

CALL TO ORDER and state meeting is open to the public in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

FLAG SALUTE

ROLL CALL:

MINUTES: February 26, 2009

A motion to approve the minutes of the February 26, 2009 regular meeting was made by Mr. Luthman. It was seconded by Mr. Hahn and passed with a roll call vote. Ayes: Luthman, Randazzo, Corcoran, Hahn, Straub, Leuthe, Taylor, O'Leary.

AUDIENCE:

Mr. O'Leary opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

OLD BUSINESS:

1.) Ridgeline Protection Ordinance

Mr. David Banisch, PP addressed the Board and gave his qualifications which were acceptable to the Board. He discussed the ridgeline ordinance in Long Valley, NJ which had been challenged in court. He felt his ordinance would be defensible.

Mr. Banisch went through his memo dated 9-15-09 entitled Draft Ridgeline Protection Ordinance. He said the intent of the ordinance is to protect community character. He said the town will need ridgeline protection and side slope protection as well.

Mr. O'Leary requested Municipal Land Use Law provisions be stated in the purpose.

Mr. Banisch will come back to the Board with a color G.I.S. modeling of the view from the roadways.

There was a discussion on why the 640 foot elevation number was being used.

Mr. Banisch will look at the current definitions and see if they need to be updated or replaced.

There was a discussion on the need for a certificate of compliance for existing lots. Mr. Banisch suggested a procedure application fee or application procedure. Mr. Duvneck supported the idea.

There was a discussion on the need for a conservation easement. Mr. Clark said the Board can require a buffer so long as it does not take up a lot of the land.

Mr. Taylor asked how the Right to Farm Act comes into play with the proposed ordinance. There was a discussion on the farming of the properties in the proposed ridgeline area.

The Board discussed the sighting of a house in the protection area. Mr. Fette suggested criteria to dictate architectural design standards.

Mr. Luthman felt the existing area should not be reforested. Mr. Randazzo expressed a concern with a house sitting in the middle of a hay field. Mr. Banisch agreed the ordinance should have standards so everyone understands it. The Board will consider the issues of hayfields verse plantings. Mr. Banisch also suggested the regulating of the building height to which the Board agreed.

There was a discussion on building placement. Mr. Banisch suggested slope protections and limit the amount of grading. Mr. Banisch said he will look at design standards and will comment on it to the Board at the next meeting.

Mr. O'Leary opened the meeting to the public. With nobody from the public coming forward, the meeting was closed to the public.

Mr. Leuthe asked Mr. Banisch to keep the Board updated on his billing against the budget.

2.) Signs

The Board discussed the types of signs allowed in the residential zone. The Board agreed to exempt Farm Preservation signs from the permitting process.

The Board discussed and agreed that a business should be allowed to post a sign sponsoring a charity event. The Board was advised that it could not control content. The Board was in favor of requiring a permit for a temporary charity sign however no fee would be charged.

Ms. Clark said he would look into real estate signs and how the Board can control them.

There was a discussion on the termination of a sign in connection with the termination of the use.

The Board felt section 13-18.7 of the ordinance should be removed and 13-19 should be updated.

There was a lengthy discussion on temporary signs.

Mr. O'Leary opened the meeting to the public. Mr. Nick Corrado, owner of the Lafayette Center Mall approached the Board. He said he owns malls in Bergen County as well. He was opposed to regulations and felt a "sale" sign is important for a business owner. He said the Dunkin Donuts flags that the ordinance does not allow can be found in some very high class areas. He said the town is looking at a burned building on Route 15 and nothing is done about that. Mr. Clark asked Mr. Corrado if what he was seeking was to allow some sort of smaller signs advertising a sale to allow the business owner to compete. Mr. Corrado said signs should be a decent size so it can be read by passing traffic. Mr. O'Leary said the Board will revisit the sign issue of multiple tenant buildings.

Ms. Tracey Williams said she owns the Chocolate Parfait candy store in Olde Lafayette Village and has been there over 25 years. She said signage works and newspapers don't. She felt Olde Lafayette Village needs a big sign. Customers can't see she is there from the road. She said she needs all of the help she can get with the economy the way it is. She felt the stores were forced to put out the signs on Route 94 and 15.

Mr. Fette the Board that Olde Lafayette Village is under contract for sale. He had spoken to the prospective owner and said he should consider one sign with all of the stores listed on it. He felt the small signs snowball and look bad all over the lawn.

Mr. Luthman noted the landlord of Olde Lafayette Village was allowed to come before the Board for a sign. He said they did not want to put up a sign.

Ms. Barbara Lamer suggested the Board consider allowing temporary signs to be put up only during business hours.

With nobody else coming before the Board, the meeting was closed to the public.

Mr. Clark said he will make some suggestions for the revision of the ordinance and with that the matter was carried to next month's workshop meeting.

NEW BUSINESS:

1.) COAH Resolution

Mr. Corcoran reported that Nouvelle Associates still wants 350 residential units on their property. He said mediation is terminated with Nouvelle Associates. He said the town is possibly making adjustments with COAH regarding the Nouvelle site. He said the Township needs to stay in COAH's protection. He reported there are 13 farms in Farmland Preservation totaling about 1200 acres. He said CMX is doing an analysis to see if this land was included in the COAH projection numbers.

2.) H2M Bills

Mr. O'Leary said he received an email from Mr. Jeff Marsden of H2M asking why there were outstanding bills. There was a discussion on the H2M bills and the letter the Board Secretary had sent to H2M regarding their outstanding bills. The Board Secretary will forward a copy of the letter sent to H2M to Mr. Marsden.

RESOLUTIONS: None.

ORDINANCES:

1.) Amendment to Chapter 12-21 day submission requirement 12.5.1

This ordinance was adopted on September 1, 2009 by the Township Committee.

TRC REPORT: None.

ZONING REPORT:

Mr. Fette said he met with three representatives from the firm which was looking at purchasing Olde Lafayette Village. He said they discussed the sign issue, siding, the maintenance shed, the need for CCO inspections, litter, paving of the parking area and general cleanup of the property. He requested an updated tenant list from them if they move forward with the purchase.

Mr. Fette advised the Board he issued a violation to the property owner on Route 15 with the RV parked on it. He said he will follow up with a violation to the RV owner.

BILLS: None.

EXECUTIVE SESSION: None.

CORRESPONDENCE:

1.) Zoning Practice – Plan Consistent TDR

ADJOURNMENT

A motion to adjourn was made by Mr. Hahn. It was seconded by Mr. Randazzo and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Land Use Board Secretary