

**WEST AMWELL TOWNSHIP
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
September 27, 2011**

The West Amwell Township Zoning Board of Adjustment regular meeting was called to order at 7:35PM by Chairman Fulper.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was summarized by Chairman Fulper: This meeting is called pursuant to the provisions of the Open Public meetings Law. This meeting was included in a list of meetings transmitted to the Hunterdon County Democrat and Trenton Times on January 10, 2011. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Zoning Board of Adjustment Office.

The meeting was recorded via digital recording system and copy of CD is on file in the Zoning Board of Adjustment Office.

Chairman Fulper led the Pledge of Allegiance to the American Flag.

ATTENDANCE/ROLL CALL:

Roll call on attendance: Joe Romano-present, Ruth Hall-present, Dave Sanzalone-present, John Dale-present, Robert Fulper-present.

Absent: John Cronce, Brian Fitting, John Ashton (ALT. #1), John Hoff (ALT. #2)

Professionals Present: Stewart Palilonis, Board Attorney

PRESENTATION OF MINUTES:

Regular Meeting Minutes – August 23, 2011 – Motion was made by Dale with a second by Sanzalone for approval of the minutes with minor corrections as discussed. Roll call, Romano-abstain, Hall-aye, Sanzalone-aye, Dale-aye, Fulper-aye.

RESOLUTION(S) OF APPROVAL:

Garden Solar LLC – Block 18 Lot 1– Brunswick Pike Conditional Use/Second Principal Use/Nonconforming Use Variances

East Coast Colorants, LLC d/b/a Breen Color Concentrates –Block 8 Lot 23.03 - Kari Dr. – Amended Site Plan /Use Variance

Resolutions for approval carried to October 25, 2011 meeting, majority of voting members not present.

Attorney Palilonis will notify the applicant's attorneys of the delay in memorializing the resolutions.

APPLICATION(S):

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Completeness Determination: New Cingular Wireless PCS, LLC (AT&T) -Block 5.01 Lot 3 – 125 Alexauken Creek Road –Variance Request – Use/Height/ Preliminary and Final Site Plan Approval

Application, checklist, and Plan titled “Site Plan of Existing Conditions” prepared by Dewberry-Goodkind, Inc., last revised July 8, 2011, Plans titled “Preliminary and Final Major Site Plan, Proposed Unmanned Equipment Shelter at Existing Transmission Tower (Co-Location), PSE&G-Lambertville Site No. W-371” prepared by Dewberry Goodkind, Inc., last revised August 11, 2011. Set consists of ten (10) sheets, were received and distributed

Michael Lavigne, attorney for the applicant, appeared on behalf of the applicant New Cingular Wireless PCS, LLC (AT&T) seeking completeness determination. Mr. Lavigne referenced VanCleaf Completeness & Technical Review Letter #1 dated September 20, 2011, stating he agrees with the conclusion by Engineer Decker, recommending the application be deemed complete. Mr. Lavigne stated he understands what testimony is required with regards to the wireless ordinance and site plan and also regarding testimony confirming there aren't any environmentally sensitive areas, wetlands, buffers, or riparian zones, and would be prepared to testify to that.

Mr. Lavigne stated, in a prior review letter by Engineer Decker and also in the wireless ordinance, it makes reference to having an applicant meet with a Siting Committee. The Siting Committee consists of a representative of the Planning Board, the Zoning Board and the Township Committee. Mr. Lavigne requested confirmation that would be a requirement, a prerequisite before the hearing.

Attorney Palilonis requested Secretary Hall to contact the Chairman of the Planning Board and the Mayor to schedule a meeting if required. Chairman Fulper suggested a canvassing of the opinions of those involved to verify a meeting is necessary. Secretary Hall will contact Ms. Fairweather with the determination.

Motion was made by Sanzalone with a second by Hall to deem the application complete per VanCleaf Completeness & Technical Review #1 dated September 20, 2011. Roll call: Romano-aye, Hall-aye, Sanzalone-aye, Dale-aye, Fulper-aye. Motion carried. (7:53PM)

Chairman Fulper advised the applicant the next regular scheduled meeting is October 25, 2011. Attorney Palilonis reminded Mr. Lavigne the property is neighboring Delaware Twp., requiring notice to property owners and the municipal clerk in Delaware Twp.

CORRESPONDENCE:

The following items were distributed as correspondence:

Email from Clerk Olsen re: **Town Hall Meeting**, September 15, 201, presented by **Senator Doherty**

Forwarded to Board members by email on 8/26/11

August, 2011 **NJ Planner**

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Approval of Bill List 9/27/11:

A motion by Dale, seconded by Hall to approve the Bill List for payment was unanimously approved by voice vote.

DISCUSSION:

Secretary Hall advised that the December meeting falls on a day the municipal office is closed. Board discussion indicated if the December agenda supported rescheduling the meeting, December 21 or December 22 were the suggested dates. Secretary Hall will follow up on the availability of the meeting room and poll the members as to date availability.

OPEN TO PUBLIC:

The floor was opened to the public. Hearing no comments/questions, the floor was closed.

ADJOURNMENT:

A motion by Sanzalone, seconded by Dale to adjourn was unanimously approved by voice vote (8:00PM)

Respectfully submitted,

Ruth J. Hall