

A REGULAR MEETING OF THE PLANNING BOARD OF THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, APRIL 3rd, 2017 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:

Messrs. Pinzone, Cunico, Green, Milligan, Powers, Smith and Utter.

Absent: Huber, MacDonald, Harper and Sinha

ALSO PRESENT: Glen Gavan, Board Attorney

The Oath of Office was administered to Board Member Joseph Pinzone – Class IV by the Board Attorney.

PROFESSIONAL DESIGNATION:

A MOTION was made by Mr. Cunico, seconded by Mr. Powers to approve a resolution designating Glenn Gavan of the firm Criscuoli & Gavan, LLC as the Sandyston Township Planning Board Attorney for the year 2017. Upon roll call the following votes were cast: AYES: Pinzone, Cunico, Milligan, Powers, Smith, Utter. NAYS: None. ABSTAIN: Green. Motion carried.

MINUTES:

A MOTION was made by Mr. Powers, seconded by Mr. Milligan to approve the minutes of the meeting held on Monday, January 2, 2017 as submitted. Upon roll call the following votes were cast: AYES: Milligan, Powers, Smith, Utter. NAYS: None. ABSTAIN: Pinzone, Cunico, Green. Motion carried.

VOUCHER REPORT:

A MOTION was made by Mr. Cunico, seconded by Mr. Pinzone to approve the April 3rd, 2017 voucher report. Upon roll call the following votes were cast: AYES: Pinzone, Cunico, Green, Milligan, Powers, Smith, Utter. NAYS: None. Motion carried.

Glenn T. Gavan, Esq. LLC

General: None.

Escrow:

Invoice #52 – YMCA - #3-2016	\$448.00
Invoice #106 – Tamara Beckenthal – #02-2015(A)	\$384.00

H. E. Pellow & Associates, Inc.

General: None.

Escrow:

Invoice #63784 – Tamara Beckenthal - #02-2015(A)	\$161.50
Invoice #64254 – Keith Sutton - #01-2017	\$455.00

Mr. Gavan asked the applicant "Is the proposed accessory structure in the front of the home? Mr. Tibok replied, "yes". Mr. Gavan explained to him that means it would be in the front yard. Mr. Tibok again asked to read the code and said he was confused because he interprets the definition to mean is that the roadway determines the width.

Mr. Utter discussed the unusual triangulation of the property and affirmed he was have denied the zoning permit if he was the zoning officer. There was also some discussion regarding the determination of a front yard as to whether it would follow the roadway. There was a brief discussion whether a vote should take place to define how a front yard is determined, but the Board continued to intently review the location of the property and the layout of the proposed accessory structure.

The Board noted that the lot had a unique layout and the home was a curved portion of the road and did not have a definable traditional front yard or rear yard.

Noting these characteristics the Board made the following determination:

A MOTION was made by Mr. Cunico, seconded by Mr. Pinzone to approve the overturning of the zoning officer denial as the layout of the lot presented an exceptional situation and would consider the proposed accessory structure to not be in violation with the code and noting that the original denial by the zoning officer based on the information presented was appropriate. The matter was opened to the public with no comment. Upon roll call the following votes were cast: AYES: Pinzone, Cunico, Green, Milligan, Powers, Smith, Utter. NAYS: None. Motion carried

RESOLUTIONS:

A MOTION was made by Mr. Cunico, seconded by Mr. Pinzone to approve a resolution accepting the Sandyston Township Planning Board Annual Report for 2016 as prepared by the Board Attorney. Upon roll call the following votes were cast: AYES: Pinzone, Cunico, Green, Milligan, Powers, Smith, Utter. NAYS: None. Motion carried.

A MOTION was made by Mr. Milligan, seconded by Mr. Green to approve a resolution memorializing an extension of the variance granted to Lyons, block 503 lot 9. Upon roll call the following votes were cast: AYES: Pinzone, Cunico, Green, Milligan, Powers, Smith, Utter. NAYS: None. Motion carried.

OTHER BUSINESS: None.

AUDIENCE PARTICIPATION: None.

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

Beth Brothman
Board Secretary