

MINUTES OF THE MONTAGUE TOWNSHIP LAND USE BOARD REGULAR MEETING HELD SEPTEMBER 10, 2009

Open public meeting statement: The meeting was called to Order by the Chairman, Glenn Barbagallo, and a statement was made that the meeting was duly advertised and met all of the requirements of the Open Public meetings Act. Those present were: Charles Teufert, Darren Ponce, Sharon Tufaro, Richard Innella, Glenn Plotsky, Katherine Snyder, Jody Case Kennedy, James Guimes, Glenn Barbagallo, and William Haggerty, Esq., the board attorney.

Those absent were: Gene Crawford (excused); Jason Dunn (excused).

MINUTES

The August 13, 2009 Land Use Board Regular Meeting Minutes were reviewed. A Motion was made by Mr. Innella and seconded by Mrs. Snyder to approve the Minutes of the August 13, 2009 Land Use Board Regular Meeting. Roll Call: Mr. Teufert, abstain; Mr. Ponce, yes; Mrs. Tufaro, abstain; Mr. Innella, yes; Mr. Plotsky, abstain; Mrs. Snyder, yes; Ms. Kennedy, yes; Mr. Guimes, yes; and Mr. Barbagallo, yes. The Motion was carried.

RESOLUTIONS

ADPP Enterprises Inc. – LUB 08-01 – Block 2, Lot 6 – Amendment to the Preliminary & Final Site Plan:

The Resolution was reviewed. A Motion was made by Mr. Innella and seconded by Mrs. Snyder to approve the Resolution for an Amendment to the Preliminary and Final Site Plan. Roll Call: Mr. Ponce, yes; Mr. Innella, yes; Mrs. Snyder, yes; Ms. Kennedy, yes; and Mr. Guimes, yes. The Motion was carried.

OLD BUSINESS

Sign Ordinance:

A lengthy discussion was held with regard to the setback of a sign. The board decided that the setback should be six (6) feet from the front property line or ten (10) feet from the travelled road surface whichever is greater. Mr. Haggerty indicated that were it mentions “small signs” it should be defined better in the ordinance. The size of the entrance signs should be 16 square feet and 8’ feet high.

It was also indicated that the ordinance should be amended wherever it mentions the Building Inspector should be changed to the Zoning Official.

It was agreed to carried this matter to the next regular meeting of the Land Use Board and have Mr. Haggerty prepare a draft ordinance for the board to review.

NEW BUSINESS

Return of Escrow Monies to applicants:

A letter was received from the Township’s attorney representing the township on the bankruptcy with regard to Skymark. The attorney indicated that there was \$26,273.81 in the escrow account for the Land Use Board which should be returned to the applicant since the project has fallen through and they filed bankruptcy. Mr. Teufert indicated that there are some outstanding fines with the township and this should be researched before the money is returned. Mr. Haggerty indicated that there should a letter from the applicant withdrawing the application and requesting the balance of the escrow money. He also thought that there should be some kind of release from the Bankruptcy Court.

A Motion was made by Mr. Plotsky and seconded by Mr. Teufert to table this issue until the next meeting of the Land Use Board. All were in favor. The Motion was carried.

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NEW BUSINESS CONT.

Return of Escrow Monies to applicants cont.:

It was agreed to have Mr. Haggerty write a letter to the Township Committee to have the Bankruptcy attorney's for Skymark (LU-02-04-02) officially withdraw their application and request a release of the escrow monies. Also, to have Mr. Haggerty find out if a release from the Bankruptcy Court is required.

The board secretary wrote a memo to the board indicating that the following files are closed and the escrow monies should be returned:

1. Thompson Stone & Tile – Site Plan – PB-9-00-1 – Block 42, Lot 1 - \$44.85
2. Letora Subdivision – LU-7-02-1 - \$341.88
3. Community Corp – Sign Variance – LUB 07-09 – Block 18.58 - \$387.590
4. Tri State Bible Camp – Waiver of Site Plan – LUB 08-06 – Block 1, Lot 1 - \$118.10
5. Community Corp. – Variance – LUB 08-08 – Block 18.56, Lot 44CO107 - \$179.22
6. Zitone Construction – Minor Subdivision – LUB 06-16 – Block 4, Lot 65 - \$7.91
7. Zitone Construction – Minor Subdivision – LUB 06-17 – Block 7, Lots 33 & 33.21 - \$20.32
8. Zitone Construction – Pre. Major Subdivision – LUB 06-24 – Block 7, Lots 33.30 - \$137.37
9. Zitone Construction – Final Major Subdivision – LUB 07-03 – Block 7, Lot 33.30 - \$336.88

A Motion was made by Mr. Teufert and seconded by Mr. Plotsky to return the escrow monies to the above applicants. Roll Call: Mr. Teufert, yes; Mr. Ponce, yes; Mrs. Tufaro, yes; Mr. Innella, yes; Mr. Plotsky, yes; Mrs. Snyder, yes; Ms. Kennedy, yes; Mr. Guimes, yes; and Mr. Barbagallo, yes. The Motion was carried.

VOUCHERS

The vouchers were reviewed. A Motion was made by Mrs. Snyder and seconded by Mr. Innella to approve the following vouchers:

- 1) KSM Engineering, Inc. regarding General Administration (July) in the amount of \$250.00; and
- 2) KSM Engineering, Inc. regarding General Administration (Sign Ordinance) in the amount of \$156.25; and
- 3) Dolan & Dolan regarding General Administration (July) in the amount of \$376.90; and
- 4) Dolan & Dolan regarding ADPP (Escrow) in the amount of \$150.15.

Roll Call: Mr. Teufert, yes; Mr. Ponce, yes; Mrs. Tufaro, yes; Mr. Innella, yes; Mr. Plotsky, yes; Mrs. Snyder, yes; Ms. Kennedy, yes; Mr. Guimes, yes; and Mr. Barbagallo, yes. The Motion was carried.

CORRESPONDENCE

The correspondence was reviewed. No formal action was taken. A Lengthy discussion was held with regard to the procedure with commercial applications that appear before the board. It was agreed that a Pre-Construction meeting should be held with regard to each new or renovation to commercial buildings which will be put in the Resolution. The board requested

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CORRESPONDENCE

that Mr. Haggerty send a letter to the Township Committee to explain how this will be handled in the future.

PUBLIC PARTICIPATION

This meeting was opened to the public. There being no public participation, this meeting was closed to the public.

AJOURN

Having no further business, a Motion was made by Mr. Teufert and seconded by Mr. Innella to adjourn the meeting. All were in favor. The Meeting was adjourned.

Minutes prepared by:

SHARON M. YAROSZ
Land Use Administrator