MINUTES OF THE HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MEETING HELD ~~MAY 7~~AUGUST 6, 2009

CALL TO ORDER: Chairman Miller called the meeting to order at 7:30 p.m.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 ~~has been~~ was made to the New Jersey Herald and a copy is posted on the Bulletin Board at the Hardyston Township Municipal Building.

ROLL CALL:

William Walsh	Present – (Late - 7:40 p.m.)
Santo Verrilli	Present
Gerald Laughlin	Present
Candace Leatham	Present
Mary Ann Murphy	Present
Roger Kabbash	Present
Hugh Krone (Alt. 2)	Excused
Carl Miller	Present

OTHERS PRESENT: Michael Vreeland, P.E., P.P.; Richard Brigliadoro, Esq., and Anne-Marie Wilhelm, Secretary.

APPROVAL OF MINUTES: *Minutes of the Hardyston Township Zoning Board of Adjustment Meeting Held June 4, 2009*: A motion to approve was made by Mary Ann Murphy and seconded by Candace Leatham. Roll Call: Gerald Laughlin – yes; Candace Leatham – yes; Mary Ann Murphy – yes; Roger Kabbash – yes; Carl Miller – yes. The motion carried.

APPROVAL OF RESOLUTION(S): There were no resolutions scheduled.

APPLICATIONS: ZB-8-08-1, SJZ, L.L.C., Extension Request, "D" Variance, Preliminary and Final Site Plan, Block 14, Lot 21.02 – John A. Snowden, Esq., appeared on behalf of the Applicant. He asked for an extension of the variance. Mr. Brigliadoro provided an overview of the matter explaining that the Applicant, SJZ, L.L.C., running a business known as Paradise Pools, previously appeared before the Board as the Hardyston Township/Hamburg Borough border bisects the subject property, and only the stormwater management facility is to be partially located on the Hardyston Township portion of the site. He stated the Board approved the construction of said facility in November 2008.

With reference to the status of the matter in Hamburg Borough, Mr. Brigliadoro stated his firm represents the Hamburg Land Use Board. He submitted a set of Minutes of the Hamburg Land Use Board dated April 13, 2009; and related that the Applicant was granted an extension of time until October 15, 2011. Mr. Brigliadoro stated there was a mix-up with respect to the preparation of the resolution in that case, and the resolution in now on the Hamburg Land Use Board's Agenda of September 14, 2009.

With reference to the subject application, Mr. Brigliadoro noted that the Hardyston Township Board has always taken the position that the variance should run concurrently with the site plan approval. Chairman Miller confirmed this understanding stating that it is the Board's intent. Mr. Brigliadoro explained that Final Site Plan takes precedence over the Preliminary when the approvals are granted together. He stated the Applicant's site plan approval is good until December 4, 2010. He recommended the Board grant the Applicant's extension request and run the variance concurrent to the site plan approval.

A motion to approve the extension to run concurrent with the site plan until December 4, 2010 was made by Santo Verrilli and seconded by William Walsh. Roll Call: William Walsh – yes; Santo Verrilli – yes; Gerald Laughlin – yes; , Candace Leatham – yes; Mary Ann Murphy – yes; , Roger Kabbash – yes; Carl Miller – yes. The motion carried.

PUBLIC PARTICIPATION: No members of the public addressed the Board.

DISCUSSION: Chairman Miller announced Gerald Laughlin's receipt of a New Jersey Planning Officials certificate of achievement for successfully completing advanced training.

Board members reviewed two open matters and directed consultants Vreeland and Brigliadoro to take actions to bring issues, within the auspices of the Board's jurisdiction, to closure and refer, as necessary, any remaining issues to the appropriate resource.

A motion to direct Mr. Brigliadoro to forward a letter to Arden Paul Svedman, Zoning Official, regarding the status of compliance in a matter was made by William Walsh and seconded by Santo Verrilli. All were in favor. The motion carried. The Board requested a status review of the matters at the September 3, 2009 meeting.

BILLS: Board members reviewed the bills cited below. A motion to recommend payment of the bills to the Township Council was made by Candace Leatham and seconded by Gerald Laughlin. Roll Call: William Walsh – yes, Santo Verrilli – yes, Gerald Laughlin – yes, Candace Leatham – yes, Mary Ann Murphy – yes, Roger Kabbash – yes, Carl Miller – yes. The motion carried.

HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT
ESCROW REPORT
AUGUST 6, 2009

Richard Brigliadoro, Esq.

Invoice 128067	ZB-2-09-1, Crystal Springs Builders, L.L.C., [Crystal Springs North Soil Removal]	$165.00
Invoice 128066	Zoning OE	300.00

New Jersey Herald

Invoice 2420661	Legal Notice	21.15

-

CORRESPONDENCE: There was no correspondence.

ADJOURNMENT: Having no further business, a motion to adjourn was made by

Minutes respectfully submitted by:

/s/ Anne-Marie Wilhelm

Anne-Marie Wilhelm

Land Use Administrator~~Mr. Vreeland suggested that the Board request a channeling mechanism and signage. He stated that he strongly recommended a restoration plan with a timing element.~~

~~Mr. Vreeland stated that the alternate route makes better sense; however he suggested maintaining the other access for emergency vehicles.~~