

**A REGULAR MEETING OF THE PLANNING BOARD OF THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, MARCH 4<sup>th</sup>, 2019 AT THE MUNICIPAL BUILDING BEGINNING AT 7:00 P.M.**

Chairman Utter called the meeting to order. This meeting has been advertised in accordance with the Open Public Meetings Act by advertising notice of the meeting in the N.J. Herald and posting copy of the notice in the Sandyston Township Municipal Building.

**Roll Call:**

Members Present: Harper, Cunico, Woodhead, Hull, Smith, Milligan and Utter.

Absent: Huber, Green, Sinha, Mikulka

**ALSO PRESENT:** William Hinkes, Board Attorney

**OATH OF OFFICE:**

The oath of office was administered to Mr. Michael Milligan, class IV

**MINUTES:**

**A MOTION** was made by Mrs. Hull, seconded by Mrs. Woodhead to approve the minutes of the meeting held on February 4<sup>th</sup>, 2019. Upon roll call the following votes were cast: **AYES:** Hull, Smith, Woodhead, Utter. **NAYS:** None. **ABSTAIN:** Harper, Cunico, Milligan. Motion carried.

**VOUCHER REPORT:**

**A MOTION** was made by Mr. Cunico, seconded by Mrs. Hull to approve the March 4, 2019 voucher report. Upon roll call the following votes were cast: **AYES:** Harper, Hull, Smith, Cunico, Milligan, Woodhead, and Utter. **NAYS:** None. Motion carried.

**H. E. Pellow & Associates, Inc.**

General:	Professional Services.	\$65.00
Escrow:	Invoice #668336 – Cert. Used Auto #02-2018	\$260.00

**New Jersey Planning Officials:**

General: Invoice #49767 – Annual Fee & Registration \$444.00

**CORRESPONDENCE:**

A letter from State of New Jersey Planning Commission re: Center of Place/Plan Endorsement was reviewed. Expiration of current round is 6/30/19. Municipal Planner will be notified to advise.

**FORMAL APPLICATION:**

**Applicant:** Andrew Kaplan  
**Application:** #04-2018  
**Location:** Block 2803 Lot 1  
**Project Name:** #7 Garage Variance

Mr. Andrew Kaplan began his testimony by explaining that he is requesting to construct a detached garage in a location where a garage once stood years ago. The Board Attorney conveyed on the findings of the Engineer's report prepared by David Simmons of H.E. Pellow & Associates, Inc and explained that the nature of the C variance is due to several factors, such

as, the request to place an accessory structure in the front yard, undersized lot, rear yard setback and minimum contiguous unconstrained land requirements. The topographical conditions of the steep slope of the property has resulted in Mr. Kaplan's request for variance.

Mr. Kaplan testified that he intends to only store a tractor and a boat in the garage. The attorney asked who maintains Van Auken Road to which Mr. Kaplan stated that the municipality maintains it. Mr. Kaplan continued to explain that the area where he would like to place this structure is a flat area, where there are few, and that a prior garage which stood in the same place was removed in the mid 1990's. The board continued to review the plan submitted and the report supplied by Mr. Simmons. In reply to a question of the well and septic, Mr. Kaplan pointed them out on the plan.

Mr. Hinkes explained that an as-built would be required once the project is completed and that the well and septic should be indicated on that new plan. There was a brief discussion as to whether a flood hazard application should be submitted to the NJDEP. There were some board members who were certain that this is not in the flood hazard area. Mr. Hinkes stated that he should confirm that information with Mr. Simmons. The matter was opened to the public and closed with no comment made.

A MOTION was made by Mr. Cunico, seconded by Mrs. Hull to approve the application for variance subject to confirmation by Mr. Simmons if an application to the NJDEP is necessary and the requirement of a final as-built to be submitted when complete. This motion was amended to include approval for submission to construction for permitting prior to the memorialization of resolution. Upon roll call the following votes were cast: AYES: Harper, Hull, Smith, Cunico, Milligan, Woodhead, and Utter. NAYS: None. Motion carried.

#### **RESOLUTIONS:**

A MOTION was made by Mrs. Woodhead, seconded by Mr. Smith to memorialize the resolution for Major Subdivision / Variance Approval for Certified Used Auto / Albert Toro #02-2018, block 1105 lot 22.02 Zone: B heard on 2/4/19. Upon roll call the following votes were cast: AYES: Harper, Hull, Smith, Cunico, Milligan, Woodhead, and Utter. NAYS: None. Motion carried.

**OTHER BUSINESS:** None.

**AUDIENCE PARTICIPATION:** None.

A MOTION was made by Mr. Cunico, seconded by Mr. Harper to adjourn the meeting. AYES: All in favor. NAYS: None. Motion carried.

  
Beth Brothman  
Board Secretary