

FRANKFORD TOWNSHIP LAND USE BOARD
MARCH 27, 2019 – 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, Mr. Carney, Mrs. Albanese, Mrs. Tufaro, Mrs. French, Mr. Dolan, Mr. Romania, Mr. Wingle, and Mr. Delima. Also present were Mr. Collins, the board attorney, and Mr. Pellow, the Board Engineer.

Those absent: Mr. Risdon (excused), Mr. Hahn, Mr. Pierson (excused), and Mr. Kobis.

MINUTES:

The Minutes of the February 27, 2019 Land Use Board Regular Meeting were reviewed. A Motion was made by Mr. Gstattenbauer and seconded by Mrs. French to approve the Regular Meeting Minutes of the Land Use Board for February 27, 2019. All were in favor. The Motion was carried.

PUBLIC:

A Motion was made by Mr. Dolan and seconded by Mrs. Albanese 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. Gstattenbauer and seconded by Mr. Delima 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 March, 2019. No formal action was taken.

RESOLUTIONS:

Donna Russo – LUB 19-01 – Block 217, Lots 4 & 3.01 – 155 East Shore Lake Owassa “C” & “D” Variance:

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

YES: 5 Gstattenbauer, Tufaro, French, Dolan, Romania

NO: 0

ABSTAIN: 0

The Motion was carried.

SUSSEX COUNTY FARM & HORSE SHOW – 2019 LIST OF EVENTS

Appearing before the board was the Fair Manager, Kevin Mitchell. Mr. Mitchell was sworn in by the board attorney. Mr. Mitchell presented the Fair Calendar to the board for 2019.

Mr. Dolan questioned if there was anything new to the schedule this year. Mr. Mitchell indicated not that he was aware of, however, he is new to this position and he is not sure. He indicated that this is an evolving schedule. Things get added throughout the year. Mr. Romania indicated that he should send an updated list to the board secretary as things are added to present them to the board. Mr. Mitchell agreed.

Mrs. French indicated that the Garage Sales are new. Mr. Mitchell indicated that there was one held by the NJ Herald last week and another one is scheduled for October. Mrs. Tufaro indicated this used to be held at the ballpark. She believes the event was held in doors at the ballpark. Mr. Dolan questioned Mr. Collins if this is an allowed use at the fairgrounds. Mr. Collins indicated that the farm and horse show is a conditional use permitted in the zone and it has been approved in the past. A condition is that they are to come to the board each year with a proposed schedule. If the board is satisfied that the activities are within the scope of the type of activities that the board found in the past to be in within that scope, then you vote to approve the calendar of events for the year. He is satisfied that the board could approve this event. Mrs. Albanese indicated that this is a different type of event from a flea market that was proposed at the ballpark. This is local citizens having a garage sale, the other was different vendors selling items. Mr. Collins indicated that this is different type of zone then the ballpark.

A Motion was made by Mr. Delima and seconded by Mr. Dolan 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. Delima and seconded by Mr. Gstattenbauer 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 2019 Sussex County Farm & Horse Show Calendar as presented subject to the standard conditions that were used in the past and the condition that Mr. Mitchell update the board on new events throughout the year. All were in favor. 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. Mr. Haggerty indicating that he is withdrawing the application without prejudice. His clients are evaluating the potential costs of improvements to the property which may be required in the event that there may be a change of use.

NEW APPLICATIONS

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance:

Appearing before the board was the applicant, Judy Hundley, her attorney, William Haggerty, her engineer, James Glasson, and her architect, Ann Sears. Ms. Hundley, Mr. Glasson and Ms. Sears were sworn in by the board attorney. Mr. Glasson gave his qualifications to the board and was accepted as an expert witness.

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

Mr. Haggerty indicated that the applicants are owners of a lakefront lot on Culver’s Lake which is improved with an older cabin. What they proposed to do is remove the cabin and replace it with a building which is substantially similar in architectural appearance in the same location. They want to use the existing fire place in the cabin. They would like to maintain the barn building in the rear. They also want to construct a new garage and maintain the boathouse, which exist. They do propose to access the property through their current driveway, which is 900+ feet. They also would like to access through Pioneer Point Drive as well. The reason for that is the driveway that they have is over 900 in length and in the event in the wintertime they want to come up, it is tough to get someone to plow 900 feet on an emergency basis on a quick notice. They would offer to gate the entry into their property off of Pioneer Point Drive in the summer to prevent people from going through. They would like to have this second drive for emergency access. If there was a fire or emergency on Pioneer Point Drive and access was blocked, this additional access would allow a way out of Pioneer Point Drive for the neighbors, since Pioneer Point Drive is a dead end road. The application requires several variances because they are removing the home, the current zoning requires to go by the 5 acre zone standard. He indicated that the lot is substantially larger than most of the properties at Culver’s Lake, it still would need a lot of variances. The lot will have a lot of non-conformities that would not be affected which are the existing garage which has setback issues and the boat house as well. There is a variance for the size of the accessory buildings and lot width.

Mr. Pellow reviewed his report dated March 14, 2019, last revised March 19, 2019 as to completeness:

Item 7: Compliance with Legal Notice. Mr. Collins indicated that the notice was sufficient.

Item 11: A Recent photograph of the property. Mr. Pellow indicated that this was received.

Item 13: Copy of Soil Erosion/Sediment Control Application. A soil erosion permit is required and can be a condition of completeness. Mr. Glasson indicated that this was received. Mr. Pellow indicated that this should be submitted to the board for their files.

Item 42: Building envelopes. Show graphically on the variance plan. Mr. Pellow indicated that they are shown on Sheet 3 of the revised plans.

Item 73: Two (2) soil logs and two (2) permeability tests per proposed lot. Need soil logs. Mr. Pellow indicated that these are shown on Sheet #3 of the revised map.

Item 83: Copy of current deed and all easements/restrictions. Mr. Haggerty submitted these documents to the board as Exhibits “A-1a” is when the applicant originally acquired title in 2003 and “A-1b” is when there was an application with the Gibbles for a lot line adjustment in 2015.

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

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

Appearing before the board was the applicant, Judy Hundley. Ms. Hundley indicated that she is the property owner since 2003. She indicated that the cabin on the property is falling apart. She indicated that there is no electric on the second floor and there is no heat. They would like to tear down the cabin and replace it in nearly the same footprint. They would like to take the wood siding on the cabin and mill it and replace it back on the cabin so it will look exactly the same. They would also like to have a driveway from Pioneer Point Drive solely for the winter months. She feels vulnerable with a 900' driveway during the winter months to have someone plow that long of a driveway out in case of an emergency. They would gate the driveway on Pioneer Point Drive during the summer months. They do not intend to use the driveway in the summer. The driveway from East Shore is a dirt path. The existing barn on the property has personal items that they have collected over the years, i.e. canoes, kayaks, etc. The existing boathouse has tubes and things for the lake stored in. The new garage that they intend to build is for their cars. They intend to put in a new septic system and well.

Mr. Romania questioned if Pioneer Point Drive is a township road. Mr. Pellow indicated that it is a Private Improved Road. The township maintains it chips and stones it and plows it, but they do not own it. He further indicated that is why they would need a Planning Variance if this is approved because it is a private road.

Appearing before the board was James Glasson. Mr. Glasson indicated that Pioneer Point Drive is 800' long. He indicated that the applicants have more frontage on Pioneer Point Drive than they do on East Shore Culver Road. Mr. Glasson submitted to the board Exhibit “A-2” which was a colored rendering of Sheet 2 of 6 of the Variance Package named Existing Conditions Plan. The property is 940' long with 112' of frontage on East Shore Culver Road and 160' of coverage on Pioneer Point Drive. The existing driveway is on East Shore Culver Road to a circular turnaround at the existing house which is on the Lake. The gravel driveway is 940' long and 10' wide. He noted that Pioneer Point Drive is paved for the first 800' to about 50' from the end of the applicant's frontage, and then it turns to a small section of gravel. The topography of Pioneer Point Drive and this entire area is incredibly flat. They slope approximately 2% over 900' from East Shore Culver towards the lake. Mr. Glasson indicated that Pioneer Point Drive is a very narrow road, 12' to 14' wide (it varies in width). It is a very straight road. The road has access to approximately 15 houses. The road is safe for emergency vehicles. He feels what will happen if the applicant put in this driveway it makes a circular situation. If someone were not able to get out of Pioneer Point Drive, they can get through this driveway to get to East Shore Culver Road.

Mr. Glasson reviewed the variances required. He indicated that the Impervious Coverage is slightly larger. Ten percent (10%) is allowable under the current code, the Impervious Coverage with the proposed plan is 16.57%. Although they are increasing their setback on the northerly side, lake side of the house. They will be farther away from the lake. The one side line setback they are closer than the existing house. When you tear down the house, it requires a 60' left side setback, they are proposing 30.7'. The current house is 40.3'. They do have frontage on Pioneer Point Drive besides the frontage on East Shore, which is 890' from the new house. The frontage on Pioneer Point Drive is 161', where 75' is required. The total floor area ratio is 5660 sq. ft. which is well under the allowable. They are at 4.75% where they are allowed 7.5%. This is one of the largest lots in the area, with the exception of the lot next door, which is an 8 acre lot. This property has frontage of 7 of the lots surrounding the applicant's property.

Mr. Glasson referred to the new septic system. The septic system is the new treatment system which has been approved by the Board of Health. It is called a Pac Unit System.

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

This system is sized for 5 bedrooms which the current house is and the proposed house is proposed to be. They are also proposing a new well. There is an existing well to the right side of the existing home. They are having that abandoned.

Mr. Glasson referred to the Impervious Coverage and the water runoff on this project. He indicated that the driveway they are proposing, the runoff is directed into the applicant’s site. They have a highpoint right off of Pioneer Point Drive, the water will be directed down through the applicant’s driveway in an opening between the house and attached garage.

A board member questioned if this will be a year round residence. The applicant indicated that they intend to live there year round.

Mr. Glasson indicated that they intend to take a small amount of the tree line out for the garage. They are leaving the trees between this proposed house and Pioneer Point Drive.

Mr. Haggerty handed out to the board Exhibit “A-3” which is a google map of the subject property and the surrounding properties. This exhibit shows a white line showing the existing driveway and it does show a white line showing Pioneer Point Drive. This exhibit shows the extent of the tree coverage along the existing driveway.

Mr. Glasson submitted to the board Exhibit “A-4” which is a colored rendering of the Variance Package named Variance Plan.

Mr. Pellow continued reviewing his report:

Paragraph 1: The applicant is proposing the following improvements:

a: A two-story, five-bedroom dwelling containing a footprint of 2,073 sq. ft., located in the approximate location of the two-story, five-bedroom dwelling that is being removed. The existing stone chimney will be incorporated into the new dwelling. The new dwelling will have 2,071 sq. ft. on the first floor and 1,883 sq. ft. on the second floor—for a total of 3,954. Sq. ft.

b: The existing well will be abandoned and a new well constructed. The applicant is awaiting approval from the State and County agencies for this permit.

c: The existing septic is being removed and abandoned in place, and a new system is under construction and is designed for five (5) bedrooms and a system similar to the one that was approved for the Applicant on East Shore Lake Owassa last month by the Land Use Board.

d: Gas service will be supplied by a 1,000 gallon underground tank, and the existing upright tank will be removed.

e: The existing outhouse and block walkways will be removed, and new walkways will be constructed.

f: A new drive will be constructed, and a driveway permit is needed.

g: A new 624 sq. ft. garage will be constructed.

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

h: The existing garage containing 815 sq. ft. will remain. What will be stored here? This was answered during the applicant’s testimony.

i: The existing boathouse containing 267 sq. ft. will remain.

Paragraph 2: The following variances are needed:

- a. Maximum Impervious Coverage: 10% permitted and 16.57% proposed; and 13.7% exists.
- b. Front Yard Setback: 60 ft. required and 52.2 ft. proposed from Pioneer Point Road; and 61.0 ft. exists.
- c. Side Yard Setback: 60 ft. required and 39.6 ft. Right and 30.7 ft. Left are proposed; and 36.38 ft. Right and 40.3 ft. Left exist.
- d. Rear Yard Setback: 75 ft. required and 31.5 ft. proposed; and 29.3 ft. exists.
- e. Accessor Buildings – Maximum Area Combined: 1,260 sq. ft. permitted and 1,706 sq. ft. proposed; and 1,109 sq. ft. exists.
- f. New Accessory Building Front Yard Setback: 75 ft. required and 29.5 ft. exists to Pioneer Point Road.

Paragraph 3: The following are existing variance conditions based on AR Zone regulations:

- a. Lot Area: 5 acres required and 2.614 acres exist.
- b. Minimum Lot Width at the Front setback: 300 ft. required and 112.10 ft. exists.
- c. Minimum Lot Frontage: 300 ft. required and 112.10 ft. exists.
- d. Minimum Contiguous Developable Land: 20,000 sq. ft. required and none exists. The house exists on site. Mr. Glasson indicated that none exists because of the high water table in this area.
- e. Maximum Impervious Coverage: 10% allowed and 13.7% exists.
- f. Front Setback: 75 ft. required and 61.0 ft. exists on Pioneer Point Road.
- g. Side Yard Setback: 60 ft. required; and 36.3 ft. Right and 40.3 ft. Left exists.
- h. Rear Yard Setback: 75 ft. required and 29.3 ft. exists.
- i. Existing Boat house – Minimum Side and Rear Yard Setbacks: 10 ft. required and 0.0 ft. exists.
- j. Existing Garage- Minimum Side and Rear Setbacks: 10 ft. required and 2.2 ft. exists.

Paragraph 5: A soil erosion permit is needed. Mr. Glasson indicated that they have received this.

Paragraph 6: A well permit is needed. Mr. Glasson indicated that this has been received.

Paragraph 7: A driveway permit is needed. The applicant agreed.

Paragraph 8: Will the existing drive be abandoned? If not, a variance is needed as there can only be one drive per lot. If the existing drive is needed, it should conform to the driveway standards.

Paragraph 9: Pioneer Point Road is a private improved road, and a planning variance is needed to access with the new drive. Mr. Pellow indicated that this has been added to Sheet #1 of the revised plans.

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

Appearing before the board was Ann Sears, the applicant’s architect. Ms. Sears indicated that the existing house has a classic lake style feel and the applicant wanted to maintain the look. The current home is constructed out of logs. The house was built in 1929. Currently there is a lot of space between the logs. There is no way to winterize the current house. There is a giant great room and family room in the main part of the house. It has a second floor balcony around the room. They would like to maintain that. On the second floor, there are 5 bedrooms. There is existing stone on the current chimney that they would like to maintain this look. There is currently a little crawl space under the house. They are proposing a crawl space with a little area on the street front side that they will have the utilities for the house. They are proposing a garage with a little storage above it because there is not a lot of storage in the main house. The siding is meant to be a natural material. They plan to remove the existing logs, salvage what they can, mill them into siding and actually install them as log siding on the lakefront side and they will repeat that detail on the gable end around the house. There is an existing chimney in the front of the den, which will come down, but they would like to re-use the stone. Ms. Sears submitted to the board Exhibit “A-5” which is a photograph of the house from the lake view; Exhibit “A-6” which is a photograph of the house from the street view; Exhibit “A-7” which is a colored rendering of the proposed house from the lake view; and Exhibit “A-8” which is a colored rendering of the proposed house from the street view.

Mrs. French questioned if they would be re-stoning the existing driveway. Mr. Glasson indicated that they do intend to re-stone. Ms. Sears indicated they would like to keep the greenery in the center of the road to keep the country look.

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

Appearing before the board was Scott West. Mr. West was sworn in by the board attorney. Mr. West was against the new driveway coming out onto Pioneer Point Drive. He indicated that the draining in that area is already bad and by adding additional impervious coverage will make it worse for his property. He indicated that Pioneer Point is there only access to the swimming area and there are no sidewalks. He has no problem with what they are proposing with the house.

Appearing before the board was Joanne Guerriero. Ms. Guerriero was sworn in by the board attorney. Ms. Guerriero was against the new driveway coming out onto Pioneer Point Drive. She indicated it is a private improved road for use by the existing residence. She further stated that the applicant’s address is East Shore Culver Road and they are not residents of Pioneer Point Drive. It is a quit, no access dead end road. There are no sidewalks and the residents use the street for walking to and from the swimming area. She feels it will alter the character of their street. This driveway will disturb the quit enjoyment of the residents of this road. The applicant’s already have access to their property from East Shore and this access is not needed. She is concerned about the control of the gate that the applicants are proposing. She indicated that Pioneer Point Drive has no problems with emergency vehicles accessing the road. She submitted to the board Exhibit “O-1” which are photographs of camera shots taken by her security camera of Pioneer Point Drive showing the activity on this street; Exhibit “O-2” which are google maps of the subject property and the surrounding properties; and Exhibit “O-3” which are pictures of Pioneer Point Drive showing the condition of the street. She further stated that the drainage on Pioneer Point Drive is also an issue. She feels by increasing the impervious coverage on the applicant’s lot will make the drainage worse. She stated that she has no issue with the construction work the applicant’s proposed to do.

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

Appearing before the board was Christine Comerci. Ms. Comerci was sworn in by the board attorney. Mr. Comerci was against the new driveway on Pioneer Point Road. She is concerned with the control of the gate being opened and closed when the applicant proposes.

Appearing before the board was Kenneth Kearney. Mr. Kearney was sworn in by the board attorney. Mr. Kearney was against the new driveway on Pioneer Point Drive due to the drainage in the area.

Appearing before the board was Cynthia West. Mrs. West was sworn in by the board attorney. Mrs. West was against the new driveway on Pioneer Point Drive. She indicated that the swimming area is dedicated to just people on Pioneer Point Drive. She indicated that as you go down Pioneer Point Drive, it does narrow where the applicants are proposing the driveway. She is not against the building.

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

Mr. Haggerty indicated that there are a lot of roads around the lake that are chip and stone, just like Pioneer Point Drive that the Township maintains. He further indicated that they could take a position that they would abandoned the driveway on East Shore and make Pioneer Point Drive their driveway. They have a right to come to the board with that position. The applicants have more frontage on Pioneer Point Drive then any of the other residents. The applicants have as much right as the other lots on Pioneer Point Drive. They are offering to put a gate and open it up during severe weather conditions. They are willing to have all the construction equipment access the driveway through East Shore. They are willing to build the driveway after the construction is complete on the house.

Mr. Dolan wanted to know if they could explain the drainage issues which is a concern of their neighbor, Mr. West. Mr. Glasson indicated that the water that is there now sits in the area between his property and the applicant. The applicants are taking their drainage into their site. If anything, the water that Mr. West is concerned about, they will be taking it to their property and it will be better than it is now. They are tipping the driveway into their property. Mr. Carney was concerned about the grades listed on the plans. He feels a berm should be installed. The applicants would be willing to install a berm by Block 8. Mr. Carney questioned the board attorney if the Zoning Officer can enforce the gate being opened certain times of the year. Mr. Collins indicated that it can be placed in the deed and it can be enforced by the Zoning Officer.

Appearing before the board was Mr. West who was concerned as to what the address of the property would be if they access through Pioneer Point. Mr. Haggerty indicated that the address of the property has no bearing on the access.

Mr. Dolan questioned Mr. West, Mrs. Guerriero, and Ms. Comerci if they are year round residents. Each of them indicated that they were not. He indicated that the applicant is asking to use the driveway from Pioneer Point during the winter. He asked if it was possible if they would not even witness the use of this driveway. Mrs. Guerriero and Mr. West indicated that they are there in the winter.

Appearing before the board was Ms. Comerci indicating that the issue is not if they are there are not there. She does not feel the issue is controllable with the gate.

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

Appearing before the board was Valentine Jastrabek. Ms. Jastrabek was sworn in by the board attorney. Ms. Jastrabek was against the new driveway on Pioneer Point Drive. She had no objection as to the building.

Mr. Collins indicated that if the applicant abandoned the driveway on East Shore, they would still need a Variance to access the property off of an improved Private Road. The applicant’s professionals have testified that the property is accessible for emergency vehicles.

At 8:35 P.M. a Motion was made by Mr. Dolan and seconded by Mr. Delima to take a 10 minute recess. All were in favor. The Motion was carried.

At 8:45 P.M. a Motion was made by Mr. Dolan and seconded by Mr. Gstattenbauer to reconvene the meeting.

Mr. Haggerty indicated that the applicant is willing to deed restrict the property to use the entry from Pioneer Point during winter months (6 months of the year). They will install a gate. They also agree to construct the driveway after the house has been built and no construction vehicles will be using Pioneer Point. They are also willing to install a berm on the property.

Several board members indicated that a 900’ driveway is not unusual in this area. They understand the applicant’s concern, however, it is not unusual.

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

Appearing before the board was Cynthia West. She indicated that Pioneer Point is a very narrow street and she witnessed a fuel delivery truck backing out because there was nowhere to turn around on that road. She sees not benefit for an emergency access through the applicant’s driveway.

Appearing before the board was Joanne Guerriero. She does not see any benefit for an emergency access through the applicant’s driveway.

Appearing before the board was Ms. Comerci. She does not see any benefit for an emergency access through the applicant’s driveway. She was also concerned about the drainage from the driveway.

There being no further public participation, a Motion was made by Mr. Delima and seconded by Mrs. Albanese to close this matter to the public. All were in favor. The Motion was carried.

A lengthy discussion was held with regard to the driveway access off of Pioneer Point Drive.

NEW APPLICATIONS CONT.

Judy Hundley & Mark Cummings – LUB 19-02 – Block 109, Lot 33 – 220 East Shore Culver Road - “C” Variance Cont.:

A Motion was made by Mr. Gstattenbauer and seconded by Mr. Delima to approve the “C” Variances requested of the applicant, with the exception of the second driveway which is denied. The applicant shall also install a landscape berm near the southwest corner of the property to direct the stormwater to the lake. Roll Call:

YES: 9 Gstattenbauer, Carney, Albanese, Tufaro, French, Dolan, Romania, Wingle, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

A Motion was made by Mr. Dolan and seconded by Mr. Wingle waive the Reading of the Resolution so the applicant can submit the building permit application at their own risk. Roll Call:

YES: 9 Gstattenbauer, Carney, Albanese, Tufaro, French, Dolan, Romania, Wingle, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

BOARD BUSINESS

Invoices:

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

YES: 9 Gstattenbauer, Carney, Albanese, Tufaro, French, Dolan, Romania, Wingle, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

Subcommittee

- 1) **Green Ordinance Committee:** Nothing to Report
- 2) **COAH Committee:** Nothing to Report
- 3) **Open Space Committee for Updates to LUB:** Nothing to Report
- 4) **Master Plan Committee:** Nothing to Report

BOARD BUSINESS CONT.

Correspondence:

The correspondence was reviewed. No formal action was taken.

Accessory Structure Ordinances – Hoop Structures:

Mr. Collins indicated that the Zoning Officer found that it is acceptable to have these hoop structures as an accessory structure because the modern ones are more durable. They must comply with all the accessory structure requirements. A lengthy discussion was held with regard to the type of structure and if the structure must be enclosed or not.

It was agreed to have paragraph “9” read as follows:

Arch, hoop or clamshell storage structures are permitted as accessory structures subject to all of the other standards applicable to this section of the code. They may be construction of metal or wood materials, durable plastic or tightly woven fabric that stands strong against the elements, resists tearing and leaking and shall remain maintained in good sound condition. The structure must be enclosed on all sides and the roof.

A Motion was made by Mr. Carney and seconded by Mr. Gstattenbauer to approve the Accessory Structure Ordinance with the changes discussed this evening and forward same to the Township Committee for their review and adoption. Roll Call:

YES:	9	Gstattenbauer, Carney, Albanese, Tufaro, French, Dolan, Romania, Wingle, Delima
NO:	0	
ABSTAIN:	0	

The Motion was carried.

Sign Ordinance:

Mr. Pellow indicated that he has drafted an Ordinance, but it can be carried to the next regular meeting of the Land Use Board.

Annual Review of the Land Use Board Applications – 2018:

The Board reviewed the Resolution for the Annual Review of the Land Use Board Applications for 2018. A Motion was made by Mr. Dolan and seconded by Mrs. Tufaro to approve the Annual Review of the Land Use Board Applications for 2018 and to forward same to the Township Committee indicating that no Ordinance changes are required. Roll Call:

YES:	8	Gstattenbauer, Albanese, Tufaro, French, Dolan, Romania, Wingle, Delima
NO:	0	
ABSTAIN:	1	Carney

The Motion was carried.

Frankford Township Land Use Board
March 27, 2019 Minutes
Page 12 of 12

ADJOURN:

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

Respectfully submitted,

SHARON M. YAROSZ
Land Use Administrator