

**BLAIRSTOWN TOWNSHIP
LAND USE BOARD
July 15, 2013**

MINUTES

The Blairstown Township Land Use Board met in a regular session on Monday, July 15, 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, Paul Avery, Debra Waldron, Andrew Smith, and Harold Price. Nick Mohr and Jim Sikkes were absent. Also present were: Board Engineer, Ted Rodman, and Board Attorney, Roger Thomas and Board Secretary, Marion Spriggs.

OATHS OF OFFICE:

Oaths of Office were administered to Dominic Daleo as Alternate #3, and Brian Walsh as Alternate #4.

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 June 17, 2013 Regular Meeting were approved as written.

Action: A motion was duly made by Mrs. Green, seconded by Mr. Anderson to approve the June 17, 2013 Regular Minutes as written. Roll call vote: Green, Keller, Shoemaker, Anderson, Repasky, Avery, and Waldron – yes.

RESOLUTIONS:

LB#01-13 Blair Academy, 2 Park St., Prelim. and Final Major Site Plan, Bulk & Use Vars. (Amended)

Roger Thomas noted the memorialization date and some minor, non-substantive changes, must be made. He will provide them in the near future. He explained this would not hinder the Board from taking action at this time.

Action: A motion was duly made by Mr. Keller, seconded by Mr. Repasky to approve **LB#01-13 Blair Academy**, 2 Park St., Prelim. and Final Major Site Plan, Bulk & Use Vars. (Amended) modified, Resolution. Roll call vote: Keller, Anderson, Repasky, and Waldron – yes. Green, Shoemaker, and Avery abstained.

LB#02-13 Lane Enterprises LLC, Block 903, Lot 3.01, 128 Rt. 94, Minor Site Plan (Amended PB04-08), Bulk Var.

Action: A motion was duly made by Mr. Shoemaker, seconded by Mr. Repasky to approve **LB#02-13 Lane Enterprises LLC**, Block 903, Lot 3.01, 128 Rt. 94, Minor Site Plan (Amended PB04-08), Bulk Var. Roll call vote: Green, Keller, Shoemaker, Anderson, Repasky, Avery, and Waldron –yes.

COMPLETENESS:

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.

Charles Anderson indicated, for the record, that he worked for Mr. Tramontin 10 years ago. He indicated that he has not worked for Mr. Tramontin since that time. He agreed that he could hear this matter without any pre-conceived disposition. Roger Thomas noted that this is more than enough time not to cause a conflict.

Mr. Shoemaker disclosed that Mr. Tramontin purchased his home from Mr. Shoemaker 35 years ago. He agreed he has no pre-conceived disposition on this matter. Roger Thomas noted this does not create a conflict.

Ted Rodman stated this is an application for an accessory building 76'x 30' which exceeds the limit % of the principal building. He revealed there are also possibly 3 other variances.

He noted there are 3 items for Completeness: no key map, streets are shown but not labeled, no addresses of adjoining property owners. He commented a Key Map would've been helpful. He revealed a separate sheet with the Tax Map was submitted as a substitute.

Mr. Ed Vasquez, contractor for the applicant, agreed to have it for the next meeting. Mrs. Waldron reminded him this is needed 10 calendar days before the next meeting.

Ted Rodman recommends those 3 items be waived. He recommended finding the application Complete.

Mr. Shoemaker pointed out that Mr. Tramontin's name is spelled incorrectly by the Architect.

Action: A motion was duly made by Mr. Avery, seconded by Mr. Anderson to deem **LB#03-13 Robert Tramontin**, 107 Mt. Hermon Rd., Blk 1707, Lot 10.07, Bulk Vars. – car barn Complete, granting the above waivers. Roll call vote: Green, Keller, Shoemaker, Anderson, Avery, Waldron, Smith, Price and Daleo –yes.

Roger Thomas pointed out that Notice must be provided for the August 19, 2013 meeting.

PUBLIC HEARING:

None

CORRESPONDENCE:

None

OTHER BUSINESS:

Wireless Communication Equipment

Roger Thomas noted at the last meeting there was a discussion re: amended Section 46.2 of the MLUL. This deals with wireless communication equipment. He reviewed that he sent a letter to the Board members at that time.

It was agreed amendments to that Ordinance were in order. One proposal is to amend Sec. 901-(a), for a fee of \$500. as escrow, so taxpayers don't incur the expense. The second proposal is, a new site plan for adding additional antennae, is not required if the carrier meets all qualifications. As a result, he proposes adding Sec. (10) to **SECTION 2.** to Blairstown's existing Ordinance.

He explained the details for the newly sworn in members this evening.

He pointed this Board does not have authority to change the Ordinance but rather, can recommend to Twp. Committee, suggested, proposed changes.

Action: A motion was duly made by Mr. Keller, seconded by Mr. Shoemaker to recommend adoption by Twp. Committee of the above-suggested revisions to Chapter 19 of Blirstown Twp.'s Land Use Ordinance. Roll call vote: Green, Keller, Shoemaker, Anderson, Repasky, Avery, and Waldron – yes.

Roger Thomas will write a letter to Twp. Committee regarding this.

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

An adjustment to the Ordinance was discussed. Roger Thomas pointed out this was referred to the Land Use Board by the Township Committee. He will look at the Ordinance in attempt to make things consistent. He hopes to have a suggested change available for discussion at the August 19, 2013 meeting. It would then be referred to Township Committee.

Solar Ordinance – review by Roger Thomas

Roger Thomas will get a copy of the State Model Ordinance. He will provide a copy of it, in advance, for discussion next month.

He thinks our existing Ordinance takes the new changes to the Statute into account.

Darst #ZB04-10 – Compliance

Ted Rodman had met with the applicant's engineer, did a site inspection, and took pictures. They reviewed the conditions of the Ordinance.

Mr. Miller, the applicant's engineer, is presently on vacation, so it could not be finished up today. A report will be prepared next month.

He stated there are also some revisions, with which, they will come to the Board in the future.

Mrs. Waldron, Chairwoman summarized the history of this application for the new board members. She requested copies of the Resolution be provided for them.

North Warren Pharmacy Cell Tower

Ted Rodman explained the recent activity on that site. He stated some antennae inside the existing flagpole cell tower are being replaced. To avoid loss of service, a temporary pole was constructed. This was only to be there for 1 month. There are 3 carriers in the pole.

David Diehl has issued a temporary permit to facilitate getting them in and out quickly.

Mr. Shoemaker revealed that was 3 weeks ago. He expressed concern for action being taken only after the applicant is caught.

Ted Rodman will relay the message to them tomorrow.

NWRHS Solar Panels LB#05-12

Ted Rodman noted the berm is going to be extended. 2 weeks ago the applicant's engineer contacted Dr. Fogelson. They are in the process of getting revised drawings showing the berm and the additional plantings going in the front.

Ted Rodman said a temporary CO has been issued just to test it out.

Mrs. Waldron explained the berm to the new board members. It was always a requirement, in addition to the fence.

NEW BUSINESS:

None

PUBLIC PORTION:

This portion of the meeting was opened to the public for comment. There were no questions or comments by the public.

VOUCHERS:

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

ADJOURNMENT:

Chairwoman Waldron asked the Board for a motion to adjourn.

Action: On a motion duly made by Mr. Anderson seconded by Mr. Avery, and unanimously carried, the meeting was adjourned at 8:13 pm.

Respectfully submitted,

Marion C. Spriggs, Board Secretary