed to the public.

Mr. Gimigliano gave his qualifications, which were accepted by the Board. Mr. Gimigliano said they were agreeable to the recommendations in Mr. Duveneck's report. He said he did look into the septic system, which was designed for a 4-bedroom house and felt the proposed use would not be an issue. There was a discussion on the setback of the existing parking lot. There will be no changes to the parking area except for striping of the parking spaces. There will be 17 spaces one being an ADA required space.

Mr. Gimigliano said there is a sign in front of the building which they will replace the face of it. The sign will remain in the existing place and the size will stay the same. Mr. Duveneck expressed a concern about the condition of the ADA ramp. Ms. Fields said she would repair it if necessary. The applicant is not planning on any structural changes to the building. Mr. O'Leary asked if the kitchen would be used for preparing food to which Ms. Fields said she was not planning on it at this time. She said there would be no sale of food. She may have a caterer provide food.

Ms. Fields said the heaviest art pieces are about 200 pounds.

Ms. Didyk asked if there was any medical waste left behind from the prior owner. Ms. Leo said that is beyond our jurisdiction. Ms. Fields said there is only office furniture left in the building.

Ms. Jessica Caldwell gave her qualifications, which were accepted by the Board. Ms. Caldwell went over Mr. Banisch's report dated September 19, 2018. She went over her report dated August 2, 2018. She felt the proposed use is consistent with the zone. She went over the positive and negative criteria. She felt there was adequate parking and space on the property to display the art. She felt there was no detriment to the area or neighboring properties. She said there are no real site improvements needed. The proposed use is in keeping with the area. Ms. Caldwell said the IT Trip Generation Manual states the use would require 11 parking spaces and they are proposing 17 spaces. Mr. O'Leary asked if any of the art placed in the front of the property would be a safety issue for the traffic on Route 15. Ms. Caldwell said she did not feel it would be a detriment if there were a few pieces of art in the front.

Mr. O'Leary opened the meeting to the public. Having nobody come forward, the meeting was closed to the public.

Ms. Leo went through the proposed conditions of any approval.

A motion to approve the application for a use variance and minor site plan with conditions was made by Ms. Didyk. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Leuthe, Didyk, Taylor, Van Sickle, Aikens, O'Leary. Mr. Suljic abstained.

Mr. Hughes returned to the Board. Mr. Corcoran did not return.

AUDIENCE:

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

OLD BUSINESS:

1.) Fence Ordinance

Mr. Leuthe recommended a maximum height of four feet for fencing in the front of a house and at least 50% open for sight reasons. There was a discussion on farm fencing. Mr. Leuthe said most towns do not allow fencing higher than six feet. The Board agreed the ordinance would only address boundary fencing.

Mr. Leuthe and Mr. Suljic will draft a sample ordinance for the Board's consideration.

NEW BUSINESS: None.

RESOLUTIONS: None

ORDINANCES: None

ZONING REPORT: See Attached

Mr. Suljic went over his report with the Board.

BILLS: Bills Lit #10

Mr. Leuthe went over the bills with the Board. He noted that \$43.50 of Mr. Banisch's general planning bill should be billed to The Med Room escrow account.

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

CORRESPONDENCE: None

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. Aikens and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Board Secretary