

**BLAIRSTOWN TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

June 9, 2009

MINUTES

The Blairstown Township Board of Adjustment met in regular session on Tuesday, June 9, 2009 at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following Board members were present: Lois Brod, Philip Rivera, Barbara Green, Andrew Straut, Mark Ohannesian, Mike Repasky, Debra Waldron and Joe DiGrazia. Charles Anderson was absent. Also present were Board Attorney, Roger Thomas, Board Engineer, Ted Rodman and Board Secretary, Marion Spriggs.

SALUTE TO THE FLAG: was recited.

ROLL CALL: was taken.

THE SUNSHINE STATEMENT: was read aloud.

MINUTES: (As distributed prior to the meeting date).

Minutes of March 10, 2009 Regular Meeting

Action: A motion was duly made by Mrs. Brod, seconded by Mrs. Green, to approve the minutes of the March 10, 2009 meeting, as corrected. Roll call vote: Brod, Green, Straut, Ohannesian, Repasky and DiGrazia - yes. Waldron and Rivera – abstained.

RESOLUTIONS:

None

COMPLETENESS:

Blair Academy ZB#02-09, Block 906, Lot 7, Block 905, Lot 12/44 2 Park St., Blairstown, NJ 07825- Final major site plan

Mrs. Green stepped down on this matter.

Ted Rodman, Township Engineer, recommended, since this is an amendment to the previous application which already has been deemed complete, that the completeness applies to this application also.

Action: A motion was duly made by Mrs. Waldron, seconded by Mr. Straut, to deem **Blair Academy ZB#02-09**, Block 906, Lot 7, Block 905, Lot 12/44, 2 Park St., Blairstown, NJ 07825

Final major site plan, complete. Roll call vote: Brod, Straut, Ohannesian, Repasky, Waldron and DiGrazia – yes. Rivera – abstained.

PUBLIC HEARING:

Blair Academy ZB#02-09, Block 906, Lot 7, Block 905, Lot 12/44, 2 Park St., Blairstown, NJ 07825- Final major site plan

Kevin Hahn, Esq., from Courter, Kobert & Cohen, represented the applicant. He stated the applicant will look forward to starting Phase III around this time next year.

James Frick, of Blair Academy, was sworn in.

Mr. Frick explained approval was granted for the entire project, which was broken into phasing. Phase I included fields and track, and the loop road. Phase II was adding onto, and renovating the existing athletic building. Phase III, for which approval is being sought, would take the interior road portion of the Academy and transform it into a pedestrian walkway. This would be done to eliminate a tight situation created by the traffic going through the middle of the campus between the buildings. Emergency access to the buildings will still be maintained.

Mr. Frick stated this phase will be put off until next summer, when activity is down and the students are gone. It is expected to be done before the students return. He indicated this will take 3 months. Funds must be raised to enable the start of work.

Ted Rodman noted Phase III was originally included in Phase II. He stated approval for Phase II was not obtained, as that never got finished. He concluded this will clean-up that paperwork. Approval for Phase II will be obtained.

Currently, the road is maintained and there is still access through campus.

Roger Thomas indicated that no extensions would be needed since this is a Preliminary and Final Major Site Plan. The Final has a life of 2 years, with 3 one-year extensions. If this is to be approved, a total of 5 years would be granted to complete this project.

Roger reviewed the conditions written in Ted Rodman's report of 6/5/09. Mr. Frick stated that Blair Academy has no problem with the conditions.

At this time, Chairman DiGrazia, opened this section of the hearing to the public. No one from the public was in attendance. Henceforth, this section was closed.

Action: A motion was duly made by Mrs. Waldron, seconded by Mrs. Brod to approve Phase III of **Blair Academy ZB#02-09**, Block 906, Lot 7, Block 905, Lot 12/44, Preliminary and Final Major Site Plan, pursuant to conditions 3, 4, and 5 of Ted Rodman's report of 6/5/09. Roll call vote: Brod, Rivera, Straut, Ohannesian, Repasky, Waldron and DiGrazia – yes.

CORRESPONDENCE:

Minutes from 2/16/09 Planning Board Meeting

Minutes from 3/16/09 Planning Board Meeting

NJ Planner Mar./ Apr. 2009

R. Thomas ltr 3/17/09 to Clk. Sup Ct. re: Answer to Complaint VERIZON WIRELESS

R. Thomas ltr 4/7/09 to John Chacko, Clk. Sup Ct. NJ – DARST re: Request 30 day extension

R. Thomas ltr 5/27/09 to ZB Mbrs. w/ Order & Decision - **Last Frontier-ZB#02-06**

OTHER BUSINESS:

Darst Status – ZB#02-05

Roger Thomas reported there is no information on this ongoing matter. He doesn't know when the argument will go to the Appellate Division, possibly within 2 or 3 months.

Last Frontier – ZB#02-06

Judge O' Connor indicated in her final Decision, that the Board's action was appropriate, not arbitrary and capricious, and upheld the Board's action. Roger Thomas explained that the applicant has the right to appeal.

Roger Thomas declared that if the Board members decide to visit a site to make observations, they should report it for the record. Roger Thomas explained, this does not mean it has to be written. He added, a member's reporting, does not make the Board member a witness.

Roger Thomas offered, if the Board desires, he will be glad to provide language to be used in an Affidavit to be completed by a Board member who visits an application site. He stated that by filing the application, there is an implication that the Board members may visit the site.

The Judge declared that the Township Engineer should be sworn in at Hearings. Roger Thomas indicated in the future, when Ted Rodman presents his opinion, he will be sworn in.

Verizon/All Walnut Valley – ZB#05-08 aka /"Cellco"

Roger Thomas reported this matter is a long way off. He received the brief and awaits the transcript.

Omnipoint Wireless ZB#08-08 – Ted Rodman Report 4/14/09

Ted Rodman, explained that all the conditions have been satisfied. He recommends that the zoning permit be issued, since all taxes are currently paid.

NEW BUSINESS:

None

BOA Minutes 6/9/09

PUBLIC PORTION:

There were no comments from the public.

VOUCHERS: Professional services rendered.

Action: On a motion duly made by Mrs. Waldron, seconded by Mrs. Brod, escrow and general vouchers, as attached to these minutes, were approved. Roll call vote: Brod, Rivera, Green, Straut, Ohannesian, Repasky, Waldron and DiGrazia - yes.

ADJOURNMENT:

The Chairman asked the Board for a motion to adjourn.

Action: On motion duly made by Mrs. Waldron, seconded by Mr. Straut, and unanimously carried, the meeting was adjourned at 8:09 PM.

Respectfully submitted,

Marion C. Spriggs
Board Secretary