

**FRANKFORD TOWNSHIP LAND USE BOARD
AUGUST 18, 2004 – 7:00 P.M.
MINUTES OF THE REGULAR MEETING**

CALL TO ORDER:

The meeting was called to order by the board Chairman, Jay Romania, by announcing that notice appeared in the New Jersey Herald and the New Jersey Sunday Herald in accordance with the requirements of The Open Public Meetings Act.

Flag Salute

ATTENDANCE:

Those Present were: Mr. Ayers (arrived at 7:10), Mr. Hahn (arrived at 9:00), Mr. Risdon, Mr. Hatler, Mrs. Kristensen, Mr. Martin, Mr. Nadolny, Mr. Romania, Mr. Gstattenbauer, and Mrs. Caldwell. Also present was Mr. Clark and Mr. Pellow.

Those absent: Mr. Zappile (excused)

MINUTES:

The Minutes of the July 21, 2004 Regular Meeting were reviewed. A Motion was made by Mr. Nadolny and seconded by Mr. Risdon to approve the minutes of the July 21, 2004 Regular Meeting. All were in favor. The Motion was carried.

The Minutes of the July 21, 2004 Executive Session were reviewed. A Motion was made by Mr. Risdon and seconded by Mr. Gstattenbauer to approve the minutes of July 21, 2004 Executive Session. All were in favor. The Motion was carried.

PUBLIC PARTICIPATION:

A Motion was made by Mr. Martin and seconded by Mr. Hatler to open this meeting to the public. All were in favor. The Motion was carried.

Ann O' Connor and Caren Berei – LUB 04-22 – Block 184, Lot 5 – 277 East Shore Lake Owassa Road – “ C” Variance:

Appearing on behalf of the applicants was their engineer, Wayne McCabe, and the applicants, Ann O' Connor and Caren Berei.

Mr. McCabe indicated the reason for appearing this evening is for a practical difficulty that the applicant encountered on their property. He stated that the board approved several variances to construct a second story on this residence. He stated that during the early part of this month and the end of last month, the contractor for the applicant determined that they had a problem with the foundation and that along the two long

sides of the building, they found that there was no footing under the two walls and one of the walls had started to rotate out and was not providing the necessary support. The applicants went to the construction official of Frankford Township regarding that matter and the construction official had indicated to them that they were to go forward and to try rectify the situation in the appropriate manner. The applicants provided a drawing to the construction official (This was distributed to the board and marked as Exhibit " A-1" .) This drawing showed how they were going to be removing the two sections of the foundation wall on both sides of the building. The drawing indicates that they will be removing 24' long sections along the length of both sides of the building where there was no footings and had no bearing capability. Based upon this drawing, the construction official told the applicant to go forward with replacing the foundation wall. The applicant then proceeded to demolish the structure that had been on the site before. The construction official had conducted inspections of all the work throughout this procedure and issued approvals on the work. They then re-decked the first floor in the same footprint they had before because the end foundation walls had not been removed because they had footings under them. At this point a Notice of Violation had been issued dated August 5, 2004 by Bill Patterson, the Zoning Officer. The Violation sited basically that the applicants had not been granted approval to tear down the existing dwelling and that it was outside the scope of the permits. They had obtained previously, permits for work related to the foundation. This drawing was submitted and date stamped for approval for the 8th of April this year. He does note on the plans that the existing block wall to re-point and repair. Basically it was making a presumption at that point that there was a footing under those two walls. Based upon this, the applicant had made a good faith effort to try to go forward to make the necessary repairs before going up because they were finding nothing was holding true or square with their construction. Mr. McCabe submitted to the board four (4) photographs which were marked as Exhibits " A-2 through " A-5" . The drawings to the construction official were also marked as Exhibits " A-6" through " A-7" . The photographs showed the conditions where the foundation had been removed along the two sides.

Mr. McCabe indicated that the purpose of appearing before the board this evening is to get the boards approval to go forward with construction. They have not changed the footprint of the building; they repaired a deficient condition with the base of the building. They would now like to go up from here with approval by the board.

Mrs. Caldwell questioned Mr. McCabe why the applicants tore down the whole building. Mr. McCabe indicated that they had the walls from the entire first floor, plus the decking and they had to remove the walls in order to repair the foundation properly.

Mr. Robert O' Connor, the applicant' s contractor appeared before the board. Mr. O' Connor, Ms. O' Connor, Ms. Berei and Mr. McCabe were sworn in by the board attorney.

Mr. O' Connor indicated that it was required to remove the whole house in order to get to the footings on the far side of the house.

Mr. Clark questioned the applicant' s assuming they had known of the foundation problems, could the house be moved on the property any differently. Mr. McCabe indicated that with the location of the septic and the well, if they tried to relocate the

building to comply with the ordinances, they would not be able to get the necessary utilities on site.

Mr. Hatler questioned Mr. McCabe if the applicant had anything to certify that this house was built exactly back to the existing specifications and Resolutions of this board. Mr. McCabe indicated that the end walls on the narrow ends of the building were not changed at all.

Mr. McCabe submitted additional pictures that were taken during construction of this project which were marked as Exhibits “ A-9 and A-10” . Mr. McCabe indicated that one of the pictures shows the excavation for the footing and the other shows the excavator on the site being used for this work.

Mr. Martin questioned the applicants if the size of the building was still the same.

Mr. O’ Connor indicated that they are still building the same size house as described in their variance application.

Mr. McCabe submitted to the board a copy of a letter from Jeff Fette, the Construction Official dated August 18, 2004 which summarizes the procedures taken which was marked as exhibit “ A-11” .

Appearing before the board was William Paterson, the Zoning Official. He indicated that he couldn’ t find a Resolution from the Land Use Board, which he later found out, was not going to be memorialized until this evening. When he appeared at the site, there was no house. He understood that the approval by the Land Use Board was to construct a second floor. What he seen at the site, did not match what the Resolution was going to read. At that time, he issued a Stop Work Order and sent out a Notice of Violation and asked them to please come back to the board and discuss this situation, because he needs something from the Board which matches the site.

Mr. Paterson indicated that what is there now is the exact same size foundation as before.

Mr. Clark summarized that this was a non-conforming structure that came before the board, if it was taken down or knocked down, they would lose all their non-conforming rights, but now they have a variances for at least for some of the dimensions. Unlike a non-conforming structure, when you tear it down, you lose your rights, when you have a Variance, you are allowed to rebuild. That’ s not exactly what the board envisioned when reviewing the variances; it might have dealt with it in a different way.

Mr. Hatler questioned if the applicant’ s could demonstrate that the work that had been done is exactly equal to what they said they were originally going to do. Mr. O’ Connor indicated that the original application showed the dimensions that they were going to be working with. Mr. Clark asked if they would submit an “ As-built” plan to the board.

Mr. Clark indicated to the board, they could adopt the Resolution that is on the Agenda this evening and that grants the variances that they do have. If the applicant agrees to come back on notice only showing an “ As-built” at the next meeting, then Mr. Paterson, in his own judgment, can withdrawal the Stop Work Order temporarily with that representation. Then the board will have formal jurisdiction to confirm this construction.

Mrs. Kristensen asked what the certification of the septic system included. Mrs.

O’ Connor indicated that the certification of the septic included an inspection when

they purchased the property in 2002 that it was in working order.

Mr. Patterson indicated that the applicant' s will have to receive a C/O now that the house is gone, instead of a C/A which may be a septic issue. Mr. McCabe indicated if the applicant' s had to put a new septic in, this will be an issue.

Mr. Patterson asked Mr. McCabe to furnish him with a letter that the construction will commence at the applicant' s own risk until the issue with the Land Use Board is resolved.

PUBLIC PARTICIPATION CONT.:

Mr. Gibbons appeared before the board. He indicated that he owns an 8 acre tract that he owns on New Street that was subdivided 18 years ago. There are now or going to be 3 adjoining tax lots that will be coming up for sale. The 3 lots that are available will bring his lot just under 10 acres if combined with his lot. His question to the board was whether this purchase would be feasible in order to subdivide the lot into two lots. The 3 lots that they are to purchase are under 1 acre and are not grandfathered and would need variances to build upon them. Mr. Gibbons would like to purchase them and combine them with his 8 acres and divide them into two lots. Mr. Clark indicated that this would be a " C" Variance if he did apply for a subdivision. However, Mr. Clark stated that there can be no reliance upon discussion with this board this evening, as to whether or not Mr. Gibbons buys those lots. Mr. Clark did state that if Mr. Gibbons came in for a subdivision and the 3 lots were available and he didn' t buy them, that could count against them.

There was no further public participation.

A Motion was made by Mr. Martin and seconded by Mr. Risdon to close this matter to the public. All were in favor. The Motion was carried.

ZONING OFFICER' S REPORT:

The Zoning Officer reviewed his report dated August 18, 2004 with the board. No formal action was taken.

APPLICATIONS CARRIED FROM PREVIOUS MEETING:

Omnipoint Communications – LUB 04-02 – Block 11, Lot 13.11 – " D" Variance and Minor Site Plan:

A letter was received from the applicant' s attorney requesting an adjournment to the September 22, 2004 Land Use Board meeting without further notice.

A Motion was made by Mr. Risdon and seconded by Mr. Nadolny to carry this application to the September 22, 2004 Land Use Board meeting without further notice. All were in favor. The Motion was carried.

NEW APPLICATIONS:

G&G Enterprises – LUB 04-25 – Block 11, Lot 13.05 – 96 Route 206 North – Preliminary Site Plan & “ C” Variance:

Appearing on behalf of the applicant was there attorney, Joseph Hoffman. Mr. Hoffman indicated that G&G Enterprises is appearing before this board to put up a building to double the size of Tri State Insurance Company building and put a building in the back. This is technically an amendment to the site plan which was previously granted.

Also appearing on behalf of the applicant was David Wright, Landscape Architect, Daniel Kent, Land Surveyor, and George Harper, a member of G&G Enterprises. Mr. Wright, Mr. Kent and Mr. Harper were sworn in.

Mr. Ayers, Mr. Risdon and Mrs. Kristensen stepped down from this application.

Mr. Pellow reviewed his report dated July 15, 2004:

Paragraph “ 1” : The plans reviewed are titled “ Preliminary Site Plan, Tax Lot 13.05, Block 11, Zone C-2” dated July 2, 2004, and prepared by Delaware Valley Associates, Inc.

Paragraph “ 2” : The Applicant proposes to expand the existing office building, which is a permitted use in the C-2 Zone. The parking area and detention basin are also proposed to be expanded.

Paragraph “ 3” : The application can be deemed complete if the following items from the checklist are submitted 10 days prior to the August Land Use Board meeting:

ITEM “ 7” : Compliance with legal notice requirements. Mr. Clark indicated that the legal notice was sufficient.

ITEM “ 15” : Copy of Sussex of Health Department application. Provide copy of septic system permit from 1996 and proof that existing system will be adequate for the existing building and proposed expansion. Mr. Kent indicated that they have contacted the County Health Department and asked them to sign a statement that the septic that was installed in 1996 was sized for the proposed expansion which is before the board this evening. The septic system was designed to accommodate this proposed expansion because Mr. Harper realized he probably would need more space. At this time, they have no certification as of this date. They made a request on July 6, 2004 and another request last week. Mr. Clark indicated that this is a condition of approval anyway.

ITEM “ 27” : Proposed Developer’ s Agreement. Temporary waiver to be provided

before construction begins, if required. Mr. Pellow is agreeable to this.

ITEM “ 34” : Key map showing location of tract to be considered in relation to surrounding area, within 200 feet. Scale not less than 1 inch equals 400 feet and north arrow. Waiver requested and is appropriate.

ITEM “ 62” : Fire Protection details include number of proposed units, available water supply, water main size, flow, hydrant location. Applicant to provide testimony regarding this matter. Are there automatic sprinklers proposed in the building. Mr. Harper indicated that there are no automatic sprinklers proposed in the building.

ITEM “ 75” : Building floor plan, elevation views and first floor elevation with overall building height. Overall building height was not provided. Mr. Harper indicated that it will be less than 35 feet. It will not be any higher than what is there now, and that was not a variance situation. Mr. Pellow indicated this should be shown on the plan.

ITEM “ 78” ;ITEM “ 79” ; and ITEM “ 80” : Graphic/written description of area surrounding the site so the prevailing zoning and actual uses in the area are clear; a description of any alternatives that were considered; a statement or legal brief which clarifies why the variance should be granted. Mr. Harper indicated that the actual uses are clear, it has not changed since the last approval. To the south there is a 10 acre parcel that is owned by Mr. Tanis and there was an industrial type building that burned down. To the rear of the property, they own back to the old Fetzer Farm. To the North of this property is Sussex Bank. They abut the Ballpark in the back of their land. Across the street is conservation land now. The new addition will keep within the architecture it has now and be seamless so it does not look like an add-on.

Mr. Hoffman indicated when the new building was built, they had site plan approval here and they met the ordinance. Since then the town has changed the ordinance so the approved building becomes technically not an approval. In the front they offset the sign from the DOT and then DOT expanded the highway and made the sign non-conforming. The variances were created by regulations after the board approved the original site plan. The proposed building does meet the setbacks. Mr. Harper indicated that this addition creates no additional non conformity.

A Motion was made by Mrs. Caldwell and seconded by Mr. Nadolny to deem this application complete. All were in favor. The Motion was carried.

Mr. Hoffman continued reviewing Mr. Pellow’ s report. Paragraph “ 4a” of the report deals with the issues of the variances mentioned prior. They are technical in that the pre-existing structure became non-complying when the ordinance was changed. On the sign, paragraph “ 4a-iv” the expansion when they widened the highway was there.

Mr. Hoffman reviewed Paragraph “ 4b” with regard to access. There is no proposal

to change and there is no new access permit needed.

Mr. Harper reviewed Paragraph “ 4c” with regard to parking. Mr. Harper indicated when they originally designed the building that is existing, they oversized the parking by 3 or 4. They found that they have expanded a little more rapidly than they anticipated, and right now the parking lot is full and jammed. Also, the parking is compounded in the winter based upon the design of the parking lot, it turns out they lose anywhere from 4 to 8 spaces in a heavy winter.

Mr. Pellow continued reviewing his report:

Paragraph “ 4a” : The lot in question is situated within the C-2 Zoning District. The proposed uses are permitted in the C-2 Zone; A variance is required because the existing building is located within the front yard setback; A variance is required because the existing parking area is located within the front yard setback; A variance may be required because the existing parking area is located within the front yard setback; and a Variance may be required because the existing sign is at a 0 foot setback, and 25 feet is required. The DOT took property since the sign was erected.

Paragraph “ 4b” : The existing access is not proposed to change; a new access permit application from NJDOT is not required because the building expansion will not create a significant increase in traffic.

Paragraph “ 4c” : At one parking space required for every 200 square feet of building area, there are 38 spaces required. The applicant proposes 45 spaces which was explained previously.; One loading space is proposed, which is adequate for this size building; Testimony should be provided regarding the total number of anticipated employees, and the frequency and number of attendees of any meetings that are anticipated. Mr. Harper indicated at this point there are 16 full time employees, with approximately 30 employees’ total. There is not a room that they could have a meeting with their whole staff now.

Paragraph “ 4d” : The proposed lighting type, fixture, and mounting height are similar to what exists today and are in the colonial style of architecture. This is consistent with the Master Plan recommendations; The parking areas and walking areas will be adequately lit. Additional light shields may be required to prevent light spill onto the roadway or adjacent properties. To be checked by our office prior to a C/O.

Paragraph “ 4e” : The existing sign is proposed to remain at its present size and location; however, it is not in conformance with the setback requirements of 25 feet from any property line.

Paragraph “ 4f” : Due to the existing condition of the front yard, the landscaping does not comply with the requirements of Section 12-26.1 of the Ordinance. It may not be appropriate to hold strict standards in this area due to short front yard on this

site and the location of storm water detention area; the entrances should be defined by special landscaping treatment. No landscaping has been proposed in this area. Examples of special landscaping treatment include perennial or annual planting beds and low-growing groundcover; Five shade trees are required in the area of the parking lot (1 tree for every 20 spaces). There are five trees existing near the parking lot; At least 5% of the total parking area shall be landscaped. This is an area equal to 875 square feet. Mr. Wright indicated that they could add more beds there for Harold to review; Foundation plantings have been provided and are acceptable; Landscape berms exists outside of the front yard and are proposed to remain. The front yard is not conducive to having berms constructed within it, as recommended in the Ordinance; The parking area is required to be screened from view with a year-round screen of 4 feet minimum in height and shall be

produced with a combination of trees and scrubs. No screening is proposed; however, a landscaped berm exists near the back half of the proposed parking area. Harold indicated this was acceptable.

Paragraph “ 4g” : Expansion of the detention area and other storm water drainage improvements is satisfactory; however, I recommend changing the 8” PVC pipe to 12” HDPE pipe. The applicant’ s agreed to this change.

Paragraph “ 4h” : Vehicular circulation within the side parking area is not desirable, due to the proposed dead-end parking. A car that enters into a full parking lot has no means to turn around and exit the parking lot in a forward motion. Rather, the car would have to back all the way out for the length of the parking lot. A hammerhead turnaround area would provide a car space to turn around or the last space cross hatched to allow a vehicle to turn around. A lengthy discussion was held with regard to this matter. The applicants agreed that at the northern most space across from the dumpster they will create a hammerhead turnaround that will be approved by Mr. Pellow

Paragraph “ 4i” The pedestrian circulation appears to be adequate. Sidewalks are provided between the parking areas and the building.

Paragraph “ 4j” Waste Disposal-One 10’ x 10’ dumpster pad is proposed at the end of the proposed parking area. This would require the garbage collection truck to pull into the existing lot, load the dumpster, and then back up for the entire length of the parking area. This may be a hazard to pedestrians crossing the parking area. Possibly, a turnaround area for the garbage collection trucks should be provided at the end of the parking area. This could serve as the car turnaround. A lengthy discussion was held with regard to this matter. The applicant agreed to provide this upon Mr. Pellow’ s approval.

Paragraph “ 4k” Construction Details – A detail for the paver sidewalk, concrete dumpster pad, light post footing and low flow channel is needed. Mr. Kent agreed to furnish this information.

Paragraph “ 4l” Architecture – The proposed architectural style, material, and scale of the expansion are the same as what exists, which is consistent with the Master Plan.

Paragraph “ 4m” – Environmental Impact Statement – Proof of adequate water supply for the expanded office building is required and proof that existing septic system for the expanded office building is required. Mr. Kent indicated he will get this information to Mr. Pellow.

The Environmental Impact Statement should be expanded to include drainage impacts, air pollution impacts, critical and unavoidable impacts. Mr. Kent indicated he will update this Environmental Impact Statement.

The Environmental Impact Statement should include a list of all permits, licenses, and approvals required for the project. Mr. Kent indicated he will add this to the Statement.

A list of steps proposed to minimize environmental damage to the site and region during construction and operation should be provided in the Environmental Impact Statement. Mr. Kent indicated he would revise this.

Paragraph “ 4n” Sewer & Water – The existing and proposed building will be serviced by existing on-site septic system and water well. No changes are proposed to these facilities. The Applicant should be required to provide proof to the Board that these facilities are adequate for the intended use.

Paragraph “ 4o” Consistency with Master Plan – This area of the C-2 Zone is within the designated limits of the Town Center area as shown in the 2000 Master Plan. This use is consistent with the intent of the Town Center.

A Motion was made by Mr. Martin and seconded by Mr. Hatler to open this matter to the public. All were in favor. The Motion was carried.

There was no public participation.

A Motion was made by Mr. Martin and seconded by Mr. Hatler to close this matter to the public. All were in favor. The Motion was carried.

Mr. Clark summarized this application. This is an application for a amended site plan with “ C” Variances relating to the additions of the highway and the existing structures, otherwise conforming. The conditions are outlined in Mr. Pellow’ s report.

A Motion was made by Mr. Martin and seconded by Mrs. Caldwell to approve the Preliminary Site Plan and “ C” Variance with the conditions of Mr. Pellow’ s

report. Roll Call:

YES: 6 Hatler, Martin, Nadolny, Romania, Gstattenbauer, Caldwell

NO: 0

ABSTAIN: 0

The Motion was carried.

Castle Storage, Inc. – LUB 04-29 – Block 48, Lot 20.10 – 5 Cook Road – Site Plan:

A letter was received from the applicant's attorney requesting this matter be carried to the September 15, 2004 Land Use Board meeting.

A Motion was made by Mr. Martin and seconded by Mr. Nadolny to carry this application without further notice to the September 15, 2004 Land Use Board meeting. All were in favor. The Motion was carried.

EXTENSIONS:

High Ridge Properties – LUB 02-15 – Block 1, Lot 10 – Preliminary Major Subdivision & “C” Variances:

A Letter was received from the applicant's attorney requesting an extension of time to file a revised map due to the fact that they are waiting for a response from the DEP.

A Motion was made by Mr. Risdon and seconded by Mr. Nadolny to approve an extension for 90 days. All were in favor, except Mr. Ayers, who abstained. The Motion was carried.

Diane Masker – LUB 03-26 – Block 23, Lot 9 – Minor Subdivision:

A letter was received from the applicant's attorney requesting an extension of the Minor Subdivision due to the fact that they are waiting for a response from the DEP.

A Motion was made by Mr. Hatler and seconded by Mr. Martin to extend the Minor Subdivision to the first meeting in January, 2005. All were in favor. The Motion was carried.

RESOLUTIONS:

Tri-Co Federal Credit Union – LUB 04-04 – Block 18, Lot 24.03 – 47 U.S. Route 206 Preliminary & Final Site Plan and “C” Variance:

The Resolution was reviewed. A Motion was made by Mr. Nadolny and seconded by Mr. Martin to approve the Resolution for a Preliminary & Final Site Plan and “ C ” Variances for Tri-Co Federal Credit Union. Roll Call:

YES: 7 Ayers, Risdon, Martin, Nadolny, Romania, Gstattenbauer, Caldwell

NO: 0

ABSTAIN: 0

The Motion was carried.

Ann O’ Connor & Caren Berei – LUB 04-22 – Block 184, Lot 5 – 277 East Shore Lake Owassa Road – “ C ” Variance:

The Resolution was reviewed. A Motion was made by Mr. Martin and seconded by Mr. Nadolny to approve the Resolution for a “ C ” Variance for Ann O’ Connor & Caren Berei. Roll Call:

YES: 5 Ayers, Martin, Nadolny, Romania, Gstattenbauer

NO: 0

ABSTAIN: 0

The Motion was carried.

Thomas Schear – LUB 03-18 – Block 42, Lot 14.23 – “ C ” Variance:

The Resolution was reviewed. A Motion was made by Mr. Nadolny and seconded by Mr. Martin to approve the Resolution for a “ C ” Variance for Thomas Schear. Roll Call:

YES: 7 Risdon, Hatler, Martin, Nadolny, Romania, Gstattenbauer, Caldwell

NO: 0

ABSTAIN: 0

The Motion was carried.

Charles Rolon & Mary Louise Petrone – LUB 04-23 – Block 68, Lot 4.01, 5.03 & 5.05 Minor Subdivision (Lot Line Adjustment) & “ C ” Variance:

The Resolution was reviewed. A Motion was made by Mr. Martin and seconded by Mr. Ayers to approve the Resolution for a Minor Subdivision (Lot Line Adjustment) & “ C” Variance for Charles Rolon & Mary Louise Petrone. Roll Call:

YES: 7 Ayers, Risdon, Hatler, Kristensen, Martin, Nadolny, Romania

NO: 0

ABSTAIN: 0

The Motion was carried.

John Lipari – LUB 04-24 – Block 263, Lot 3 – 20 Bonning Road – “ C” Variance:

The Resolution was reviewed. A Motion was made by Mr. Nadolny and seconded by Mr. Martin to approve the Resolution for a “ C” Variance for John Lipari. Roll Call:

YES: 7 Ayers, Risdon, Hatler, Kristensen, Martin, Nadolny, Romania

NO: 0

YES: 0

The Motion was carried.

William & Cynthia Pickell – LUB 04-21 – Block 109, Lot 24 – 34 Pioneer Point Drive – “ C” Variance:

The Resolution was reviewed. A Motion was made by Mr. Martin and seconded by Mr. Nadolny to approve the Resolution for a “ C” Variance for William & Cynthia Pickell. Roll Call:

YES: 7 Ayers, Risdon, Hatler, Kristensen, Martin, Nadolny, Romania

NO: 0

ABSTAIN: 0

The Motion was carried.

BOARD BUSINESS:

Invoices:

A Motion was made by Mr. Martin and seconded by Mrs. Caldwell to approve the August Invoices on the Bill list attached hereto and made a part hereof. Roll Call:

YES: 9 Ayers, Risdon, Hatler, Kristensen, Martin, Nadolny, Romania, Gstattenbauer and Caldwell

NO: 0

ABSTAIN: 0

The Motion was carried.

Hillside View (Susan Lee) – LUB 04-01 – Block 7, Lot 4 – Preliminary Major Subdivision:

A letter was received from Mrs. Lee' s attorney requesting a partial refund of the application fees due to the fact that the applicant applied for a 19 lot subdivision and only received 13 lots. Mr. Clark indicated they applied for 19, that is what they should of paid for. A Motion was made by Mr. Martin and seconded by Mr. Hatler to deny the request for the return of a portion of the application fee to the applicant. All were in favor. The Motion was carried.

Return of Escrow Monies:

A Motion was made by Mr. Martin and seconded by Mrs. Caldwell to return the following escrow monies to the following applicants because the applications are closed:

- 1) Anthony & Karen Campo – LUB 98-33 – Block 29, Lot 14F – Preliminary Major Subdivision - \$250.00; and
- 2) Mastolini Concept – LUB 98-35 – Block 112, Lot 2 – Concept Plan - \$138.61; and
- 3) Cresci Construction – LUB 98-38 – Block 55.01, Lot 16 – “ C” Variance - \$165.22; and
- 4) Westview Properties – LUB 98-43 & LUB 98-28 (Concept) – Block 10, Lots 6 & 7, Block 11, Lots 1 & 2 – Preliminary Major Site Plan with Variances - \$1,826.60; and
- 5) Harper & Lista – LUB 99-07 – Block 17, Lot 1.03 – Preliminary Major Site Plan - \$588.03; and
- 6) Claudine Mangano – LUB 99-08 – Block 39, Lot 6 – Minor Subdivision - \$273.73; and
- 7) Joseph Lacopo – LUB 99-10 – Block 84, Lot 13 – “ C” Variance - \$50.32; and

- 8) Dirk Peereboom – LUB 99-12 – Block 73, Lots 1, 2 3 & 4 – Use Variance - \$251.25; and
- 9) Nicholas & Kari Civitan – LUB 99-15 – Block 63, Lot 27 – “ C” Variance - \$29.75; and
- 10) Harriet Hershon – LUB 99-19 – Block 139, Lots 3 & 4 – “ C” Variance - \$82.75; and
- 11) Thomas Bove – LUB 99-21 – Block 40, Lot 4 – Minor Subdivision & Variance - \$177.53; and
- 12) Frank Y. & Carolyn Watson – LUB 99-22 – Block 164, Lot 17 – “ D” Variance & Minor Subdivision - \$1,359.66; and
- 13) George C. Crouch – LUB 99-24 – Block 47, Lots 4 & 5 – Lot Line Adjustment - \$183.01; and
- 14) Robert & Leonilda M. Watts – LUB 99-25 – Block 24, Lot 4.01 – Setback Variance - \$149.00; and
- 15) Richard Sandomeno – LUB 99-26 – Block 196, Lot 5 – “ C” Variance - \$53.00; and
- 16) Paul & Cindy Schlesinger – LUB 99-28 – Block 20, Lot 1.01 – Final Site Plan - \$249.76; and
- 17) Rose & Lee Trimble – LUB 99-30 – Block 109, Lot 17 – “ C” Variances - \$138.59; and
- 18) Jeffrey Meyer – LUB 99-32 – Block 55, Lots 12 & 14 – Minor Subdivision/Annexation - \$110.29; and
- 19) George & Jeanine Paschenko – LUB 03-15 – Block 266, Lot 4 – “ C” Variance (Application withdrawn) - \$263.93.

Roll Call:

YES: 8 Ayers, Risdon, Kristensen, Martin, Nadolny, Romania, Gstattenbauer, Caldwell

NO: 0

ABSTAIN: 1 Hatler

The Motion was carried.

Correspondence:

The correspondence was reviewed. There was no formal action taken.

Town Center:

Mrs. Kristensen indicated that the Stakeholders Committee needs volunteers from the Land Use Board to pick the 8 residents for the committee. The township committee needs a recommendation that Eric Snyder and John Eskilson be the Facilitators of the meetings. There was a disagreement at the Township Committee meeting as to who the facilitators of these meetings will be and Mr. Kristensen would like the Land Use Board to vote on their opinion.

A Motion was made by Mr. Risdon and seconded by Mr. Martin to have Mr. Snyder and Mr. Eskilson be the facilitators of the Stakeholders meetings. All were in favor, except Mr. Hatler, who abstained. The Motion was carried.

ADJOURN:

A Motion was made by Mr. Hatler and seconded by Mr. Nadolny to adjourn the meeting. All were in favor. The Motion was carried.

Respectfully submitted,

SHARON M. YAROSZ
Land Use Administrator