

LIBERTY TOWNSHIP LAND USE BOARD

Minutes – March 21, 2007

The Liberty Township Land Use Board met for a regular meeting on Wednesday, March 21, 2007 in the Municipal Building 349 Mt. Lake Rd, Great Meadows, N.J. Chairman Grover opened the meeting (7:31 p.m.) and declared that all aspects of the Open Public Meeting Act had been met by posting notice of this meeting on the bulletin board in the Municipal Building and notifying the Municipal Clerk. Advertisement of notice was placed in the Star-Ledger of Newark and the Express Times of Easton, PA.

ROLL CALL:

Present: Carl Cummins Peter Karcher
Beverly Gloumakoff Ron Petersen
Dan Grover Eric Tibak
John Inscho Joanne Ward
Wayne Jarvis Peter Wicki

Kathy Dossena, Administrator Kevin Hahn, Esq., Attorney
Eric Snyder, PP, Planner

Absent: Rudy Pasko, Greg Sipple, and Ray Sosnovik

MINUTES: The minutes of the January 17, 2007 were approved as written with a motion by Mrs. Gloumakoff, seconded by Chairman Grover with roll call as follows:

Ayes: Mr. Cummins, Mr. Jarvis, Mayor Inscho, Mrs. Gloumakoff, Mr. Petersen, Mr. Wicki, Mr. Karcher, Mrs. Ward, and Chairman Grover.

Nays: None recorded

Abstain: Mr. Wicki and Mr. Tibak because of absence

Motion carries with nine (9) affirmative votes.

The minutes of the February 21, 2007 meeting were approved as written with a motion by Mr. Cummins, seconded by Mr. Wicki with roll call as follows:

Ayes: Mr. Cummins, Mr. Jarvis, Mayor Inscho, Mrs. Gloumakoff, Mr. Petersen, Mr. Wicki, Mr. Tibak, and Chairman Grover.

Nays: None recorded

Abstain: Mr. Karcher and Mrs. Ward because of absence.

Motion carries with eight (8) affirmative votes

APPLICATION:

Docket #07/03: Use Variance for a second structure to be put in place to house elderly parents on Blk 11, Lot 39. Polixeni Katsaros and Stephanie Mansmann, Applicants.

Mayor Inscho and Committeeman Petersen have stepped down from the dais as this is a D-Variance. Ms Katsaros and Ms Mansmann were present and were sworn-in by Attorney Hahn.

Completeness: Mrs. Dossena stated that proper notice has been served. The checklist items that are applicable have been submitted. A motion was made by Mr. Jarvis to deem this application complete. Mr. Cummins seconded the motion with roll call as follows:

Ayes: Mr. Cummins, Mr. Jarvis, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak,
Mr. Karcher, Mrs. Ward, and Chairman Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with eight (8) affirmative votes.

Hearing: Ms Katsaros and Ms Mansmann live on the site and the ECHO unit will be erected for Ms Mansmann's elderly parents who are no longer able to live independently. Both are in need of medical attention. Planner Snyder went over his report of March 20, 2007. This use is permitted in the R-1 zone as a conditional use however this application does not meet the conditions. The units must be owned by a nonprofit or governmental entity and cannot be larger than 625 square feet. This unit will be privately owned and will be 750 square feet. Discussion ensued and it was found that the provisions were added to the code in 1996. At that time the only availability of such a unit was NORWESCAP and the 625 sq. feet limitation was the size of those units. The property is in excess of 13 acres. Chairman Grover and Mr. Cummins went to the site and both stated that it is well buffered. This will be a modular unit and consideration was given to maintaining a five-foot turning radius in the bathroom and hallways. The Board determined that ECHO housing is an inherently beneficial use as it maintains family members' independence in close proximity to relatives and therefore directly supports health, safety and welfare of elderly residents. This applicant shall certify annually to the zoning officer that the occupant of the unit is the person or persons originally approved for the unit.

A motion was made by Mr. Jarvis to approve this application as presented with the annual notice being given by the applicant to our zoning officer. This unit will be removed when the original occupants can no longer use it. Mrs. Gloumakoff seconded the motion with roll call as follows:

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Ayes: Mr. Cummins, Mr. Jarvis, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak,
Mr. Karcher, Mrs. Ward, and Chairman Grover.

Nays: None recorded

Abstain: None recorded
Motion carries with eight (8) affirmative votes.

DISCUSSION:

NOTE: Mayor Inscho and Committeeman Petersen are now back at the dais.

Site Plan Committee: Until the end of the month Chairman Grover, Mrs. Gloumakoff, and Mr. Cummins will do the site visits.

ECHO Units: A motion was made by Mr. Jarvis to authorize Planner Snyder to update the Conditional Uses for ECHO Units. Mrs. Gloumakoff seconded the motion followed by a unanimous roll call.

Rules and Regulations: This will be tabled until next month.

EXECUTIVE SESSION:

WHEREAS, N.J.S. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE BE IT RESOLVED by the Land Use Board of the Township of Liberty, County of Warren, State of New Jersey, as follows:

1. the public shall be excluded from discussion of the hereinafter specified subject matters;

The general nature of the subject matter to be discussed is as follows:

- a) Personnel Matters
2. It is anticipated at this time that the above matter will be made public upon completion of the session,
3. This Resolution shall take effect immediately.

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A motion was made at 8:24 p.m. by Mayor Inscho to adopt the above Resolution and enter into executive session. Chairman Grover seconded the motion with roll call as follows:

Ayes: Mr. Cummins, Mr. Jarvis, Mayor Inscho, Mrs. Gloumakoff,

Mr. Petersen, Mr. Wicki, Mr. Tibak, Mr. Karcher, Mrs. Ward, and Chairman Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with ten (10) affirmative votes.

A motion was made at 8:58 p.m. to exit Executive Session and enter into regular session by Mayor Inscho. Chairman Grover seconded the motion with roll call as follows:

Ayes: Mr. Cummins, Mr. Jarvis, Mayor Inscho, Mrs. Gloumakoff,

Mr. Petersen, Mr. Wicki, Mr. Tibak, Mr. Karcher, Mrs. Ward, and Chairman Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with ten (10) affirmative votes.

A motion was made by Chairman Grover to have Mrs. Dossena reach out to three (3) attorneys to find a suitable replacement for Attorney Selvaggi. Mrs. Gloumakoff seconded the motion with roll call as follows:

Ayes: Mr. Cummins, Mr. Jarvis, Mayor Inscho, Mrs. Gloumakoff,

Mr. Petersen, Mr. Wicki, Mr. Tibak, Mr. Karcher, Mrs. Ward, and Chairman Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with ten (10) affirmative votes.

The Board will meet at 6:30 p.m. on April 18, 2007 (one hour before the start of the regular meeting) to interview for the attorney position.

BILLS:

A motion was made by Mr. Wicki to pay the bills presented for payment tonight. Chairman Grover seconded the motion with roll call as follows:

Ayes: Mr. Cummins, Mr. Jarvis, Mayor Inscho, Mrs. Gloumakoff,

Mr. Petersen, Mr. Wicki, Mr. Tibak, Mr. Karcher, Mrs. Ward, and Chairman Grover.

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Nays: None recorded

Abstain: None recorded

Motion carries with ten (10) affirmative votes.

ADJOURNMENT: A motion was made at 9:04 p.m. to adjourn the meeting by Mayor Inscho, seconded by Mrs. Gloumakoff and followed by a unanimous roll call.

Respectfully submitted,

Kathy Dossena
Land Use Administrator