

**MINUTES
TOWNSHIP OF FRELINGHUYSEN
PLANNING BOARD
REGULARLY SCHEDULED MEETING
July 7, 2008**

(Meeting Start Time: 7:30 p.m. No New Testimony After 10:30 p.m.)

The Minutes of the July 7, 2008 Regularly Scheduled Meeting of the Township of Frelinghuysen Planning Board, were approved as written, with a motion by Mr. Young, and the second being Mr. Desiderio. The official vote is recorded as follows:

Boynton – Yes	DeCarolis – Yes	Desiderio – Yes	Eitner – Yes
Kleber – Yes	Young – Yes	Smith – Yes	Bailey (Alt. #2) = Yes

Minutes approved.

CALL TO ORDER – The July 7, 2008 Regularly Scheduled Meeting of the Frelinghuysen Township Planning Board, was called to order by Chairman Boynton at 7:34 p.m.

ANNOUNCEMENT OF PROPER NOTICE: Notice of this meeting was provided by posting notice in the Township Municipal building in Johnsonburg, and by advertising in the New Jersey Herald and Star Gazette, official newspapers of the Township of Frelinghuysen Planning Board. As advertised, action may be taken at this meeting,

ATTENDANCE

Board Members Present

Boynton	DeCarolis	Desiderio	Eitner
Kleber	Marie (7:45 p.m.)	Randolph	Young
Bailey (Alt #2)			

Board Members Absent

Smith	Ponczek (Alt. #1)
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Professionals Present

Golden	Lavery	Madden
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FLAG SALUTE

CORRESPONDENCE – to be discussed at the end of the Meeting.

MINUTES

June 2, 2008 Regularly Scheduled Meeting – The June 2, 2008 Regularly Scheduled Meeting Minutes were approved with minor changes, with a motion by Mr. Young, and the second being Mr. Desiderio. All members present in favor of approval. The official vote is recorded as follows:

Boynton – Yes	DeCarolis – Yes	Desiderio – Yes	Eitner – Yes
Kleber – Yes	Randolph – Yes	Young – Yes	Bailey – Alt #2 - Yes

DEEDS

Durling – Minor Subdivision/Variance – Block 1501, Lot 6.10 – No deeds submitted to Planning Board Office.

RESOLUTIONS

There were no Resolutions for signature.

FINAL MAJOR SITE PLAN – COMPLETENESS

McEvoy/Johnsonburg Inn – Site Plan – App. #06-08 - Block 1001, Lot 2 – *No new information submitted.*

Mr. Joseph McEvoy and Mr. Paul McEvoy present.

Mr. Desiderio stepped down from the dais as he has completed work for the applicants.

Paul McEvoy stated the site work has been started, and they are planning on continuing. Prior to obtaining building permits, the McEvoy’s are hoping on getting a waiver in order to get permits for concrete and site work prior to final approval. They are not looking for relief for all of the building permits, just the portion of site work only. No interior permits at all.

There was discussion regarding the bonding of the project, and whether the foundation is included. Mr. Lavery stated this question needs to be asked of the Construction Official. After further discussion as to how far the applicant would be allowed to complete the site work, a motion was made Ms. Randolph, seconded by Mr. Young, to allow the applicants to proceed with the concrete work only, on the site.

All Board Members present in favor.

COMPLETENESS

Angeleri/NW Properties- Block 1201, Lot 17.06 - Minor Subdivision –*Revised Plans submitted to Planning Board Office May 19, 2008.*

Mr. Golden was asked to review his report. Mr. Golden stated he still requests the copy of the Bear Creek Resolution of Approval, as there is an area that needs clarification regarding lot size averaging. The Applicant has not shown a stormwater management plan, they have presented a document indicating what they would do, but have not shown stormwater features, septics, wells, or drainage. Mr. Golden further stated there have been no witnessed soil logs by the County. The soil logs presented to Mr. Golden weren’t witness at all. Mr. Golden added a waiver is required for the soil logs. There was also a request for more information on metes and bounds.

A motion to deem the application incomplete was made by Mr. Desiderio, with the second being Ms. Marie. The official vote is record

DeCarolis – Yes

Desiderio – Yes

Eitner – Yes

Kleber – Yes

Marie – Yes

Randolph – Yes

Young – Yes

Boynton – Yes

Bailey (Alt #2) - Yes

Motion Carries. Application deemed incomplete.

Shonk – Block 1201, Lot 17.12 – Site Plan/Home Occupation – Revised plans submitted to Planning Board Office June 19, 2008. If Agenda allows, to be heard for Completeness and Final.

Adriana Shonk, applicant, present.

Mr. Golden was asked to review his report. Mr. Golden stated this application is a minor site plan for the purpose of creating a home occupation. The hours of operation would be 9:00 a.m. – 3:00 p.m. The number of employees will be limited to members of the residence. Mr. Lavery reminded the applicant the oath she gave at the last meeting is being carried to this meeting. Ms. Shonk answered yes.

Mr. Golden continued stating there will be no retail or wholesale on site, no exterior evidence of home occupation (no signage); parking will be limited to no more than two cars. Mr. Golden asked if the additional parking spaces would be gravel or paved. At the present time, Ms. Shonk stated she would prefer to leave it as gravel. Mr. Golden stated he preferred to have asphalt, mainly for maintenance purposes of the road.

Mr. Boynton asked that the application be deemed either complete or incomplete prior to giving testimony. For completeness purposes, Mr. Golden reviewed his completeness report. Mr. Golden stated the plan needs to be

labeled; the sketch of improvements has been completed, specifically trees, parking etc. Mr. Golden stated he is satisfied for the purpose of completeness.

Mr. Boynton asked if there was a motion. Mr. Desiderio made a motion to deem the application complete, with Mr. DeCarolis being the second. All members present in favor. The official vote is recorded as follows:

Boynton – Yes	DeCarolis – Yes	Desiderio – Yes	Eitner – Yes
Kleber – Yes	Marie – Yes	Randolph – Yes	Young – Yes
Bailey (Alt #2)– Yes			

Application deemed Complete.

Mr. Golden was asked to review his report for Final. Mr. Golden stated all items on his report have been corrected and the only gray area is the parking spaces, and the material to be used for coverage. Mr. Golden requested a 20' x 20' area to be designated for the parking spaces.

Mr. Lavery asked Ms. Shonk if the survey dated September 2, 2004, by James J. Mantz, is the survey presented to the Board? Ms. Shonk replied yes. Mr. Lavery asked if the proposed driveway drawn on the survey was drawn by Ms. Shonk. Ms. Shonk replied yes. Mr. Lavery asked Ms. Shonk if she understood one of the requirements of approval would be Ms. Shonk constructing a 20' x 20' parking area? Ms. Shonk replied yes. Mr. Lavery marked the survey as Exhibit A-1.

Mr. DeCarolis asked should the Shonk's move away, if approved, does the approval get grandfathered. Mr. Lavery answered the business is not grandfathered, however, the parking spaces would stay.

A motion was made by Mr. Desiderio to approve the application, with the following specifications per Joseph Golden's review of July 7, 2008:

1. Item c – Applicant has stated the staff is limited to members of the household;
2. Item d – Applicant has stated there will not be any retail sales
3. Item e – There will be no change to the residential character and no occupational sounds from dwelling;
4. Item f – Applicant has stated there will not be any signage;
5. Item g – Applicant shows an expanded driveway. Driveway to be labeled as 20' x 20' stone driveway expansion,
As well as the following specification per discussion of the Board
 - a. Said driveway shall consist of six inches of dense grated aggregate (DGA) to be placed where the new parking spaces will be located.

The official vote is recorded as follows:

Desiderio – Yes	DeCarolis – Yes	Eitner – Yes	Kleber – Yes
Marie – Yes	Randolph – Yes	Young – Yes	Boynton - Yes
Bailey (Alt #2) - Yes			

Motion carries. Application approved.

Midkiff – Block 602, Lot(s) 3 & 3.03 – Lot Line Adjustment/Minor Subdivision, Block – Presentation given to Board at June 2, 2008 Regularly Scheduled Meeting regarding this application.

Robert Stiles, Esq., Attorney for Application, present.

Alan Midkiff, Applicant, present.

Mr. Robert Berry, Professional Surveyor, present.

Mr. Stiles gave a brief presentation on the Application, and explained, again, that the Applicant is in the process of preserving the property, and Morris Land Conservancy recommended the application be brought to the Board.

Mr. Stiles and Mr. Midkiff were sworn in by Mr. Lavery. Mr. Lavery asked the applicant about a prior variance that was granted on the property. The applicant answered for second home on the property, which are included in the exclusion zone of the plans. Mr. Lavery advised the Board that the previous variance allows for two principle uses (dwellings) on the property. Mr. Boynton asked if the Board could discuss this publicly at this time, Mr. Lavery said yes, however, he advised the Applicant they would have to Notice surrounding property owners. Mr. Lavery asked which lot had the structures, Mr. Berry answered Lot 3.03. Mr. Berry further advised the Board that Lot(s) 3, and 3.03, are in the process of Farmland Preservation. The SADC has requested there be a fifty foot access strip, instead of the forty foot strip as per Ordinance. That is the reason for the Application. Mr. Lavery said this satisfies his concerns. Mr. Stiles stated the application meets Township requirements.

Mr. Golden stated Mr. Berry's overview satisfied some of his comments with regard to Completeness. Mr. Madden was asked for his comments, and he said this is a fine application.

A motion to deem the application Complete was made by Mr. Desiderio, with the second being Ms. Marie. All members present in favor of approved. The official vote is recorded as follows:

DeCarolis – Yes	Desiderio – Yes	Eitner – Yes	Kleber – Yes
Marie – Yes	Randolph – Yes	Young – Yes	Boynton – Yes
Bailey (Alt. #2) -Yes			

Application deemed Complete.

Mr. Boynton stated as it was only 8:45 p.m., the Board would hear the application for Final Hearing.

Chairman Boynton asked if there was any comment from the Board or Professionals. As there was no comment, Chairman Boynton asked if there was a motion.

Mr. Desiderio made a motion to approve the application for Final, with Mr. Young being the second. The Official vote is recorded as follows:

DeCarolis – Yes	Desiderio – Yes	Eitner – Yes	Kleber – Yes
Marie – Yes	Randolph – Yes	Young – Yes	Boynton – Yes
Bailey (Alt #2) – Yes			

Motion carries. Application approved.

CORRESPONDENCE – The following Correspondence was reviewed at the Meeting.

Warren County Planning Department re: Open Space/Farmland Plan (e-mail regarding this correspondence sent to Planning Board Members June 11, 2008).

Borough of Hillsborough – Small Wind Energy System Ordinance (Secretary contacted Hillsborough for a copy of this Ordinance, per Chairman's request). Chairman Boynton stated he saw an article in the paper and asked the secretary to obtain a copy of the Ordinance. The Board was asked to review the Ordinance in order to discuss at the next meeting.

Michael B. Lavery– copy of letter sent to Edward Wacks, Township Attorney re: Conforming/Non-Conforming Ordinance. Mr. Lavery was asked if he has heard anything from Mr. Wacks, and he has not.

Michael B. Lavery – copy of letter sent to Edward Wacks, Township Attorney re: Section 406 *Flag Lots*. Again, Mr. Lavery was asked if he has heard anything from Mr. Wacks, and he has not.

Michael B. Lavery – copy of letter sent to Edward Wacks, Township Attorney re: Well Testing Ordinance and Application Form. No comment from Mr. Wacks as of this date.

Alex Cornella – LEED Design – e-mail sent to Planning Board Office June 21, 2008.

Warren County Planning Department – copy of letter sent to Pohatcong Watershed Stakeholders – received in Planning Board Office via e-mail.

Maser Consulting – Johnsonburg Inn/McEvoy Review letter.

Warren County Planning Department – copy of Review Letter for Midkiff, Block 602, Lot(s) 3 & 3.03

George Boesze, Zoning Official – copy of Interoffice Record of Phone Conversation regarding Block 501, Lot 11, 1220 Route 94, JCP&L Substation).

Planning Board Office – Copy of cover letter to Township Committee with Town Wide Survey attached, per Ms. Randolph's request. To be placed on Township Committee Agenda for July 16, 2008 Meeting.

XI. PUBLIC COMMENT

XII. ORDINANCES

a. Well Testing Ordinance – approved at May 5, 2008 Regularly Scheduled Meeting. Professionals to send to Township Attorney for Committee approval.

b. COAH –Secretary asked to work with Darlene Jay regarding new building in the Township, as well as demolitions. Copy of report in Board Member packets.

XIII. SUBCOMMITTEES

a. Town Wide Survey - Robin Randolph, Chair

b. COAH – Alan DeCarolis, Chair

c. Site Committee – Alan DeCarolis, Chair

d. Rural Character –Robin Randolph, Chair

e. Sign Ordinance – *New Sub-Committee Needed* – Secretary asked to get adjoining Township's Sign Ordinance. Only Hope Township has sent their Ordinance, of which a copy is in Board Member packets.

XIV. LIAISON REPORTS

a. Open Space – Robin Randolph

b. Farmland – Robert Young

c. Environmental – Robin Randolph

d. Zoning – Kevin Bailey/John Ponczek

e. Township Committee

XVI. PUBLIC FORUM

Chairman Boynton asked if there was a motion to open the Meeting to the Public. Mr. Desiderio made a motion, with Mr. DeCarolis being the second. All members in favor. Meeting opened to the public.

As there was no comment, Mr. Desiderio made a motion to close the meeting to the Public, with Mr. DeCarolis being the second. All members in favor. Meeting closed to the public.

XV. ADJOURNMENT

As there was no further business, a motion to adjourn was made by Mr. Desiderio, with the second being Mr. Young. All members present in favor of adjournment. Meeting adjourned.

Respectfully submitted,

Sharon L. Drylie
Planning Board Clerk