

Land Use Board Minutes

September 12, 2011 - 7:30pm

- 1) **Call to Order:** In accordance with the open Public Meeting Act, with regard to notices, the regular meeting of the Land Use Board Meeting is hereby called to order.
- 2) **Statement of Certification: The Land Use Board Secretary Advises:** Adequate notice of the meeting has been provided to the public and press January 11, 2011 by delivering to the press and posting at the Municipal Building a copy pursuant to the provisions of the "Open Public Meeting Act"
- 3) **Roll Call**
 - Members:**
 - Present:* Daniel Hall, John Haig, Guy Harby, Rich Krasnomowitz, Mayor Marino, Jeanette Tempe, Tom Watts, Wendy Brick, Robert Adams
 - Absent:* Kathy Phipps
 - Professionals:**
 - Present:* Jeanne McManus (for Glenn Kienz), Peter Turek (for John Ruschke)
 - Absent:* Ken Nelson
- 4) **Approval of Minutes:**
 - June 13, 2011 (*Eligible to vote:* Hall, Haig, Krasnomowitz, Mayor Marino, Phipps, Tempe, Brick, Adams)
 - Motion to approve the minutes made by Tempe** **Second by Hall**
 - Eligible to vote:*
 - Hall - Aye
 - Haig - Aye
 - Krasnomowitz - Aye
 - Mayor Marino - Aye
 - Phipps - Absent
 - Tempe - Aye
 - Brick - Aye
 - Adams - Aye
- 5) **Bills/Vouchers:**
 - Hatch Mott MacDonald
 - o Escrow 166 Patel - \$662.50
 - Weiner Lesniak
 - o Escrow 166 Patel - \$119
 - o Escrow 150 AJMG - \$51
 - o General - \$136

Motion to approve bills/vouchers made by Temp **Second by Mayor Marino**
Aye: Hall, Haig, Harby, Krasnomowitz, Mayor Marino, Tempe, Watts, Brick, Adams
Nay:
Abstain:
Absent: Phipps
- 6) **Correspondence:**
 - Tree Environmental Corp re: Former Getty Service Station
 - PS&S Re: Utility Pole Installation
 - Memo from Zoning Officer re: Governor Haines Parking Lot
 - Mayors Advisory re: Governor Issues Reorganization Plan to Abolish COAH
 - Mayors Advisory re: A-4221/S-2974, Suspension of 2.5% Non-Residential Development fee Affordable Housing
 - Hardyston Township Application re: Block 14, Lots 22.01, 24.01, 24.02 and 24.04
 - The New Jersey Planner July 2011
 - Zoning Officer Monthly Report
 - Division of Parks and Forestry Re: Shade Tree Federation Annual Meeting/Membership

No comments on Correspondence
- 7) **Resolutions:**
- 8) **Old Business/New Business:**
 - SJZ, LLC (Paradise Pools)

Block 36 Lot 2

- o Letter Dated 8/1/2010 from Peter McArthur re: request for extensions of approvals

Chairman Turns the meeting over the applicant and steps down because he was noticed during the original application.

Peter McArthur represents the applicant, SJZ, LLC (Paradise Pools)

McManus confirms the application being heard.

Peter McArthur gives an overview of the application. In 2009 he came before the board for an extension, which expires in October 2011 and he is here today to ask for a preliminary site plan extension and a use variance extension. DOT approvals are pending. All paperwork has been filed with DOT as of last month. Even though the permit extension act does not cover this application because it is located in the planning zone this application calls for the type of relief that the act stands for.

Tom Watts – talks about property appearance and general maintenance. He wonders if by granting approval there can be a condition about the cleanup of the property.

Attorney McMantis states that it is something that can be done.

Mayor Marino does not want to see it as a condition of the extension. These are tough times for everyone right now.

Attorney McMantis states on the record that the use variance granted is particular for a pool store. If the property is sold any use, other than a pool store of the same size would have to submit a new application.

Mayor Marino asks if the extension approvals can be separated to be one for the preliminary site plan approval and one for the use variance approval.

Motion to approve a one year extension for the Use Variance made by Hall second by Tempe

Aye: Hall, Haig, Harby, Krasnomowitz, Tempe, Watts, Brick

Nay:

Abstain:

Absent: Phipps

Motion to approve a one year extension for preliminary site plan made by Mayor Marino second by Rich Krasnomowitz

Aye: Hall, Haig, Harby, Krasnomowitz, Tempe, Watts, Brick, Mayor Marino, Rich Krasnomowitz

Nay:

Abstain:

Absent: Phipps

Chairman returns to the meeting.

- Sunoco – LU06-007

- o **NO ACTION REQUIRED:**

Correspondence:

2) Email from Ken Nelson dated 9/3/11

Wendy Brick asks what action is being taken with regards to the landscaping and Kens email.

Chairman Adams states that Ken gave specific dates that the planting needed to occur and after that point the zoning officer will send a violation.

- Patel - LZ 10-004

- o **NO ACTION REQUIRED:**

Correspondence:

1) HPA re: Application to the DOT

2) Hatch Mott MacDonald re: review report

Dan Hall states that there have been dump trucks that make a left hand turn into the Patel site and block rt. 23 to dump dirt.

Mayor Marino asks the secretary to let the zoning officer and the police know.

9) Planners Report:

10) Public Portion:

- 11) **Chairman's Agenda:** Kathy Phipps is in the Hospital and he would like to have some flowers sent to her.
12) **Adjourn:**

Motion to adjourn made by Mayor Marino **Second by** Tempe with all in favor

Respectfully submitted by:

Mary Jones
Mary Jones
Secretary, Land Use Board

Approved: 10/4/11