

MARCH 1, 2016

The regularly scheduled meeting of the Liberty Township Land Use Board was called to order by Chairman Ray Sosnovik at 7:30 PM.

The Pledge of Allegiance was recited.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. Posting a notice of this meeting on the bulletin board of the Municipal Building;
2. Causing said notice to be published in The Star Gazette, and by notice to The Courier News;
3. Furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. Filing said notice with the Township Clerk.

Present: Sosnovik, Jarvis, Schaaf, Cummins, Beyer, Hawkswell, Snyder.

Absent: Pasko, Grover, Wicki, Tibak, Ward.

Also present: Richard Schneider, Esquire; Ken Nelson, P.P.

MOTION was made by **BEYER** to approve the **minutes** of the **January 19, 2016** meeting, as written.

SECONDED: HAWKSWELL.

Those in favor: Jarvis, Beyer, Hawkswell, Sosnovik.

Opposed: None.

Abstained: None.

Docket 01/16: Carant Limited Partnership Site Plan, Block 12, Lot 16

Present for the applicant: Carmen PioCosta; Frank Matarazzo, P.E.

The Chairman mentioned the application wasn't completely filled out, and no fees were submitted with the application.

Schneider explained that Eric Snyder, P.P. had reviewed the application for completeness, and the application appeared to be substantially incomplete. Schneider recommended the application be completed indicating what variance relief is being requested, the fees be submitted, and the plan be revised. Schneider indicated the application could be forwarded to the Township Engineer once the above had been completed.

Nelson mentioned he had a conflict with the applicant, and recused himself from the hearing.

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Matarazzo briefly described the site, and indicated all of the improvements were existing. Matarazzo explained there is a building at the location, and a gravel area to be used for parking. Matarazzo stated there would be a cross-easement with the adjacent property to allow for parking.

PioCosta explained he had a local resident who is an insurance agent interested in leasing the property for office use.

Schneider suggested the applicant revise the application, and identify the variances being requested. Schneider indicated the parking requirement should be calculated and addressed, either by providing the spaces or requesting a variance. Schneider explained the parking spaces were required by Ordinance to be on the same lot as the principal structure.

Cummins indicated he was in favor of office use on the property, as there would be no impact on the schools. Cummins asked questions regarding the issue of a separate lot being used to provide parking spaces, lighting, hours of operation, proposed landscaping, and proposed signage.

Jarvis questioned if the property is serviced by a septic system. PioCosta replied the property is serviced by a functional septic system. Jarvis indicated the zone bulk requirements should be shown on the plan, as well as the proposed signage. Cummins stated the septic system area should be shown on the plan as well.

MOTION was made by **CUMMINS**, which was based on the January 28, 2016 review letter written by Eric K. Snyder, AICP, PP, to deem the application for **Docket01/16: Carant Limited Partnership** incomplete, subject to the revision/submission of items 1, 2, 3, 4, 6, 9, 13, 14, and showing the location of the septic, waste storage, and recycling systems as indicated in item 11, and further, granting the waiver requests for items 5, 7, 10, and 12, and submitting a copy of the property survey for item 8.

SECONDED: JARVIS.

Those in favor: Schaaf, Cummins, Hawkswell, Snyder, Jarvis, Sosnovik.

Opposed: None.

Abstained: None.

Informal Discussion of Proposed Housing Element

Representing the Housing Element document, written by Eric K. Snyder, AICP, PP prior to his retirement, was Ken Nelson, PP. Nelson briefly explained the document, which he had previously discussed with Snyder. Nelson recommended postponing adoption of the document, and to consult with the Township Committee as to how they want to proceed.

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Nelson gave a brief history of the COAH rules and regulations process, and the current status regarding jurisdiction and certification. Nelson stated, it was his opinion, the process would become more defined over the next several months, and the Township could wait. Nelson indicated the current document would require some amendments in order to comply. Nelson explained the COAH obligation currently on record for Liberty Township, and stated the fact that much of the Township is in the Highlands Region wasn't factored into the equation. Nelson explained the low/moderate income numbers, the percentage allowed for rental units, and the percentage allowed for age-restricted units.

Schneider explained there are some municipalities that have chosen to submit their proposals through the courts in order to avoid potential development. Schneider indicated this has posed a massive undertaking for the courts, lawyers, planners, etc., and it would take time for decisions to be rendered.

Cummins stated he would discuss the matter with the Township Committee, but obviously this board wasn't prepared to make a decision on the matter at this meeting.

Schneider indicated the matter would be tabled until such time as the board receives further guidance from the Township Committee, and further no public hearing on the adoption of the Housing Element was scheduled.

A brief discussion took place regarding two existing ECHO housing units. Jarvis indicated they were supposed to be deed restricted to cease the use once it was no longer necessary for the named occupant.

The meeting was opened to the general public for comments and questions. There being no comment or question posed from the general public, the public portion was closed.

Jarvis mentioned he would like to see an Ordinance to prohibit wetland mitigation easements, and related a hypothetical situation. Schneider explained the Township Committee would have to introduce an Ordinance, refer it to the Land Use Board for review and recommendations, hold a public hearing and subsequently adopt the Ordinance.

MOTION was made by **CUMMINS** to authorize payment by the Township Committee the **invoices** submitted by Schneider, but hold the invoice submitted by Snyder for further review.
SECONDED: BEYER.

Those in favor: Cummins, Beyer, Hawkswell, Snyder, Schaaf, Sosnovik.

Opposed: None.

Abstained: Jarvis.

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The Chairman adjourned the meeting at 8:55 PM.

Respectfully submitted,

Patricia D. Zotti, LUB Admin
(As Written)