

LIBERTY TOWNSHIP LAND USE BOARD

Minutes – July 21, 2015

The Liberty Township Land Use Board met for a regular meeting on Tuesday, July 21, 2015 in the Municipal Building 349 Mt. Lake Rd, Great Meadows, and N.J. The meeting was opened by Chairman Sosnovik at 7:30 p.m. and it was 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-Gazette of Hackettstown and the Courier News of Somerset, NJ.

ROLL CALL:

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| Present: Michael Beyer | Ray Sosnovik |
| Matt Hawkswell | John Ward |
| Rudy Pasko | Peter Wicki |
| Dave Schaaf | |
| Ray Sosnovik | |
| Richard Schneider, Attorney | Richard , Engineer |
| Eric Snyder, PP/ZO | Kathy Dossena |

Absent: Eric Tibak. Not Present because of conflicts: Carl Cummins, Dan Grover, and Wayne Jarvis. NOTE: Wayne Jarvis was in the audience as he drew the Plans for the Corey Brothers application. Mr. Jarvis came to the Dais at 8:30 pm.

MINUTES: The Minutes of the June 16, 2015 meeting were approved as written by motion of Mr. Pasko. Mr. Beyer seconded the motion followed by a unanimous roll call.

RESOLUTION:

Docket #03/14: Denial of Minor Site Plan with a D-Variance (Special Use) and a Variance for Fence Height for Block 1 Lot 34, Roes Island, LLC – Applicant

This Resolution was approved as written with a motion by Mr. Ward, seconded by Mr. Pasko with roll call as follows:

Ayes: Mr. Pasko, Mr. Wicki, Mr. Beyer, and Mr. Ward.

Nays: None recorded

Abstain: None recorded.

Motion carried with four (4) affirmative votes.

APPLICATIONS:

Docket 02/15 Preliminary Site Plan – D Variance for Block 12, Lot 10.01 in the I-1 Zone – Cory Brothers, Applicant. (7:35 pm – 8:27 pm)

Hearing: Edward Palmer, Esq. was present to represent Cory Brothers and explained the intentions of the applicant to erect a new structure behind the existing one on the site. Also present were John Cory and Edward Bogan, PE. Mr. Cory and Mr. Bogan were previously sworn-in. Mr. Cory stated that the new structure will be within 75 feet of the existing one. Cory has been in business on this site since 1981 and purchased the property in 1983. The reasons for requesting the new building were discussed. It would support the existing business and make the site look neater and more professional. There are currently storage trailers and some equipment has to be kept outside. The new structure will provide additional storage and the truck repair operation will now be fully inside. This will make the business more efficient both for Cory and for the customer plus more environmentally friendly. This property has been used for this business since 1971. Eric Snyder noted that based on the testimony this is a valid pre-existing non-conforming use. Rudy Pasko gave the history of this site as he remembers it. Attorney Schneider suggested that this testimony be incorporated into the Resolution to formally legalize this business for zoning purposes. Chairman Sosnovik opened the meeting to the Public at 7:50 pm for questions of Mr. Cory. Liza Thomas said that she is glad that a business wants to stay in Liberty and also expand.

Engineer Edward Bogan was the next witness and stated his qualifications to the Board. Attorney Schneider recommended that the Board members accept Mr. Bogan as an expert witness which they did. Entered into evidence were the following items:

- A-1: Copy of the Township's Zoning Map
- A-2: Copy of the Township's Tax Map
- A-3: Conceptual Drawing of the Building
- A-4: Series of Photos of the Building
- A-5: Drawing of the Foundation

A report, dated July 20, 2015, was received from Ferriero Engineering. Mr. Bogan went through each item. Mrs. Dossena noted that she received a Fax from Warren County stated that they found this application to be Exempt. Item #4 concerned the lighting and Engineer Bogan stated that he was on the site during the evening hours and the lighting is adequate. Regardless, a waiver is required. Item #5 concerns the height of the structure which is not noted on the plans. The plans will be modified to show the correct height of 18' which complies with the ordinance.

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Item #6 has been confirmed by the DEP. Item #7 notes compliance with the Highlands Act. The site complies as it is outside of the flood and buffer zone. Planner Snyder stated that he had a conversation with Highlands's representatives and they confirmed to him that this site complies. Item #8 concerns the septic system – Bogdan stated that there is no additional sewer flow as there will be no new employees. Item #9 deals with the proposed lighting – the applicant will provide a detailed drawing of the proposed lighting. Mr. Bogdan continued stating that this application does not disturb any additional soil and enhances the property. The use of this site is the closest to the listed permitted uses for the I-1 Zone. The lot is half the size that the zone requires and is an efficient use of the land. It is a clean operation and Cory Brothers are good neighbors. The business has a positive impact. Rudy Pasko questioned the landscaping in the front of the building. Pete Wicki stated that there is extensive landscaping there already and trees have recently been added.

Chairman Sosnovik opened the meeting to the Public for questions of Mr. Bogan at 8:25 pm. Liza Thomas stated that she has been to this site with her husband's vehicle and the landscaping is very nice in front of the building. As there were no further questions heard, this portion was closed at 8:26 p.m.

A motion was made by Mr. Wicki to approve the Site Plan along with the D-Variance for an expansion of a pre-existing non-conforming use as presented tonight. Mr. Pasko seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Schaaf, Mr. Beyer, Mr. Wicki, Mr. Hawkswell, Mr. Ward, and
Chairman Sosnovik

Nays: None presented

Abstain: None presented

Motion carries with seven (7) affirmative votes.

DISCUSSION:

Note: Mr. Jarvis is now part of this meeting

Planner Snyder stated that we are due for the re-examination of our Master Plan (2003). We need to look at several areas including the housing element. Wayne Jarvis stated that our checklists need to be revised. Mrs. Dossena noted that the fee schedule needs to be updated. A motion was made by Mr. Wicki to authorize Planner Snyder to move forward with the re-examination focusing on the housing element plus the other areas updated as needed. Planner Snyder stated that he would have it ready by the end of the year. Mr. Beyer seconded the motion with roll call as follows:

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Ayes: Mr. Pasko, Mr. Schaaf, Mr. Beyer, Mr. Wicki, Mr. Hawkswell, Mr. Ward, Mr.
Jarvis, and Chairman Sosnovik

Nays: None presented

Abstain: None presented

Motion carries with eight (8) affirmative votes.

Mrs. Dossena stated that she will be leaving her position at the end of 2015 after 28 years. Discussion ensued as to possible candidates. An ad will be placed in the newspaper and candidates will be asked to submit a resume.

BILLS:

A bill was presented by Planner Snyder for \$575 and was submitted for the Roes Island escrow account. Mrs. Dossena noted that other bills have come in from the engineer and attorney after the meeting. She checks them and approves the payment if they are accurate. A motion was made by Mr. Wicki to pay the bill from Planner Snyder presented tonight. Mr. Ward seconded the motion with roll call as follows:

Ayes: Mr. Pasko, Mr. Jarvis, Mr. Schaaf, Mr. Beyer, Mr. Wicki, Mr. Hawkswell,
Mr. Ward, and Chairman Sosnovik

Nays: None presented

Abstain: None presented

Motion carries with eight (8) affirmative votes.

ADJOURNMENT: As there was no further business, Chairman Sosnovik adjourned the meeting at 8:46 p.m.

Respectfully submitted,

Kathy Dossena
Land Use Administrator