

MINUTES OF THE MEETING OF AUGUST 11, 2008

The regular meeting of the Frelinghuysen Township Board of Adjustment was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, August 11, 2008 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 faxing notice to the Star Gazette and New Jersey Herald on Jan. 15, 2008.

ROLL CALL:

The following members were present: Kevin Bailey, Howard Jungkind, Max Klein, Christopher Stracco, Russell Walters, alternate #1 Shannon Drylie, alternate #2, Chip Greene. John Ponczek and Donald Soisson were absent.

CORRESPONDENCE:

- a. New Jersey Planner-July/August 2008 issue

MINUTES:

The minutes of April 14, 2008 were approved on motion made by Bailey, seconded by Walters. Roll call vote: Bailey-yes, Jungkind-yes, Klein-yes, Walters-yes, Drylie-yes, Greene-yes, Stracco-yes. The minutes of the meeting of July 14, 2008 were approved on motion made by Greene, seconded by Jungkind. Roll call vote: Bailey-yes, Jungkind-yes, Klein-yes, Walters-yes, Drylie-abstain, Greene-yes, Stracco-yes.

PUBLIC HEARING:

The public hearing for application #2008-03, Block 801, Lot 12 was held. Appearing for the applicants, James and Mary DiCarlo was attorney Michael Selvaggi who is requesting bulk variance approval for disturbance of critical slopes.

James Glasson, engineer for Civil Engineering was sworn in and went over his professional qualifications and experience. It was determined that he is qualified to proceed. Mr. Glasson presented the following Exhibits:

- A1-Sheet 2 of 6-colored rendering of existing condition plan
- A2-Sheet 3 of 6-site layout plan
- A3-Rendering of home layout

Mr. Glasson reported that the Storm water management report has been submitted and is being reviewed by the DEP. The first 479 feet of the driveway will be paved.

The meeting was opened to the public and since there was no one in attendance, it was closed.

Board engineer, Joe Golden gave his report and advised he would like to see the steep slopes kept out of the 25% category. The applicant is proposing to disturb 48,307 square feet with slopes between 15% and 24.99%. 8,943 square feet will be excess of 25%.

Mr. Selvaggi summed up the application with the positive criteria being that the house would not be seen from the road and the variance would not impair the public good. The negative criteria being hardship, since this is a 24 acre lot only one home will be built. An agreement was given to apply to construct a stand pipe in the pond.

Chairman Stracco opened the meeting to the Board members for their comments. Mr. Stracco began by stating that there were concerns from certain residents on the board approving the DiCarlo's prior application, however, there are many differences. Since there will be no other structures on the property and the home will not be seen from the road, he felt this was a clear hardship.

Motion was made by Jungkind, seconded by Drylie to accept the application conditional upon the following conditions:

1. Agree to apply for the stand pipe in one of the three ponds
2. Obtain driveway access from the County and Township
3. Obtain DEP permits and approval
4. Requirement for revised deeds
5. Soil Erosion permit
6. Annual Inspection log of inspections on basins
7. Storm water maintenance
8. Restrict property from any further subdivisions.

Roll call vote to approve application, Bailey-yes, Jungkind-yes, Klein-yes, Walters-yes, Drylie-yes, Greene-yes, Stracco-yes.

EXTENSION REQUESTS:

Approval was given for extensions on Kids Corp and 995 Route 94 project until September 2008.

OLD BUSINESS:

Proposed regulations of the Zoning Board prepared by the Chairman was reviewed by the Board. After discussion, motion was made by Klein, seconded by Walters to attach these regulations to a resolution which will be prepared by the attorney. Roll call vote: Bailey-yes, Jungkind-yes, Klein-yes, Walters-yes, Drylie-yes, Greene-yes, Stracco-yes.

The question of whether two members of the Board of Adjustment can be on the Planning Board was brought up. The attorney stated that he felt this question and

determination should be brought up before the Planning Board. The attorney will also talk to the Planning Board attorney.

ADJOURNMENT:

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

Respectfully Submitted,

Brenda J. Kleber, Secretary