

MINUTES OF MEETING OF MARCH 15, 2010

The regular meeting of the Frelinghuysen Township Board of Adjustment was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, March 15, 2010 and was called to order at 7:30 p.m. by Chairman Stracco.

SUNSHINE LAW STATEMENT:

Adequate notice of this meeting was provided by posting notice on the township bulletin board and by emailing notice to the Express-Times and New Jersey Herald.

ROLL CALL:

Kevin Bailey-absent
Shannon Drylie-present
Chip Greene-present
Howard Jungkind-present

Max Klein-present
Donald Soisson-present
Nicholas Soranno-present
Christopher Stracco-present
Russell Walters-present

RESOLUTIONS:

The Findings and Resolution:

WHEREAS, by statute designated N.J.A.40:55D-70-1, effective March 22, 1986, mandated by the Legislature of the State of New Jersey that every Board of Adjustment shall at least once a year review its decisions on applications and appeals for variances, and then prepare and adopt a resolution, a report of its finding and zoning ordinance provisions which were the subject of variance request together with its recommendations or ordinance amendment or revision, if any; and

WHEREAS, the Board of Adjustment of the Township of Frelinghuysen has had prepared a report summarizing its findings respecting all variance applications between January 1, 2009 and December 31, 2009, inclusive, this report shall be prepared annually and a copy of the report attached hereto.

IT IS HEREBY RESOLVED, by the Zoning Board of Adjustment that recommendations for zoning ordinance amendments or revisions can be rationally based on its experience with the zoning ordinances in place at the time the variance applications incorporated in the attached report came before it for disposition.

SUMMARY OF VARIANCE REQUEST HEARD BY THE FRELINGHUYSEN TOWNSHIP ZONING BOARD OF ADJUSTMENT BETWEEN JANUARY 1, 2009 AND DECEMBER 31, 2009

1. Kids Camp, Block 104, Lot 10 submitted an application for a use variance and site plan to construct three new buildings, demolish existing cabins, hut, storage shed, pool and infirmary. New structures would include arrival pavilion dormitory, changing pavilion, splash pad, and lodge expansion and farmhouse addition. **DENIED-JANUARY 2009.**
2. Nicholas Soranno, Block 104, Lot 12 submitted an application for conditional use to remodel an existing garage into a single family dwelling. **WITHDRAWN DECEMBER 2009**
3. Service Electric Cable TV of New Jersey, Inc., Block 201, Lot 27 submitted an application for an amended use variance and an amended preliminary and final site plan to add a propane tank and generator to their existing telecommunications hub

located at the Frelinghuysen Township School.

APPROVED & MEMORIALIZED

MAY 2009

4. TI Properties (Forest Manor) Block 1803, Lot 11 submitted an application for an amended preliminary and final site plan proposing an additional eight (8) parking spaces for the existing facility along with a fire access lane. **APPROVED & MEMORIALIZED**

AUGUST 2009

5. Karen Leese, Block 701, Lot 24 submitted an application for a variance to allow an accessory structure to exceed the maximum height permitted. **APPROVED &**

MEMORIALIZED AUGUST 2009

6. Frederick and Amy Jo Horn, Block 1501, Lot 8 submitted an application for a variance to allow an accessory structure in the front yard. **APPROVED &**

MEMORIALIZED AUGUST 2009

7. Susan Martin, Block 1501, Lot 7, submitted an application for a 675 foot addition requiring a side yard setback **APPROVED AND MEMORIALIZED AUGUST 2009**

8. Harold Finch, Block 1201, Lot 5.02 submitted an application for a variance to allow a non permitted use within the Professional Office zone. This is a bifurcated application for the use variance and the site plan will be decided at a later date. **APPROVED & MEMORIALIZED OCTOBER 2009**

9. Harold Finch, Block 1201, Lot 5.02 submitted an application for a site plan to allow a landscaping business in the Professional Office Zone. **ONGOING**

Motion was made by Drylie, seconded by Klein to adopt said resolution. Roll call vote: Drylie-yes, Greene-yes, Klein-yes, Jungkind-yes, Soisson-yes, Soranno-yes, Walters-yes, Stracco-yes.

MINUTES:

The minutes of the meeting of February 11, 2010 are on hold for the March meeting. The minutes of the executive session of February 11, 2010 were approved on motion made by Soranno, seconded by Walters. Roll call vote: Drylie-abstain, Greene-abstain, Jungkind-yes, Soisson-yes, Soranno-yes, Walters-yes, Stracco-yes.

CORRESPONDENCE:

The Land Development supplement #14 & 15 were give to the members.

NEW BUSINESS:

Application #10-01 Presbyterian Camp, Block 1601, Lot 6

Kurt Oelschlager on behalf of the Presbyterian Camp appeared before the Board seeking zoning interpretation proposing an alternative green burial concept. The proposal is to purchase or lease a site around a tree on the camp's property, bring the deceased ashes in a bio-container and bury them. A plaque with their name would be placed on the tree. Mr. Palmer stated that this falls under a cemetery and approval from the State would be needed. The consideration that this may be a use variance was discussed and will be left up to the applicant's attorney.

It was decided that since this is a corporation, an attorney is needed on their behalf. Notice issue will be addressed by their attorney.

OLD BUSINESS:

A request for an extension for Harold Finch was approved subject to no notice for the April meeting and waiver of the statutory deadline was approved.

Engineer Joe Golden brought up the issue that he will not be paid for a submitted voucher when he met with Mr. McCabe, Finch's new engineer as he was not approved to meet with Mr. Golden by Mr. Finch. It was suggested that written authorization would be needed in the future.

The Chairman addressed his appearance before the Planning Board concerning the P.O. zone. For further information the Board needs to obtain the Planning Board minutes.

AUDIENCE PARTICIPATION:

Marty Connor asked if the Board could divulge anything new that has happened with the Kids Camp litigation. He was advised there is a conference meeting for April 1st.

Alan DeCarolis asked if anyone had been appointed to the Environmental Commission and was advised that this was done. He asked how the Board felt with regard to the PO zone and was advised the Board could not give an opinion.

EXECUTIVE SESSION:

Motion was made by Drylie, seconded by Greene to enter into Executive Session with regard to litigation. All in favor. Upon returning to public session, the Chairman advised that the purpose of the meeting was the Kids Camp and Finch litigation and the outcome will be made at a later date.

ADJOURNMENT:

There being no further business, the meeting was adjourned by the Chairman.

Respectfully Submitted,

Brenda J. Kleber, Secretary