

**WEST AMWELL TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
April 28, 2009**

The West Amwell Township Zoning Board of Adjustment 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: 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 30, 2009. 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.

**OATH OF OFFICE:**

Oath of office was administered by Attorney Palilonis to the following Board member:

Robert Fulper – 4 yr. term (through 12/31/12)

Administering of the oath of office to be carried over to the next meeting for the following Board member:

Antonia Motola - Alt. #2 (2 yr. unexp. term through 12/31/10)

**ATTENDANCE/ROLL CALL:**

Roll call on attendance: Brian Fitting-present, Dave Sanzalone-present, Robert Fulper-present, Gary Langfelder-present, Joseph Rosina-present, John Cronce-present

Absent: Ruth Hall, Joseph Romano, Antonia Motola (Alt.#2)

Professionals Present: Stewart Palilonis, Board Attorney

**PRESENTATION OF MINUTES:**

**Regular/Reorganization Meeting Minutes - January 27, 2009** - Motion was made by Rosina with a second by Sanzalone for the approval of the minutes as presented. Motion carried on roll call vote - all ayes; Fulper-abstain.

**REORGANIZATION RESOLUTION(S):**

**ZBA2009-07 -Appointment of Planner** - Contract for Planner services for the year 2009 was received from Anthony Mercantante, P.P. at a rate of \$126.00 per hour.

Motion was made by Sanzalone with a second by Langfelder for the appointment of Anthony Mercantante and approval of Resolution ZBA2009-07. Motion carried on roll call vote - all ayes.

**CORRESPONDENCE:**

**NJ Planner** dated March/April 2009 was distributed

Notice of **NJPO Annual Awards Banquet** was received.

Copy of completion **Certificate of the Basic Course in Land Use Law and Planning course for Robert Fulper II** was received from the Dept. of Community Affairs.

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**Waiver from Attending the Basic Course in Land Use Law and Planning course was granted and received by the Dept. of Community Affairs for Joseph Rosina** as a licensed professional planner.

**2009 Budget** - Secretary Griffiths advised that in response to the Board's request, \$200.00 has been appropriated in the Board's 2009 budget in the Deputy Secretary line item. Secretary Griffiths also advised that the Board Secretary salary has been cut by 10% in accordance with salary cuts made to all employees by the Township Committee.

**PRESENTATION OF BILLS FOR PAYMENT:**

The following bills were presented:

Stewart Palilonis - January 2009 services - \$150.00

Motion was made by Fulper with a second by Sanzalone for the approval of the bill as presented. Motion carried on roll call vote - all ayes.

**DISCUSSION:**

**Other:**

**Requests for Refund of Escrow Monies** - The following requests for refunds were received:

Longhi - \$342.83 (variance approved in 2008)  
Simonye - \$95.00 (variance approved in 2002)  
DuFresne/Oberdorfer - \$1,080.80 (variance approved in 2008)

Attorney Palilonis related that he has no outstanding billing on these accounts. Motion was made by Rosina with a second by Fitting approving the refund of the escrow monies as requested. Motion carried on roll call vote - all ayes.

Attorney Palilonis commented on the article in the NJ Planner regarding recently passed Senate Bill #1303 identifying "wind, solar or photovoltaic energy facility" as facilities for the purpose of supplying electrical energy produced from wind, solar, or photovoltaic technologies. The bill will add a definition of "inherently beneficial use" to the MLUL, therefore, negative criteria will be the only criteria to be addressed for applications of this nature.

**OPEN TO PUBLIC:**

There were no members of the public present.

**ADJOURNMENT:**

Motion to adjourn at 7:45 PM was made by Sanzalone with a second by Fulper. All members voted in favor of adjournment.

Respectfully submitted,

Donna M. Griffiths  
Secretary