

**WEST AMWELL TOWNSHIP**  
**ZONING BOARD OF ADJUSTMENT**  
**Regular Meeting**  
**August 24, 2010**

The West Amwell Township Zoning Board of Adjustment regular meeting was called to order at 7:30 PM by Chairman Cronce.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was summarized by Chairman Cronce: 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 28, 2010. 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 Cronce led the Pledge of Allegiance to the American Flag.

**ATTENDANCE/ROLL CALL:**

Roll call on attendance: Robert Fulper-present, Brian Fitting-present, Joseph Romano-present, David Sanzalone-present, Ruth Hall-present, John Dale-present, John Ashton (Alt. #1)-present, John Hoff (Alt. #2)-present, John Cronce-present.

Professionals Present: Stewart Palilonis, Board Attorney

**PRESENTATION OF MINUTES:**

Regular Meeting Minutes – July 27, 2010 – Motion was made by Fulper with a second by Sanzalone to approve the minutes as presented. Motion carried on roll call vote – all ayes; Romano, Hall – abstain.

Possible Release of Executive Session Minutes - Executive session minutes dated January 23, 2007, and August 28, 2007, were distributed. Recommendation was made by Attorney Palilonis for the release of the minutes to open session minutes. Motion was made by Fulper with a second by Hall to approve the release of these minutes based on recommendation by Attorney Palilonis. Roll call: Fulper-aye, Fitting-aye, Romano-aye, Sanzalone-aye, Hall-aye, Dale-aye, Cronce-aye. Motion carried.

**RESOLUTION(S) OF APPROVAL:**

**Resolution 2010-16 - Rosenberg – Block 11 Lot 5.13 – Rose Run – Variance - Stream Corridor** - Resolution as prepared by Attorney Palilonis was distributed. A copy was provided to the applicant prior to the meeting with applicant acknowledging

agreement with the resolution as presented. Motion was made by Dale with a second by Sanzalone

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for approval of the resolution. Roll call: Fulper-aye, Fitting-aye, Sanzalone-aye, Dale-aye, Ashton (Alt. 1)-aye, Hoff (Alt. #2)-aye, Cronce-aye. Motion carried.

**Resolution 2010-17 - Somogyi – Block 33 Lot 6.01 – Brunswick Pike – Variance Request – Accessory Building/Structure** - Resolution as prepared by Attorney Palilonis was distributed. Copy of the resolution was provided to the applicant. Motion was made by Dale with a second by Sanzalone to approve the resolution contingent upon the inclusion of the following language: "b...."The Board requested, and Mr. Somogyi agreed to replace the existing screen with a staggered, double row of four to six feet tall evergreens, ten feet on centers, *if necessary.*" Roll call: Fulper-aye, Fitting-aye, Sanzalone-aye, Dale-aye, Ashton (Alt. #1)-aye, Hoff (Alt. #2)-aye, Cronce-aye.

#### **CORRESPONDENCE:**

Copy of the **NJ Planner**, July/August 2010 edition was received and distributed.

#### **PRESENTATION OF BILLS FOR PAYMENT:**

The following bills were received:

Stewart Palilonis - \$425.00 (July meeting to include escrow charges)

NJN Publishing - \$19.94 – (Gasparro escrow)

MGL Printing Solutions - \$145.00 (Minute book/paper)

VanCleaf Engineering - \$272.00 (Kilmer escrow)

Motion was made by Fulper with a second by Sanzalone for the approval of the bills contingent upon certification of funds. Motion carried on roll call vote – all ayes.

#### **DISCUSSION:**

**Stream Corridor Ordinance – Environmental Commission Chair Cathy Urbanski –** Cathy Urbanski, Environmental Commission Chair, appeared before the Board to discuss the Township's Stream Corridor Ordinance in response to recent questions raised relative to the ordinance. A current copy of the ordinance was distributed to all Board members. Ms. Urbanski provided an overview of the development and approval process relative to the adoption of the ordinance. Attorney Palilonis and Ms. Urbanski provided an overview of the ordinance specifically relative to sections that would apply to applications that would be heard by the Zoning Board. Zoning Official Baldino was also present and the Zoning Official's role in the enforcement of the provisions of the

ordinance was also discussed. Question was raised as to whether the regulations for stream corridor protection should be incorporated into the Municipal Land Use Law and

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whether the Township's ordinance could be challenged since the regulations are not part of the MLUL. Ms. Urbanski will confer with representatives from the NJ Department of Environmental Protection and the New Jersey Planning Officials' Association to obtain their views on this issue.

Possible Appointment of Board Secretary – Chairman Cronce apprised the Board of Board member Ruth Hall's interest in the Board Secretary position. Discussion ensued regarding the process for the hiring of a Board Secretary. Secretary Griffiths related the criteria for filling the position as outlined in the Township's General Code, Policy relative to Employment Procedures/Recruitment for Zoning Board and Planning Board, and the Municipal Land Use Law. It was agreed that Ms. Hall should be considered for the position and upon review of the hiring guidelines, advertisement for the position would not be necessary if Ms. Hall is interested in the position.

Ms. Hall provided an overview of her experience as a Board member as well as her experience in administrative/secretarial positions to include, but not limited to, the duty of taking minutes. In response to questioning, Ms. Hall advised that obligations that had precluded her from attending some of the Board meetings in the past have since resolved so there wouldn't be an issue with meeting attendance going forward.

Motion was made by Sanzalone with a second by Romano for the appointment of Board member Ruth Hall as Board Secretary for the remainder of the term effective 9/1/10 through 12/31/10 at the current salary afforded to Secretary Griffiths. Motion carried on roll call vote – all ayes.

**OPEN TO PUBLIC:**

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

**ADJOURNMENT:**

Motion was made by Sanzalone with a second by Fulper to adjourn at 8:50 PM. All voted in favor of adjournment.

Respectfully submitted,

Donna M. Griffiths

Secretary