

**EAST AMWELL
ZONING BOARD OF ADJUSTMENT - MINUTES
Municipal Building – 7:30 PM
April 8, 2014**

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 April 8, 2014 in the Main Meeting Room of the Municipal Building, 1070 Route 202/31, Ringoes, NJ by Chair Binder.

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 23, 2014 issue of the Hunterdon County Democrat, filed in the Township Clerk's Office, and posted on the Bulletin Board on April 2, 2014.

Roll Call and Agenda Review

Present: Sherrie Binder
Nancy Cunningham
Gloria Frederick
Gael Gardner
Paul Gavzy
Kendra Schroeder
Anne Williams
Diana Garrett – Alt. #1
James Atkeson – Alt. #2
Attorney Cecil
Planner Slagle
Engineer O'Neal

Absent: No one

Presentation of Minutes

A motion by Kendra Schroeder, seconded by Nancy Cunningham to approve the Board's 2/11/14 meeting minutes with no revisions noted was approved with Mr. Gavzy abstaining.

Presentation of Bills for Payment

A motion by Nancy Cunningham, seconded by Kendra Schroeder to approve the vouchers for payment as listed on the agenda was unanimously approved.

Applications to be Deemed Complete or Incomplete

New Market Farm, LLC – AJ-14-01 – Block 41 Lot 17.02 – Sourland Mountain: 125 Linvale Road – Preliminary & Final Major Site Plan Approval with Variances

Present for the discussion was Attorney Gary Forshner on behalf of the applicant. He noted the application was deemed incomplete at the Board's February meeting and since then they have completed the additional field work that was needed in order to obtain the Letter of Interpretation (LOI) from the NJDEP. He requested he would like the application to continue to move forward while NJDEP is working on the LOI.

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Engineer O’Neal referred to his completeness review memo dated 4/1/14 and noted that the applicant is requesting submission waivers from the following:

Checklist item #21 – Municipal services and utilities statement

Checklist item #22 – Improvements statement

Checklist item #23 – Traffic impact statement

Engineer O’Neal remarked that he had no objection to the requested submission waivers and recommended the application could be deemed complete.

Attorney Cecil noted she believes the notice provided for tonight’s public hearing is deficient because there are some items that she feels need to be specifically identified in the public notice. She indicated she has already spoken to Attorney Forshner about the matter and said the Board cannot take jurisdiction over the application and therefore cannot proceed with the public hearing tonight.

Attorney Forshner noted for the record that he disagrees with Attorney Cecil but will re-notice the public hearing for May.

Planner Slagle had no comments regarding the completeness of the application.

A motion by Paul Gavzy, seconded by Kendra Schroeder to deem the application complete was unanimously approved.

There was some discussion on special meeting dates with the consensus of the Board and the applicant’s professionals agreeing to Thursday, May 22, 2014 at 7:30 PM. It was noted that Attorney Forshner will notice the public hearing accordingly.

Old Business

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

New Business

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

Comments of the Board Members

Chair Binder commented that the Board will likely cancel their regularly scheduled meeting on 5/13/14 and just hold one meeting in May on 5/22/14.

Attorney Comments

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

Open to the Public

A motion by Gloria Frederick, seconded by Nancy Cunningham to open to the public was unanimously approved.

Adam Lucarini came forward and identified himself as the owner of the Ringoes Center with the deli and Hopewell Valley Bank (1080 Old York Road). He stated that he confirmed with Zoning Officer McManus that he had approved a zoning permit to allow a small mower repair shop as a home occupation. Mr. Lucarini questioned how such a thing could happen. He remarked that the subject site has about 25 mowers outside right now with trailers in the driveway and employees working there. Mr. Lucarini commented that when he bought the Ringoes Center it took him over a year to get approval for the bank

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to go in. He stated that he needed to do traffic studies and notify the neighbors. Mr. Lucarini expressed concern with where the oil and hydraulic fluid from all of the mowers is going and commented that Walt's Outdoor Center in town has to have a wash basin for cleaning all of the equipment they work on and that the basin has to be pumped out every other week with the DEP and the EPA doing random checks.

Attorney Cecil stated that the Board of Adjustment cannot comment on Mr. Lucarini's concerns. She stated the Board can only review applications brought before the Board. She explained that if Mr. Lucarini believes the zoning permit was issued incorrectly he can appeal the issuance of it to the Board of Adjustment.

Ms. Gardner asked what street the mower repair is on. Mr. Lucarini said, "Route 179, right up at the corner across from Schaffernoths."

Seeing no other members of the public come forward, a motion by Paul Gavzy, seconded by Gloria Frederick to close to the public was unanimously approved.

Adjournment

A motion by Paul Gavzy, seconded by Kendra Schroeder to adjourn was unanimously approved.

The meeting adjourned at 7:54 PM.

Maria Andrews, Administrative Officer