

**LAND USE BOARD MINUTES**  
**September 7, 2011**

The Tewksbury Township Land Use Board met in a regularly scheduled meeting on the above date in the Tewksbury Elementary School, 109 Fairmount Road, Califon, New Jersey. The meeting was called to order at 7:30 p.m.

Present: Blake Johnstone, Mary Elizabeth Baird, Shaun Van Doren, Dana Desiderio, Bruce Mackie, Elizabeth Devlin arrived at 7:31 p.m., Michael Moriarty arrived at 7:45 p.m., Shirley Czajkowski, Ed Kerwin, Arnold Shapack, Alt. #1, Tom Dillon, Alt. #3 and Ed D'Armiento, Alt. #4.

Also present: Daniel S. Bernstein, Land Use Board Attorney, William Burr, Land Use Board Engineer and Shana L. Goodchild, Land Use Administrator.

Absent: Eric Metzler, Alt. #2.

There were approximately twelve (12) people in the audience.

**OPEN PUBLIC MEETING ACT STATEMENT**

Mr. Johnstone opened the meeting by announcing that adequate notice of the meeting had been provided by posting a copy thereof on the Police/Administration Building bulletin board, faxing a copy to the Hunterdon Review and the Hunterdon County Democrat, and filing with the Municipal Clerk, all on January 6, 2011.

**PLEDGE OF ALLEGIANCE**

Those present stood and pledged allegiance to the American flag.

**CLAIMS**

Mr. Johnstone asked the Board if there were any questions or comments regarding the following claims to which the response was negative. Ms. Desiderio made a motion to approve the claims listed below and Mrs. Baird seconded the motion. The motion carried by the following roll call vote:

1. Bernstein & Hoffman – Attendance at 8/3/11 LUB Meeting – invoice dated August 8, 2011 (\$450.00)
2. Bernstein & Hoffman – Land Use Board Escrow – Borghese (B27, L146) - invoice dated August 22, 2011 (\$127.50)
3. Bernstein & Hoffman – Land Use Board Escrow – Glasgow (B38, L12) - invoice dated August 9, 2011 (\$825.00)
4. Bernstein & Hoffman – Land Use Board Escrow – Furlong (B23, L29.01) – invoice dated August 9, 2011 (\$2,475.00)
5. Maser Consulting – Land Use Board Escrow – Johnson (B23, L23), invoice #168230 (\$1,950.00)
6. Maser Consulting – Land Use Board Escrow – Furlong (B23, L29.01), invoice #168231 (\$1,592.50)

7. Maser Consulting – Land Use Board Escrow – Johnson (B23, L20), invoice #168232 (\$325.00)
8. Maser Consulting – Land Use Board Escrow – Johnson (B23, L4), invoice #168233 (\$325.00)
9. Maser Consulting – Land Use Board Escrow – Johnson (B23, L36), invoice #168234 (\$292.50)
10. Maser Consulting – Land Use Board Escrow – Johnson (B23, L36), invoice #168235 (\$162.50)
11. Maser Consulting – Land Use Board Escrow – Sheft (B33, L7.18), invoice #168236 (\$97.50)
12. Maser Consulting – Land Use Board Escrow – Kian (B34, L19.04), invoice #168237 (\$325.00)
13. Maser Consulting – Land Use Board Escrow – Glasgow (B38, L12), invoice #168238 (\$1,235.00)
14. Banisch Associates – Land Use Board Escrow – Johnson (B23, L4), invoice #P11-19161 (\$35.50)
15. Banisch Associates – Land Use Board Escrow – Johnson (B23, L20), invoice #P11-19162 (\$35.50)
16. Suburban Consulting Engineers – Land use Board Inspection – A.M. Best (B46, L2.01, 5 & 6), invoice #16963 (\$646.00)
17. Suburban Consulting Engineers – Land Use Board Escrow – Johnson (B23, L4, 20 & 36), invoice #16947 (\$2,242.28)
18. Suburban Consulting Engineers – Land Use Board Escrow – Hill and Dale Farms (B36, L1 & 1.01), invoice #16962 (\$1,005.00)
19. Suburban Consulting Engineers – Land Use Board Escrow – Hill and Dale Farms (B51, L80), invoice #16961 (\$1,082.64)
20. Suburban Consulting Engineers – Land Use Board Inspection – Pottersville WWTP, invoice #16959 (\$772.50)

### **CORRESPONDENCE**

A motion was made by Mrs. Baird and seconded by Mr. Van Doren acknowledging receipt of the following items of correspondence. All were in favor.

1. A letter dated August 26, 2011 from Peter Wolfson re: LUB Application 10-10, Wood Bulk Variances, Block 10, Lot 5.07.
2. A copy of a resolution of thanks from the Environmental Commission for Robert Horton and Lyndsay Mancilla.
3. A copy of a letter dated August 10, 2011 from the NJDEP to Margit Lauezzari re: Highlands Act Exemption #2 for Block 31, Lot 25.
4. A letter dated September 2, 2011 from John Michalski re: Wood, 9 Farmersville Road, Block 10, Lot 5.07, Appl. No. 10-10.
5. A letter dated September 7, 2011 from Peter Wolfson re: 9 Farmersville Road, Block 10, Lot 5.07, Appl. No. 10-10.
6. A letter dated September 7, 2011 from John Michalski re: 9 Farmersville Road, Block 10, Lot 5.07, Appl. No. 10-10.

## **Minutes**

### ➤ July 6, 2011

A motion was made by Ms. Desiderio and seconded by Mrs. Devlin to approve the July 6, 2011 minutes. All were in favor. Mr. Dillon, Mrs. Czajkowski and Mr. Van Doren abstained.

### ➤ July 20, 2011

A motion was made by Mrs. Baird and seconded by Mrs. Devlin to approve the July 20, 2011 minutes. All were in favor. Mr. Van Doren, Mr. D'Armiento and Ms. Desiderio abstained.

### ➤ August 3, 2011

A motion was made by Ms. Desiderio and seconded by Mrs. Baird to approve the August 3, 2011 minutes. All were in favor. Mr. Van Doren, Mrs. Devlin, Mr. D'Armiento and Mrs. Czajkowski abstained.

## **Ordinance Report**

Mr. Mackie reported on two (2) ordinances from Clinton and Lebanon Townships. He opined that the Lebanon Township ordinance had some relevant definitions related to alternative energy and passed it along to Ms. Goodchild for review.

## **Public Participation**

Mr. Johnstone asked the public if there were any questions or comments regarding anything not on the agenda. There being no questions, Mr. Johnstone closed the public participation portion of the meeting.

Mr. D'Armiento recused himself from the meeting at this time due to a conflict with the Wood application.

## **Public Hearing**

### ➤ Wood

Application No. 10-10

Block 10, Lot 5.07 – Bulk Variances

**Action Deadline – September 21, 2011**

*Eligible to vote: Mr. Van Doren, Ms. Desiderio, Mrs. Baird, Mrs. Devlin, Mr. Moriarty, Mr. Mackie, Mrs. Czajkowski, Mr. Shapack, Mr. Dillon and Mr. Johnstone*

## **See Transcript**

A motion was made by Ms. Desiderio and seconded by Mr. Kerwin to approve Application No. 10-10 with conditions as outlined by Mr. Bernstein (no lighting, removal of gravel driveway from the paved driveway leading to the sport court and a landscape plan showing evergreen trees with deciduous trees in front facing the O'Neal's to the approval of the Land Use Board Engineer with input from the O'Neil's if they choose

(the photo's submitted by Mr. Wood should be used as a basis for the approval of the landscape plan). The motion carried by the following roll call vote:

Ayes: Ms. Desiderio, Mr. Mackie, Mrs. Czajkowski, Mr. Kerwin, Mr. Shapack and Mr. Johnstone

Nays: Mr. Van Doren, Mrs. Baird and Mrs. Devlin

**DENY WITHOUT PREJUDICE**

Tourville, Appl. No. 09-06, Block 45, Lot 6.02 Variance

Ms. Goodchild explained that the application was filed in 2009 and deemed incomplete but the applicant has made no attempt to address the completeness items; she asked the Board to deny the application without prejudice.

Mrs. Baird made a motion to deny Application No. 09-06 without prejudice. Mrs. Devlin seconded the motion. The motion carried by the following roll call vote:

Ayes: Mrs. Baird, Mr. Van Doren, Ms. Desiderio, Mr. Mackie, Mrs. Devlin, Mrs. Czajkowski, Mr. Moriarty, Mr. Kerwin, Mr. Shapack, Mr. Dillon and Mr. Johnstone

Nays: None

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:00 p.m. by motion of Mrs. Baird and seconded by Mr. Shapack.

Respectfully submitted,

Shana L. Goodchild  
Land Use Administrator