

**MINUTES**  
**FRELINGHUYSEN TOWNSHIP**  
**PLANNING BOARD MEETING**  
*July 2, 2007*

*The Frelinghuysen Planning Board met in regular session on Monday, 2, 2007, at 8:00 pm at the Frelinghuysen Municipal Building, 210 Route 661, Johnsonburg,*

**CALL TO ORDER:**

*The meeting was called to order at 8:00 pm by Chairman Thomas Finn.*

**SALUTE TO THE FLAG & ROLL CALL:**

*Board Members present:*

*Alan DeCarolis*

*Frank Desiderio*

*Thomas Finn, Chr.*

*Richard Kleber*

*Robert Young*

*Dale Durling, Alt #2*

*Board Members absent:*

*David Boynton*

*Donna Marie*

*Robin Randolph*

*Emily Smith*

*Lisa Pachnos*

*Also present were:*

*Joseph Golden, Engineer, Michael Lavery, Attorney, John Madden, Planner, and Rosalie Murray, Sec.*

**ANNOUNCEMENT OF PROPER NOTICE:**

*Announcement of Proper Notice was read.*

**MINUTES:**

***Action:** Minutes of the May 31, 2007 work session: A motion was duly made by Dale Durling, seconded by Frank Desiderio, to approve the minutes of the May 31, 2007 work session.*

*Roll call vote: Alan DeCarolis, Frank Desiderio, Richard Kleber, Robert Young, Dale Durling, and Chairman Thomas Finn – yes.*

***Action:** Minutes of the June 4, 2007 official meeting: A motion was duly made by Alan DeCarolis and seconded by Robert Young to approve the June 4, 2007 minutes with corrections.*

*Roll call vote: Alan DeCarolis, Frank Desiderio, Richard Kleber, Robert Young, Dale Durling, and Chairman Thomas Finn – yes.*

**RESOLUTIONS:**

***Application # 06-08 Amended Preliminary Approval – McEvoy/Johnsonburg Inn – Block 1001, Lot 2, Major Site Plan***

*This application had previously been granted preliminary approval. It was reported the applicant requested that further action be delayed until he had been able to correct the items listed in the County notice of disapproval. Thomas Finn and Frank Desiderio recused themselves thereby precipitating discussion as to whether or not the Board had a quorum. It was agreed that the Board would proceed and that Mr. Lavery would research the matter and if it was found necessary the action would be repeated at the next official meeting. There was strong agreement that the Board had granted approvals and*

variances with the idea that the Inn would be returned to its historic character and support for restoring the porch was consistent with this and consistent also with doing a plan for all of Johnsonburg with the idea of upgrading it and maintaining its character. **Action:** A motion was duly made by Dale Durling, seconded by Richard Kleber, to draft a letter to the Warren County Planning Board showing support of the Johnsonburg Inn porch for historical reasons. All voted in favor. It was agreed also that the Township Committee be requested to also send a letter of support.

Thomas Finn and Frank Desiderio returned to the dais.

**Application # 07-01 Preliminary Approval Richard Rogers, Jr. Block 1401, Lot 9**  
Mr. Lavery stated that Block 1401, Lot 9, had been done in April.

**COMPLETENESS:**

No new applications for completeness.

**FINAL (PUBLIC) HEARING:**

**Application #07-03 Richard Rogers Jr. Block 301, Lot 17, Minor Subdivision**  
Douglas Mace, professional engineer for the applicant, was sworn in by Mr. Lavery. There was lengthy discussion as to whether the requirement for a Letter of Interpretation for Lot 17.03 be place in the resolution. It was agreed that a note be placed in the resolution that the Board strongly recommended a LOI be obtained by the applicant. The applicant requested a variance as there was a slight portion of the driveway disturbing 15% slopes.

**Action:** After a brief discussion a motion was duly made by Frank Desiderio, seconded by Dale Durling, to grant a bulk variance for lot 17.03.

Roll call vote: Alan DeCarolis, Frank Desiderio, Richard Kleber, Robert Young, Dale Durling, and Chairman Thomas Finn – yes.

**Action:** Motion was made by Frank Desiderio, seconded by Dale Durling, to grant final approval subject to the recommendations.

Roll call vote: Alan DeCarolis, Frank Desiderio, Richard Kleber, Robert Young, Dale Durling, and Chairman Thomas Finn – yes.

**Application # 07-04 Richard Rogers Jr. Block 301, Lot 14, Minor Subdivision**

For the record, Mr. Douglas Mace, spoke again as the professional engineer for the applicant.

**Action:** After lengthy discussion regarding driveways a motion was duly made by Frank Desiderio, seconded by Alan DeCarolis, to grant final approval subject to changes recommended by Joseph Golden.

Roll call vote: Alan DeCarolis, Frank Desiderio, Richard Kleber, Robert Young, Dale Durling, and Chairman Finn – yes.

**Application # 07-05 Angeleri/Starr Block 1101, Lot 7, Minor Subdivision**

Warren Glba of Fiinnelli Consultants, engineer for the applicant, was sworn in by Mr. Lavery. Mr. Glba gave a summarized description of the application. After lengthy discussion on various items on the check list it was agreed that the Planning Board Site

*Committee and Mr. Golden would meet at the site with representatives of the applicant, on July 6, 2007 at 4:00 pm. Mr. DeCarolis agreed to coordinate the meeting with the Site Committee members. It was agreed the application would be carried to the August meeting.*

***Application # 06-02 Pacchia Block 902, Lot(s)7 & 7.03, Minor Subdivision***

*Final extension granted to 7-20-07.*

***Action:*** *As there has been no action on this application, a motion was duly made by Robert Young, seconded by Frank Desiderio, to dismiss without prejudice.*

*Roll call vote: Frank Desiderio, Richard Kleber, Robert Young, Dale Durling, and Chairman Thomas Finn – yes. Mr. DeCarolis was absent for this vote.*

**DISCUSSION – OTHER BUSINESS:**

***Master Plan:***

*John Madden reported that the Master Plan was completed and the revised pages have been given to Rosalie Murray. It was agreed that a public hearing would be held on September 6, 2007. Mr. Lavery agreed to send Rosalie Murray the proper notice form for the hearing.*

***Application Forms:***

*Joseph Golden provided copies of the latest check list and requested Mr. Lavery check the list for any legal considerations. Mr. Golden will also meet with Rosalie Murray to review the check list. The list will be ready for the next meeting.*

***Policies and Procedures:***

***Deeds:***

*The Board agreed it wished to continue reviewing the status of deeds.*

***Timing and Mailing of Packets:***

*There was inconclusive discussion as to the sending of packets. It was agreed that packets would be ready for pickup at the municipal building the Wednesday before the work session. There was discussion as to the most effective manner in which to conduct work sessions. It was agreed to continue with work sessions for the present.*

***Escrow Accounts – Balance and Replenishment Levels:***

*There was general agreement that escrow amounts should be increased. Alan DeCarolis agreed to check with surrounding communities as to what levels they request and maintain. A draft ordinance would have to be given to the Township Committee to increase escrow level amounts. It was agreed to put this on the August agenda.*

***Ordinances:***

***Right to Farm:***

*Michael Lavery distributed a Right to Farm ordinance for Board review.*

***Conforming/Nonconforming:***

*Michael Lavery will e-mail the ordinance this week.*

***Solar Photovoltaic or Solar Thermal:***

After lengthy discussion of the pros and cons it was agreed to write a letter to the Township Committee stating strong support but requesting appropriate guidelines. It was agreed to put this on the August agenda.

**Subcommittee Reports:**

**Site Committee:**

No report

**Rural Character:**

No report

**COAH:**

John Madden reported that the Court has ruled that COAH would have to have all new rules drafted by the end of the year. The Court will not give any more extensions. The court did not grant COAH the desire to impose the growth share without granting a density bonus which says, in effect, that you cannot impose a requirement for affordable housing without giving something to the builders. Mr. Madden said that we would most probably be seeing a whole new set of rules by January.

**Conservation:**

No report

**Frelinghuysen Township Townwide Survey:**

Mr. Finn reported that a copy of a survey by the Planning Board in the mid '90s had been obtained and provided to the Open Space Committee. He had received a lot of comments from the Open Space Committee which he had to compile and requested it be put on the August agenda. It was also agreed that a copy be sent out to the Environmental Commission and the Board of Adjustment for comments.

**CORRESPONDENCE:**

**Lyle and Emily Smith Ltr received 7-2-07 re:** Request for a ninety (90) day extension for the filing of Deeds as the review and comments on their Stormwater Management Plan had not been completed.

**Action:** A motion was duly made by Frank Desiderio, seconded by Alan DeCarolis, to grant a ninety (90) day extension. Motion was unanimously passed.

**ADJOURNMENT:**

There being no further business a motion was duly made by Mr. Durling, seconded by Mr. DeCarolis, to adjourn at 11:00 pm. Motion was unanimously carried.

Respectfully submitted,

Rosalie P. Murray  
Board Secretary