

**Minutes Open Session
White Township Zoning Board of Adjustment
March 20, 2014**

There was a regular meeting of the White Township Zoning Board of Adjustment on Thursday, March 20, 2014. Present were Board Members: Kyle Shoemaker, Donald Weidlick, Barry Wessner Alt #1, James Cooper, Elaine Reichart, Vincent Iacampo Alt #2, Myron Rasley, and Joseph Magnini. Board Member Absent: Paul Mourry. Also Present: Board Attorney William Gold, Board Engineer Modzelewski, and Board Secretary Alfia Schemm. Chairman Magnini led the Board in the pledge to the flag and he called the meeting to order at 7:30 p.m. He then 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.

Robert Mackey asked if the Agenda should reflect the type or status of the applications.

With there being no further public comment, the meeting was closed to the public.

NEW BUSINESS:

#458 Christopher Pozarycki & Darren Musso, Block 34, Lot 24-Completeness

Alan Lowcher, Esq. was present on behalf of the Applicant. He stated that they have received Board Engineer Modzelewski's report of March 19, 2014 and they agree to supply the information outlined. He stated that they are requesting several waivers for completeness, with revised plans to be submitted at least/a minimum of two weeks prior to the April Meeting. Board Engineer Modzelewski stated that the additional information should be submitted a minimum of two weeks ahead of time and it should be sent directly to his office. Attorney Lowcher stated that there are also substantive waivers being requested and he reviewed the request for reduced escrow. The Board went on to discuss a procedure that would need to be put in place for the continued evaluation of the escrow account through the hearing process.

Mr. Cooper made the motion to not grant a reduction in the escrow. Motion seconded by Mr. Rasley. In a voice vote, all were in favor, except for Ms. Reichart, who voted in opposition.

Attorney Lowcher then reviewed the substantive waivers being requested (#20, #40, and #43) which were discussed by Board Engineer Modzelewski and the Board.

Mr. Cooper made the motion to grant the waivers as outlined. Motion seconded by Ms. Reichart. In a voice vote, all were in favor.

Attorney Lowcher stated that they plan on advertising for the April Board meeting. Board Secretary Schemm stated that the Board will require the additional copies of plans and supporting documentation, so that they can be distributed to the Board Members.

#457 Lisa J. VanHorn, Block 21, Lot 3

Alan Lowcher, Esq. was present on behalf of the Applicant. Mr. Weidlick recused himself and sat in the audience. Attorney Lowcher confirmed with Board Secretary Schemm, that notice has been provided. Board Secretary Schemm stated that the notice is in order. Board Attorney Gold complimented Attorney Lowcher on the notice provided.

Attorney Lowcher stated that the application is bifurcated and they are present this evening for the Variance portion of the application. He went on to briefly describe the property and the variances being requested.

Lisa J. VanHorn was sworn in and she reviewed her past experience in caring for animals. She reviewed the other Kennels in the area and the need for her proposed Kennel, which will be for both boarding and grooming services. She reviewed the number of dogs and cats she proposes to board; the buffering of noise; the hours of operation; the daily and seasonal operations, which were all discussed at great length. She stated that the residential apartment will be utilized for a caretaker, which will be her daughter and family. She stated that the apartment use will be tied to the kennel use. The Board questioned the proposed operation, the handling of medication, and the layout of the proposed kennel. The following was submitted and marked as an exhibit:

A-1 Floor Plan of the Building

Wayne Ingram was sworn in and he stated that he is a licensed Engineer and Planner. The Board accepted Mr. Ingram as an Expert. He then described the floor plan of the proposed building and the way it will be utilized.

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

Mr. Ingram stated that he has prepared site plans for two other local Kennels. He displayed the following, which was marked as an exhibit:

A-2 Aerial Photograph

He described the subject property and the proposed operation. The following was submitted and marked as an exhibit:

A-3 Colored rendering of the Variance Plan

He described the state code and the proposed septic, well, parking and traffic circulation. He went on to review the uses permitted in the I zone. He testified to the necessary proofs to support the variance requests. The Board questioned the issue of noise, noise abatement, and the proposed operation, with the Applicants.

The hearing was opened to the public.

Willard Hockenbury was sworn in and he questioned the location of the building and he thought that a berm would be helpful in the noise abatement. Mr. Ingram also commented on the landscaping/vegetation.

With there being no further questions, the hearing was closed to the public.

The Board took a brief recess. The regular meeting resumed at 9:15 p.m.

The Board continued to discuss the noise abatement, the process in accepting animals in both the grooming and boarding, and what the requirements/regulations might be for running a Kennel.

Mr. Rasley made the motion to grant the variances as requested. Motion seconded by Ms. Reichart. Discussion on the motion: Mr. Cooper asked that the motion include that the Variance approval is subject to Site Plan Approval. The Board reviewed the three variances:

Variance for the Kennel operation, Variance for the proposed apartment, and the Variance for two residence on one property. The approval is conditioned upon: Site Plan Approval, any third party approvals, and the apartment use is tied to the kennel use. In a roll call vote, all were in favor.

Mr. Weidlick resumed his position on the Board.

OTHER:

Annual Report

Board Attorney Gold reviewed the Annual Report as discussed last month.

Ms. Reichart made the motion to adopt the Annual Report and forward it to the Governing Body. Motion seconded by Mr. Rasley. In a voice vote, all were in favor.

MINUTES APPROVED:

The minutes of the February 20, 2014 meeting were distributed to all Board Members prior to this evening's meeting.

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

The Executive Session minutes of February 20, 2014 meeting were distributed to the Board Members.

Mr. Cooper made the motion to adopt the minutes. Motion seconded by Mr. Wessner. In a voice vote, all were in favor, except for Mr. Shoemaker, who was not present during the Executive Session and is ineligible to vote on the matter.

PAYMENT OF BILLS: The following vouchers were submitted:

| | |
|-------------------------|----------|
| William Gold- General | \$424.50 |
| William Gold- Van Horn | 337.50 |
| William Gold-Jacks Barn | 50.00 |

Ms. Reichart stated her concern over the report prepared by Engineer Modzelewski as she does not feel that it is an Engineering document. Mr. Cooper questioned the procedure and if there is a motion on the floor.

Ms. Reichart made the motion to discuss the report that was prepared by Engineer Modzelewski and the disposition of the payment for the document. Motion seconded by Mr. Wessner. Discussion on the motion: Board Attorney Gold stated that the Board Engineer was not present at last month's meeting and the Board discussed whether they need to give more specific direction and/or instruction in the future. Ms. Reichart stated that agrees to withdraw her motion.

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

ADJOURNMENT:

In a motion made by Mr. Cooper and seconded by Mr. Iacampo, the meeting was adjourned at 9:35 p.m. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary