

LIBERTY TOWNSHIP LAND USE BOARD

Minutes – June 20, 2007

The Liberty Township Land Use Board met for a regular meeting on Wednesday, June 20, 2007 in the Municipal Building 349 Mt. Lake Rd, Great Meadows, N.J. Chairman Grover opened the meeting (7:32 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:

<i>Present:</i>	Carl Cummins	Rudy Pasko
	Beverly Gloumakoff	Greg Sipple
	Dan Grover	Ray Sosnovik
	John Inscho	Eric Tibak (7:35 p.m.)
	Peter Karcher	Joanne Ward
		Peter Wicki (7:34 p.m.)
	Richard Schneider, Esq.	Eric Snyder, PP
	Kathy Dossena, Administrator	
<i>Absent:</i>	Wayne Jarvis and Ron Petersen	

MINUTES: The minutes of the May 16, 2007 meeting were approved as written with a motion by Mr. Sipple, seconded by Mrs. Gloumakoff with roll call as follows:

Ayes: Mr. Cummins, Mr. Pasko, Mr. Sipple, Mr. Sosnovik, Mr. Karcher,
and Mrs. Gloumakoff

Nays: None recorded

Abstain: Mr. Grover, Mayor Inscho, Mrs. Ward, and Mr. Wicki because of absence.

Motion carries with six (6) affirmative votes.

APPLICATIONS:

Docket #07/04: Variance for lack of road frontage for Blk 21.02, Lot 19. William and Jennifer Hopping, Applicants.

Completeness Review: Most checklist items have been satisfied. A waiver is being requested for Items #16 & 17. A motion was made by Mayor Inscho to deem this application complete and to grant a waiver for Items #16 & 17 for completeness only. Mr. Pasko seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Cummins, Mayor Inscho, Mr. Sipple, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak, Mr. Sosnovik, and Mr. Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with nine (9) affirmative votes.

Hearing: Mr. Hopping was sworn-in by Attorney Schneider. Mr. Hopping stated that he owned the lot prior to August 2004 (pre-Highlands). This lot was in existence in 1961 and had a 10 foot right-away added to it in 1963. Mr. Hopping added another 15 feet of right-away in 2005 making a 25-foot right-away which is adequate for emergency vehicles. The 15-foot extra easement description, dated May 3, 2005 was marked into evidence as Exhibit A-1 6/20/07. The original 10-foot easement document, dated July 26, 2005, was marked as Exhibit A-2 6/20/07.

Planner Snyder arrived at the meeting at 8 p.m. and discussed his report dated June 19, 2007. Mr. Hopping is a fireman in Morristown and he stated that the 25 feet gives adequate accessibility to emergency vehicles. It was suggested that a committee go out to the site with the Mt. Lake Fire Chief. Mayor Inscho stated that he knows the property and that the fire company would be able to access this lot.

Mr. Hopping stated that he intends to build a Mother-Daughter house to accommodate his elderly in-laws. The approximate length of the driveway is 230 feet and it will be paved. The Board members discussed the need to see a driveway profile before action is taken on this application. This profile would have to be done for the issuance of the driveway permit.

Discussion ensued as to the Board's feelings with this lot not having any road frontage. It was agreed that no one had a problem with the lack of frontage as they feel that there is adequate emergency vehicle access. The easement is deeded with the lot and this will be proven by the applicant by submittal of the deed. Planner Snyder will look for the sign-off from the Mt. Lake Fire Company before issuing the zoning permit.

Chairman Grover opened the meeting to the public at 8:30 p.m. Paul Deckenback lives at 14 Spring Hill Lane and voiced his concerns with increased traffic on the street, tree removal, and is opposed to the construction of the home. The applicant will leave as many trees as possible. As there were no further comments, this portion of the meeting was closed to the public at 8:36 p.m.

This lot is 1.67 acres in the 2-acre zone. However, no variance relief is needed for lot area because the lot existed before the ordinances. It was determined that an LOI is needed.

A motion was made by Mayor Inscho to approve this application as presented with the following conditions:

- The applicant constructs the driveway in accordance with the Code of the Township of Liberty.

- The applicant obtains approval of the Mt. Lake Fire Company. If there is a negative response then the applicant will have to return to this Board.
- The applicant will submit the deeded easement document for review.
- The applicant obtains approval from the Board of Health for the septic.

Mr. Pasko seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Cummins, Mayor Inscho, Mr. Sipple, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak, Mr. Sosnovik, and Mr. Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with nine (9) affirmative votes.

DISCUSSION:

Rules and Regulations: The rule of necessity will be removed from this document as it is no longer needed with a Land Use Board. A motion was made by Mayor Inscho to accept the Rules and Regulations as written. Mrs. Gloumakoff seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Cummins, Mayor Inscho, Mr. Sipple, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak, Mr. Sosnovik, Mr. Karcher, Mrs. Ward, and Mr. Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with eleven (11) affirmative votes.

ECHO Ordinance: Planner Snyder stated he also put the revision to the height ordinance on this same document. The only change made to the ECHO ordinance is the square footage allowed for the home and the ownership. The revised definition for the height ordinance will change the entire ordinance. A motion was made by Mr. Cummins to approve the amendments to the ECHO ordinance and the revision to the height ordinance. Mr. Grover seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Cummins, Mayor Inscho, Mr. Sipple, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak, Mr. Sosnovik, and Mr. Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with nine (9) affirmative votes.

Cillo Application: During the hearing for this application, the need for this variance was questioned. Planner Snyder noted that the Board did not look at the grading plan which adds footage to the height of the structure. Therefore, at 37.5 feet high, a variance was needed. The applicant testified to 34.5 feet. Mrs. Dossena was asked to add the receipt of a grading plan on to our checklist.

Comments Sent to Highlands Council: Mayor Inscho noted that he and Chairman Grover attended the Highlands Council meeting held on May 16, 2007. The comments that were sent to the Council by this Board were appreciated by the Township Committee. Mayor Inscho thanked all the people who worked on the document. Mrs. Dossena read a letter that she received from Eileen Swan, Executive Director for the Highlands Council. The letter dated June 7, 2007 thanked us for our comments concerning the draft master plan.

Site Committee: Chairman Grover appointed the following members to act as the site committee for the next three months: Mr. Pasko, Mrs. Ward, Mr. Karcher with Mr. Tibak as the alternate. For October, November, and December the members appointed are: Mr. Jarvis, Mr. Sosnovik, Mr. Wicki, with Mr. Sipple as the alternate.

Pequest Fish Hatchery: Liberty Township is already using more water than we are allowed because of the fish hatchery. Discussion ensued as to what action should be taken. Planner Snyder stated that we do not know what the numbers really are and that we should wait until we get the facts. It was suggested that we invite Bob Canise (DEP Geology Staff) to come to our meeting to speak with us. Planner Snyder will be in touch with Mr. Canise and will invite him.

Code of Liberty: Planner Snyder suggested that he look at our code and identify items that need to be revised concerning issues at Mt. Lake. This will cost no more than \$1000. A motion was made by Mr. Wicki to authorize Planner Snyder to suggest revisions to our code which will be more responsive to issues at Mt. Lake. Mrs. Gloumakoff seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Cummins, Mayor Inscho, Mr. Sipple, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak, Mr. Sosnovik, and Mr. Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with nine (9) affirmative votes.

BILLS:

A motion was made by Mayor Inscho to pay the bills presented. Mr. Wicki seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Cummins, Mayor Inscho, Mr. Sipple, Mrs. Gloumakoff, Mr. Wicki, Mr. Tibak, Mr. Sosnovik, and Mr. Grover.

Nays: None recorded

Abstain: None recorded

Motion carries with nine (9) affirmative votes.

Minutes – 6/20/07

ADJOURNMENT: Chairman Grover adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Kathy Dossena
Land Use Administrator