

TOWNSHIP OF FRELINGHUYSEN PLANNING BOARD MINUTES

OCTOBER 2, 2006 REGULARLY SCHEDULED MEETING

The motion to approve the October 2, 2006 Regularly Scheduled Meeting of the Township of Frelinghuysen Planning Board was made by Mr. Desiderio, seconded by Mr. Boynton, at the November 30, 2006 Work Session Meeting. The vote is recorded as follows:

Boynton- Abstained	Desiderio- Yes	Finn - Yes
Kleber -Yes	Marie - Yes	Pachnos - Yes
Randolph - Yes	Smith - Yes	Young - Yes
DeCarolis - Yes	Durling - Abstained	

CALL TO ORDER

The October 2, 2006 Regularly Scheduled Meeting of the Township of Frelinghuysen Planning Board was called to order by Chairman Finn at 8:02 p.m.

ANNOUNCEMENT OF PROPER NOTICE

FLAG SALUTE

ATTENDANCE

Board Members Present

DeCarolis	Desiderio	Finn
Kleber	Marie	Pachnos Alt #1
Randolph	Smith	Young

Board Members Absent

Boynton	Durling Alt #2
---------	----------------

Professionals Present

Madden	Golden	Palmer (for Lavery)
--------	--------	---------------------

MINUTES

August 31, 2006 Regularly Scheduled Meeting - Minutes approved with no modifications with a Motion by Mr. Young, seconded by Ms. Randolph. All members present in favor..

September 5, 2006 Rescheduled Meeting - Minutes approved with no modifications with a Motion by Mr. Young, seconded by Ms. Randolph. All members present in favor..

RESOLUTIONS

Smith, Lyle & Emily - Block 701, Lot 15 - Board is awaiting changes to Resolution from Mr. Lavery. Carry to the November 6, 2006 Regularly Scheduled Meeting.

DISCUSSION

Dennis Keenan, French & Perillo, asked to speak with the Board with regard to the Fries Conceptual Application. The Fries applied to the Zoning Official with the proposed plan for the barn they will be constructing. The barn is being proposed with a kitchen in it. After discussion, Mr. Perrillo agreed for the applicant that the barn would not be used as an accessory apartment.

PUBLIC COMMENT

Chairman Finn asked if there was any members of the Public that wished to be heard on any others matters other than Applications before the Board.

James Swentzel of Main Street, Johnsonburg, requested the Board look into the construction of the sidewalks on Main Street in Johnsonburg, He is requesting the Planning Board become involved due to the poor planning of the sidewalks, the danger to the residents of the Township due to the abrupt end of the sidewalks in front of the Church, and the sight distance of the Municipal Building driveway.

Mr. Madden addressed the Board, and agreed with Mr. Swentzel. After further discussion, it was decided that Chairman Finn send a letter to the Township Committee as well as the County with regard to the poor planning of the Main Street project.

FINAL HEARING

North Warren Properties, Minor Subdivision - Block 1201, Lot(s) 17.21 & 17.22 (9:03 p.m.)

Donald Souders, Attorney for Applicant sworn in by Mr. Palmer.

David Fantina, Engineer for Applicant sworn in by Mr. Palmer.

Mr. DeCarolis stepped down from the dais as he is a property owner within 200 feet of the said property.

Mr. Golden was asked to refer to his report of August 24, 2006.

Item #5 - Existing slopes and previously approved conservation easements.

Item #7 - Density transfer - Variance is required

Item #8 - Lot Width - Variance needed on lot 17.22

Lot Frontage - Variance needed for Frontage on both lots 17.21 and 17.22

Grading, Soil Erosion & Sediment Control - drainage needs to be adjusted to flow more toward the street.

Mr. Madden was asked for his input. Mr. Madden stated the application is unique with regard to the density transfer. The proposed lots are consistent with lot character on Lackawanna. Mr. Madden added the topography condition is another reason to grant a variance for lot width and lot frontage.

Chairman opened the Application to the Public at 9:30 p.m. As there was no public comment, the application was closed to the public at 9:31 pm.

A motion to grant proforma Variances, in which the Resolution shall include wording of the Density Transfer rights, on lot frontage for both Lots 17.21 and 17.21a, and lot width on 17.21a, was made by Mr. Randolph. Motion also included that Mr. Golden's engineering report shall be included with the Resolution. The motion was seconded by Mr. Desiderio. The vote is recorded as follows:

Desiderio - Yes	Finn - Yes	Kleber - Yes	Marie - Yes
Pachnos - Yes	Randolph - Yes	Smith - Yes	Young - Yes

Motion carries.

A motion to approve the subdivision was made by Ms. Randolph, seconded by Mr. Young. The vote is recorded as follows:

Desiderio - Yes	Finn - Yes	Kleber - Yes	Marie - Yes
Pachnos - Yes	Randolph - Yes	Smith - Yes	Young - Yes

Motion carries.

FINAL HEARING

Pacchia, Joseph - Block 902, Lot(s) 7 & 7.03 - Minor Subdivision - Attorney Richard Keiling asked to be carried to the November 6, 2006 Regularly Scheduled Meeting. Extension granted to the Board until November 6, 2006.

COMPLETENESS

McEvoy (Johnsonburg Inn) Block 1001, Lot 2 - Major Site Plan/Minor Subdivision - Chairman Finn stepped down from the dais, as he is a property owner within 200 feet of the property.

Mr. Desiderio stepped down as he has completed work for the Applicant.

John Mills, Esquire, present for the Application.

Joseph McEvoy present for Application

Paul McEvoy present for Application.

A motion to deem the Application complete with waivers on Item #10 of Mr. Golden's report was made by Ms. Randolph, seconded by Ms. Randolph. The vote is recorded as follows:

DeCarolis - Yes	Kleber - Yes	Marie - Yes	Pachnos - Yes
Randolph - Yes	Smith - Yes	Young - Yes	

Application deemed Complete.

The Applicant asked if they would have to Notice property owners within 200 feet of the property.

The Board announced no further Notice would be required for the application unless the Applicant would not make the Regularly Scheduled Meeting on November 6, 2006.

COMPLETENESS

Omnipoint Communications, Block 1201, Lot 21 - PreMajor Site Plan/Final Major Site Plan - (9:45 p.m.)

Mr. Golden was asked to review his report. Mr. Golden stated there are no proposed easements on the Plan. A conditional Use Variance needs to be applied for, as the Tower should not be larger than 180 feet. The Applicant asked for waivers for Completeness on the LOI and topography. Mr. DeCarolis asked if the steep slopes will be encroached on with the driveway. There was no information with regard to the slopes, the driveway, or access on the plans.

After further discussion, a motion to deem the application Incomplete was made by Mr. Desiderio, seconded by Mr. DeCarolis. The vote is recorded as follows:

DeCarolis - Yes	Desiderio - Yes	Finn - Yes
Kleber - Yes	Marie - Yes	Randolph - Yes
Smith - Yes	Young - Yes	

Application Deemed Incomplete.

INTERPRETATION

Stanley - Block 1301, Lot 10 - Interpretation of Zoning Ordinance (10:15 p.m.)

Mr. Palmer stepped down as he is the Attorney for the Applicants.
Mr. DeCarolis stepped down as he holds the mortgage on the property.
Ms. Marie stepped down as she is the property owner.

The Applicant gave a brief background on what his business entails: car repair and painting. Business is done within normal business hours.

Mr. Palmer stated the business conducted is within zoning ordinance. It was asked if the property was within the commercially zoned property of the Township.

The Zoning map and Zoning Ordinance were reviewed, and a question was raised as to if the maps are current, as the date of the Ordinance does not match the revision date of the maps.

After further comment, it was decided the application would be placed on the November 6, 2006 Regularly Scheduled Meeting Agenda to be heard for Interpretation. Mr. Lavery will be present for that Meeting to give legal interpretation for the Board.

SUBCOMMITTEE REPORTS (10:37 p.m.)

Mr. Palmer left prior to the sub-committee reports, as there was no further applications being heard.

ADJOURNMENT

As there was no further business, the October 2, 2006 Regularly Scheduled Meeting of the

Township of Frelinghuysen Planning Board was adjourned at 10:45 p.m with a motion by Mr. Desiderio, seconded by Mr. DeCarolis. All members present were in favor.

Respectfully submitted,

Sharon Drylie
Planning Board Clerk