

FRANKFORD TOWNSHIP LAND USE BOARD
MAY 17, 2006 – 6:00 P.M.
MINUTES OF THE REGULAR MEETING

CALL TO ORDER

The meeting was called to order by the board Vice Chairman, Mr. Ayers, 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, Mr. Risdon, Mr. Zappile, Mr. Gstattenbauer, Mr. McDowell, Mr. Martin, Mr. Larson, Mr. Smolen, Mr. Dolan (arrived at 7:00 for Regular Meeting). Also present were Mr. Collins (from 6:00 p.m. to 7:00 p.m. for the Special Meeting) Mr. Clark (arrived at 7:00 p.m. for the regular meeting), the board attorneys and Mr. Pellow, the board engineer.

Those absent: Mr. Hahn and Mr. Romania (excused)

BOARD BUSINESS

Mr. McDowell made a statement that he was here this evening only to deal with issues relating to the Master Plan and the Ordinances. If there are issues that he needs to step down from, Mr. Collins will give him the heads up and he will do that.

Resolution – Frankford Center Master Plan Amendment of April 20, 2006:

Mr. Collins indicated that this is a Resolution approving the Frankford Center Master Plan, which is just a memorialization of the action taken on April 20, 2006 approving the Amendment to the Master Plan.

A Motion was made by Mr. Zappile and seconded by Mr. Gstattenbauer to approve the Resolution approving the Frankford Center Master Plan Amendment of April 20, 2006. Roll Call:

YES: 3 Ayers, Zappile, Gstattenbauer

NO: 1 Larson

ABSTAIN: 0

The Motion was carried.

Resolution – Reexamination Report of the Township dated as readopted and amended April 20, 2006:

Mr. Collins indicated that this is a Resolution to memorialize the resolution confirming the re-approval of the re-examination report recommending the master plan amendment.

A Motion was made by Mr. Zappile and seconded by Mr. Gstattenbauer to approve the Resolution approving the Re-examination Report of the Township dated as re-adopted and amended April 20, 2006. Roll Call:

YES: 3 Ayers, Zappile, Gstattenbauer

NO: 1 Larson

ABSTAIN: 0

The Motion was carried.

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Town Center Ordinance Review:

Mr. Collins indicated that Ms. Talley could not attend the meeting this evening. Based on his conversation with her, she indicated that she has made changes to the Ordinance based on a letter received from Lucas and Gaus, attorney for Lorterdan dated May 12, 2006. Ms. Talley indicated that she is satisfied and would recommend those changes to the board. He also indicated that she made some changes pursuant to Harold Pellow's letter of May 8, 2006. She indicated that with regard to the floor area ratio, the public streets are excluded from the calculation.

A lengthy discussion was held with regard to the fact that Ms. Talley was not here to explain the changes and answer questions that the board may have.

A Motion was made by Mr. Martin and seconded by Mr. Risdon to carry this matter to the June 28, 2006 Land Use Board meeting at 6:00 p.m. provided Ms. Talley is available.
Roll Call:

YES: 5 Risdon, Gstattenbauer, Martin, Larson, Smolen

NO: 3 Ayers, Zappile, McDowell

ABSTAIN: 0

The Motion was carried.

Since the time was only 6:30 p.m. and the regular meeting was advertised for 7:00 p.m. a Motion was made by Mr. Martin and seconded by Mr. McDowell to adjourn this portion of the meeting until 7:00. Roll Call:

YES: 8 Ayers, Risdon, Zappile, Gstattenbauer, McDowell, Martin, Larson, Smolen

NO: 0

ABSTAIN: 0

The Motion was carried.

A Motion was made at 7:05 p.m. by Mr. Martin and seconded by Mr. Larson to reconvene the meeting. All were in favor. The Motion was carried.

Mr. Dolan entered the meeting.

MINUTES

The Minutes of the March 15, 2006 Joint Meeting with Township Committee and the Regular Meeting of the Land Use Board were reviewed. A Motion was made by Mr. Gstattenbauer and seconded by Mr. Larson to approve the Minutes of March 15, 2006 Joint Meeting with the Township Committee and the Regular Meeting of the Land Use Board. All were in favor, except Mr. McDowell and Mr. Dolan, who abstained. The Motion was carried.

The Minutes of the March 15, 2006 Executive Session were reviewed. A Motion was made by Mr. Gstattenbauer and seconded by Mr. Risdon to approve the Minutes of the March 15, 2006 Executive Session. All were in favor, except Mr. McDowell, Mr. Zappile and Mr. Dolan, who abstained. The Motion was carried.

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MINUTES CONT.

The Minutes of the March 29, 2006 Joint Meeting with the Township Committee were reviewed. A Motion was made by Mr. Gstatenbauer and seconded by Mr. Risdon to approve the Minutes of the March 29, 2006 Joint Meeting with the Township Committee. All were in favor, except Mr. McDowell and Mr. Dolan, who abstained. The Motion was carried.

It was noted that the Minutes of April 4, 2006 Joint Special Meeting with the Township Committee and Land Use Board have not yet been completed.

It was noted that the Minutes of April 20, 2006 Joint Meeting with the Township Committee and Land Use Board have not yet been completed.

It was noted that the Minutes of April 20, 2006 Regular Land Use Board Meeting have not yet been completed.

The Minutes of the April 26, 2006 Regular Meeting were reviewed. A Motion was made by Mr. Gstatenbauer and seconded by Mr. Risdon to approve the Minutes of April 26, 2006 Regular Land Use Board meeting. All were in favor, except Mr. McDowell, Mr. Dolan and Mr. Ayers who abstained. The Motion was carried.

ZONING OFFICIERS AGENDA

The Zoning report of May 17, 2006 was reviewed. No formal action was taken.

PUBLIC PARTICIPATION

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

There was no public participation.

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

COUNTY PROJECT REVIEW

County of Sussex – LUB 06-11 – Block 23, Lot 2 – Morris Turnpike – Review by Planning Board for Capital Projects (Pursuant to N.J.S.A. 40:55D-31):

Appearing before the board was the applicant's attorney, Dennis R. McConnell, the County Planner, Eric Snyder, and Linda Pinto, the executive director of the project developer. Mr. Snyder and Ms. Pinto were sworn in.

Mr. Collins indicated that this is just an advisory review. The County is coming to the board to propose a Capital Improvement Plan, which is authorized by all County, Municipal and State Agencies under Section 31 of the Municipal Land Use Law. This is just an advisory review. The board can comment and give recommendations to the County.

Mr. Snyder indicated that this development is for 2 single family homes with a shared driveway and some parking. He further stated that since the hearings for the County, they have simplified the project significantly and they have taken the opportunity to take into account some of the concerns raised by the neighbors, particularly with regard to the visibility and the activity on the site. They have eliminated all intrusions into any transition areas and wetlands. The homes will be served by the sewer connection to the existing sewage treatment plant, also on County property on the other

COUNTY PROJECT REVIEW

County of Sussex – LUB 06-11 – Block 23, Lot 2 – Morris Turnpike – Review by Planning Board for Capital Projects (Pursuant to N.J.S.A. 40:55D-31):

side of the street on Morris Avenue. They placed the homes on opposite sides of the driveway. They have arranged it so that drivers pulling into the parking lot with headlights on, those headlights will be blocked by the building from view of the neighbors next door. He feels this is an answer to some of the concerns that were raised at some of the previous County meetings. This project is to be occupied by 10 able bodied seniors. The houses will be 2 ranches, 5 bedrooms each. They will function independently. They will occupy the homes as any other group family would occupy the homes. This property is roughly 100 acres. The leased area for this project is roughly 5 acres. He further stated that the COAH credits for this unit will be 13 for Frankford Township.

Mr. Risdon questioned if they had a design of the homes. Mr. Snyder indicated that at this time they do not, however, the plans are for 2 ranch style homes and will be submitted to the building inspector and will meet all the UCC regulations. Mr. Ayers questioned if the homes will be placed on a slab or a foundation. Mr. Snyder indicated that it will be a slab.

Mr. McDowell indicated that some of the residents were concerned with the water, i.e. runoff and well and whether this will affect adjoining wells. Mr. Snyder indicated that there is sufficient water in this particular aquifer to serve single family homes. These are 2 single family homes, which is what the area is zoned for. It is unlikely that there will be any impact from such water requirements for senior citizens. It will be significantly less than a standard family with children.

Mr. Ayers questioned if the applicant took into consideration handicapped parking. Mr. Snyder indicated that the site will comply with handicapped parking. There are 14 parking stalls all together and 2 will probably be handicapped.

Mr. Pellow indicated that the applicant will have to obtain a driveway permit from the township. Mr. Snyder agreed.

Mr. Ayers questioned what the square footage of the 2 homes will be. Ms. Pinto indicated that they will be 2665 square feet for each building.

Mr. Risdon questioned the area of the garbage dumpsters. He feels where it is located will be difficult for garbage trucks. Mr. Snyder indicated that the trucks will be able to do this. Mr. Risdon questioned if this is good planning. Mr. Snyder indicated that they will review this area.

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

Paul Valerie appeared before the board and was sworn in by the board attorney. He expressed his concern with buffering plantings on the right hand side of property be put back in order to buffer his property, which Mr. Snyder agreed to. He indicated that the setbacks on the plans are inaccurate. The setback is 41' not 57' as on the submitted plans. He questioned Mr. Snyder how deep the detention pond is. Mr. Snyder indicated that the pond is built and designed to handle the storm water requirements of the State of New Jersey. He further stated that he is not the engineer on the job and does not know how deep the pond will be. Mr. Valerie stated that there is a significant bear problem in the area and the dumpster needs to be secured every time it is used. He questioned Mr. Snyder if there is some kind of fire alarm system or sprinkler system proposed in these building. Mr. Snyder indicated that there will not be a sprinkler

COUNTY PROJECT REVIEW

County of Sussex – LUB 06-11 – Block 23, Lot 2 – Morris Turnpike – Review by Planning Board for Capital Projects (Pursuant to N.J.S.A. 40:55D-31):

system. Ms. Pinto indicated that there are plans for the smoke detectors wired into a security system.

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

A Motion was made by Mr. Zappile and seconded by Mr. McDowell to confirm the Land Use Board conducted an advisory review under Section 31 of the Municipal Land Use Law of Capital Projects and is recommending that the applicant place back into the plan the tree buffering. Roll Call:

YES: 9 Ayers, Risdon, Zappile, Gstattenbauer, McDowell, Martin, Larson, Smolen, Dolan

NO: 0

ABSTAIN: 0

The Motion was carried.

Mr. Collins left the meeting. Mr. Clark entered the meeting.

APPLICATIONS CARRIED FROM PREVIOUS MEETING

Linda Pellegrino – LUB 06-05 – Block 187, Lot 3 – 269 East Shore Lake Owassa Road – “C” & “D” Variance:

Mr. Ayers, Mr. McDowell and Mr. Dolan stepped down from this application. Mr. Martin took over as Chairman of the meeting.

Appearing before the board was the applicant, Linda Pellegrino, her attorney, William Haggerty, and her engineer James Glasson. Mrs. Pellegrino and Mr. Glasson were still under oath from the previous meeting.

Mr. Haggerty indicated that there was testimony given at the last meeting and the matter was carried from the previous meeting for the board members to make an on site inspection.

Mr. Gstattenbauer indicated that at the last meeting there was objection from a surrounding owner that this project would impede his view of the lake. He further stated after his on site inspection, he noticed there are clearly trees in between this property and the neighbors which already impede his view of the lake and does not feel that this project will further impede his view. He further stated that he does have some issues with regard to the floor area ratio. He indicated that the applicant is almost doubling the size of the floor area ratio. He felt that if the applicant does not go up with the addition, it may diminish the problem somewhat.

Mr. Larson agreed with Mr. Gstattenbauer regarding the view of the neighbor. He also indicated that the applicant is working off the same footprint that is there already. He feels this would be an improvement to the property, understanding that the floor area ratio would be increased if passed. He feels it would not be taking up any more space, short of going up with the addition.

APPLICATIONS CARRIED FROM PREVIOUS MEETING CONT.

Linda Pellegrino – LUB 06-05 – Block 187, Lot 3 – 269 East Shore Lake Owassa Road – “C” & “D” Variance Cont.:

Mr. Martin indicated that often the problems concerning the floor area ratio has to do with the size of the septic system, which with prior testimony they are not increasing the amount of the bedrooms.

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

Mr. Haggerty summarized the application. He indicated that the key variance is the floor area ratio. His client’s position is that they do already have a non-conforming situation now, which is the garage that is also used as an apartment. The garage building effectively would screen the addition from the road. It will be a unified structure. The apartment would be eliminated. It will be one single family home. They are connecting two buildings, one behind the other. The second floor is being added for architectural and appearance purposes as well as functional reasons. It is a large lot and they do feel that the house would be consistent with the lot and consistent with the neighbors home, which is a little larger than this proposed home even after the addition.

Mr. Clark summarized the application. He indicated that the primary variance is the floor area ratio. This variance would require 5 affirmative votes. He indicated that the floor area ratio would be increased 79% and will result in a residence of 4,815 square feet, were only 2,586 square feet is allowed. He stated the existing 2 structures already exceed the current allowed floor area ratio. This is a non-conforming use. In testimony the applicant stated that there is an apartment, however, it is not a year round apartment with heating, etc. He feels the board would have to approve this apartment if it was year round use. He indicated that special reasons would have to be shown to approve the floor area ratio variance; which were argued at the previous meeting that the applicant is bringing this lot more into conformity.

Mr. Haggerty indicated that the apartment is taxed as a separate apartment.

Mr. Glasson indicated that the loft is 409 square feet. He indicated that the major advantage of the loft is the loft gives the look from the road. The loft is what you see and it makes it look correct from the road. The intention is to make the roof line look concentric with the rest of the house otherwise the roofline is much lower than the house.

A Motion was made by Mr. Risdon and seconded by Mr. Larson to approve the “D” Variance request of the applicant. Roll Call:

YES: 4 Zappile, Martin, Larson, Smolen

NO: 2 Risdon, Gstattenbauer

ABSTAIN: 0

The Motion was not carried.

APPLICATIONS CARRIED FROM PREVIOUS MEETING CONT.

Linda Pellegrino – LUB 06-05 – Block 187, Lot 3 – 269 East Shore Lake Owassa Road – “C” & “D” Variance Cont.:

Mr. Haggerty requested of the board to carry this matter and retain the jurisdiction of the board in order for the applicant to redesign her proposal and they will re-notice when amended plans are prepared. The board agreed.

NEW APPLICATIONS

Mr. McDowell and Mr. Dolan returned to the meeting.

Harriette & Charles Ansback and James & Lana Ayers – LUB 06-07 – Block 42, Lot 14.05 – 15 Kymer Road – Minor Subdivision:

Appearing before the board was the applicant, James Ayers, and his attorney, William Haggerty, and his engineer, Daniel Kent. Mr. Ayers and Mr. Kent were sworn in by the board attorney.

Mr. Haggerty indicated that this is a Minor Subdivision application. This property has been divided in the past; however, the applicants are beyond the 3 year period.

Mr. Pellow reviewed his report dated April 26, 2006 as to completeness:

Paragraph “4”: The application is complete as long as the following minor item is submitted ten (10) days prior to the scheduled hearing:

“ITEM 71”: Written confirmation from Tax Assessor that proposed lot numbers are acceptable. Mr. Pellow indicated that this has been submitted.

Paragraph “5”: The following waiver has been requested:

“ITEM 16”: Plan Clearly and Legibly Drawn or Reproduced at a Scale not Smaller Than 1 Inch Equals 50 Feet. Mr. Pellow indicated that the plans submitted have a scale of 1”=100’. This is acceptable as it allows the proposed subdivision to be shown on one sheet and the detail remains sufficient for review.

A Motion was made by Mr. Risdon and seconded by Mr. Gstattenbauer to deem this application complete with the requested waiver of Item 16. All were in favor. The Motion was carried.

Mr. Kent reviewed the plans. He indicated that the applicants are proposing to subdivide a 6.505 acre lot for his daughter to build a home. He stated that they made an application to the NJDEP for a wetland averaging plan. They would like to reduce the buffer from 150’ on the lot to be subdivided and increase the buffer on the other side. This application is still pending. The remaining property will have 37.219 acres which has frontage on Kymer Road in 2 places and frontage on a County Road.

Mr. Haggerty indicated that Mr. Pellow raised a question with regard to the large section of the lot that is north of the pond. This lot has access through an easement, which is shown partially on the subdivision map. Mr. Kent agreed and showed the board where the easement is located. This easement is a result of the 2002 approval under LUB 01-39 which is the subdivision in the Eckert property being established. There was a requirement in this approval that there be a provision in the deed for the tract indicating that that easement could only be used for agricultural purposes and there could not be a separate residence access from that easement.

NEW APPLICATIONS CONT.

Harriette & Charles Ansback and James & Lana Ayers – LUB 06-07 – Block 42, Lot 14.05 – 15 Kymer Road – Minor Subdivision cont.:

Mr. Pellow continued reviewing his report:

Paragraph “6”: The applicant is proposing to subdivide a 6.505 acre tract from Lot 14.05 to create a residential building lot, proposed Lot 14.28. The remainder lot is proposed to be 37.219 acres.

Paragraph “7”: The boundaries of contiguous non-constrained land should be shown on the plate for 14.28. The soil types should also be added to confirm the contiguous developable land areas. Mr. Kent indicated that this will be added, however, it may change because of the buffer.

Paragraph “8”: Access to the rear portion of remainder Lot 14.05 is restricted by this subdivision due to the location of the pond.

Paragraph “9”: The access easement for Lot 14.05 crosses wetland transition areas and any increase in use may require a permit from NJDEP. Is the Applicant seeking this permit as part of the wetland permitting process they are undertaking now? Mr. Kent indicated that it was not.

Paragraph “10”: A driveway access permit will be required at the time of building permit application. The applicant agreed.

Paragraph “11”: Wetlands and buffer areas to be conveyed as conservation easements and run with the land for the remainder lot as well as the proposed lot. The applicant agreed.

Paragraph “12”: A copy of the wetland transition area waiver/averaging plan approval to be provided. The applicant agreed.

Paragraph “13”: A contribution to the Road Trust Fund in the amount of \$2,150 (TD2C) is required. The applicant agreed.

Paragraph “14”: County Planning Board approval or Letter of No Interest is required. The applicant agreed.

Paragraph “15”: Soil logs and permeability test results shall be shown on these plans. Mr. Kent agreed to add this to the plan.

Paragraph “16”: A COAH contribution is required for one (1) new lot. The contribution shall be \$17,500. The applicant agreed.

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

Mr. Clark summarized the application. This is a conforming Minor Subdivision with a remainder which ultimately may subdivide one more lot. It will be subject to the conditions of Mr. Pellow’s report dated April 26, 2006.

NEW APPLICATIONS CONT.

Walter & Ruth Winkler – LUB 06-08 – Block 261, Lots 22.02, 24.02, 25 & 29 – 8 & 11 Drake Road – Minor Subdivision & “C” Variance cont.:

0.518 acre to be subdivided from Lot 24.02 to be annexed to Lot 22.02, Block 261, increasing the lot area of Lot 22.02 from 1.75 acres to 2.268 acres. The issue here is they have included a portion of Drake Road with Lot 22.02. This may not be possible, but Dick Clark to give an opinion. Also, there will be a strip of Drake Road remaining between Lot 22.02, and Lot 25, Block 261 to have access over Drake Road and Lot 25, Block 261 to have rights over Drake Road. It appears that these rights do not exist or they will be eliminated. Need testimony about this condition. Mr. Kent indicated that the applicant’s deeds show a description to the center of Drake Road. The applicant will maintain an easement through this property, not closing this access off to the Lake Owassa Community Association.

Paragraph “6”: The following variances have been requested by the Applicant:

Description	Required	Existing	Proposed	Comments
LOT 22.02				
Lot Area	5 ac.	1.75 ac.	2.268 ac.	NEED VARIANCE.
Lot Frontage	300 ft.	600 ft.	165 ft.	The frontage has been reduced due to merging a portion of Lot 24.02 with Lot 22.01 NEED VARIANCE
Lot Depth	300 ft.	170 ft.	170 ft.	A Variance was granted for lot depth for Application #05-09. Need Testimony
Front Yard	75 ft.	16.9 ft.	16.9 ft.	A variance was granted for lot depth for Application 05-09. Need Testimony
Rear Yard	75 ft.	35 ft.	35 ft.	A variance was granted for lot depth for Application 05-09. Need Testimony
LOT 25				
Lot Area	5 ac.	0.570 ac.	0.794 ac	NEED VARIANCE
Lot Width	300 ft.	198.62 ft.	198.62 ft.	This is an existing condition (No Variance Needed)
Lot Frontage	300 ft.	198.62 ft.	198.62 ft.	This is an existing condition (No Variance Needed)
Lot Depth	300 ft.	125 ft.	200 ft.	NEED VARIANCE
Side Yard	60 ft.	44 ft.	44 ft.	This is an existing condition (No Variance Needed)
Front Yard	75 ft.	32.7 ft.	32.7 ft.	This is an existing condition (No Variance Needed)
LOT 29				
Lot Area	5 ac.	1.831 ac.	2.568 ac.	NEED VARIANCE
Lot Width	300 ft.	200 ft.	250 ft.	NEED VARIANCE
Lot Frontage	300 ft.	None	None	NEED VARIANCE
Front Yard	75 ft.			This is an existing condition (No Variance needed)

Paragraph “7”: Conservation easements were approved for Lot 22.02 but were the conservation easements on Lot 29 described and included in the deed? Mr. Kent indicated that they were not. Also, will any transition areas be located on Lot 25? Mr. Clark indicated that this is an existing condition and are not needed.

NEW APPLICATIONS CONT.

Walter & Ruth Winkler – LUB 06-08 – Block 261, Lots 22.02, 24.02, 25 & 29 – 8 & 11 Drake Road – Minor Subdivision & “C” Variance cont.:

Paragraph “8”: Would there be any value to provide Lot 29 access to and frontage on Drake Road since it only has access to Plummer Road by way of an easement. Mr. Pellow indicated that it is a Private Road and will not work.

Paragraph “9”: County Planning Board approval or Letter of No Interest is required. Mr. Kent indicated that this application is scheduled for the June 5th County Planning Board meeting.

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

Mr. Clark summarized this application. This application is for 3 subdivisions involving 7 variances on separate lots indicated in Mr. Pellow’s report dated April 26, 2006 and which all relate to a C2 variance which is a better planning alternative.

A Motion was made by Mr. Risdon and seconded by Mr. Smolen to approve this application for a Minor Subdivision and the 7 “C” Variances listed as stated in Mr. Pellow’s report dated April 26, 2006. Roll Call:

YES: 9 Ayers, Risdon, Zappile, Gstattenbauer, McDowell, Martin, Dolan, Larson, Smolen

NO: 0

ABSTAIN: 0

The Motion was carried.

RESOLUTIONS

18 Plus, Inc. (High Ridge Properties) – LUB 05-04 – Block 1, Lot 10 & Block 4, Lots 2 & 4 – Variance for sign:

The Resolution was reviewed. A Motion was made by Mr. Larson and seconded by Mr. Gstattenbauer to approve the Resolution of 18 Plus, Inc. for a Variance. Roll Call:

YES: 5 Risdon, Gstattenbauer, McDowell, Martin, Larson

NO: 0

ABSTAIN: 0

The Motion was carried.

RESOLUTIONS CONT.

Richard Quayle – LUB 06-02 – Block 33, Lot 3 – 3 Haggerty Road – “C” Variance:

The Resolution was reviewed. A Motion was made by Mr. Gstattenbauer and seconded by Mr. Larson to approve the Resolution of Richard Quayle for a “C” Variance. Roll Call:

YES: 6 Risdon, Gstattenbauer, McDowell, Martin, Larson, Smolen

NO: 0

ABSTAIN: 0

The Motion was carried.

Wendy Celentano – LUB 06-04 – Block 21, Lot 3.09 – 45 Morris Avenue – “D” Variance:

The Resolution was reviewed. A Motion was made by Mr. Larson and seconded by Mr. Gstattenbauer to approve the Resolution of Wendy Celentano for a “D” Variance. Roll Call:

YES: 6 Risdon, Zappile, Gstattenbauer, Martin, Larson, Smolen

NO: 0

ABSTAIN: 0

The Motion was carried.

BOARD BUSINESS:

Invoices:

A Motion was made by Mr. Smolen and seconded by Mr. Gstattenbauer to approve the May, 2006 Invoices on the Bill list attached hereto and made a part hereof. Roll Call:

YES: 7 Ayers, Risdon, Zappile, Gstattenbauer, Martin, Larson, Smolen

NO: 0

ABSTAIN: 2 McDowell and Dolan

The Motion was carried.

TDR Review:

A suggestion was made by a board member that the TDR Subcommittee meet with the Open Space Committee to discuss the TDR process. Since Mr. Martin is a member of the Open Space Committee, there will be a quorum at this meeting.

