

**BLAIRSTOWN TOWNSHIP  
LAND USE BOARD  
August 19, 2013**

**MINUTES**

The Blairstown Township Land Use Board met in a regular session on Monday, August 19, 2013, at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following members were present: Barbara Green, David Keller, Herman Shoemaker, Charles Anderson, Mike Repasky, Nick Mohr, Paul Avery, Debra Waldron, Andrew Smith, Harold Price, Dominic Daleo, and Brian Walsh. Jim Sikkes was absent. Also present were: Board Engineer, Ted Rodman, and Michelle Corbett-Rivielle, Esq. representing Board Attorney, Roger Thomas and Board Secretary, Marion Spriggs.

**SALUTE TO THE FLAG:** was recited.

**ROLL CALL:** was taken.

**THE SUNSHINE STATEMENT:** was read.

Meeting was called to order by Chairwoman Waldron, who stated:

“Adequate notice of this meeting of the Blairstown Township Land Use Board has been provided in accordance with the Open Public Meetings Act (Chapter 231.P.L. 1975)”.

**LAND USE BOARD DEADLINE DATES:**

Chairwoman Waldron declared that submission of information supporting applications must arrive at Town Hall **10 calendar days prior to meetings**. She explained this is an effort to give the Board members enough time to review the documents and requested this notice be read at each meeting.

**MINUTES OF PREVIOUS MEETING:** (As distributed prior to the meeting date).

Minutes of the July 15, 2013 Regular Meeting were approved as written.

**Action:** A motion was duly made by Mr. Keller, seconded by Mrs.Green to approve the July 15, 2013 Regular Minutes as written. Roll call vote: Green, Keller, Shoemaker, Anderson, Repasky, Avery, Waldron and Smith – yes. Mohr abstained.

**RESOLUTIONS:**

None

**COMPLETENESS:**

None

**PUBLIC HEARING:**

**LB#03-13 Robert Tramontin**, 107 Mt. Hermon Rd., Blk 1707, Lot 10.07, Bulk Vars. – car barn

Mr. Repasky stepped down for this application.

Mr. Ed Vasquez, Vasquez and Assocs., of Belvidere, contractor for the applicant was sworn in.

Mr. Robert Tramontin, Blairstown, NJ was sworn in.

Attorney Rivielle reviewed the Notice of Public Hearing.

Ted Rodman stated he wished to make one thing clear, the proposed building would be in the front of Mr. Tramontin's lot

Ted Rodman reviewed his report dated 8/16/13. Attorney Rivielle pointed out that Ted Rodman has provided a list of items that must be addressed.

Pitch of the roof was questioned, as were several other items.

Discrepancies were discovered in material submitted.

Attorney Rivielle explained there are standards to be met under the MLUL. Accurate testimony by professional experts and evidence must be put on the record for the 4 variances requested. She stated this will enable the Board to better understand what is being sought. She said this is not to be taken lightly. She suggested experts be hired.

Ted Rodman pointed out, with all due respect, that contractors are not really qualified to give the type testimony that is required.

**Action:** A motion was duly made by Mr. Shoemaker, seconded by Mr. Keller to carry **LB#03-13 Robert Tramontin**, 107 Mt. Hermon Rd., Blk 1707, Lot 10.07, Bulk Vars. – car barn, without further notice until September 16, 2013. Roll call vote: Green, Keller, Shoemaker, Anderson, Mohr, Avery, Waldron and Smith – yes.

**CORRESPONDENCE:**

None

**OTHER BUSINESS:**

**Accessory Structures**

Mr. Shoemaker reported that he received a call from Bill Seal requesting something be done about these structures. It was noted that a percentage of the footprint of the house allowable for such structures is already in place. He said Mr. Seal feels it creates an eyesore in some cases.

Chairwoman Waldron feels there needs to be a change in the way The Ordinance is written as there is an imbalance based on the size of the dwelling, regardless of the size of the lot.

Another problem the Board has seen in the past, is that residents turn the accessory buildings into a use, without the Board's permission. That is the problem Mr. Seal is personally encountering.

Ordinance 19-405E.5 **Parking of Large Vehicles on Residential Properties**

**Solar Ordinance** – review by Roger Thomas

**Darst #ZB04-10** – Compliance

Chairwoman Waldron revealed. in an attempt to review, if all criteria has been met for this application, she, Ted Rodman and Roger Thomas, Esq. will meet at Mr. Rodman's office on Tues. at 4 pm to discuss this application.

**North Warren Pharmacy Cell Tower**

Ted Rodman explained a temporary pole was implemented, to avoid loss of service to residents while the existing pole is modified to provide for additional antennae.

**NWRHS Solar Panels LB#05-12**

Ted Rodman reported that no drawing for landscaping or the berm has been provided yet. He will follow up on that.

He was visited by the Superintendent and associate about 3 weeks ago. Superintendant Fogelson was wondering why this was being held up.

Mr. Price requested that a letter be written to ascertain exactly when the plantings will be done in view of the fact that winter will soon be here. Chairwoman Waldron agreed to do so.

Ted Rodman will contact Ms. Waterbury, PP, PE for an update. He suggested the letter still be written.

### **Collocation of Wireless Equipment**

Mr. Shoemaker noted that the Twp. Committee stated re: **The Ordinance to Amend The Land Development Ordinance** pertaining to the above, SECTION 2. (2) Proposed collocation shall not increase (a) the overall height of the wireless communications support structure by more than 10% of the original height of the wireless communication support structure, they are not comfortable with something that is automatic. Ted Rodman responded by stating that is the State Statute.

### **Advance Auto (Lane Ent. LB#02-13) - Signage**

Ted Rodman stated that the Resolution, Condition #3, states the sign shall not extend higher than the top of the building. Their Exhibit A-1 shows the sign was above the top of the building. The applicant's understanding was that the sign included the lettering, not the background.

The drawing now presented to David Diehl, indicates it to be 2'8" above the building.

Mr. Repasky reminded the Board that he stated during the Hearing, the Exhibit was very misleading. He reviewed, that Roger Thomas, Esq. specifically stated the entire sign must be below the roof line. There is no misunderstanding there, he declared.

Mr. Mohr noted that there were numerous dimensional inconsistencies which their marketing company was to go back and revise.

Chairwoman Waldron pointed out, for the record, that Advance Auto testified that it uses a similar graphic in all their signs. She has seen several stores in the last couple of weeks with only letters and no backing.

Ted Rodman will return to the sign people and inform them they must comply.

Ted Rodman also pointed out there is an 11" curb which does not comply and is unsafe. He said it must be changed.

He also noted, that eventually they have agreed to pave the entire parking lot.

Ted Rodman pointed the new approved septic system is going in the parking lot.

**NEW BUSINESS:**

None

**PUBLIC PORTION:**

This portion of the meeting was opened to the public for comment. There was no public present at this time.

**VOUCHERS:**

**Action:** On a motion duly made by Mr. Mohr seconded by Mr. Avery, escrow and general vouchers, as attached to these minutes, were approved. Roll call vote: Green, Keller, Shoemaker, Anderson, Repasky, Mohr, Avery, Waldron and Smith – yes.

**ADJOURNMENT:**

Chairwoman Waldron asked the Board for a motion to adjourn.

**Action:** On a motion duly made by Mr. Keller seconded by Mr. Anderson, and unanimously carried, the meeting was adjourned at 8:39 pm.

Respectfully submitted,

Marion C. Spriggs, Board Secretary