

**FRANKFORD TOWNSHIP LAND USE BOARD
JANUARY 8, 2020 – 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: Nicholas Civitan, as a Class I, Mayor Designee Member of the Land Use Board; Ann Bell, as a Class II Member of the Land Use Board; Ed Risdon, Jr., as a Class III Member of the Land Use Board; Richard Wingle, as a Class IV Member of the Land Use Board; Arthur Pierson, as a Class IV Member (Alternate #1) of the Land Use Board; Ty Kobis as a Class IV Member (Alternate #2) to fill a 1 year term of the Land Use Board; David Delima, as a Class IV Member (Alternate #3) of the Land Use Board; and Marcantonio Macri Class IV Member (Alternate #4) to fill a 1 year term of the Land Use Board.

ATTENDANCE:

Those Present were: Mr. Gstattenbauer, Mr. Civitan, Mrs. Bell, Mr. Risdon, Mr. Wingle, Mrs. French, Mr. Dolan, Mr. Romania, Mr. Pierson, Mr. Kobis, Mr. Delima and Mr. Macri. Also present were Mr. Collins, the board attorney, and Mr. Pellow, the Board Engineer.

Those absent: Mrs. Albanese (excused).

REORGANIZATION:

Chairperson: Mr. Risdon nominated Mr. Romania as Chairperson for 2020. This nomination was seconded by Mr. Gstattenbauer. There were no further nominations. The Nominations were closed. Roll Call for Mr. Romania as Chairperson for 2020:

YES: 11 Gstattenbauer, Civitan, Bell, Risdon, Wingle, French Dolan,
Pierson, Kobis, Delima, Macri

NO: 0

ABSTAIN: 1 Romania

The Motion was carried.

Mr. Jay Romania is the Land Use Board Chairman for 2020.

Vice Chairperson: Mr. Risdon nominated Mr. Gstattenbauer as Vice-Chairperson for 2020. This nomination was seconded by Mr. Delima. There were no further nominations. The nominations were closed. Roll Call for Mr. Gstattenbauer as Vice Chairman for 2020:

YES: 11 Civitan, Bell, Risdon, Wingle, Dolan, French, Romania, Pierson,
Kobis, Delima, Macri

NO: 0

ABSTAIN: 1 Gstattenbauer

The Motion was carried.

Mr. Wolfgang Gstattenbauer is the Land Use Board Vice-Chairman for 2020

**Frankford Township Land Use Board
January 8, 2020 Minutes
Page 2 of 9**

REORGANIZATION CONT.:

Board Attorney: Mr. Risdon nominated Thomas Collins, Esq. of the firm Vogel, Chait, Collins and Schneider as Board Attorney for 2020. This nomination was seconded by Mr. Delima. 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 2020:

YES: 12 Gstattenbauer, Civitan, Bell, Risdon, Wingle, French, Dolan,
Romania, Pierson, Kobis, Delima, Macri

NO: 0

ABSTAIN: 0

Thomas Collins, Esq. of the firm Vogel, Chait, Collins and Schneider is the Land Use Board Attorney for 2020.

Board Engineer and Board Planner: Mr. Risdon nominated Harold Pellow, PE of Harold Pellow & Associates, Inc. as Board Engineer and Board Planner for 2020. 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 2020:

YES: 12 Gstattenbauer, Civitan, Bell, Risdon, Wingle, French, Dolan,
Romania, Pierson, Kobis, Delima, Macri

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 2020.

Board Secretary: Mr. Risdon nominated Sharon M. Yarosz as Board Secretary for 2020. The nomination was seconded by Mr. Delima. There were no further nominations. The nominations were closed. Roll Call was taken for Sharon Yarosz as Land Use Board Secretary for 2020:

YES: 12 Gstattenbauer, Civitan, Bell, Risdon, Wingle, French, Dolan,
Romania, Pierson, Kobis, Delima, Macri

NO: 0

ABSTAIN: 0

The Motion was carried.

Sharon M. Yarosz is the Land Use Board Secretary for 2020.

It was also noted that this was the 50th year that Mr. Pellow has been appointed Engineer to Frankford Township. He appreciated the board nominating him again. The board congratulated and thanked Mr. Pellow for his years of service.

**Frankford Township Land Use Board
January 8, 2020 Minutes
Page 3 of 9**

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 2020. This nomination was seconded by Mr. Dolan. 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 2020:

YES: 12 Gstattenbauer, Civitan, Bell, Risdon, Wingle, French, Dolan,
Romania, Pierson, Kobis, Delima, Macri

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 2020.

Meeting Dates: Mr. Risdon made a motion which was seconded by Mr. Gstattenbauer to approve the second and fourth Wednesday of each month for all regular meetings for the Land Use Board in 2020 and which meetings will begin at 7:00 p.m. with the exception of November 23, 2020, which is a Monday Due to the Thanksgiving Holiday. The meeting dates are as follows:

January 8, 2020
January 22, 2020
February 12, 2020
February 26, 2020
March 11, 2020
March 25, 2020
April 8, 2020
April 22, 2020
May 13, 2020
May 27, 2020
June 10, 2020
June 24, 2020
July 8, 2020
July 22, 2020
August 12, 2020
August 26, 2020
September 9, 2020
September 23, 2020
October 14, 2020
October 28, 2020
November 11, 2020
November 23, 2020 (Monday Due to Thanksgiving)
December 9, 2020
December 23, 2020

The reorganization meeting for 2021 will be held on January 13, 2021 at 7:00 p.m. The regular meeting of the Frankford Township Land Use Board held on January 13, 2021 at 7:00 will follow the re-organization meeting.

Roll Call:

YES: 12 Gstattenbauer, Civitan, Bell, Risdon, Wingle, French, Dolan,
Romania, Pierson, Kobis, Delima, Macri

NO: 0

ABSTAIN: 0

The Motion was carried.

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.

Mr. Pellow was sworn in by the Board Attorney as an expert witness for the board for all hearings before the board for 2020.

REGULAR MEETING:

MINUTES

The Minutes of the December 11, 2019 Land Use Board Regular Meeting were reviewed. A Motion was made by Mr. Delima and seconded by Mr. Kobis to approve the Regular Meeting Minutes of the Land Use Board for December 11, 2019. All were in favor, except Mrs. Bell, who abstained. The Motion was carried.

BOARD BUSINESS

Subcommittee Appointments by the Board Chairman

- 1) **Green Ordinance Committee:** Maria Albanese, Dave Delima, Wolfgang Gstattenbauer
- 2) **COAH Committee:** Wolfgang Gstattenbauer, Maria Albanese, Sharon Yarosz
- 3) **Open Space Committee for Updates to LUB:** Mike Dolan, Dana French, Wolfgang Gstattenbauer
- 4) **Master Plan Committee:** Maria Albanese, Wolfgang Gstattenbauer, Jay Romania, Nick Civitan or Ed Risdon, and Marcantonio Macri, alternate

There were no new reports from any of the sub committees.

REGULAR MEETING CONT.

CARRIED APPLICATIONS

Charles & Carol Ann Daley – LUB 19-17 – Block 142, Lots 2 & 3 – 51 Lower North Shore Road – “C & “D” Variances:

Mr. Civitan and Mr. Risdon stepped down from this application and left the meeting.

Appearing before the board was the applicant, Charles Daley and his applicant's attorney, William Haggerty. Mr. Daley was sworn in by the board attorney.

The application was deemed complete by Mr. Pellow, Mr. Collins and the board.

Mr. Haggerty indicated that this application involves a single family home on North Shore Culver Lake. The applicant's would like to construct an addition. The lower level would be a 2 car garage. The upper level would be more open space for the family. A good portion of the addition will be built upon the existing driveway (impervious coverage). Mr. Daley indicated that they moved from their primary home to this residence, which was a summer home. He would like to have a garage. The home does not have a basement or an attic. The second floor he proposes to use it as a home office and some storage. He does not intend to make this room a bedroom. The existing house has 3 bedrooms and the house will remain 3 bedrooms. The architectural plans label this room as a family room.

Mr. Haggerty indicated that they will need a Floor Area Ratio (FAR) Variance. The FAR will go from 12% to 23% and 15.8% is required. Mr. Pellow indicated that the total square footage increase is 1,603 square feet. Mr. Haggerty indicated that within the area, there are FAR's of 21%, 22%, 28%, 23% and 61% all within 200' of the applicant's property. There are some FAR's that are less, but they are on larger lots, i.e. 14% and 8.2%. Therefore, this property will be in keeping with the neighborhood with regard to FAR.

Mr. Pellow indicated that they will also need the Side Yard Variance, which is not shown, but it is less than 15' and a Front Yard Setback Variance where they are proposing 21'2" setback, where 35 feet is required. Mr. Haggerty indicated on the revised map it shows 4.2' setback on the right side yard, where 15 feet is required. Mr. Pellow indicated that the architect indicated that the required setback is 17' and it should state 15'. They also need a variance for Lot Coverage, where 15% is allowed and they are proposing 35%. The front yard setback is not changing and is a pre-existing condition, where 35' is required and 21.6' is proposed and currently exists.

Mr. Haggerty indicated that the driveway will not change. Mr. Pellow indicated that there are no elevations given in the area of the proposed addition and paving to determine grading limits. This should be submitted. Mr. Pellow indicated that he needs to see the grades behind the addition and on the side. He is sure they will need a wall. This wall needs to be shown. Mr. Pellow indicated that it may need a landscaping plan around the new addition depending on the grade.

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

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

REGULAR MEETING CONT

CARRIED APPLICATIONS CONT.

Richard Wingle – LUB 19-18 – Block 1, Lot 2.03 – 753 County Route 565 – Final Site Plan cont.:

d) Need copy of Thermoplastic striping ticket. Mr. Pellow indicated that the applicant put latex striping and it should have been thermoplastic. Mr. Pellow indicated that they can bond this because Thermoplastic has to be put down when it is 40 degrees. This can be done in the spring.

e) The resolution does not indicate that the rear parking lot is not to be paved; therefore, it should be paved. Mr. Pellow indicated that he made a mistake and there was a variance not to pave this lot in the Resolution.

Paragraph 4: Lighting:

a) Has to be checked by our office at night to determine conformance with the approved plan.

b) Four (4) lights were approved at the rear of the building and five (5) were installed. Need to check as per 4(a) above. Mr. Pellow indicated that 5 lights are ok because it is dark in the back of the building.

Paragraph 5: Landscaping:

a) The three (3) trees at the Northwest side of the building were to 1 ½” caliper—they are smaller. Mr. Wingle indicated that they have been replaced.

b) The large sign on CR 565 was to be landscaped but hasn't been. Some landscaping has been provided in the back. Our office will come up with a revised plan. This will be done in the spring. Mr. Wingle agreed.

Paragraph 6: Stormwater. The basin is satisfactory from a visual standpoint. Mr. Pellow indicated will check it during a rainstorm.

Paragraph 7: Miscellaneous:

a) There is a lot of debris along the southerly and westerly sides of the rear parking lot, which shall be removed. Mr. Wingle indicated that this has been removed.

b) Need County final site plan approval. Final plan was submitted to the County during November 2019.

d) There is major earth-moving equipment near the building. Need a plan for what is happening there. Mr. Pellow indicated that the equipment is on site for Phase II of the project.

e) A lot of grading took place on Lot 2.01, Block 1 during the past year. Mr. Wingle indicated it was actually the property next door to him. He rented his machines to him to bring fill into his property.

Mr. Pellow indicated if Mr. Wingle needs to operate at this location, he will need to post a bond for the striping and the landscape plan because this cannot be done until the spring. Mr. Wingle agreed.

REGULAR MEETING CONT

CARRIED APPLICATIONS CONT.

Richard Wingle – LUB 19-18 – Block 1, Lot 2.03 – 753 County Route 565 – Final Site Plan cont.:

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

A Motion was made by Mrs. French and seconded by Mr. Dolan to approve the Final Site Plan submitted by the applicant for Phase I of the project subject to the conditions in Mr. Pellow's report and the applicant complying with the landscape plan and thermoplastic line striping. Roll Call:

YES: 9 Gstattenbauer, Bell, French, Dolan, Romania, Pierson, Kobis,
Delima, Macri

NO: 0

ABSTAIN: 0

The Motion was carried.

Mr. Wingle returned to the meeting.

BOARD BUSINESS CONT.

Invoices:

A Motion was made by Mr. Dolan and seconded by Mrs. French to approve the January, 2020 Invoices on the Bill list attached hereto and made a part hereof. Roll Call:

YES: 10 Gstattenbauer, Bell, Wingle, French, Dolan, Romania, Pierson,
Kobis, Delima, Macri

NO: 0

ABSTAIN: 0

The Motion was carried.

ADJOURN:

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

Respectfully submitted,

SHARON M. YAROSZ
Land Use Administrator