

**FRANKFORD TOWNSHIP LAND USE BOARD
FEBRUARY 28, 2018 – 7:00 P.M.
MINUTES OF THE REGULAR MEETING**

CALL TO ORDER:

The meeting was called to order by Board Chairman, Jay Romania, by announcing that notice appeared in the New Jersey Herald and the New Jersey Sunday Herald in accordance with the requirements of The Open Public Meetings Act.

Flag Salute

ATTENDANCE:

Those Present were: Mr. Gstattenbauer, Dr. Castimore, Mrs. Tufaro, Mr. Risdon, Mr. Hahn, Mr. Dolan, Mr. Romania, Mr. Wingle, Mr. Pierson, Mr. Kobis and Mr. Delima. Also present were Mr. Molica, representing the board attorney, and Mr. Pellow, the Board Engineer.

Those absent: Mrs. Albanese (excused) and Mrs. French (excused).

MINUTES

The Minutes of the January 24, 2018 Land Use Board Regular Meeting were reviewed. A Motion was made by Mr. Gstattenbauer and seconded by Mr. Delima to approve the Regular Meeting Minutes of the Land Use Board for January 24, 2018. All were in favor. The Motion was carried.

BOARD BUSINESS

Subcommittee Appointments by the Board Chairman

Green Ordinance Committee: Nothing to Report

COAH Committee: Nothing to Report

Open Space Committee for Updates to LUB: Nothing to Report

Master Plan Committee: Nothing to Report

Correspondence:

The correspondence was reviewed. No formal action was taken.

PUBLIC:

A Motion was made by Mr. Delima and seconded by Dr. Castimore to open this meeting to the public. All were in favor. The Motion was carried.

There being no public participation, a Motion was made by Dr. Castimore and seconded by Mr. Hahn to close this matter to the public. All were in favor. The Motion was carried.

ZONING OFFICER'S AGENDA

The Zoning Report dated February, 2018 was reviewed. No formal action was taken.

RESOLUTIONS

Michael & Kimberly Staerker – LUB 18-03 – Block 18, Lot 12.02 – 139 US Highway Route 206 – “C” Variance:

The Resolution was reviewed. A Motion was made by Mr. Gstattenbauer and seconded by Mr. Kobis to approve the Resolution for Michael and Kimberly Staerker for a “C” Variance. Roll Call:

YES: 5 Gstattenbauer, Risdon, Romania, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

BOAD BUSINESS CONT.

SCARC – Request for COAH Funds:

Mr. Dolan stepped down from this matter.

Appearing before the board was Richard C. Lecher, President of SCARC.

Mr. Lecher indicated that he appeared before the Township Committee Meeting requesting additional funds from the Municipal Housing Trust Fund to be used for their renovations that they did to their 2 homes located at 80-82 Morris Avenue. The Committee sent him to the Land Use Board for this request. He submitted a letter to the board with a summary of the Income and Expenses for this project and they are short \$20,297. The homes are part of Frankford Township’s affordable housing plan. They are a valuable part of the plan. They originally requested \$100,000 for the renovations from Frankford Township and after some deliberations SCARC was awarded \$50,000 from Frankford Township Municipal Housing Trust Fund.

Mr. Gstattenbauer questioned if there are funds in the Municipal Housing Trust Fund. The board secretary, who is the Municipal Housing Liaison, indicated that there is approximately \$369,000 in the Trust Fund.

A Motion was made by Mr. Gstattenbauer and seconded by Mr. Wingle to recommend to the Township Committee to release funds to SCARC from the Municipal Housing Trust fund in the amount of \$20,297 and to Amend the Contribution Agreement entered into with the Township dated November, 2016. Roll Call:

YES: 8 Gstattenbauer, Castimore, Tufaro, Hahn, Romania, Wingle, Pierson, Delima

NO: 0

ABSTAIN: 2 Risdon, Kobis

The Motion was carried.

Mr. Dolan returned to the meeting.

NEW APPLICATIONS

SCUMA – LUB 18-02 – Block 26, Lot 13 – 178 US Highway Route 206 – Minor Subdivision:

Appearing before the board was the applicant's attorney, Salvatore Alfieri, Esq. and the applicant's engineer, Thomas Varro. Mr. Varro was sworn in by the board attorney. Mr. Varro gave his qualifications to the board and was accepted as an expert witness.

The board reviewed Mr. Pellow's report dated January 2, 2018, last revised February 26, 2018 as to completeness:

Paragraph 12, Item 11: A recent photograph of the property. Mr. Pellow indicated that a photograph was submitted.

Paragraph 12, Item 28: Existing structures within 200 feet (200') and distance to property line. Not shown. Mr. Pellow indicated that they have asked for a waiver of this item and it is acceptable.

Paragraph 12, Item 42: Building envelope. Mr. Pellow indicated that this has been shown on the revised map.

Paragraph 12, Item 43: Location of existing railroads, bridges, culverts, drainage pipe, water and sewer, utility poles. Show the force main if possible. Mr. Pellow indicated that the force main has been shown on the revised map.

Paragraph 12, Item 56: Provisions for certification and approvals. Mr. Pellow indicated that this has been done on the revised map.

Paragraph 12, Item 83: Copy of current deed and all easements/restrictions. Mr. Pellow indicated that this has now been submitted.

A Motion was made by Mr. Dolan and seconded by Mr. Hahn to deem this application complete. All were in favor. The Motion was carried.

Mr. Varro indicated that Sussex County MUA is currently the owner of Lot 13 which is part of the parcel they are going to subdivide off and give back to the Branchville Cemetery Association. The lot was acquired from Franklin Mutual Insurance. As part of their property acquisition for the Paulenskill Treatment Plant and disposal beds which serve Branchville Borough and Frankford Township, as part of this acquisition, FMI requested that they transfer this parcel back to Branchville Cemetery Association. Historically this is where the piece came from. This parcel was taken at one point by DOT when they were looking at an alternative alignment for Route 206 and then it subsequently was given back to the Frankford Board of Education and then the Board of Education then transferred it back to FMI when they were using this lot and this became an easement access for that lot. Essentially the remainder of this lot will meet all the Zoning Requirements. They have 35 acres left. The Sussex County Planning Board has reviewed and approved it. A no further action letter was dated January 18, 2018 from the County. The only outstanding question was with the Branchville Cemetery who provided a letter indicating that they may, in the future, use this area for burial plots, but it is not their immediate intent at this time.

Mr. Pellow continued reviewing his report dated January 2, 2018, last revised February 26, 2018:

Paragraph 1: The Applicant is proposing to subdivide 0.60 acres from Lot 13, Block 26 to be annexed to Lot 5, Block 26 owned by the Branchville Cemetery Association.

NEW APPLICATIONS CONT.

SCUMA – LUB 18-02 – Block 26, Lot 13 – 178 US Highway Route 206 – Minor Subdivision cont.:

Paragraph 2: Resultant Lot 5 meets area and dimensional requirements for the AR Zone. See zoning chart on page No. 1. The 0.60 acre portion of Lot 5 will still be within the CED-2 Zone, but it will be isolated.

Paragraph 3: Resultant Lot 13 meets area and dimensional requirements for the CED-2 Zone, and this lot is the location of the SCMUA sewer plant and disposal beds recently completed for Branchville and a portion of Frankford Township.

Paragraph 4: Deeds will be needed for remainder Lot 13, and the 0.60 acre to be conveyed to the cemetery association.

Paragraph 5: Originally, the 0.60 acre lot was part of the cemetery but was deeded to the DOT when Route 206 was proposed to be realigned, so now it will be back to the original area.

Paragraph 6: No variances are needed.

Paragraph 7: County Planning Board review is needed. This has been submitted.

Paragraph 8: Lot 19.02 remains as is and belongs to the Frankford Township Board of Education and includes the school's parking lot.

Paragraph 9: The easement across Lot 19 is the location of the sewer force main from the Branchville sewer pump station at the intersection of Lower Mill Street and CR 519 to the sewer plant on Lot 13.

Paragraph 10: The setbacks for the sewer plan are shown on the treatment facility site plan, and the Applicant to bring this site plan to the Land Use Board meeting on January 10, 2018.

Paragraph 11: Will the cemetery expand grave locations to this 0.60 acre area? A letter was submitted from the Cemetery and they do not plan to expand at this time, however, they may expand in the future.

A Motion was made by Dr. Castimore and seconded by Mr. Delima to open this matter to the public. All were in favor. The Motion was carried.

There being no public participation, a Motion was made by Dr. Castimore and seconded by Mr. Wingle to close this matter to the public. All were in favor. The Motion was carried.

A Motion was made by Mr. Gstattenbauer and seconded by Mr. Delima to approve the Minor Subdivision request of the applicant, SCUMA. Roll Call:

YES: 11 Gstattenbauer, Castimore, Tufaro, Risdon, Hahn, Dolan, Romania, Wingle, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

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BOARD BUSINESS CONT.

Invoices:

A Motion was made by Mr. Delima and seconded by Mr. Risdon to approve the February, 2018 Invoices on the Bill list attached hereto and made a part hereof. Roll Call:

YES: 11 Gstattenbauer, Castimore, Tufaro, Risdon, Hahn, Dolan, Romania, Wingle, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

ADJOURN:

A Motion was made by Mr. Dolan and seconded by Mr. Delima, to adjourn the meeting. All were in favor. The Motion was carried.

Respectfully submitted,

SHARON M. YAROSZ
Land Use Administrator