

MINUTES

DRAFT

JULY 17, 2012

BOARD OF ADJUSTMENT

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Vice-Chairman, Mrs. Raimer, called the meeting to order at 8:00 P.M.

She then read the following statement:

Adequate notice of this meeting has been provided by posting a copy of the public meeting dates on the municipal bulletin board, by sending a copy to the Courier News and Echoes Sentinel and by filing a copy with the Municipal Clerk, all in January, 2012.

PLEDGE OF ALLEGIANCE

ROLL CALL

On a call of the roll the following were present:

Sandi Raimer, Vice Chairman
Christopher Collins, Member
John Fagnoli, Member
Edwin F. Gerecht, Jr., Member

Richard Keegan, 2nd Alternate

Barry Hoffman, Bd. Attorney
Thomas Lemanowicz, Bd. Engineer
Dawn Wolfe, Planning & Zoning Administrator

Excused: E. Thomas Behr, Chairman
Maureen Malloy, Member
Felix Ruiz, Member

Michael Pesce, 1st Alternate

Kevin O'Brien, Twp. Planner

X X X X X X X X X X X X

EXECUTIVE SESSION

Mrs. Raimer said that there is a discretionary item which calls for an executive session *if deemed necessary* and called for a motion to enter the same.

Mr. Collins made a motion to enter executive session at 8:04 P.M. which was seconded by Mr. Gerecht.

The Board re-entered public session at 8:12 P.M.

APPROVAL OF MINUTES

The minutes of March 6, 2012 were approved as written on motion by Mr. Fagnoli and seconded by Mr. Collins. Mr. Gerecht abstained as he was not present at that meeting.

PROCEDURAL DISCUSSION

STIRLING LIBRARY, LLC

91 Central Avenue
Block 13103, Lot 6

#07-03Z

**Status Update of
Condition 2(d)**

Mr. Hoffman said that, at present, the applicant is seeking that this discussion/consideration of their underlying request be deferred until a later date. He further explained that, at the time the original approval was granted (approximately 5 years ago), the Board indicated that it was not going to require that a parking lot be installed/constructed on the property and instead decided to wait to determine if a parking lot is really necessary before requiring disturbance of that much land depending upon the full occupancy of the building when it could be better determined at that point in terms of the impact it might have on the area. He said that even since then, whenever it has come up, the Board has deferred the discussion/consideration of the matter because the building has *not* been fully occupied. In fact, he said that according to the most recent data supplied, it is *less* occupied than it was at the time of the original approval. He said that the question is whether the Board should continue to carry the matter on this basis or approve an amended version without any requirement to install the parking lot and the Board has simply carried the discussion to a later date and, in fact, the applicant has so requested in a recent letter to the Board.

Mrs. Raimer asked how we avoid having the matter carried in perpetuity. She asked if the Board, as part of its motion to grant the requested extension, state within the motion that at such later date (whether it be 18 months or when the building is fully occupied) that this shall be the last time that this matter be heard.

Mr. Hoffman said that there is a procedural “quirk” or element to it which is that the original approval said that the Board will carry it to some unspecified date to make that determination and will reconsider the whole underlying request upon notice to interested parties in accordance with the M.L.U.L. Therefore, the Board could not deal with it tonight.

Mrs. Raimer agreed, however she said that the Board could make the date that they extend it to (if the Board chooses to extend it) the date that is properly noticed for that purpose.

Mr. Hoffman agreed that the Board would have that ability so long as however it is handled that it all be done upon proper notice. He said that it would be amendment to the original approval saying that we hereby now release the applicant from any such obligation.

Mr. Collins said that he would not be in favor of that because, if it is fully occupied, they could fit a lot of spaces in the building. However, he was in favor of carrying it and creating some kind of plan to not have to deal with the matter every 6 months.

Mr. Gerecht recalled that, when the application was first heard, one of the Board’s major concerns was not blacktopping over grass and not creating additional impervious surface.

Mr. Hoffman agreed and said that there was a question even then as to the advisability of doing it or not doing it.

Mr. Gerecht agreed, but at the same time he said that the Board was very concerned with taking up street parking for that building and having a congested parking situation if, in fact, the need did arise. He said that he would be in favor of carrying the non-decision of it and not making a decision either way at this point because he would still like to see how full the building may get and if additional parking will be necessitated in the future.

Mr. Collins noted, since the applicant purchased the building, the parking needs appear to be less than when the building was occupied by the Stirling Library.

Mrs. Raimer made a motion to adjourn the proceeding again until 18 months from this month or until the building is substantially or fully occupied.

Mr. Gerecht seconded the motion.

A roll call vote was taken. Those in favor: Mr. Collins, Mr. Fagnoli, Mr. Gerecht, Mr. Keegan, and Mrs. Raimer. Those opposed: None.

X X X X X X X X

RESOLUTION OF MEMORIALIZATION

ANTHONY & KATHRYN BONTOMASE

149 North Avenue
Block 13003, Lot 2

#12-01Z

Bulk Variances

The Board of Adjustment memorialized the annexed Resolution of approval, as amended, for Anthony & Kathryn Bontomase (App. No. 12-01Z) on motion by Mr. Gerecht and seconded by Mr. Fagnoli.

A roll call vote was taken. Those in favor: Mr. Collins, Mr. Fagnoli, Mr. Gerecht, and Mr. Keegan. Those opposed: None.

X X X X X X X X

ANNOUNCEMENTS

Mrs. Raimer announced that the application of Robert & Martha Heinkel, Successors In Interest to Charles & Devorah Grunau (App. No. 09-09Z) is carried to August 7, 2012, *with* further notice.

X X X X X

As the cross-over appointee to the Planning Board, Mrs. Raimer gave the Board a quick update on what has been going on at the Planning Board level. She said that the Valley Road Business District Element was adopted on June 26, 2012.

Mrs. Wolfe added that today she received a clean copy of that Element and that it will be posted on the Township website shortly.

Mrs. Raimer said that there is also a discussion scheduled to take place about an off premises sign ordinance. She said that Mrs. Wolfe made copies for the Board of Adjustment members and, should any members wish to make comment(s), it will be considered by the Township Committee tomorrow evening.

As a final Planning Board update, Mrs. Raimer said that a subcommittee was formed to review fees and escrows. The subcommittee will consist of two appointees from the Planning Board and two appointees from the Board of Adjustment (who are Mr. Pesce and Mr. Collins). She said that the first meeting is scheduled to take place on July 23, 2012 and updates will be provided as they become available. She said that the goal is to possibly amend the current fee ordinance sometime in the fall, if all parties are amenable.

There being no further business, the meeting adjourned at 8:35 P.M.

DAWN V. WOLFE
Planning & Zoning Administrator

