

**Minutes Open Session  
White Township Zoning Board of Adjustment  
February 16, 2012**

There was a regular meeting of the White Township Zoning Board of Adjustment on Thursday, February 16, 2012. Present were Board Members: Kyle Shoemaker, James Cooper, Elaine Reichart, Donald Weidlick, Paul Mourry, Myron Rasley, Barry Wessner, and Joseph Magnini. Absent: Kyle Shoemaker. 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 7:35 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 opened the meeting to the public for non-agenda items. With there being no public comment, the meeting was closed to the public.

**NEW BUSINESS:**

**#453 Dennis Chamberlain, 662 Brass Castle Road, Block 16, Lot 15**

Dennis Chamberlain was sworn in and he testified to his application for an accessory building, which already exists. Mr. Wessner stated that he visited the site and he takes no exception to the Applicant's request. Chairman Magnini stated that he also drove to the site, but he did not walk the property. The Board continued to review the proposal.

Ms. Reichart made the motion to grant the variance. Motion seconded by Mr. Rasely. In a voice vote, all were in favor.

**MEMORIALIZING RESOLUTION:**

**#452 SAMA Properties, 188 CR 620, Block 28, Lot 2**

Mr. Cooper made the motion to adopt the Resolution. Ms. Reichart stated her concern over the Resolution, stating that there is too much detail/information in the Resolution, which she feels is not relevant and inappropriate. She stated that only the present protected non-conforming items/uses should be addressed in the Resolution. The Board discussed the application that was presented and their action and the possible future changes to the Ordinances.

Ms. Reichart stated that she would like to amend the Resolution to delete the reference to the photographs in the Resolution and to only focus on the uses/items are not allowed/permitted in the Industrial Zone as of today. With there being no second the motion dies.

Chairman Magnini seconded Mr. Cooper's original motion. In a voice vote, all were in favor, except Ms. Reichart, who voted in opposition and Mr. Mourry and Mr. Rasely, who abstained as they were not present at the February meeting.

**OTHER BUSINESS:**

**Annual Report**

Board Attorney Gold reviewed the draft Report that he had prepared. Ms. Reichart stated that in regards to Garden State Landscaping she thought that the Board might wish to recommend that the hours of operation be addressed for these types of uses/activities.

Mr. Cooper made the motion to adopt the Report with Ms. Reichart's recommendation. Motion seconded by Mr. Mourry. Discussion on the motion: The Board discussed the process. In a voice vote, all were in favor, except for Mr., who abstained.

The Board continued to discuss the Board's recommendation. Board Attorney Gold questioned the status of the solar farm, which was briefly discussed with the Board. The Board also discussed the status of the Township Solar Ordinance

**MINUTES APPROVED:**

The minutes of the January 19, 2012 meeting were distributed to all Board Members prior to this evening's meeting. Board Secretary Schemm noted a correction to the year.

Mr. Cooper made the motion to adopt the minutes, as modified. Motion seconded by Mr. Wessner. In a voice vote, all were in favor, except for Mr. Rasely and Mr. Mourry, who were not present at the Board's January meeting and he abstained.

**OTHER:**

Mr. Herb was present and he also addressed the changes to the programs in regards to Solar Farms, which was briefly discussed with the Board.

**PAYMENT OF BILLS:** The following vouchers were submitted:

William Gold- General	\$525.00
William Gold- SAMA Properties	450.00

Board Attorney Gold reviewed the retainer that he had in previous years and his meeting rate for this year, which was briefly discussed with the Board.

Ms. Reichart made the motion to approve the vouchers. Motion seconded by Ms. Rasely. In a voice vote, all were in favor.

NJPO	160.00
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Ms. Reichart made the motion to approve the voucher. Motion seconded by Mr. Rasely. In a voice vote, all were in favor.

Mr. Cooper left for the evening.

**EXCUTIVE SESSION:**

In a motion made by Mr. Rasley and seconded by Ms. Reichart, 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: February 16, 2012

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.

**ADJOURNMENT:**

In a motion made and seconded, the meeting was adjourned at 9:16 p.m. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm  
Board Secretary