

## **MINUTES OF JULY 26, 2010**

The regular meeting of Frelinghuysen Township Board of Adjustment was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, July 26, 2010 and was called to order at 6:30 p.m. by 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 New Jersey Herald on The Express Times.

### **ROLL CALL:**

Present: Bailey, Drylie, Greene, Jungkind, Klein, Soisson, Soranno (arriving at 6:45), Stracco and Walters.

Absent: None

### **EXECUTIVE SESSION:**

Motion was made by Bailey, seconded by Walters to enter into executive session with regard to litigation. Roll call: Bailey-yes, Drylie-yes, Greene-yes, Klein-yes, Jungkind-yes, Soisson-yes, Stracco-yes, Walters-yes. Motion was made by Bailey, seconded by Walters to return to public session. All in favor. Upon returning, the Chairman stated that the purpose of the meeting was the Kids Camp litigation and the outcome would be made at a later date.

### **MINUTES:**

The minutes of the meeting of June 21, 2010 were approved as amended on motion made by Drylie, seconded by Jungkind. All in favor. The minutes of the executive session minutes were approved as amended on motion made by Jungkind, seconded by Walters. All in favor.

### **CORRESPONDENCE:**

The following correspondence was given to the members:

1. 2 letters from Brady & Correale Re: Kids Camp (confidential)

### **OLD BUSINESS:**

Attorney Richard Keiling advised that a previous applicant, Ms. Karen Leese had never memorialized the deeds and it is now past the required 190 days to do so and requested a short extension. Mr. Palmer will look over the language in the deeds and let Mr. Keiling know his findings. Once Mr. Palmer approves the language, he will contact the secretary so that she is available for signature.

Pieter & Karen Woodcock, Block 602, Lot 3, Application #10-02:

The memorializing resolution was passed with a typo error on motion made by Bailey, seconded by Drylie. Roll call vote: Bailey-yes, Greene-yes, Jungkind-yes, Klein-yes, Soisson-yes, Stracco-yes, Soranno-yes, Walters-yes.

Sara May, Block 701, Lot 5, Application #10-03

Appearing on behalf of Ms. May was attorney Richard Keiling who swore in Ms. May. Ms. May testified that she is seeking to build a second home on the property. The existing home will be turned into an accessory farm house which will house a single individual who will take care of the farm animals and Ms. May will live in the new home. Ms. May's property consists of 21 acres in Frelinghuysen and 4 acres in Hope Township.

The applicant complied with the engineer's request that a letter be supplied stating that there are no wetlands on the property.

The meeting was opened to the public and since there were no comments from the public the meeting was then opened to the Board members for their comments.

Motion was made by Soranno, seconded by Drylie to approve the application. Roll call vote: Bailey-yes, Drylie-yes, Greene-yes, Jungkind-yes, Klein-yes, Soisson-yes, Soranno-yes, Stracco-yes, Walters-yes.

Harold Finch, Block 1201, Lot 5.02, application #09-06:

Mr. Keiling on behalf of Harold Finch appeared before the Board for the preliminary and final site plan approval.

Mr. Finch gave background on number of employees (7), the number will fluctuate as spring is busier, type of equipment that will be housed at the location (3 pickups, 2 flat bed trucks, 3 trailers, 1 skid steer, 1 mini excavator and lawn mowing equipment). The hours of operation will be Monday through Friday from 7:00 a.m. to 5:00 p.m., Saturday and Sunday 8:00 a.m. to 4:00 p.m. for the spring, summer and fall. He will be closed during the winter months except for snow plowing which could be anytime. The truck maintenance will be done off-site and he will not be selling chain saws, weed whackers, etc. at the location. The washing of the vehicles will be done once a week.

He went on to state that the gate will have access for emergency vehicles by using a key which will be provided along with a manual way of opening the gate. Pesticides will be kept in a locked cabinet.

Mr. Wayne McCabe, the applicant's engineer went over the revised maps and asked for waivers on certain items. He stated that the Warren County Soil Conservation has been complied with and is awaiting approval.

Board Engineer Joe Golden went over the items in his report and asked the engineer if the 3 variances cause any substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinances. The engineer felt there was no detriment as the plan keeps the area rural.

The meeting was opened to the public for comments:

Marty Connor asked when he expects the business to be open. Mr. Finch advised March 2011. There being no other comments or questions the public portion was closed and opened to the board members for comments or questions to the applicant.

Motion was made by Drylie, seconded by Bailey to approve the preliminary site plan and variance subject to the conditions articulated. Roll call vote: Bailey-yes, Drylie-yes, Greene-yes, Klein-yes, Walters-yes, Stracco-yes. Due to Mr. Jungkind, Mr. Soisson and Mr. Soranno not being at the last meeting they were deemed ineligible to vote.

**AUDIENCE PARTICIPATION:**

Marty Connor asked about the Kids Camp litigation. Chairman Stracco advised that there is nothing to report.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, Secretary