

**A REGULAR MEETING OF THE PLANNING BOARD OF THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, MARCH 2<sup>ND</sup>, 2020 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. Harper, Hull, Smith, Cunico, Sinha, Milligan, Woodhead, Mikulka, and Utter  
Absent: Huber and Green

**OATH OF OFFICE:**

The oath of office was administered to Mrs. Woodhead for the office of Class IV Planning Board Member.

**MINUTES:**

A motion was made by Mr. Cunico, seconded by Mrs. Woodhead to approve the regular minutes of the meeting held on November 4, 2019 as per copies furnished to each member. Upon roll call the following votes were cast: AYES: All in favor with exception of abstentions. NAYS: None. ABSTAIN: Sinha and Milligan. Motion carried.

A motion was made by Mr. Cunico, seconded by Mayor Harper to approve the regular minutes of the meeting held on January 6, 2020 as per copies furnished to each member. Upon roll call the following votes were cast: AYES: All in favor with exception of abstentions. NAYS: None. ABSTAIN: Woodhead and Milligan. Motion carried.

**VOUCHER REPORT:** None.

**CORRESPONDENCE:** None.

**FORMAL APPLICATION:** None.

**RESOLUTIONS:** Reimbursement of Escrow

A motion was made by Mr. Cunico, seconded by Mr. Smith to approve a resolution to reimburse the remaining escrow funds for the completed applications indicated below. Upon roll call the following votes were cast: AYES: Harper, Hull, Smith, Cunico, Sinha, Milligan, Woodhead, Mikulka, and Utter. NAY: None. Motion carried.

#02-2017	Tibok – Appeal	\$132.00
#02-2012	YMCA – Site Plan	\$1240.00
#03-2012	Green – Minor Sub	\$373.75
#05-2014	Leppert – Variance	\$10.60
#03-2016	YMCA – D Variance	\$598.00
#02-2017	Tibok – Appeal	\$132.00
#04-2018	Kaplan – Variance	\$210.50
#03-2018	Spinks – Minor Sub	\$859.00

**OTHER BUSINESS:** The soil ordinance draft review was discussed. It was reported that since our first review of this code the State of New Jersey has implemented a “dirty dirt” law

which regulates control over the movement of this material. It was advised by the attorney via correspondence that additional regulation by the municipality would be moot. In light of this information, the board discussed the enforcement of this material and communicating this new information to the Township Committee for consideration. A motion was made by Mr. Cunico, seconded by Mrs. Woodhead to forward this draft ordinance back to the governing body with the information provided by the planning board attorney. Upon roll call the following votes were cast: AYES: All in favor. NAYS: None. Motion carried.

#### **Zoning Update:**

Mrs. Brothman gave an update on the status of the compliance by Certified Used Auto # 02-2018. It was reported that there has been an ongoing attempt to communicate the lapse of compliance with condition #1 of their resolution decided on February 4, 2019 and memorialized on March 4, 2019 which states "Applicant is to submit to the Board Engineer a timetable for removal of the USTs on the Property, with work to be completed by August 31, 2019". Notices of violation have been sent to the addresses on file, however, Mrs. Brothman reported that she would like to make one more attempt to try to garner some kind of response to her communication of the violation. The applicant's attorney and addresses provided during the application process were noticed over the course of several months. Mrs. Brothman will make this last attempt and report back to the board at the next meeting.

#### **AUDIENCE PARTICIPATION:**

Mr. Glen Hull of Layton, NJ asked questions about a possible subdivision. He began asking if he needed a current survey to subdivide this property. It was clarified by Chairman Utter that while the answer is yes and as part of the application process, there are some topics on a potential application that the board would not be able to discuss. Mr. Hull acknowledged that he understood that. Mr. Hull asked if the survey would need to be signed. Chairman Utter agreed that it would. Mr. Hull asked if there was a way to subdivide without board approval. The board attempted to answer that question by explaining the process of subdivision. The conversation continued using examples of subdivisions that Mr. Hull was familiar with to explain the process. Mr. Hull then asked who would create the block and lot number for the new parcel. It was explained that the Assessor does create that new parcel number. The Chairman continued to try to explain the directions and process of a subdivision. Mr. Hull then asked if he had a survey done and submitted it to the Hall of Records if that would be sufficient. It was stated that a subdivision has to be determined through a formal process first. Mr. Hull continued to ask how a survey can qualify for a subdivision and if his surveyor would provide that. At this time, it was suggested that a check list be provided so that a complete view of what requirements will be necessary to file for that type of application. Mrs. Brothman stated that she would provide that information and confirmed her office availability to Mr. Hull to go over any questions he has. Mr. Hull continued to ask how the survey affects the deed and its recording. It was clarified that the Hall of Records does not record surveys, they record deeds. Mr. Hull reported that they have done that and that this town is a "grantor by survey". The board was unclear on that meaning and could not address that. Mr. Hull had other questions about tax liability which the board was unable to answer. Mr. Hull then turned the conversation to annexation. He asked about a specific parcel owned by his son and the process he needs to join two lots. The board suggested he seek the advice of an attorney. Mr. Hull continued to ask about a lot line adjustment and how a concern he has could be corrected without hiring his own attorney, but concluded that he would talk this over with Mrs. Brothman during her office hours.

#### **ADJOURN:**

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

Beth Brothman  
Planning Board Secretary

---

8