

**Minutes Open Session  
White Township Zoning Board of Adjustment  
March 19, 2015**

There was a reorganization and regular meeting of the White Township Zoning Board of Adjustment on Thursday, March 19, 2015. Present were Board Members: Kyle Shoemaker, Donald Weidlick, Barry Wessner Alt #1, James Cooper, Elaine Reichart, Paul Mourry, Myron Rasley, and Joseph Magnini. Board Member Absent: Vincent Iacampo Alt#2. Also Present: Attorney William Gold and Secretary Alfia Schemm. Mr. Magnini led the Board in the pledge to the flag and he called the meeting to order at 7:35 p.m. He then announced that notice of this meeting was given in compliance with the “Open Public Meetings Act.”

**SWEARING IN:**

Attorney Gold administered the oath of office to Joseph Magnini and Kyle Shoemaker.

**REORGANIZATION:**

**Election of Chairman**

Attorney Gold called for nominations for Chairman. Mr. Cooper made the motion to nominate Joseph Magnini for Chairman. Motion seconded by Mr. Rasley. Attorney Gold asked if there were any other nominations. With there being no other nominations, Mr. Cooper made the motion to close the nominations. Motion seconded by Mr. Mourry. In a voice vote, all were in favor of the nomination of Mr. Magnini as Chairman.

**Election of Vice Chairman**

Mr. Cooper made the motion to nominate Myron Rasley as the Vice Chairman. Motion seconded by Chairman Magnini. With there being no other nominations, Mr. Cooper made the motion to close the nominations. Motion seconded by Ms. Reichart. In a voice vote, all were in favor of the nomination of Mr. Rasley as Vice Chairman.

**Appointment of Board Professionals**

**Appointment of Board Secretary**

**Designation of Meeting Date, Time and Place**

**Designation of Official Newspaper**

Mr. Cooper made the motion to appoint William Gold as the Board Attorney, Joseph Modzelewski of Hatch Mott McDonald as the Board Engineer, and Joseph Layton as the Board Planner; to appoint Alfia Schemm as the Board Secretary; to designate the meeting dates as the third Thursday of the Month, at 7:30 p.m., at the White Township Municipal Building, 555 CR 519, Belvidere, N.J.; to designate the Official Newspapers the same newspapers as the ones that have been designated by the Township Committee, as the newspapers to receive notices pursuant to the “Open Public Meetings Act”, the Star Gazette and the Express Times. Motion seconded by Mr. Mourry. Discussion on the motion: Mr. Wessner asked if the Professional Rates were going to remain the same. Attorney Gold stated that his rates would remain the same. Secretary Schemm stated that she is not aware of any requested increases. The Board agreed that the appointment of the Professionals would be at the same rates. In a voice vote, all were in favor.

**OPEN TO THE PUBLIC:**

Chairman Magnini opened the hearing to the public. With there being no public, the hearing was closed to the public.

**OLD BUSINESS:**

**#459 Lisa J. VanHorn, Block 21, Lot 3-Preliminary and Final Site Plan**

Alan Lowcher, Esq. was present on behalf of the Applicant. He stated that he sent a letter, dated March 4, 2015 in regards to an extension. Board Attorney Gold reviewed the Ordinance regarding the time limitation in regards to the variance. Mr. Cooper stated that he would be willing to make a motion to grant an extension to November of 2016. Both Board Attorney Gold and Attorney Lowcher stated that the Applicant has to meet the conditions of their site plan approval, prior to putting a shovel in the ground. Mr. Cooper stated that he is willing to amend his motion to allow for a one year extension from the satisfaction of outside agency approvals. The Board discussed the impact of open ended variances. Mr. Wessner asked if this request was noticed. Board Attorney Gold stated that any application before the Board requires notice. He stated that he can prepare a draft Resolution if the Applicant provides notice for next month. Mr. Wessner asked if the Board should have even discussed the Applicant's request, without it being noticed. Attorney Lowcher stated that in his letter he was asking if the "Permit Extension Act" applies. The Board discussed the Township Ordinance along with the Permit Extension Act. Attorney Lowcher stated that he will talk with his client and get back to the Board.

**OTHER BUSINESS:**

**Procedure**

Mr. Wessner stated a concern over discussing the extension matter with Attorney Lowcher. Board Attorney Gold stated that the Board has always granted a request for an extension. The Board discussed the extensions granted in the past. Board Attorney Gold stated that he was prepared to advise the Board that they would not be able to take any formal action this evening, without notice.

**Annual Report**

Board Attorney Gold reviewed the applications reviewed in 2014. Ms. Reichart stated a concern over bifurcating applications, which was discussed with the Board. Mr. Wessner asked if it is possible to get the Board Packets earlier. The Board discussed the procedure and it was noted that the Board has 120 days to make a decision. It was agreed that there were no recommendations to make

**MINUTES APPROVED:**

The minutes of the December 18, 2014 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. Discussion on the motion: Board Secretary Schemm asked for a different second, as Mr. Rasley was not present at the December meeting. Motion seconded by Chairman Magnini. In a voice vote, all were in favor, except for Mr. Rasley, Mr. Weidlick, and Mr. Mourry, who were not present at the December meeting and they abstained.

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

Rodata-Escrow Refund	1195.00
Matarazzo-Escrow Refund	817.50
Horvath-Escrow Refund	50.00

Mr. Rasley made the motion to approve the escrow refunds. Motion seconded by Mr. Cooper. In a voice vote, all were in favor.

William Gold- General	\$375.00
Hatch Mott & McDonald -Van Horn	566.44

Mr. Wessner made the motion to approve the vouchers. Motion seconded by Mr. Mourry. In a voice vote, all were in favor.

**ADJOURNMENT:**

In a motion made and seconded, the meeting was adjourned at 8:21 p.m. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm  
Board Secretary