

FRANKFORD TOWNSHIP LAND USE BOARD
JANUARY 9, 2019 – 7:00 P.M.
MINUTES OF THE RE-ORGANIZATION AND REGULAR MEETING

CALL TO ORDER:

The meeting was called to order by Board Attorney, Thomas Collins, 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

SWEAR IN NEW OR REAPPOINTED BOARD MEMBERS:

The following Board members were sworn in by Mr. Collins: Chris Carney., as a Class I, Mayor Designee, Member of the Land Use Board; Sharon Tufaro, as a Class II Member of the Land Use Board; Ed Risdon, Jr., as a Class III Member of the Land Use Board; Arthur Pierson, as a Class IV Member (Alternate #2) of the Land Use Board; and David Delima, as a Class IV Member (Alternate #4) of the Land Use Board.

ATTENDANCE:

Those Present were: Mr. Gstattenbauer, Mr. Carney, Mrs. Tufaro, Mr. Risdon, Mr. Dolan, Mr. Pierson, Mr. Kobis, and Mr. Delima. Also present were Mr. Collins, the board attorney, and Mr. Pellow, the Board Engineer.

Those absent: Mrs. Albanese (excused), Mr. Hahn, Mrs. French (excused), Mr. Romania (excused), and Mr. Wingle.

REORGANIZATION:

Chairperson: Mr. Risdon nominated Mr. Romania as Chairperson for 2019. This nomination was seconded by Mr. Pierson. There were no further nominations. The Nominations were closed. Roll Call for Mr. Romania as Chairperson for 2019:

YES: 8 Gstattenbauer, Carney, Tufaro, Risdon, Dolan, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

Mr. Jay Romania is the Land Use Board Chairman for 2019.

Vice Chairperson: Mr. Risdon nominated Mr. Gstattenbauer as Vice-Chairperson for 2019. This nomination was seconded by Mr. Carney. There were no further nominations. The nominations were closed. Roll Call for Mr. Gstattenbauer as Vice Chairman for 2019:

YES: 7 Carney, Tufaro, Risdon, Dolan, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 1 Gstattenbauer

The Motion was carried.

Mr. Wolfgang Gstattenbauer is the Land Use Board Vice-Chairman for 2019

Frankford Township Land Use Board
January 9, 2019 Minutes
Page 2 of 8

REORGANIZATION CONT.:

Board Attorney: Mr. Risdon nominated Thomas Collins, Esq. of the firm Vogel, Chait, Collins and Schneider as Board Attorney for 2019. This nomination was seconded by Mr. Gstattenbauer. There were no further nominations. The nominations were closed. Roll Call for Thomas Collins, Esq. of the firm Vogel, Chait, Collins and Schneider as Board Attorney for 2019:

YES: 8 Gstattenbauer, Carney, Tufaro, Risdon, Dolan, Pierson, Kobis,
Delima

NO: 0

ABSTAIN: 0

Thomas Collins, Esq. of the firm Vogel, Chait, Collins and Schneider is the Land Use Board Attorney for 2019.

Board Engineer and Board Planner: Mr. Risdon nominated Harold Pellow, PE of Harold Pellow & Associates, Inc. as Board Engineer and Board Planner for 2019. This nomination was seconded by Mr. Delima. There were no further nominations. The nominations were closed. Roll Call for Harold Pellow, PE of Harold Pellow & Associates, Inc. as Board Engineer and Board Planner for 2019:

YES: 8 Gstattenbauer, Carney, Tufaro, Risdon, Dolan, Pierson, Kobis,
Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

Harold Pellow, PE, of Harold Pellow & Associates is the Land Use Board Engineer and Land Use Board Planner for 2019.

Board Secretary: Mr. Risdon nominated Sharon M. Yarosz as Board Secretary for 2019. The nomination was seconded by Mr. Gstattenbauer. There were no further nominations. The nominations were closed. Roll Call was taken for Sharon Yarosz as Land Use Board Secretary for 2019:

YES: 8 Gstattenbauer, Carney, Tufaro, Risdon, Dolan, Pierson, Kobis,
Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

Sharon M. Yarosz is the Land Use Board Secretary for 2019.

**Frankford Township Land Use Board
January 9, 2019 Minutes
Page 3 of 8**

REORGANIZATION CONT.:

Newspaper: Mr. Risdon nominated The New Jersey Herald and the New Jersey Sunday Herald as the official newspapers for advertising for the Land Use Board in 2019. This nomination was seconded by Mr. Kobis. There were no further nominations. The nominations were closed. Roll Call was taken for the New Jersey Herald and the New Jersey Sunday Herald as the official newspapers for the Land Use Board for 2019:

YES: 8 Gstattenbauer, Carney, Tufaro, Risdon, Dolan, Pierson, Kobis,
Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

The New Jersey Herald and the New Jersey Sunday Herald are the official newspapers for advertising for the Land Use Board in 2019.

Meeting Dates: Mrs. Tufaro made a motion which was seconded by Mr. Risdon to approve the second and fourth Wednesday of each month for all regular meetings for the Land Use Board in 2019 and which meetings will begin at 7:00 p.m. with the exception of November 25, 2019, which is a Monday Due to the Thanksgiving Holiday and December 25, 2019, which meeting date was removed from the calendar. The meeting dates are as follows:

January 9, 2019
January 23, 2019
February 13, 2019
February 27, 2019
March 13, 2019
March 27, 2019
April 10, 2019
April 24, 2019
May 8, 2019
May 22, 2019
June 12, 2019
June 26, 2019
July 10, 2019
July 24, 2019
August 14, 2019
August 28, 2019
September 11, 2019
September 25, 2019
October 9, 2019
October 23, 2019
November 13, 2019
November 25, 2019 (Monday Due to Thanksgiving)
December 11, 2019

The reorganization meeting for 2020 will be held on January 8, 2020 at 7:00 p.m. The regular meeting of the Frankford Township Land Use Board held on January 8, 2020 at 7:00 will follow the re-organization meeting.

Roll Call:

YES: 8 Gstattenbauer, Carney, Tufaro, Risdon, Dolan, Pierson, Kobis,
Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

**Frankford Township Land Use Board
January 9, 2019 Minutes
Page 4 of 8**

REORGANIZATION CONT.:

Agenda/Robert Rules of Order: The board agreed to use the Robert's Rules of Order for Parliamentary Procedures. The agenda will be as follows:

- Call to Order
- Open Public Meetings Act Statement
- Flag Salute
- Attendance
- Executive Session (if required)
- *Approval of Minutes from previous meetings
- *Resolutions
- Board Business to include:
 - *Payment of Bills
 - Correspondence
 - Other business
- * Zoning Officer's Report
- Public Portion
 - Applications – to include:
 - Testimony by applicants
 - Board discussion and questions
 - Public Portion
 - Board Business cont.
- Adjournment

*denotes items scheduled only for the second meeting of the month.

REGULAR MEETING:

MINUTES

The Minutes of the December 12, 2018 Land Use Board Regular Meeting were reviewed. A Motion was made by Mrs. Tufaro and seconded by Mr. Delima to approve the Regular Meeting Minutes of the Land Use Board for December 12, 2018. Roll Call:

YES: 7 Gstattenbauer, Carney, Tufaro, Risdon, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 1 Dolan

The Motion was carried.

BOARD BUSINESS

Subcommittee Appointments by the Board Chairman

This matter was postponed until the next meeting when the Chairman is present.

Correspondence:

The correspondence was reviewed. No formal action was taken.

REGULAR MEETING CONT

BOARD BUSINESS CONT.

Open Space Plan – Requested by the Greater Culver Lake Watershed Foundation to add Ciraldo Property to Open Space Plan – Upper North Shore:

Appearing before the board was Bob Cance. He indicated that he is working for the Greater Culver Lake Watershed Foundation as their Open Space Consultant and he is also the Township of Frankford's Open Space consultant. He indicated that he is trying to help the Greater Culver Lake Watershed Foundation to find ways to protect water quality in upper Paulenskill, particularly around Culver Lake and Lake Owassa. One of the properties that stands out is the Ciraldo property. Mr. Ciraldo has expressed interest in selling the property for Open Space. In order for the Watershed Foundation to purchase the property, they need funding. The primary source of funding for this type of project is Green Acres Funding. Green Acres has an application process. The application is due March 30th. There are certain requirements of the application process. One of the requirements is to indicate that the proposed property be consistent with the local Township Open Space Plan and the County Open Space Plan. In essence the Foundation is looking for the Township support to making the Ciraldo's property part of the Open Space Plan.

Appearing before the board was Paul Sutphen of the Watershed Foundation. The foundation focuses on streams, brooks and lakes to protect the water. It turns out the way that you protect water is to protect the watershed area that the water runs over. The mission of this group is to protect the water quality, preserve land and protect the land that does affect the water quality. He indicated that part of the last Township Open Space Plan has a description of an area that is called the Appalachian Greenway. The area that is shown on the map that is east of the Ciraldo property is the Stokes State Forest property. In Frankford if you go northeast you go into the park areas, the campground areas. If you go southwest you go into the lake areas. There is a band of recreational activities that is going on that are very important to the Township. If they could enhance the use of land there that provides recreation, they are interested in this. They are a 5013(c) charity. They are supporting the application to the Green Acres Program. This application requires the Township to basically state that this target property is consistent with the Open Space Plan. Mr. Cance did submit a proposed letter for the Board Chairman to sign indicating that this proposal is consistent with the Open Space Plan and they can move forward with this application.

Mr. Risdon indicated that he was concerned that they are spending so much money to purchase a piece of property that is mostly wet and could get maybe 1 or 2 homes on the property. Mr. Cance indicated that it doesn't take more than a couple of septic systems to impair a very sensitive lake like Culver's Lake. It is a matter of how you manage the property, i.e. how many animals have on it, the type of forestry. They see a lot of bad forestry where there is a lot of sediment runoff. The thought is by placing it in protective Open Space, you can manage it to protect water quality, you can avoid a couple of septic systems and bad nutrient management.

Mr. Sutphen indicated that they would not use the property for farming. They would use it for passive recreation, like trail systems. He further indicated that there is a lot of endangered species on this property. It is within 600' of a nesting eagle at the lake. They have the running samples of water quality that come underneath the cause lake bridge out of that property. They found that it is causing some problems to the Lake. They have had very high phosphorous readings. It is an area that if a farm came back in there and started fertilizing, there could be a major problem to the lake.

Mr. Sutphen indicated that he would like to change the focus on this to the need for the property as a piece of property that he thinks the public would benefit from. Frankford

REGULAR MEETING CONT

BOARD BUSINESS CONT.

Open Space Plan – Requested by the Greater Culver Lake Watershed Foundation to add Ciraldo Property to Open Space Plan – Upper North Shore cont.:

does not have properties nearby that are wooded with trails, with the exception of Stokes. He feels it would enhance the value of this area.

A lengthy discussion was held with regard to the funding of this project. Mr. Cance indicated that he is applying for a grant for half of the purchase price and the soft costs, which is approximately \$400,000. Then they will ask the following groups for funding for the rest of the funding: The County Open Space, The William Penn Foundation, the Nature Conservancy, and the Township Open Space would be last.

A Motion was made by Mr. Risdon and seconded by Mr. Gstattenbauer 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 Mr. Pierson and seconded by Mr. Kobis 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. Dolan to confirm that adding the Ciraldo Property on Upper North Shore to the Open Space Plan is consistent with the Open Space Master Plan and to approve the Chairman to write a confirming letter to the Watershed Foundation. Roll Call:

YES: 5 Gstattenbauer, Tufaro, Dolan, Pierson, Delima

NO: 0

ABSTAIN: 3 Carney, Risdon, Kobis

The Motion was carried.

PUBLIC:

A Motion was made by Mr. Risdon and seconded by Mr. Dolan 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 Mr. Risdon and seconded by Mr. Kobis to close this matter to the public. All were in favor. The Motion was carried.

ZONING OFFICER'S AGENDA

The Board reviewed the Zoning Officer's Report dated January, 2019. No formal action was taken.

REGULAR MEETING CONT

RESOLUTIONS

Eugene & Lisa Fox – LUB 18-17 – Block 100, Lot 4 – 52 East Shore Culver Road – “C” & “D” Variance:

The Resolution was reviewed. A Motion was made by Mrs. Tufaro and seconded by Mr. Kobis to approve the Resolution for Eugene & Lisa Fox for a “C” & “D” Variance. Roll Call:

YES: 5 Gstattenbauer, Tufaro, Pierson, Kobis, Delima
NO: 0
ABSTAIN: 0

The Motion was carried.

CARRIED APPLICATIONS

Homestead Rehabilitation & Health Care Center – LUB 18-16 – Block 21, Lot 4.01 – 129 Morris Turnpike – Amended Site Plan & “D” Variance:

Appearing before the board was the applicant’s attorney, William Haggerty. There are 2 buildings on this property. The original building has been vacant for a while. They did have the County Health Department in there. They are proposing no exterior changes, no lighting changes, and no parking changes. They want to use a portion of the building. There are 4 floors to the building. They want to house 6 employees in this building. They want to also use a portion of the building for storage for the homestead. Mr. Haggerty submitted to the board a hand drawn floor plan of the building. The first page shows 6 rooms with 300 square foot efficiency bedrooms. Mrs. Tufaro indicated that there are no sinks in the bedrooms. They are down the hallway. There is a common area. This would be a fourth floor plan. The third floor is the existing offices.

Mr. Haggerty was before the board to request if the hand drawn plans were adequate for the D Variance application or are they requesting an architectural plan for the Variance. Mr. Collins indicated the applicant will need an architect and a builder to actually assess what building code the changes are under. He is concerned that they should not do anything without doing this first because he is concerned that this is a boarding house or dormitory, argueably, and they have a totally different category of standards for their fire protection then a house. It is very significant.

A Motion was made by Mr. Dolan and seconded by Mr. Delima to carry this application without further notice to the February 27, 2019 Land Use Board Meeting. All were in favor. The Motion was carried.

BOARD BUSINESS CONT.

Invoices:

A Motion was made by Mr. Dolan and seconded by Mr. Risdon to approve the January, 2019 Invoices on the Bill list attached hereto and made a part hereof. Roll Call:

YES: 8 Gstattenbauer, Carney, Tufaro, Risdon, Dolan Pierson, Kobis, Delima
NO: 0
ABSTAIN: 0

The Motion was carried.

REGULAR MEETING CONT

ADJOURN:

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

Respectfully submitted,

SHARON M. YAROSZ
Land Use Administrator