

CALL TO ORDER

The Board Secretary called the meeting to order and stated it was open to the public in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

FLAG SALUTE

ROLL CALL: **Members Present:** Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary, Leuthe (8:03pm).

Members Absent: None.

Also Present: Ursula Leo, Esq.
Nevitt Duveneck, PE

REORGANIZATION:

1.) Chairperson of the Land Use Board for the year 2011

A motion to appoint Mr. O'Leary as Board Chair for the year 2011 was made by Mrs. Straub. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor.

Mr. O'Leary chaired the meeting from this point on.

2.) Vice-Chairperson of the Land Use Board for the year 2011

A motion to appoint Mrs. Straub as the Board Vice-Chair for the year 2011 was made by Mr. Luthman. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Taylor, O'Leary.

3.) Board Secretary for the year 2011

A motion to appoint Mrs. Pizzulo as the Board Secretary for the year 2011 was made by Mrs. Straub. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary.

4.) Board Attorney for the year 2011

A motion to appoint Ms. Ursula Leo of Laddey, Clark & Ryan as Board attorney for the year 2011 was made by Mrs. Straub. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary.

5.) Board Engineer for the year 2011

A motion to appoint Mr. Nevitt Duveneck of Finelli Consulting for the year 2011 was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary.

6.) Board Planner for the 2011

A motion to appoint David Banisch of Banisch Associates as the Board Planner for the year 2011 was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary.

7.) Workshop and Regular Meeting Dates for 2011

A motion to hold the Land Use Board workshop meeting on the third Thursday of each month and the regular meetings on the fourth Thursday of each month except in the Month of November where there will be only one meeting on November 15, 2011 due to the Thanksgiving holiday and the League of Municipalities convention as well as a reorganizational/workshop meeting held on January 19, 2012 was made by Mrs. Straub. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary.

8.) New Jersey Herald and the Sunday Herald as Official Newspaper of the Board for 2011

A motion to use the Herald and Sunday Herald as the official newspaper of the Land Use Board for the year 2011 was made by Mr. Fette. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary.

WORKSHOP MEETING:

MINUTES: June 17, 2010, June 24, 2010, July 15, 2010, July 22, 2010, August 19, 2010, September 16, 2010, September 23, 2010.

A motion to approve the minutes of the June 17, 2010 meeting was made by Mr. Corcoran. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Fette, Randazzo, Corcoran, Straub, Taylor, Hughes, O'Leary.

A motion to approve the minutes of the June 24, 2010 meeting was made by Mrs. Straub. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Luthman, Randazzo, Corcoran, Didyk, Straub, Taylor, O'Leary.

A motion to approve the minutes of the July 15, 2010 meeting was made by Mr. Corcoran. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Taylor, O'Leary.

A motion to approve the minutes of the July 22, 2010 meeting was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Luthman, Randazzo, Corcoran, Taylor, Straub, O'Leary.

A motion to approve the minutes of the August 19, 2010 meeting was made by Mr. Corcoran. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Fette, Randazzo, Corcoran, Straub, Taylor, Didyk, O'Leary.

A motion to approve the minutes of the September 16, 2010 meeting was made by Mr. Fette. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Fette, Luthman, Corcoran, Straub, Taylor, O'Leary.

AUDIENCE:

Mr. O'Leary opened the meeting to the public. With no public present, the meeting was closed to the public.

OLD BUSINESS:

1.) Casagrande

The Board Secretary reported Mr. Mark Hontz, Esq. had contacted her and advised that Casagrande is moving out of Lafayette and will not be moving forward with an application. The Board requested a written confirmation of the move. Mr. Luthman felt a new tenant will have to submit for site plan approval and it will be hard to determine what was grandfathered for that site.

2.) Renewable Energy Ordinance Returned from Township Committee

Mr. O'Leary noted the Township Committee still had an issue with the proposed ordinance. They felt the applicant should not have to come before the board to put solar panels on the front roof of the house if that was the only location for the panels to be able to operate properly. The Township Committee also had a concern with the height of the wind tower at 145 feet. Mr. Duveneck the solar panels on the front facing roof is a policy of the Board. Mr. Taylor felt it would be a burden to make the applicant come in for panels on the front of the house. Ms. Leo felt the Board could make aesthetic conditions. Mr. O'Leary felt the panels are not obtrusive if they are not angled too high. There was a discussion on the changing of this part of the ordinance. Mr. Luthman suggested the wording be changed. Ms. Leo suggested the wording be changed to "to the extent possible" and will make the change and send it back to the Board for its review.

Mr. Leuthe arrived at 8:03 p.m. and joined the Board's discussion.

There was a discussion on the height of the wind tower. Ms. Leo and Mr. Duveneck will research this and prepare something for the Board's consideration.

3.) Kimber Petroleum Property

Mr. O'Leary noted the site was in violation because it has two principal structures, two wells and two septic systems on one lot. Ms. Leo said it is a violation and enforcement issue. Mr. Fette suggested the Board write a letter requesting compliance. He felt any use in the second building would trigger a site plan application and then the issue would be addressed.

4.) Coded Systems

Mr. Luthman asked if the Board was getting revisions for their zoning books. Mr. Hughes said he will check on this with the Clerk.

NEW BUSINESS:

1.) Budget for 2011

There was a lengthy discussion on what the Board would need for a budget for the year 2011. The Board considered last years budget and what was actually spent.

A motion to go into executive session to discuss pending litigation with the minutes being released upon the litigation being resolved was made by Mrs. Straub. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Leuthe, O'Leary.

A motion to come out of executive session was made by Mrs. Straub. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Leuthe, O'Leary.

A motion to request from the Township Committee the following:
2011 Land Use Budget

Legal (Meetings/prep & Follow up)	\$17,820.00
Litigation	\$15,000.00
Engineering (Meetings/Prep & Follow up)	\$ 7,500.00
Planner (As needed)	\$ 5,000.00
Miscellaneous	\$ 3,600.00
Total Budget	\$48,920.00

The Board Secretary will present this proposed budget to the Township Committee.

2.) Master Plan Re-Exam

The Board requested that Mr. Banisch appear at the February workshop meeting. The Board carried this matter to the February meeting.

3.) Fees and TRC Fees

There was a discussion on the fee schedule. The Board agreed to carry this to the January regular meeting so further information can be gathered. The Board agreed there should be a time limit of one hour for each meeting.

4.) Minor Site Plan

The Board noted some corrections to the proposed ordinance. Ms. Leo will make the corrections and return it to the Board for their review.

RESOLUTIONS:

1.) Cava Winery & Vineyard VAR10-16 B:9 L:2.07

A motion to approve the resolution with the noted corrections was made by Mr. Randazzo. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Didyk, Straub, Leuthe, Taylor, O'Leary.

2.) Annual Report

A motion to approve the annual report and send it to the Township Committee was made by Mr. Corcoran. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Leuthe, O'Leary.

Mr. Hughes reported to the Board on the progress of the Advance Housing project. He said phase I was due for completion in March. The second 10 units have been given Federal funding approval. The plan is start construction on phase II in November.

ORDINANCES:

No.	Name	Citation	Memorialized	Date to Clerk	TC Agenda	First Reading	Second Reading	Adoption
1	Renewable Energy							
2	Clothing Bin Ordinance				2/1/11			

PENDING APPLICATIONS:

No.	Name	Application Number	Complete Date	Time to Act	Status
1	Barnside	VAR09-14	Deemed Incomplete 12/17/09		Deemed Complete 10/28/10
2	O'Connor	MNR10-14 VAR10-15			Pending completeness
3	Lafayette Asphalt	ASP11-1			Pending Completeness

TRC REPORT: None

BILLS: List #1

A motion to pay all of the bills on List #1 except the litigation bill for \$30.00 due to the fact that it is really a COAH bill and will be forwarded to the Township Committee for payment by Mr. Leuthe. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Randazzo, Corcoran, Didyk, Straub, Leuthe, O'Leary.

CORRESPONDENCE:

- 1.) To: Township Committee
Re: Comments sent back to the Board on the Renewable Energy Ordinance
- 2.) From: Ursula Leo, Esq.
Re: Proposal
- 3.) From: Debra Lynn Nicholson, Esq.
Re: O'Connor Subdivision
- 4.) From: David Banisch, PP
Re: Proposal
- 5.) From: Michael S. Finelli, PE
Re: proposal

ADJOURNMENT

With no further business coming before the Board, a motion to adjourn was made by Mr. Randazzo. It was seconded by Mr. Fette and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo

Board Secretary