

**EAST AMWELL
ZONING BOARD OF ADJUSTMENT - MINUTES
Municipal Building – 7:30 PM
November 13, 2012**

Call to order and compliance with the Open Public Meetings Act

The regular meeting of the Board of Adjustment was called to order at 7:30 PM on November 13, 2012 in the Main Meeting Room of the Municipal Building, 1070 Route 202/31, Ringoes, NJ by Chair Schroeder.

In compliance with the Open Public Meetings Act, the Administrative Officer announced this was a regularly scheduled meeting pursuant to the Annual Meeting Notice as published in the January 19, 2012 issue of the Hunterdon County Democrat, filed in the Township Clerk's Office, and posted on the Bulletin Board on November 6, 2012.

Roll Call and Agenda Review

Present: Sherrie Binder
Nancy Cunningham
Gloria Frederick
Gael Gardner
Paul Gavzy
Sue Posselt
Kendra Schroeder
Diana Garrett – Alt. #1
Anne Williams – Alt. #2

Absent: No one

It was noted for the record that Attorney Jonathan Drill was filling in for regular Board Attorney Trishka Waterbury who recused herself from the Amwell Valley Rescue Squad application due to a conflict.

Presentation of Minutes

A motion by Paul Gavzy, seconded by Nancy Cunningham to approve the Board's minutes from 9/11/12 was approved with no revisions noted and Ms. Binder, Ms. Posselt, Ms. Garrett and Ms. Williams abstaining.

Presentation of Bills for Payment

A motion by Gloria Frederick, seconded by Sherrie Binder to approve the vouchers for payment as listed on the agenda was unanimously approved. Ms. Cunningham wanted clarification that the vouchers are presumably listed on the agenda because there is sufficient funding in the escrow to pay them. Attorney Drill explained that the Feinberg's had a dispute on whether or not the Township had the authority to require them to establish an escrow account because of the type of application they were bringing forth. Attorney Drill indicated he had spoken with Township Attorney Cushing who brought the matter to the Township Committee and the Committee decided it was in everyone's best interest to make the dispute go away. He noted that the Feinberg's are not going to seek reimbursement for any of the escrow money they already submitted under protest but they indicated they will not replenish their account to cover the remaining outstanding invoices. The Township Committee decided that the Township and /or the Board of Adjustment should cover the escrow deficiency and pay the professional's outstanding invoices.

Chair Schroeder noted the correspondence will be dealt with as it comes up over the course of the meeting.

Applications to be Deemed Complete or Incomplete

Amwell Valley Rescue Squad – AJ-12-04: Block 8 Lot 24.01 – Amwell Valley Agricultural District: Bulk and Use Variances Associated with Addition to Building

Present for the application was Attorney Donald Scholl, Architect Terry Golda and Amwell Valley Rescue Squad Treasurer Barbara Pante.

Attorney Scholl noted that the property is a 1.9 acre lot located at 1141 Old York Road. He clarified that the applicant is Amwell Valley Ambulance Corps doing business as Amwell Valley Ringoes Rescue Squad (Rescue Squad). He explained that the applicant is seeking a use variance and preliminary and final site plan approval to construct a 2-bay garage addition which will be 1300 sq. ft. for the purpose of housing first response vehicles that are currently parked outside.

It was noted that the property is located in the Amwell Valley Agricultural District and is currently developed with the rescue squad facility and related parking area. The current use of the property is not a permitted use within the zone and therefore requires a use variance for the expansion of a non-conforming use. Attorney Scholl noted that a height variance and side yard setback variance will also be required.

Submission waivers were requested for the following checklist items:

- #4: Copies of Environmental Impact Statement
- #6: Drainage calculations
- #7: Soil erosion and sediment control data
- #11: Professional plans drawn by an Engineer/Land Surveyor
- #12: Engineering data signed and sealed by a professional engineer
- #17: Certification that all perc test and soil log fees are paid to date
- #20: Environmental Impact Statement
- #21: A municipal services and utilities impact statement
- #22: Improvements statement
- #23: Traffic Impact Statement
- #28i: Plans, cross sections, centerline profiles
- #28y: Freestanding sign details

Attorney Drill noted that while the Board may grant the submission waivers for completeness determination, the Board reserves the right to request any of the items they may deem necessary after hearing the applicant's testimony.

Ms. Cunningham asked if the height of the proposed addition was calculated correctly since it didn't appear to include the cupola. Mr. Golda remarked that cupolas are exempt from the height calculations under the Township's ordinance.

A motion by Paul Gavzy, seconded by Sherrie Binder to deem the Rescue Squad application complete and grant the requested waivers was unanimously approved by voice vote.

Applications for Public Hearing

It was noted for the record that there were no applications listed on the agenda for public hearing.

Old Business

It was noted for the record that there were no old business items listed on the agenda.

New Business

It was noted for the record that there were no new business items listed on the agenda.

Comments of Board Members

It was noted for the record that no comments were made by any Board Members.

Attorney Comments

It was noted for the record that no comments were made by the Attorney.

Open to the Public

A motion by Gloria Frederick, seconded by Paul Gavzy to open to the public was unanimously approved. Seeing no one come forward, a motion by Paul Gavzy, seconded by Nancy Cunningham to close to the public was unanimously approved.

Adjournment

A motion by Paul Gavzy, seconded by Gloria Frederick to adjourn was unanimously approved.

The meeting adjourned at 7:54 PM.

Maria Andrews, Administrative Officer