

Minutes Open Session
White Township Zoning Board of Adjustment
August 18, 2011

There was a regular meeting of the White Township Zoning Board of Adjustment on Thursday, August 18, 2011. Present were Board Members: Elaine Reichart, Joseph Magnini, James Cooper, Paul Mourry, Kyle Shoemaker, Myron Rasley, and Barry Wessner. Board Member Absent: Don Weidlick. Also Present: Board Attorney William Gold and Board Secretary Alfia Schemm. Chairman Magnini led the Board in the pledge to the flag and he called the meeting to order at 7:32 p.m. He announced that notice of this meeting was given in compliance with the "Open Public Meetings Act."

OPEN TO THE PUBLIC:

Chairman Magnini read an "Open to the Public" Statement. He then opened the meeting to the public.

Dennis Chamberlin, Brass Castle Road, stated that he has received a zoning violation notice for an existing carport and he questioned the procedure as his next door neighbor, who is present with him this evening, does not have a problem with the existing carport. Board Attorney Gold stated that an application will have to be filed for a variance, as the Board does not have the authority to grant any waivers, and he reviewed the process, as there is no shortcut.

Chairman Magnini asked if there was anyone else from the public that had questions or comments. With there being no further public questions or comments, the meeting was closed to the public.

NEW BUSINESS:

#450 Michael Clemente, 13 Lommason Glen Road, Block10, Lot 27

Matthew Curry Esq., was present on behalf of the Applicant as Mr. Clemente is unavailable this evening. The Board Secretary stated that notice has been provided. Attorney Curry went on to describe the variance needed for an existing pole barn structure, which houses an RV, boat, and tractor, that is located in the front yard and also exceeds the height regulations. He described the topography of the property. The following was submitted and marked as an exhibit:

A-1 Picture of the Recreational Vehicle

Attorney Curry continued to describe the property and the property lines. Mr. Wessner stated that he did a site review and he described what he saw and he questioned the distances from the Creek and what may or may not be in a Flood Plain. The Board also reviewed whether the property is the Highlands. Board Attorney Gold stated that the Board does not have the authority to grant any Highlands exemptions. Mr. Wessner also confirmed that the existing driveway is steep.

Mr. Cooper made the motion to grant the relief requested. Motion seconded by Mr. Rasley. In a voice vote, all were in favor.

MINUTES APPROVED:

The minutes of the June 16th, 2011 meeting were distributed to all Board Members prior to this evening's meeting.

Mr. Cooper made the motion to adopt the minutes. Motion seconded by Mr. Rasley. In a voice vote, all were in favor, except for Mr. Mourry, who was not present at the Board’s July meeting and is ineligible to vote.

PAYMENT OF BILLS: The following vouchers were submitted:

William Gold-Litigation	762.50
William Gold-General	375.00
Maser-Garden State	31.25
Maser- Quick Check	31.25
Hatch Mott-Garden State Landscaping	462.00
Hatch Mott-Quick Check	231.00

Board Attorney Gold apologized for having difficulty emailing his bills out as his Secretary was out on vacation. Mr. Cooper suggested that the Board revert back to the old procedure and if there are any billing adjustments needed they can be made the next month. The Board discussed the procedure and it was decided to try the new procedure for another month.

Mr. Mourry made the motion to approve Board Attorney Gold’s vouchers. Motion seconded by Ms. Reichart. In a voice vote, all were in favor, except for Mr. Shoemaker, who abstained.

Mr. Mourry made the motion to approve the Maser and Hatch Mott vouchers. Motion seconded by Mrs. Reichart. In a voice vote, all were in favor.

OTHER:

Mr. Cooper questioned the WCPB letter in regards to Quick Check and their review and comments, which the Board discussed.

EXECUTIVE SESSION MINUTES:

Mr. Cooper stated that he was not in Executive Session; however he questioned the discussion had in regards to the recommendation that a 2nd Alternate be appointed to the Board.

Mr. Cooper made the motion to recommend that a 2nd Alternate be appointed to the Board. Motion seconded by Mr. Rasley. In a voice vote, all were in favor.

Mr. Mourry asked if the Township has adopted any guidelines in regards to solar energy. Chairman Magnini stated that the Planning Board is working on an Ordinance; however, nothing has been adopted as of yet, which the Board briefly discussed.

Ms. Reichart made the motion to adopt the Executive Session Minutes. Motion seconded by Mr. Rasley. In a voice vote, all were in favor, except for Mr. Mourry, Mr. Cooper and Mr. Shoemaker, who abstained.

EXECUTIVE SESSION:

Mr. Cooper and Mr. Shoemaker recused themselves.

In a motion made by Chairman Magnini and seconded by Mr. Rasley, the Board went into Executive Session to discuss Litigation. In a voice vote, all were in favor.

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;
NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of White, Warren County, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Personnel and Litigation.
3. It is anticipated at this time that the above stated subject matter will be made public at the conclusion of each individual specified subject matter.
4. This Resolution shall take effect immediately.

Date adopted: August 18, 2011

In a motion made and seconded the meeting came out of Executive Session, and the regular meeting resumed. In a voice vote, all were in favor.

OTHER BUSINESS:

Chairman Magnini asked if Mr. Wessner has gotten his ID from the Sherriff's Department. Board Secretary Schemm recommended that Mr. Wessner bring with him the letter that he received from the Township Clerk advising him of his appointment to the Board.

Board Secretary Schemm confirmed that she will place the SAMA Properties application on next month's agenda for completeness.

ADJOURNMENT:

In a motion made and seconded, the meeting was adjourned at 8:59 p.m. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary