

MINUTES OF MEETING OF APRIL 20, 2009

The regular meeting of the Frelinghuysen Township Board of Adjustment was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, April 16, 2009 and was called to order by the Chairman Christopher Stracco.

SUNSHINE LAW STATEMENT:

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

ROLL CALL:

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

Donald Soisson-absent
Nicholas Soranno-present
Christopher Stracco-present
Russell Walters-absent

Professionals: J. Edward Palmer-present, Joe Golden-present

MINUTES:

The minutes of the meeting of March 16, 2009 were approved with corrections to the spelling of Mr. Soranno's name on motion made by Drylie, seconded by Jungkind. Roll call vote: Drylie-yes, Greene-yes, Klein-abstain, Jungkind-abstain, Soranno-yes, Stracco-yes.

CORRESPONDENCE:

The following correspondence was given to the board members:

- a. New Jersey Planner-March/April issue

OLD BUSINESS:

The request for an extension for the 995 Route 94 project was approved with the stipulation that they re-notice.

COMPLETENESS:

ZB#09-01 Service Electric, Block 201, Lot 27.

It was determined that the applicant has jurisdiction as the proper forms were submitted and reviewed by the attorney.

Mr. Kevin Kelly of Kelly & Ward, Robbin Caldarella, Assistant Manager of Service Electric and Enrique Zuniga, Architecture appeared before the Board seeking to amend approvals received in 2002 in order to add a propane tank and generator to the existing telecommunication hub located at the Frelinghuysen Township Elementary School. Mr. Golden's comments were addressed as follows:

Comment #2: Ms. Caldarella testified that with regard to the color and or texture, there will be a 6 foot overhang with cream colored slats.

Comment #3: With regard to the mismatched color siding, the siding was replaced and did not match.

Comment #4: Mr. Zuniga stated that the line to the propane tank will be underground.

Comment #5. With regard to the measures to ensure that students cannot climb or access the tank, there will be a gate with a master lock which has been in existence since 2002 and there have no problems or issues.

It was stated that the inherently beneficial use is being relied upon on the prior resolution which outweighs the negative criteria.

Engineer Joe Golden asked for a long term agreement for landscaping and mulch bed of which will be added to the agreement with the Frelinghuysen Township Board of Education. 5 to 6 foot tall landscaping was preferred by Mr. Golden for which Mr. Zuniga will revise the plans and send to Mr. Golden.

After deliberations by the Board members, motion was made by Klein, seconded by Drylie to grant the application subject to the conditions that the engineer proposed in his report dated April 15, 2009 along with the condition that should the facility become obsolete it must be removed within 30 days along with a date of November 1, 2009 for completion of landscaping. Roll call vote to approve: Drylie-yes, Greene-yes, Jungkind-yes, Soranno-yes, Klein-yes, Stracco-yes.

The motion was amended on motion made by Klein, seconded by Drylie to include the installation of a concrete pad for the propane tank and generator as approved by the construction department. Roll call vote to approve amendment. Drylie-yes, Greene-yes, Jungkind-yes, Soranno-yes, Klein-yes, Stracco-yes.

NEW BUSINESS:

The implementation of an inspection consent to be made part of the application process was discussed. The regulations will be amended to require this consent for which the Chairman will prepare for next month's meeting.

The Chairman announced that Kids Camp filed a civil action against the Board, and an attorney specializing in land use has been hired to address the complaint.

AUDIENCE PARTICIPATION:

Martin Connor asked if the Kids Camp could be discussed since this is a litigation matter. The Chairman and counsel advised that the Board should not discuss this.

Joe Golden asked about his outstanding bills from Kids Camp that has not been paid. It was recommended that he send a letter to the Township Committee.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, Secretary