

Chairman Schwemmer called the regular Meeting of the Board of Adjustment of August 1, 2012 to order at 7:00 p.m.

**MEMBERS PRESENT:** Craig Schwemmer (Chairman), Elliott Averett, Anthony Spina, Harvey Ort, Morris Bauer

**Alternate Members:** Dorothy Walter

**Members Absent:** Robert Bridgman, Frank Baguiao

**Others Present:** Secretary Barbara Margolese, Attorney Gail Fraser, Planner David Banisch, Engineer Leon Hall

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT - Adequate notice of this meeting was published in the Observer-Tribune on January 19, 2012 and posted on the Bulletin Board on the same date. Notices were mailed as requested.

Pledge of Allegiance.

PLAQUE OF RECOGNITION FOR JOHN TURICK

The Board started the meeting by paying special tribute to Mr. John Turick by awarding a plaque of service recognition posthumously to his wife Susan Turick. Mr. Turick had served the Washington Township Board of Adjustment for 36 years (1976 to 2012). He was noted for his devotion to the township and to the board. His wife Susan accepted the plaque in his honor.

***MINUTES***

1. June 6, 2012 Regular Meeting

A motion to approve the minutes of June 6, 2012 as presented was made by Mr. Averett, seconded by Mr. Spina. A voice vote was taken; all were in favor. The motion carried.

Ayes: Craig Schwemmer, Anthony Spina, Dorothy Walter, Elliott Averett, Morris Bauer, Harvey Ort

Nays: None Abstentions: None

*The meeting was opened to the public for items not on the agenda. As there were non agenda comments from the public this section of the meeting was closed. No comments were received and the meeting was closed to the public for items not on the agenda.*

***RESOLUTIONS***

None

***APPLICATIONS***

1. Heidi Schubert Ort – Block 54, Lot 26 – 458 W. Mill Road - R-5 Zone – 20.90 Acres  
“D” Variance (Conditional Use - conditions not met) & Preliminary/Final Site Plan  
Proposal to construct a 19,072 sq. ft. Riding Stable & Covered Manure Stockpile  
Completeness Only  
Representatives present: Orion Lake, Joe Golden, P.E. (Golden and Moran Engineering)

Board member Harvey Ort recused himself from hearing this application due to a conflict of interest. The Board asked Mr. Lake what his role is with regard to this application. He said that he is the business partner and significant other of the applicant Heidi Ort. Attorney Fraser advised the board not to hear the application without the applicant acknowledging that Mr. Lake can represent her or without her being present since Ms. Ort is not represented by an attorney. The board was advised to either wait for Mr. Lake to bring Ms. Ort to the meeting or to wait until next month to hear this application. The board took a break from 7:41 p.m. to 7:59 p.m. while Mr. Lake went to get Ms. Ort and bring her to the meeting.

Ms. Ort arrived at the meeting at 7:59 p.m. and the board addressed the application for completeness. The applicant’s engineer, Mr. Joe Golden, stated that the applicant is proposing to construct a 10,500 square foot riding arena and covered manure stockpile. He stated that the existing area which the building is proposed to be built on has been leveled out to a flat area. Mr. Golden addressed Engineer Hall’s review letter of July 27, 2012. He stated that the current versions of the required forms will be submitted and that the Tax Collector’s certification will be acquired. He stated that the applicant did not address water quality because the amount of proposed impervious surface is under the threshold for storm water management. He said; however, that the roof drains are proposed to flow to an existing pond on the site. Mr. Golden noted that he is not recommending that seepage pits be used for this site because of its underlying Karst geology.

Mr. Golden informed the board that the applicant is applying for a transition waiver from the NJDEP for wetlands on the property. He noted that the applicant expects to be exempted from Highlands review and that they have a verbal statement from the Highlands Council to that effect. Mr. Golden stated that they are not proposing to move any soil on the site. He stated that the barn will have an open floor for the most part with only the area where the manure composting is to be housed having a concrete floor. Mr. Golden stated that no trees are being removed as a result of this site plan. He stated that the applicant is requesting a waiver for submission of a Phase 1 Geological survey because they do not intend to put any water into the ground.

For the record the following waivers were requested by the applicant: preliminary site plan checklist item # 8 (development impact statement), #9 (surface water management plan), #10b (conservation easements and endangered species evaluation), #11 (soil disturbance permit), #12 (site plan information requirements), and #13 (Phase 1 Geological Survey). Engineer Hall stated that he would recommend the granting of waivers for completeness for #9 and #10b.

Mr. Hall noted that the topographical survey was submitted at this meeting and would have to be reviewed. He stated that the board can waive components of item #12 (site plan requirements). Item #10b can be addressed by putting conservation easement language into the deed which can be obtained from the Township Attorney Paul De Bona.

It was noted that the outstanding items for completeness are item #1, #2, #9 and #10b. The board decided that #13 (Phase 1 Geological Survey) must be addressed based upon the recommendation of Dr. Oweis.

The motion to deem this application incomplete for outstanding items 1, 2, 9, 10b, and 13 was made by Mr. Bauer and seconded by Mr. Averett. A voice vote was taken; all were in favor and the motion carried.

***DISCUSSION - CORRESPONDENCE***

1. Vouchers

A voucher from Anderson & Denzler for \$325.00 was reviewed. The motion to approve the submitted voucher was made by Mr. Bauer and seconded by Mr. Averett. A voice vote was taken; all were in favor and the motion carried.

Mr. Bauer a motion to adjourn, seconded by Mr. Averett. A voice vote was taken; all were in favor and the meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Barbara Margolese, Secretary