

**Minutes Open Session
White Township Zoning Board of Adjustment
June 18, 2020**

There was a regular meeting of the White Township Zoning Board of Adjustment on Thursday, June 18, 2020. Present were Board Members: Donald Weidlick, James Cooper, Elaine Reichart, Kyle Shoemaker, Paul Mourry, and Jack Shade. Absent: Barry Wessner. Chairman Shade led the Board in the pledge to the flag and he called the meeting to order at 7:01 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 Shade opened the meeting to the public. With there being no public comment, the meeting was closed to the public.

NEW BUSINESS:

#471 Kenneth & Dawn Nawrocki, Block 46, Lot 18-Hearing

Kenneth Nawrocki was present and he was sworn in. He went on to describe his proposal, which was reviewed and discussed with the Board.

The hearing was opened to the public. With there being no public comment, the hearing was closed to the public.

Mr. Cooper made the motion to grant the relief as requested. Motion seconded by Mr. Mourry. In a roll call vote, all were in favor.

Mr. Nawrocki asked if he could begin construction as soon as possible. Board Attorney St. Angelo stated that the Board can advise the Construction Department that the variance was granted; however, no construction should commence until the Resolution is adopted.

Mr. Cooper amended his motion to recommend the issuance of building permits; however no construction should commence until the Resolution is adopted. Mr. Mourry agreed. In a roll call vote, all were in favor.

#472 Tilcon NY Inc., Block 32, Lots 15 & 17-Completeness /Hearing

Michael Lavery, Esq. was present on behalf of the Applicant and he reviewed where the Board left off at the May meeting. Board Engineer Sterbenz reviewed that there is one outstanding item 1a, which the Board can waive in order to deem the application complete.

Mr. Mourry made the motion to grant the waiver and to deem the application complete. Motion seconded by Mr. Cooper. Discussion on the motion: Ms. Reichart asked about the pumping of storm water. Board Engineer Sterbenz stated that there will be number of outside agency approvals that will be needed. In a roll call vote, all were in favor.

Attorney Lavery stated that there are three professionals present to provide testimony this evening. Cathy Muller P.E., Wayne Ingram P.P., and Mike Kotlarz were all sworn in.

Ms. Muller provided her qualifications and then went on to give an overview and she described the proposal to expand the existing granite pit. She went on to address Board Engineer Sterbenz's report and she agreed to make the revisions to the plans to address Board Engineer Sterbenz's comments .

The Board had questions on the existing site conditions in the area and the lake. Ms. Muller got disconnected and it was agreed that they would continue with Ms. Muller once she got reconnected. .

Mr. Ingram then went on to provide his qualifications as a Planner and Engineer. He then went on to provide the required proofs in regards to use variance and bulk variance for the buffer. He stated that he feels that variances can be granted without impairment to the Master Plan, Zone Plan, and/or Zoning Ordinance. He stated that they did perform a wetlands delineation. Ms. Reichart had several questions and concerns in regards to the proposal and the buffer discussion/requirements before the Planning Board, which were addressed by the Applicants and Board Engineer Sterbenz.

In a motion made and seconded the hearing was opened to the public. Voice vote, all were in favor. With there being no public comments, a motion was made and seconded to close the hearing to the public. Voice vote, all were in favor.

Mr. Kotlarz, Tilcon Director of Operations, stated that the operation will remain the same with no increase in intensity.

Ms. Muller, who got disconnected, was present back before the Board and she reviewed where she left off. Attorney Lavery asked if the Board had any further questions of Ms. Muller. With there being none, In a motion made and seconded, the hearing was opened up to the public. Voice vote, all were in favor. With there being no comments, a motion was made and seconded to close the hearing to the public. Voice vote, all were in favor.

Mr. Cooper made the motion to approve the application as presented and discussed this evening. Motion seconded by Mr. Mourry. Discussion on the motion: Board Engineer Sterbenz suggested a recommendation requiring an LOI and Ms. Muller addressed a change in the berm in lieu of the LOI as an option, which was discussed with both the Board and the Applicant. Mr. Cooper agreed to include that wording. Motion seconded by Mr. Mourry. In a roll call vote, all were in favor.

Board Attorney St. Angelo stated that she will prepare a Resolution for the next meeting.

OTHER:

Appointment of Conflict Attorney

Board Attorney St. Angelo stated that the Board may be getting an application for Jack's Barn in the near future and the Board will need to retain a conflict Attorney as she will need to recuse herself as her firm has represented Jack's Barn in the past. She stated that Steve Gruenberg, is the Conflict Attorney for the Township, and he would be willing to represent the Board when the time comes.

Mr. Mourry made the motion to appoint Steven Gruenberg, as the Conflict Attorney, if an application is filed, for Jacks Barn. Motion seconded by Mr. Cooper. In a roll call vote, all were in favor.

MINUTES APPROVED:

The minutes of the May 21, 2020 meeting were distributed to all Board Members prior to this evening's meeting.

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

PAYMENT OF BILLS: The following vouchers were submitted:

MINUTES - WHITE TOWNSHIP ZONING BOARD

JUNE 18, 2020

Maser Consulting-Cheema	445.40
Maser Consulting-Cheema	420.63

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

ADJOURNMENT:

In a motion made and seconded, the meeting was adjourned at 8:25 p.m. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary
7/13/20