

**WEST AMWELL TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Reorganization/Regular Meeting
January 26, 2010**

The West Amwell Township Zoning Board of Adjustment Reorganization/Regular meeting was called to order at 7:30 PM by Board Secretary Donna Griffiths.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was read into the record by Secretary Griffiths: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings noticed in the January 30, 2009, edition of the Hunterdon County Democrat and transmitted to the Trenton Times. 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.

Secretary Griffiths led the Pledge of Allegiance to the American Flag.

ATTENDANCE/ROLL CALL:

Roll call on attendance: John Cronce-present, John Dale-present, Brian Fitting-present, Robert Fulper-present, Ruth Hall-present, Joseph Romano-present, Dave Sanzalone-present.

NOMINATIONS/APPOINTMENTS:

Chairperson - Secretary Griffiths opened the floor for nominations for the position of Chairperson. Nomination was cast by Fulper for the appointment of John Cronce. Motion was seconded by Fitting. Hearing no other nominations, the floor was closed to nominations. Motion carried on roll call vote – all ayes. John Cronce appointed as Chairperson for 2010.

APPOINTMENTS/OATH OF OFFICE:

Oath of office was administered by Chairman Cronce to the following Board member:

John Dale – 4 yr. term (exp. 12/31/13)

Open Appointments:

Alt. #1 - (2 yr. term through 12/31/11)

Alt. #2 - (unexpired 2 yr. term through 12/31/10)

E-mail dated 1/19/10 was received from Clerk Olsen advising that John Hoff was appointed to the unexpired Alt. #2 term, however, it was determined by Attorney Faherty that Mr. Hoff is ineligible to serve as he was also appointed to the Environmental Commission which is a conflict. The correspondence received also indicated that a replacement would be made in February. Mr. Hoff was present and expressed interest in serving on the Zoning Board offering that he would resign his position on the Environmental Commission if there is a conflict. Chairman Cronce will contact the Mayor regarding the appointment of Mr. Hoff, and request will also be made for the reappointment of Joseph Rosina.

NOMINATIONS/APPOINTMENTS (continued):

Vice Chairperson – Chairman Cronce opened the floor for nominations for the position of Vice Chairperson. Nomination was cast by Cronce for the appointment of Ruth Hall as Vice Chairperson.

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Motion was seconded by Fulper. Hearing no other nominations, the floor was closed to nominations. Motion carried on roll call vote – all ayes. Ruth Hall appointed as Vice Chairperson for 2010.

Secretary – Motion was made by Cronce with a second by Sanzalone for the appointment of Donna Griffiths as Board Secretary. Motion carried on roll call vote – all ayes.

Deputy Secretary – Motion was made by Fulper with a second by Sanzalone for the appointment of Betty Jane Hunt as Deputy Secretary. Motion carried on voice vote – all ayes.

PRESENTATION OF MINUTES:

Regular Meeting Minutes – December 22, 2009 – Motion was made by Romano with a second by Sanzalone for the approval of the minutes contingent upon the following correction: Page 2 - Witness #1 - correction of first name to "*Patrick*". Motion carried on roll call vote – all ayes; Dale abstain.

REORGANIZATION RESOLUTIONS:

ZBA2010-01 – CONSENT AGENDA
ZBA2010-02 – MEETING SCHEDULE
ZBA2010-03 – DESIGNATION OF OFFICIAL NEWSPAPER
ZBA2010-04 – APPOINTMENT OF BOARD ATTORNEY
ZBA2010-05 – APPOINTMENT OF BOARD ENGINEER
ZBA2010-06 – APPOINTMENT OF BOARD PLANNER

Motion was made by Sanzalone with a second by Hall for the adoption of resolutions 2010-01, 2010-02, 2010-03, 2010-04, 2010-06 (attached hereto) and execution of professional services agreements by way of formal adoption of consent agenda 2010-01. Motion carried on roll call vote – all ayes.

Professional services contract for the position of Board Engineer received from Van Cleef Engineering Services was discussed. It was the consensus of the Board that requests for quotes should be solicited for this position. Concern was expressed regarding the fees that applicants are incurring for review by the Board's professionals, specifically relative to engineering services. It was the opinion that the Board should solicit quotes from various engineering firms before awarding the Board engineer contract for a 12 month period. It was noted that proposals for the Board Planner position had been solicited within the last few years. Motion was made by Cronce with a second by Sanzalone to approve Resolution 2010-05 and accompanying professional services contract for VanCleaf Engineering Associates for the period 1/1/10 through 3/31/10.

Secretary Griffiths was authorized to post a request for quotes for engineering services on the NJLM website with a return date by the next meeting.

RESOLUTION(S) OF APPROVAL:

Myhre, Erik - Block 13 Lot 3 - State Highway 179 - Use/Bulk Variance Request - Single Family Dwellings - Resolution as prepared by Attorney Pallonis was distributed. Email communication was received from the applicant acknowledging agreement with the resolution as

presented. Question was raised by the Board as to the language contained in the resolution as follows: third Whereas (a) - pertaining to the applicant restoring the vacant structure "**only if he can rent it out for residential purposes**"; language in (c) "Board was **concerned** that the bridge providing access to the property..."; last paragraph - time frame for submission of reports "**prior to the issuance of a construction permit or within six months**". It was agreed to hold over action on the resolution until the next meeting when Attorney Palilonis is present and can clarify the issues raised.

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CORRESPONDENCE:

NJ Planner - December 2009/January 2010 edition was distributed.

PRESENTATION OF BILLS FOR PAYMENT:

The following bills were presented:

Stewart Palilonis - December services - \$612.50;
Anthony Mercantante, P.P. - Mostofizadeh Escrow - \$693.00
NJ Planning Officials - ZBA O.E. - Annual Dues - \$180.00

Motion was made by Cronic with a second by Sanzalone for the approval of the bills as presented contingent upon certification of funds from the CFO. Motion carried on roll call vote - all ayes.

Secretary Griffiths informed the Board of the ongoing issue with collecting escrow monies for the Mostofizadeh application. The applicant has been advised on numerous occasions that the escrow account is in arrears and needs to be replenished in order that review may continue on the application.

Mr. Mostofizadeh has recently related to Secretary Griffiths that he can no longer fund the project. Concern was raised for the need for the account to be replenished in order to pay the Board's professionals for services to date. It was agreed that a letter is to be sent to Mr. Mostofizadeh advising that if the escrow account is not brought current prior to the next meeting, no further action will be taken on the application.

DISCUSSION:

Board member Fulper questioned the content of notice of public hearing he received for an application scheduled for public hearing before the Board in February. Concern was raised as to whether notice of the relief being requested is adequately contained in the notice.

OPEN TO PUBLIC:

No public comments/questions presented.

ADJOURNMENT:

Motion to adjourn at 8:35 PM was made by Sanzalone with a second by Fulper. All members voted in favor of adjournment.

Respectfully submitted,

Donna M. Griffiths
Secretary