

LAND USE BOARD MINUTES
December 4, 2013

The Tewksbury Township Land Use Board met in a regularly scheduled meeting on the above date in the Municipal Meeting Hall, 60 Water Street, Mountainville, New Jersey. The meeting was called to order at 7:30 p.m.

Present: Blake Johnstone, Mary Elizabeth Baird, Shaun Van Doren, Bruce Mackie, Elizabeth Devlin, Michael Moriarty, Shirley Czajkowski, Ed Kerwin, Robert Becker, Alt. #1, Ed D'Armiento, Alt. #3 and David Larsen, Alt. #4.

Also present: Shana Goodchild, Land Use Administrator.

Absent: Dana Desiderio

There were approximately six (6) 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 04, 2013.

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. Mr. Van Doren 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 11-20-13 LUB meeting – invoice dated November 21, 2013 (\$450.00)
2. Bernstein & Hoffman – Land Use Board Escrow – Tewksbury Land Trust/Sullivan (B291, L8.21), invoice dated November 18, 2013 (\$300.00)
3. Banisch Associates, Inc. – Land Use Board Escrow – Cellco Partnership d/b/a Verizon (B44, L26), invoice #P-13-22226 (\$1,313.50)
4. Banisch Associates, Inc. – Land Use Board Escrow – Cellco Partnership d/b/a Verizon (B44, L26), invoice #P-13-22307 (\$770.50)
5. Banisch Associates, Inc. – Land Use Board Planning Services – invoice #P-13-22308 (\$48.00)

Roll Call Vote:

Those in Favor:

Mrs. Baird, Mr. Van Doren, Mr. Mackie, Mrs. Devlin, Mrs. Czajkowski, Mr. Moriarty, Mr. Kerwin, Mr. Becker, Mr. D'Armiento, Mr. Larsen and Mr. Johnstone

Those Opposed: None

Abstained: Mrs. Baird abstained for Claim #2 as she was recused from that application.

CORRESPONDENCE

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

1. A letter dated November 24, 2013 from Pottersville Volunteer Fire Company re: Appl. No. 13-03, Cellco Partnerships d/b/a Verizon, 19 King Street, Block 44, Lot 26.

ORDINANCE REPORT

Mr. Mackie had no ordinances to report on.

PUBLIC PARTICIPATION

Mr. Johnstone asked the public if there were any questions or comments regarding anything not on the agenda.

Nancy Held, 3 Woodedge Road, was present to discuss the Johnson helistop.

Mrs. Czajkowski and Mr. Van Doren recused themselves from the meeting.

Ms. Held noted that the Friends of Cold Brook Historic District met with the Johnson family and their attorney Jack McNamara and at that time Mr. McNamara asked if the Friends thought their case was as strong since the Township was not a party to the lawsuit. Ms. Held noted that Mr. Bernstein is of the opinion that the case is weakened by not having the Township on Board. Mayor DiMare suggested that the Friends request that the Township become involved in the lawsuit and therefore Ms. Held asked the Land Use Board if they would make a recommendation to the Township to join the lawsuit in name.

Mr. Johnstone suggested that the Land Use Board send a letter to the Township asking them to join the lawsuit for the simple reason that the Land Use Board spent a great deal of time and effort and gave good reasons to deny the helistop; despite the rational and well based decision the Department of Transportation decided otherwise.

Mr. Johnstone made a motion to recommend to the Township Committee that they join the lawsuit at no cost to the Township in light of the Land Use Board's decision to deny the application. Mr. Becker seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mr. Mackie, Mrs. Devlin, Mr. Moriarty, Mr. Kerwin, Mr. Becker, Mr. D'Armiento, Mr. Larsen and Mr. Johnstone

Those Opposed: None

Abstained: Mrs. Baird

There being no other comments or questions, Mr. Johnstone closed the public participation portion of the meeting.

Mr. Van Doren and Mrs. Czajkowski returned to the meeting.

Land Use Board Discussion Item

- Discuss date of Land Use Board Re-organization Meeting

Mr. Johnstone noted that the first Wednesday of the month is January 1st and asked if the Board wanted to re-organize on New Year's Day or choose another date. The Board opted to hold their re-organization meeting on January 8, 2014.

- Authorization to hire RF Engineer for Appl. No. 13-03

Mr. Van Doren and Mr. Kerwin are recused from the Cellco application and left the meeting table at this time.

Mr. Johnstone noted that everyone received a copy of the credentials for Hank Menkes and opined that he is qualified to do the work.

When asked by Ms. Baird if his concerns were addressed, Mr. Becker responded in the positive and noted that the other gentleman's responses were very telling. Mr. Becker went on to say that it appears that the job of the RF Engineer is to validate the applicant's information.

Mrs. Baird made a motion to hire Hank Menkes as the RF Engineer to represent the Land Use Board for the Cellco Partnership d/b/a Verizon application. Mrs. Devlin seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Mrs. Baird, Mr. Mackie, Mrs. Devlin, Mrs. Czajkowski, Mr. Moriarty, Mr. Becker, Mr. D'Armiento, Mr. Larsen and Mr. Johnstone

Those Opposed: None

Mr. Van Doren and Mr. Kerwin returned to the meeting at this time.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:50 p.m. by motion of Mr. Van Doren and seconded by Mr. Moriarty.

Respectfully submitted,

Shana L. Goodchild
Land Use Administrator