

GREEN TOWNSHIP LAND USE BOARD MINUTES

REGULAR MEETING, June 8, 2023

CALL TO ORDER: The June 8, 2023 regular meeting of the Land Use Board was called to order by the Chairman, Mr. Scott Holzauer at 7:06pm. He then led everyone in the PLEDGE OF ALLIGIANCE.

Recitation of the OPEN PUBLIC MEETING STATEMENT by Mr. Holzauer.

ROLL CALL: Present: Mr. Joseph Cercone, Mr. Sam Diaz, Ms. Kate Douglass, Mr. Scott Holzauer, Mrs. Jenny Kobilinski, Mr. John Lynch, Mrs. Sharon Mullen and Mr. Rick Wilson

Also present: Mr. Cory Stoner, Board Engineer, Ms. Alison Kopsco in for Mrs. Caldwell-Dykstra, Board Planner, Mr. David Brady, Board Attorney and Mrs. Patty DeClesis in for Ms. Kim Mantz, Board Secretary

Members Absent: Mr. Robert Cahill, Mr. Jim DeYoung, Mrs. Nicole Magretto, Mr. Jason Miller and Mrs. Margaret Phillips

A motion was made by Mr. Wilson to excuse the absent members and seconded by Ms. Douglass.

All Ayes. No Discussion. Motion Carried. Abstentions: none

MOTION TO APPROVE MINUTES:

Land Use Board Minutes of April 13, 2023

Mrs. Kobilinski made a motion to approve the minutes and was seconded by Mrs. Mullen.

All ayes from those eligible to vote. No Discussion. Abstentions: Mr. Wilson

RESOLUTIONS:

Mr. Brady will email Kim the final draft with the correction of no. 17 to read "install".

Application: LU#1808

Owner/Applicant: Airside Inc.

Block 26 Lot 4 – 246 Brighton Road, Andover, NJ 08721

Action: memorialize approval

A motion was made by Mr. Lynch and seconded by Mrs. Kobilinski.

Roll call: Eligible to vote: Mr. Diaz, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen and Mr. Holzauer

All Ayes. No Discussion. Motion Carried

OLD BUSINESS: None

NEW BUSINESS:

Application: LU#2305

Owner/Applicant: Robert Cahill

Block 24 Lot 6 – 311 Pequest Road, Andover, NJ 08721

Action: Completeness and Public Hearing

This application began at 7:12pm

Mr. Robert Cahill, Applicant, was sworn in by Mr. Dave Brady.

Mr. Ken Wentink, Applicant's Engineer was accepted as a Professional Engineer by the Board.

Mr. Stoner began by going through his report for completeness.

No. 8 – Letter of Interpretation from the DEP - Mr. Stoner believes a letter from Mr. Brian Cramer stating that he performed a delineation of the wetlands area would be sufficient. This letter can be waived providing it is a condition of approval to have a letter from Mr. Cramer stating there are no issues.

No. 28 – Location of existing, manmade and natural features within 200 feet of the property. This item was not submitted with all of the information required but Mr. Stoner believes they do have enough information to not require anymore.

No. 29 – Topography with 200 feet of the subject property – Mr. Stoner provided the same response as above No. 28.

No. 31 – Environmental Impact Statement – This does not pertain to minor subdivisions, so this is not applicable.

No. 36 – Construction details of all proposed improvements – a silt fence and a stone shoulder will have to be shown as a condition of approval.

No. 38 – Soil Erosion and Sediment Control Plan – This should be listed as a condition of approval.

No. 42 – Prior submission of preliminary plat or application for subdivision approval – Mr. Stoner believes this is minor and this waiver can be granted.

Mr. Wentink stated he is here strictly for a minor subdivision so there is no construction involved. He stated this application was sent to the County and they would like to see a dry well near the driveway so there is a minimal amount of water running into Pequest Rd.

A motion was made to deem application LU#2305 complete by Mrs. Mullen and seconded by Mrs. Kobilinski.

Roll call: Mr. Cercone, Mr. Diaz, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Wilson and

Mr. Holzauer

All Ayes. No Discussion. Motion Carried

Mr. Wentink began by going over the requested variances and explained this property was for his son to build a house on.

1. Green Township ordinance requires 200 feet at the street line and there is only 176 feet.
2. There is a requirement of 200 feet at the setback line and they are "shy a few feet"
3. This lot, once divided, will not be 5 acres as required.
4. A house in this zone is a conditional use so a variance is needed.
5. The ordinance requires a 100-foot rear yard set back and there is only about 50 feet due to the old railroad bed.

Mr. Stoner reiterated that if Mr. Cahill wanted to build on his lot it wouldn't be an issue, he could just build but because he wants to give this lot to his son, the minor subdivision is required because the ownership is different.

Mr. Stoner asked Mr. Wentink about the driveway.

The County recommended the driveway be placed outside of the curve due to sight distance. The county wants to make sure water doesn't run off into the road so there was a suggestion of a dry well or a swale. The existing farm road cannot be used.

Mr. Stoner went through what was needed from the county for approval: well, septic, County Planning Board approval, deeds prepared, the lot number (6.01). Mr. Stoner spoke about the riparian buffer that is associated with the pond and Mr. Wentink will have Mr. Cramer report on that in his letter mentioned above.

Ms. Kopsco asked about accommodating businesses since this was an RB zone. Mr. Wentink stated this was a residential exclusion and he does not believe this can be used for a business.

She also asked about why the house was placed in that area. Mr. Wentink explained they wanted the house there because it would be further away from the existing house on the nearest lot. He also said there was a flat area and there is a 20-foot hole they need to stay away from.

Mr. Stoner confirmed the only conditional use variance requested was the size of the lot. It is a 5-acre requirement where this lot is only 3. Mr. Brady said the Board can grant this variance if they feel the impacts of a 5 acre can be accommodated on a 3 acre lot.

Mr. Holzauer opened and closed the public comment portion of the meeting as no public was interested in speaking.

A motion was made to close the public portion by Mr. Diaz and seconded by Mr. Lynch.

The public portion is closed.

After a brief discussion, a motion was made to grant the three bulk variances and one D3 variance which are subject to all the conditions in Ms. Caldwell-Dykstra's report including taking whatever steps are necessary before the County Ag Board (which has been attached to and made part of these minutes) by Ms. Douglass and was seconded by Mr. Wilson.

Role call: Mr. Cerccone, Mr. Diaz, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Wilson and Mr. Holzauer

All Ayes. No Discussion. Motion Carried.

A motion was made to approve the subdivision by Mrs. Mullen and was seconded by Mrs. Kobilinski.

Role call: Mr. Cerccone, Mr. Diaz, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Wilson and Mr. Holzauer

All Ayes. No Discussion. Motion Carried.

Mr. Brady explained there is an appeal period of 45 days after the resolution is published for anyone that may object. The deeds should be sent to Mr. Brady and Mr. Stoner for review before they are recorded.

The application ended 7:45pm

Mr. Holzauer opened and closed the public comment portion of the meeting as no public was in attendance.

ATTORNEY'S REPORT – None

CHAIRMAN'S REPORT – Mr. Holzauer spoke about what he read in the NJPO *Planner* allowing farms to have events based on their income and size but it is subject to municipal zoning.

Mr. Brady said law clarifies on preserved farms what activities you can have regarding agrotourism.

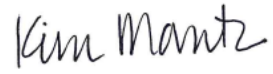
Mr. Brady then went on to say cannabis lounges are becoming more prevalent but it shouldn't be an issue here because Green Township does not allow dispensaries. These lounges are popping up next to dispensaries.

SECRETARY'S REPORT – Mrs. DeClesis Read Mrs. Magretto's resignation email.

PROFESSIONALS REPORT – Mr. Stoner said Pub 517 is moving forward with their application according to a phone call he had with Mr. Eric Snyder. He also stated the Crossed Keys Conservatory is finished, he has done a resolution compliance inspection and everything has been completed.

A Motion was made by Mr. Wilson to adjourn the meeting at 8:01pm and seconded by Mr. Cercone.
All Ayes. No Discussion. Motion Carried. Abstentions: none

Respectfully Submitted:

A handwritten signature in black ink that reads "Kim Mantz". The signature is written in a cursive, slightly slanted style.

Kim Mantz, Land Use Board Secretary

Date approved: October 12, 2023