

LAND USE BOARD

Minutes for August 7, 2017

The August 7, 2017 Joint Land Use Board meeting of the Township of Waterford, called to order at 7:00 pm by Chairman Ralph Condo

In accordance with Chapter 231, Public Law, 1975, Open Public Meeting Act, notice of time, date and place for this meeting was sent as part of the annual notice to the Courier Post and Record Breeze, and is posted in the Municipal Building.

Salute to the flag.

Notice:

The Planning Board reserves the right to change the order of the published agenda. All changes will be announced at the start of each meeting.

It is the intent of the Board to not begin a new application after 10:30 PM and take no testimony after 11:00 PM.

For those of you in attendance with a cell phone, please turn it off or put in on silent mode. Also, if it is necessary to have a conversation with the professionals involved with your application please do so outside the meeting room.

ROLL CALL: Answering to the roll call were Mr. Achey, Mr. Becker, Committee Giangiulio, Mr. Howarth, Mr. Mauriello, Mr. Russomanno, Mayor Richardson, Mr. Hanna, and Chairman Condo. Ms. Ferguson arrived at 7:10PM. Mr. Hanna vacated the seat for Ms. Ferguson.

SWEARING IN OF PROFESSIONALS: Mr. Hanson was a notified absent.

MOTIONS OF ADJOURNMENTS OR OTHER MOTION: No motions

OLD BUSINESS:

1. Desorte - Street Vacation - No action needed

Mr. Toussaint reminded the Board they voted on this matter with conditions. Mr. Desorte was notified of the conditions he needed to satisfy before the street vacation could be forwarded to Township Committee. He continued, after several issues were addressed and met, the Desorte's are now in compliance and the recommendation to vacate the street can be forward to Township Committee for approval.

COMMUNICATIONS / DISCUSSIONS:

1. Ordinance #2017-12 from the Waterford Township Mayor and Committee.
Chapter 176-73 Lighting and Chapter 176-73G Street Lighting.

Mr. Toussaint explained Ordinance 2017-12 addresses Chapter 176-73 Lighting and Chapter 176-73G Street Lighting throughout the Township and recommends the lights be converted to LED lighting and to insure compliance with the Township Master Plan. It includes everything previously discussed by this Board. The ordinance states all new developments must meet the new standards and install LED lighting. Some of the Board members asked questions regarding clarification. Mr. Toussaint and Chairman Condo responded to questions by the Board members.

VOICE VOTE: On a motion by Committeeman Giangiulio, seconded by Mr. Becker, Ordinance #2017-12, Chapter 176-73 and Chapter 176-73G to convert street lighting to LEDs and insures that it complies with the Master Plan was approved. The draft will be sent to Township Committee. The Board voted unanimously in favor of the motion – 9 ayes, 0 nays - Motion carried.

2. Chapter 176-77 Non-Conforming uses and structures discussion with Rich Wells on amendments.

Mr. Toussaint explained the reason for the amendments to Chapter 176-77 – Non-Conforming uses and structures. A draft must be developed to amend and clarify non-conforming uses and structures because the Township has no way of citing property owners because guidelines and standards have not been formalized in the Ordinance. The guidelines and standards will ensure uniformity of management and maintenance of rental properties by owners

VOICE VOTE: On a motion by Mr. Mauriello, seconded by Mr. Achey the recommendation for amendments to chapter 176-77 was approved and will be sent to Township Committee for review. The Board voted unanimously in favor of the motion – 9 ayes, 0 nays - Motion carried.

3. New Jersey Planner handout - Mr. Toussaint indicated the Planner has been handed out.

RESOLUTION: 17-12

1. Richard Lindsay 703 Jackson Road

On a motion by Mr. Becker, seconded by Mr. Condo, to approve Resolution 17-12 denying the application of a pre-existing non-confirming use, through construction of concrete storage bins on the property, in the Rural Neighborhood Business Zone on the premises located at 703 Jackson Road, Waterford Township.

Discussion took place regarding the Lindsay resolution by Mr. Toussaint and the Board. Mr. Toussaint stated he is receiving calls from neighbors about the property. He feels the misunderstood the Board's action. Also, a resident is requesting twenty years of information about the property through OPRA. A lengthy discussion continued with the Board and Mr. Toussaint. Prior to the vote, Mr. Wells again explained – the Board did what they could and voted based on the information they had before them. The Board must be careful in handling this case because it can be deemed harassment. We need to be proactive, he stated. You are voting on a resolution of denial rather than adoption of Resolution 17-12.

ROLL CALL VOTE: Mr. Achey, aye, Mr. Becker, aye, Ms. Ferguson, abstain, Committeeman Giangiulio, no vote, Mr. Howarth, aye, Mr. Mauriello, abstain, Mr. Russomanno, aye, Mayor Richardson, no vote, Chairman Condo, aye. 5 ayes, 2 abstentions, 2 no vote, both members were absent from the previous meeting. Motion carried to approve resolution 17-12 and deny the application.

MINUTES:

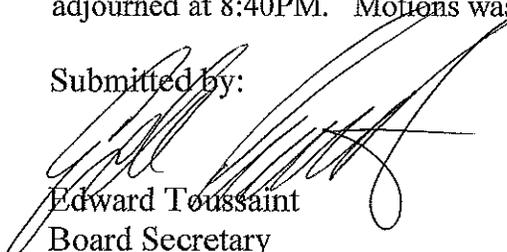
On a motion by Mr. Howarth, seconded by Mr. Mauriello the minutes of the June 19, 2017 meeting were unanimously approved by the Board. Motion carried unanimously.

OPEN TO THE PUBLIC: None

BOARD COMMENTS AND QUESTIONS: Chairman Condo welcomed Committeeman Giangiulio back. Mr. Giangiulio thanked everyone for their cards, texts, e-mails, etc. He said he was overwhelmed by everyone's concern and best wishes.

ADJOURNMENT: On a motion by Mr. Mauriello, seconded by Mr. Becker the Board adjourned at 8:40PM. Motions was carried unanimously.

Submitted by:


Edward Toussaint
Board Secretary