

**WHITE TOWNSHIP PLANNING BOARD
555 CR 519, BELVIDERE, NEW JERSEY**

**MINUTES
AUGUST 9, 2011**

The regular meeting of the White Township Planning Board was held on Tuesday, August 9, 2011. Present were: Anthony Wyhopen, Joseph Phillips, Bryan Vande Vrede, Joseph Magnini, William Godfrey, James Carlson, Samuel Race, and Robert Mackey. Board Members Absent: Jeff Herb, Timothy Matthews, and David Pritchard. Also present: Board Attorney Richard Dieterly, Board Engineer Paul Sterbenz, and Board Planner Joseph Layton.

CALL TO ORDER:

Anthony Wyhopen called the meeting to order at 7:35 p.m. He stated that the meeting is being held in accordance with the "Open Public Meetings Act", with adequate notice to the appropriate newspapers and posting on the Township bulletin board.

OPEN TO THE PUBLIC:

Chairman Wyhopen opened the meeting, to the public, for non-agenda items. With there being no public comment, the meeting was closed to the public.

MINUTES OF PREVIOUS MEETING:

The minutes of the meeting of July 12, 2011, were distributed to all the Board Members prior to the meeting.

Mr. Race made the motion to approve the minutes. Motion seconded by Mr. VandeVrede. In a voice vote, all were in favor, except for Mr. Godfrey and Mr. Magnini, who were not present at the July meeting and they abstained.

VOTE: 6 AYES

The motion carried

COMPLETENESS:

#758 Adam Zmigrodski, 195 Foul Rift Road, Block 25, Lot 1

Adam Zmigrodski was present and Board Engineer Sterbenz reviewed a 2007 Aerial State Database Map that he prepared. He stated that there are a few minor differences between what the Map depicts and what is actually on the site. He stated that he also obtained a County Database Map and a copy of a 2004 survey. Mr. Zmigrodski also submitted some photographs and he described the objects/improvements located on the property. The following was submitted and marked as an exhibit:

A-1 Aerial Map/Survey-Double sided

A-2 Photograph

Mr. Mackey made the motion to deem the application complete. Motion seconded by Mr. VandeVrede. In a voice vote, all were in favor, except for Mr. Godfrey and Mr. Magnini, who abstained.

VOTE: 6 AYES

The motion carried

HEARING:

#758 Adam Zmigrodski, 195 Foul Rift Road, Block 25, Lot 1

Mr. Zmigrodski submitted another photograph, which was marked as an exhibit:

A-3 Photograph

Mr. Zmigrodski stated that he wishes to have electricity installed to an existing trailer on the site. He stated that he is a local contractor and he has trailers and containers on the property for storage along with some equipment. Board Engineer Sterbenz reviewed the Township Ordinances. The following was submitted and marked as an exhibit:

A-4 Letter from the Township Zoning Official.

Board Planner Layton stated he sees no variances.

Mr. Mackey made the motion to approve the site plan. Motion seconded by Mr. VandeVrede. In a voice vote, all were in favor, except for Mr. Godfrey and Mr. Magnini, who abstained.

VOTE: 6 AYES

The motion carried

COMPLETENESS:

#760 Moncada NJ Solar 301, LLC, DSM Nutritional Products, Block 52, Lot 10

Chairman Wyhopen disclosed that he was employed by both Roche Vitamins and DSM several years ago and he stated that he does not feel that he has a conflict as DSM does not owe him anything and he doesn't owe DSM anything. Board Attonrey Dieterly stated that he does not see a conflict.

Dan O'Hern, Esq. was present on behalf of the Applicant. Board Engineer Sterbenz stated that he reviewed the completeness issues and he stated that 1-C is still outstanding and he reviewed the submission waivers being requested. Board Attorney Dieterly swore in Engineer Michael Thomas, Board Engineer Paul Sterbenz, and Board Planner Joseph Layton. The Applicant then reviewed the waivers being requested.

Mr. Vande Vrede made the motion to grant a waiver of checklist item #20. Motion seconded by Dr. Phillips. In a voice vote, all were in favor, except for Mr. Godfrey and Mr. Magnini, who abstained.

VOTE: 6 AYES

The motion carried

Dr. Phillips made the motion to grant a waiver of checklist item #40-Development Impact Statement. Motion seconded by Mr. Carlson. In a voice vote, all were in favor, except for Mr. Godfrey and Mr. Magnini, who abstained.

VOTE: 6 AYES

The motion carried

Mr. Vande Vrede made the motion to deem the application complete. Motion seconded by Mr. Carlson. In a voice vote, all were in favor. In a voice vote, all were in favor, except for Mr. Godfey and Mr. Magnini, who abstained.

VOTE: 6 AYES

The motion carried

The Applicant requested to be placed on the Board’s September 13th meeting. Board Secretary Schemm stated that additional copies of the reports will need to be submitted to for distribution to the Board.

NEW BUSINESS:

**#759 Whitetown Realty LLC(formally known as Gro-Rite) 283 CR 519
Block 30, Lots 8 & 11**

Mr. Vande Vrede recused himself. Mr. Mackey stated that he worked for the Applicant several years ago. Board Attorney Dieterly stated that he does not see a conflict

Michael Lavery, Esq. was present on behalf of the Applicant and he submitted a Resolution of approval from the SADC, which he supplied to Board Attorney Dieterly. Board Attorney Dieterly stated that the Board should check the conditions of the prior approval to confirm that they were met. Attorney Lavery briefly reviewed the proposal. Also present Michael VandeVrede and Engineer Jess Symonds who were then sworn in along with Board Engineer Sterbenz and Board Planner Layton.

Engineer Symonds presented his qualifications and he briefly reviewed the proposal to remove gravel parking area and the portion of the sidewalk and replace it with a greenhouse and he agreed to amend the plans to address the comments in Board Engineer Sterbenz’s report.

Attorney Lavery addressed the change from Retail to Wholesale and he stated that the parking is no longer needed.

The hearing was then opened to the public for questions. With there being no public questions, the hearing was closed to the public.

Attorney Lavery addressed the increase in coverage. Board Planner Layton and Board Engineer Sterbenz stated that their comments have been addressed and will be addressed by the revised plans.

Mr. Mackey made the motion to approve the Applicant’s application for amended Preliminary and Final Site Plan approval and for a subsection [c] variance from the requirements of Sec. 160-130 D. of the Township Code to permit building coverage of 10.78%, rather than the required 10% (which had already in the prior application be granted a variance to 10.03%). Motoin seconded by Mr. Race. In a voice vote, all were in favor, except for Mr. Carlson and Mr. Godfrey, who abstained.

VOTE: 5 AYES

The motion carried

Mr. Vande Vrede resumed his position back on the Board.

BILLS:

In a motion made by Mr. Magnini and seconded by Dr. Phillips, the bills were paid. In a voice vote, all were in favor, except for Mayor Race, who abstained.

Maser-Planning	593.75	PBOE
Maser-Engineering	93.75	PBOE
Maser-PPL-Engineering	187.50	Escrow #50056

Maser-Brookfields	93.75	Escrow	#50046
Maser-Moncada	281.25	Escrow	#50057
Maser-Moncada	62.50	Escrow	#50057
Maser-Whitetown Realty	375.00	Escrow	
Maser-Whitetown Realty	865.00	Escrow	
Maser-Zmigrodski	62.50	Escrow	
Maser-Zmigrodski	365.00	Escrow	

VOTE: 7 AYES
 The motion carried.

OTHER:

Highlands Preservation Land Use Ordinance

Chairman Wyhopen stated that the draft Highlands Preservation Land Use Ordinance needs to be revised with some language being removed. He stated that it will be reviewed by the subcommittee and then distributed to the Board once it has been reviewed.

Solar Ordinance/Alternate Energy

Chairman Wyhopen stated that a draft Solar Ordinance has been distributed for the Board’s consideration. Modifications were suggested and the Board agreed to look at it again next month.

Delaware River Basin

Mayor Race stated that information was distributed this evening in regards to a meeting that is being held for anyone that is interested in attending and Board Engineer Sterbenz stated that he will be in attendance.

ADJOURNMENT:

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 9:30 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm
 Board Secretary

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