

MINUTES OF THE MEETING OF JULY 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, July 20, 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 faxing notice to the Express-Times and New Jersey Herald.

ROLL CALL:

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

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

Professionals: Attorney-J. Edward Palmer-present Engineer Joe Golden-present

MINUTES:

The minutes of the meeting of June 15, 2009 were approved as amended on motion made by Bailey, seconded by Klein. All in favor. The minutes of the executive session of June 15, 2009 were approved on motion made by Jungkind, seconded by Klein. All in favor except Soranno who had stepped out of the room.

CORRESPONDENCE:

The following correspondence was given to the members:

- a. Letter from J. Edward Palmer Re: Vacation-week of August 17th
- b. Two letters (privileged communication) from Brady & Correale Re: Kids Camp
- c. New Jersey Planner Re: May/June Issue

OLD BUSINESS:

Public Hearing

Application #2009-02-TI Properties, Block 1803, Lot 11:

In attendance were Peter Nicholson and his attorney William Gold. Mr. Nicholson who is the project manager explained to the Board that his father is the owner and leases out the property. Upon completion of the expansion and renovation of the original building, it was found that eight (8) additional spaces were needed.

The attorney explained that that this variance should be granted as the parking spaces are incidental and it is an inherently beneficial use as it provides services to the elderly along with the facility already there.

The meeting was opened to the Board members for questions. Don Soisson asked if additional lighting was being added and the answer was yes. Howard Jungkind asked about snow removal and was advised that that is part of the lease agreement. Max Klein asked the number of beds and was advised that it is a 120 bed facility with 90-95 patients. Mr. Jungkind asked if this was a non-smoking facility of which was answered that it is on the inside. Mr. Soisson asked if the out-patient services have been started and was answered not as yet.

The meeting was opened to the Engineer who had issues with the use variance. It was decided that this is an amendment to the site plan. Discussion ensued on the impervious surface and it does not have a negative impact downstream. With regard to the fire lane it has been paved and a condition would be that a letter from Maser Consulting be obtained that they are satisfied. The installation of retro-fit of eco friendly castings on the drainage inlets was discussed and will be made a condition.

The meeting was opened to the public and spoke was Peter Murrucane who was sworn in and testified about the 75 foot tractor trailers traveling on State Park Road. He was advised that a traffic report had previously been done and there was no impact and these parking spaces have nothing to do with the truck traffic. A letter received from Fred Gebhart will not be considered due to the Board's general regulations #8

Motion was made by Klein, seconded by Soranno to grant the variance subject to two conditions (letter from engineer and eco friendly castings). Roll call vote: Bailey-recused, Greene-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes.

Public hearing:

Application #2009-03-Karen Leese, Block 701, Lot 24:

Due to the utilities listed on the property owners list not being notified the board did not have jurisdiction and could not hear the application. An extension was granted on motion made by Soranno, seconded by Jungkind to the next board meeting subject to waiver of statutory time limit. Roll call vote to grant extension: Bailey-yes, Greene-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes.

Public Hearing:

Application #2009-04-Fred Horn, Block 1501, Lot 8

The application proposes an approximately 960 square foot pole barn to be located in the front yard.

Mr. Horn was sworn in and testified that he is seeking relief for the front line due to hardship on the property. There are wetlands to the right, the left has existing power lines, and the back has the leach field and septic system. The pole barn will be a one story barn, 17.5 feet high, with a peaked roof and will have two overhead doors.

The meeting was opened to the Board members and spoke was Kevin Bailey who asked if anyone would be able to see the barn from the road and was advised that you would be able to see parts of it. Chairman Stracco asked the use of the barn for which it will be just for storage and Howard Jungkind asked who is the builder for which no decision has been made yet.

The meeting was opened to the engineer who stated that one of the positive issues was that the barn was placed in an area that has an existing gravel driveway. Mr. Golden felt there is no negative impact on the surrounding area. His only comment was that he would like three (3) signature lines on the survey. He recommended two (2) trees be added consisting of either blue spruce or Norway spruce.

The meeting was opened to the public and there being no comments, motion was made by Bailey seconded by Soisson to grant the variance without conditions. Roll call: Bailey-yes, Greene-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes.

Public Hearing:

Application #2009-05: Susan Martin, Block 1501, Lot 7

In attendance were the applicant Susan Martin, who was sworn in and Elizabeth Durkin of Durkin & Durkin law firm and Wayne Vanderhoof who was qualified as an expert in architecture.

Ms. Martin testified that she is seeking a variance for the side yard and has resided in the home since 1987. There was an addition put on the house in the 1940's and again in the 1980's. Ms. Martin would like to add a 670 square foot library and wants to keep the historic integrity of the home. She has applied to the DEP for a waiver of the 150 foot wetlands.

The meeting was opened to the engineer who conducted a site visit and felt that this was a positive situation as they are moving the addition away from the environmentally sensitive area. He felt that a condition should be the submission of an as built foundation location plan to the board engineer

The meeting was opened to the public and there being no comments, motion was made by Jungkind, seconded by Bailey to grant the variance with the above condition along with a copy of the DEP waiver. Roll call vote: Bailey-yes, Greene-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes.

Nicholas Soranno:

Application #2008-04, Block 104, Lot 12:

Mr. Soranno was given an extension and the statutory time was waived for a limit of 30 days or until the next meeting of the Board on motion made by Bailey, seconded by Greene. Roll call vote: Bailey-yes, Greene-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-abstain, Stracco-yes.

NEW BUSINESS:

It was decided to not change the August 17, 2009 meeting date even though the attorney will be on vacation.

PUBLIC PARTICIPATION-none

EXECUTIVE SESSION:

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

ADJOURNMENT:

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

Respectfully Submitted,

Brenda J. Kleber, Secretary

