

**WHITE TOWNSHIP PLANNING BOARD  
555 CR 519, BELVIDERE, NEW JERSEY**

**MINUTES  
MAY 14, 2013**

The regular meeting of the White Township Planning Board was held on Tuesday, May 14, 2013. Present were: Timothy Matthews, Anthony Wyhopen, Bryan Vande Vrede, Joseph Phillips, Michael Grossmann (arriving at 7:33 p.m.), Jeff Herb, Sam Race, Robert Mackey, Joseph Magnini, and David Pritchard (arriving at 7:37 p.m.). Also present: Board Attorney Richard Dieterly, Board Engineer Paul Sterbenz, and Board Planner Joseph Layton.

**CALL TO ORDER:**

Anthony Wyhopen called the meeting to order at 7:30 p.m. He stated that the meeting is being held in accordance with the "Open Public Meetings Act", with adequate notice to the appropriate newspapers and posting on the Township bulletin board.

**OPEN TO THE PUBLIC:**

Chairman Wyhopen opened the meeting to the public for non-agenda items. With there being no public comment, the meeting was closed to the public

**MINUTES OF PREVIOUS MEETING:**

The minutes of the meeting of April 9, 2013, were distributed to all the Board Members prior to the meeting. Board Attorney Dieterly noted a minor clarification.

Dr. Phillips made the motion to approve the minutes, as amended. Motion seconded by Mr. VandeVrede. In a voice vote, all were in favor, except for Mr. Herb, Mr. Race, Mr. Mackey, and Mr. Magnini

**VOTE: 4 AYES**

The motion carried

**COMPLETENESS:**

**#766 WhiteTown Realty, LLC., Block 30, Lots 8 & 11**

Mr. VandeVrede recused himself and sat in the audience. Michael Lavery, Esq. was present on behalf of the Applicant. The May 13th, 2013 report of Board Engineer Sterbenz was reviewed and discussed. Attorney Lavery stated that they will comply with 1(a) of the May 13th report. Mr. Mr. Grossman and Mr. Pritchard arrived.

Mr. Magnini made the motion to grant the waivers for 2( a) (b) (c) (d) (e) (f) (g) (h) and (i), as outlined in the May 13th report of Board Engineer Sterbenz. Motion seconded by Dr. Phillips. In a voice vote, all were in favor.

**VOTE: 9 AYES**

The motion carried

Mr. Magnini made the motion to deem 3 (a) (b) (c) and (d) as not applicable, as outlined in the May 13th report of Board Engineer Sterbenz. Motion seconded by Mr. Mackey. In a voice vote, all were in favor.

**VOTE: 9 AYES**

The motion carried

Dr. Phillips made the motion to deem the application complete. Motion seconded by Mr. Magnini. In a voice vote, all were in favor.

**VOTE: 9 AYES**

The motion carried

Board Attorney Dieterly stated some concern over the notice that was provided. Attorney Lavery agreed to renote for next month. Board Attorney Dieterly announced to the public, that the application will be heard at the Board's June 11th meeting.

Mr. VandeVrede resumed his position on the Board.

**NEW BUSINESS:**

**#768 Tilcon NY Inc., 34, Lot 20-Site Plan**

John Wyciskala, Esq. was present on behalf of the Applicant and he reviewed the Conditional Use/Preliminary and Final Site Plan application submitted to the Board.

Rich Finley, Catherine Mueller, Paul Sterbenz and Joseph Layton were all sworn in. Ms. Mueller provided her qualifications as an Engineer. The following was submitted and marked as an exhibit:

A-1 Aerial Photograph

Engineer Mueller went on to describe the properties and their activity in the aerial photograph. The following was submitted and marked as an exhibit:

A-2 Submitted Preliminary and Final Site Plan

Engineer Mueller went on to describe the Plan sheets and the mining proposal, which was discussed at great length. The Board stated their concern over traffic, water discharge, and the lake. Also discussed was the reclamation plan, hydraulic analysis, the master plan for the project, the yearly renewal permitting process, and the safety issues.

The hearing was opened to the public for comments and questions. With there being no public comments/questions, the hearing was closed to the public.

Attorney Wyciskala then began to review the Board Professional Reports, which were discussed with the Board and the Applicants. The Board stated their concern over the lack of information. Ms. Muller stated that details would be provided during the annual permitting process and the "Master Plan" shows that the project is feasible. The Board questioned whether the prior reclamation plan is available and whether a detailed analysis should be required as there are too many variables at this point. Attorney Wyciskala stated that the specific details would be provided during the annual renewal process.

The Applicants agreed to provide additional information for next month's meeting. They also asked that the Board entertain the adoption of a Resolution at next month's meeting. It was agreed that the hearing would continue at next month's meeting and Board Attorney Dieterly announced for the public that the hearing would continue at the June 11th meeting of the Planning Board.

Mr. Herb and Mr. Vande Vrede recused themselves and sat in the audience.

**#765 Flowerland Growers, Block 63, Lot 3.03-Site Plan**

Dominick Santini, Esq. was present on behalf of the Applicant. He then briefly reviewed the proposal for additional greenhouses, lean-to, pole buildings, and office space. Jess Symonds and Bryan Vande Vrede were both sworn in.

Jess Symonds presented his qualifications and he then presented the proposal and the coverage variance being requested. The Applicants addressed the soils and the drainage. They stated that they are not proposing any additional lighting or landscaping and they agreed to make the revisions as requested.

Bryan VandeVrede stated that presently there is a lot of outside storage, which they would like to move inside and he described the proposed use of the additional structures. Attorney Santini presented the proofs in support of the variance. Board Planner Layton asked if an additional variance is needed for a side yard setback and after a brief discussion it was determined that the greenhouse in question is replacing one that existed, which was destroyed by Storm Sandy.

Board Engineer Sterbenz stated that all of his comments have been addressed.

Mr. Race made the motion to waive the need for a landscaping plan and lighting plan. Motion seconded by Dr. Phillips. In a voice vote, all were in favor.

**VOTE: 8 AYES**

The motion carried.

Dr. Phillips made the motion to grant the Preliminary and Final Site Plan Approval. Motion seconded by Mr. Magnini. Prior to taking the vote, Chairman Wyhopen opened the hearing to the public. With there being no public comment, the hearing was closed to the public. In a voice vote, all were in favor.

**VOTE: 8 AYES**

The motion carried.

Mr. Herb and Mr. VandeVrede resumed their position on the Board. Mr. Race left for the evening at 10:12 p.m.

**MEMORIALIZING RESOLUTION:**

**#767 Thomas & Deborah Balka, Block 48, Lot 1.01-Minor Subdivision**

Board Attorney Dieterly stated that Board Engineer Sterbenz had several minor corrections, which he reviewed with the Board.

Mr. Magnini made the motion to adopt the Resolution as amended. Motion seconded by Mr. Pritchard. Board Secretary Schemm stated that Mr. Magnini, was absent and is not eligible to vote on this matter.

Dr. Phillips made the motion to adopt the Resolution as amended. Motion seconded by Mr. Pritchard. In a voice vote, all were in favor, except for Mr. Herb, Mr. Mackey, and Mr. Magnini, who were absent and not eligible to vote on the Resolution.

**VOTE: 5 AYES**

The motion carried.

**BILLS:**

Maser-Engineering	93.72	PBOE
Maser-Planning	62.50	PBOE
Maser-DSM	115.00	Escrow
Maser-Flowerland	591.75	Escrow
Maser-Balka	62.50	Escrow
Maser-Balka	281.25	Escrow
Gebhardt & Kiefer-General	498.00	PBOE
Gebhardt & Kiefer-Flowerland	64.00	Escrow
Gebhardt & Kiefer-Balka	48.00	Escrow

In a motion made by Dr. Phillips and seconded by Mr. VandeVrede, the bills were paid.

In a voice vote, all were in favor.

**VOTE: 9 AYES**

The motion carried.

**ADJOURNMENT:**

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 10:15 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm  
Board Secretary