

Chairman Schwemmer called the regular Meeting of the Board of Adjustment of January 7, 2009 to order at 7:00 p.m.

MEMBERS PRESENT: Elliott Averett, Morris Bauer, Felix Graziano
Harvey Ort, Craig Schwemmer, Anthony Spina,
John Turick
Alternate Members: Frank Baguiao
Members Absent: Dorothy Walter
Others Present: Clerk Kesper, Attorney Fraser, Engineer Hall

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
- Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 18, 2008 and posted on the Bulletin Board on the same date. Two notices were mailed as there were two requests

Pledge of Allegiance

MINUTES

1. January 7, 2009 Reorganization and Regular Meeting

Mr. Ort made a motion to approve the minutes, seconded by Mr. Averett. Minor changes were made. A voice vote was taken on the amended minutes; Mrs. Walter abstained, all others were in favor and the motion carried.

RESOLUTIONS

09-09 Sobolewski – Block 43, Lots 57, 58, 59, 61 and 62.03 – 80
Stephensburg Road – Approval of Request for variance for more than one principal structure on a lot and steep slope variance

The resolution was reviewed. Mr. Spina made seconded by Mr. Bauer
A roll call vote was taken:

Ayes: Averett, Bauer, Graziano, Spina, Schwemmer, Baguiao
Nays: None Abstentions: None Absent: Turick,
Ineligible: Ort, Walter

The meeting was opened to the public for items not on the agenda. There were no comments from the public and the meeting was closed to the public for items not on the agenda.

APPLICATIONS

1. Sobolewski – Block 43, Lots 57, 58, 59, 61 and 62.03 – 80
Stephensburg Road – Request for Soil Disturbance Permit

Anthony Sposaro, Applicant's Attorney
John Hansen, Applicant's Engineer

Mr. Sposaro reviewed the prior use variance for two principal structures and variances for steep slopes and ridgeline that were previously granted by the Board of Adjustment. He explained that the applicant was before the board this evening as he needs a soil disturbance permit to remove soil from the site. He noted that the stormwater plan needs to be revised in accordance with Mr. Hall's report of January 29, 2009. He reviewed the February 4, 2009 report of Joe Norton the Board's soil consultant who had no objections to the plan. He noted that a response from the Environmental Commission.

The board discussed the fact that the Board of Adjustment did not receive a report from the environmental commission.

Mr. Turick arrived and joined the meeting at 7:20 p.m.

Mr. Hall reviewed his recommendations in his letter regarding procedures to protect the road and no movement of soil within 48 hours of construction, police presence, etc.

Mr. Sposaro stated that the applicant had agreed to all of Mr. Hall's comments/requirements.

John Hansen was sworn in by Attorney Fraser.

Mr. Hansen answered Mr. Spina that there would not be constant truck soil movement, there will be weeks in a row that trucks will be moving continuously – approximately 25 trucks per day.

The board reviewed conditions of moving the soil and Mr. Hall's letter.

Mr. Hansen stated that the trucks will be covered, there will be a stone tracking pad and men on site to insure the road stays clear through either a sweeper or hand shoveling/sweeping of the road. He noted that Harrington Construction will be the contractor for the soil movement.

Mr. Hall stated that a bond will need to be posted in the amount of \$21,800. He reviewed his request that the road be photographed prior to the soil movement. He stated that except for the amount of soil being transported, it is a straight forward application and he did not object to approval as long as his recommendations are complied with.

The board discussed the application.

Mr. Bauer made a motion to approve the soil disturbance permit subject to the conditions in Mr. Hall's letter and the discussions this evening. Seconded by Mr. Spina. A roll call vote was taken:

Ayes: Averett, Bauer, Ort, Graziano, Spina, Schwemmer, Baguiao Walter
Nays: None Abstentions: None Absent:
Ineligible: Turick

DISCUSSION - CORRESPONDENCE

1. Vouchers

The vouchers were reviewed. Mr. Turick made a motion to approve the vouchers reviewed by the Chairman and found in order and send same on for payment. Seconded by Mr. Baguiao. A voice vote was taken; all were in favor and the motion carried.

2. Annual Activity Report of the Planning Board and Board of Adjustment

Reviewed and noted for the record.

Mr. Averett made a motion to adjourn, seconded by Mr. Spina. A voice vote was taken; all were in favor and the meeting was adjourned at 7:30 p.m.

Virginia R. Kesper, Clerk

FEBRUARY 4, 2009