

JEFFERSON TOWNSHIP LAND USE BOARD

MONDAY, FEBRUARY 22, 2021

Minutes of a Regular Meeting of the Jefferson Township Land Use Board, pursuant to due notice and in compliance with the Sunshine Law.
Municipal Building, Jefferson Township, at 7:30 PM.

Presiding: **Chairman Williams**
Secretary: **Stephanie McCormack**

Present:

Chairman Williams
Vice-Chairman Palko
Vice-Chairwoman Galfo
Mayor Wilsusen
Councilwoman Senatore
Mr. DiFrisco
Mr. Hine

Absent:

Ms. Fallon
Mr. Jacoby
Mr. Galfo
Chief Castimore
Mr. Small
Mr. Deutsch

Also Present:

Glenn Kienz, Board Attorney
Samantha Anello, Board Engineer
Jill Hartmann, Board Planner
Stephanie McCormack, Board Secretary

COMPLETENESS SESSION:

Yannarelli

No. 20-21

Block 174, Lots 1 & 8
129 & 129A Castle Rock Rd.
Minor Subdivision & Bulk
Area Variance

Ms. Hartmann stated that all of the completeness items have been submitted. If approved, the applicant has been made aware it will be subject to review of the revised Deeds by the Board Professionals.

Mr. Ken Fox, the applicant's Architect, stated that the last submission removed the subdivision portion of the application, and he asked for clarification that they did not have to re-notice.

Ms. Hartmann asked Mr. Fox to check the size of the lots on the revised plans because they did not change when the subdivision was removed. There will be no need to re-notice due to the removal of the subdivision.

Chairman Williams made a motion to deem the application complete and to carry to Monday, March 22, 2021 with no further notice required. **Vice-Chairwoman Galfo** seconded the motion.

In Favor: All.

Mr. Fox asked Mr. Kienz if the Exhibits needed to be provided ten days in advance of the hearing.

Mr. Kienz stated that the Exhibits need to be marked and provided to Ms. McCormack ten days prior to the hearing.

Zacco

No. 21-01

Block 490, Lot 3
30 E. Birch Road
Bulk Area Variance

Ms. Jill Hartmann stated that this is a variance application to re-construct an existing home and add a second story. There are several checklist items that have not been submitted. These checklist items are listed in her report dated February 21, 2021.

Ms. Samantha Anello added that they would also like to see a soil erosion and sediment control plan in addition to a Stormwater Management Plan.

Ms. Jill Hartmann stated that the application should be deemed incomplete, and the applicant should request waivers for a Tree Removal Plan, and connections to the existing utility systems.

Chairman Williams made a motion to deem the application incomplete. **Vice-Chairwoman Galfo** seconded the motion.

In Favor: All.

REGULAR MEETING (IF DEEMED COMPLETE):

169 Route 181, LLC

No. 20-02

Block 105, Lot 1
169 Route 181
Major Site Plan

Ms. McCormack stated that she received an email late this afternoon from the applicant's Attorney, Bernd Hefe, requesting to carry the application in order to prepare Planner testimony.

Chairman Williams made a motion to carry the application to Monday, March 22, 2021, with no further notice required. **Vice-Chairwoman Galfo** seconded the motion.

In Favor: Mayor Wilsusen, Councilwoman Senatore, Vice-Chairwoman Galfo, Vice-Chairman Palko, Mr. Hine, Mr. DiFrisco, and Chairman Williams.

Kollmer

No. 20-20

Block 141, Lot 6
2 Lagoon Lane
Bulk Area Variance

Mr. Joseph Kollmer, the applicant, was present and sworn in. He explained he had a permit for a 12x32-foot deck, and decided he wanted to put a roof over it.

Ms. Hartmann explained that the applicant requires two, side-yard setback variances, a rear-yard setback variance, and an impervious coverage variance. There are several other pre-existing non-conformities that she recommends be added in the resolution so that Mr. Kollmer or any future owners of the home will not need to go in front of the Board for these variances.

Ms. Samantha Anello asked if the roof over the deck will have gutters and/or downspouts.

Mr. Kollmer stated they will have a downspout that will flow into a rain garden on the shed side of the house.

Mr. DiFrisco asked if the sides would be enclosed.

Mr. Kollmer stated they would not be enclosed.

Vice-Chairwoman Galfo asked what building material would be on the roof.

Mr. Kollmer stated it would have shingles.

Chairman Williams asked Glenn Kienz if the applicant would have to come back if he decided to enclose the deck.

Mr. Kienz stated he would have to come back in front of the Board if he were to decide to enclose it.

Mayor Wilsusen stated that the Tax Records show the permit for the replacement of the deck was taken out in January of 2019 and closed out in July of 2019.

Chairman Williams opened the meeting to the public.

Ms. Colleen Lyons, from the Lake Hopatcong Commission, was present and sworn in. She was originally going to try and convince the applicant to install a rain garden, but it appears he has already planned for the installation of one. She thanked him, and is looking forward to seeing pictures of the completed garden.

The public portion was closed.

Vice-Chairman Palko made a motion to approve the application. **Vice-Chairwoman Galfo** seconded the motion.

In Favor: Mayor Wilsusen, Vice-Chairwoman Galfo, Vice-Chairman Palko, Mr. Hine, Mr. DiFrisco, and Chairman Williams.

Against: Councilwoman Senatore.

Schroeder

No. 20-22

Block 358, Lot 22
5138 Berkshire Valley Rd.
Bulk Area Variance

Ms. Carolyn DeMiro and Mr. Jason Schroeder, the applicants, were present and sworn in. Mr. Schroeder stated he purchased the house in August of 2020. They love the house, but always wanted a garage. What is unique about the property is that the front door does not face Berkshire Valley Road; it is on the side of the house where a garage would normally be. They would not be able to put a garage in the rear yard since their well and septic are located there. They are proposing to construct a two-car garage at the top of their existing driveway, 2 feet off of the property line.

Ms. DeMiro stated that the garage will be built on concrete over existing asphalt.

Mr. Schroeder stated that there will not be any water going to the garage.

Ms. Samantha Anello asked if there will be electric in the garage.

Ms. DeMiro stated there will be electric.

Ms. Anello asked about gutters on the garage, and suggested that the applicants keep the current drainage patterns, which are most likely down the driveway.

Ms. Hartmann stated that the Township Engineer is requesting a swale to be located on the high side of the garage for better stormwater management. She also requested that the applicant provide the Township with a signed and sealed verifying the height is no greater than 22 feet. She also explained that the applicants are seeking variance relief for an accessory structure in the front yard and a side yard setback.

Chairman Williams opened the meeting to the public.

Mr. Anthony Miliano, the applicant's neighbor, was present and sworn in. He voiced his concerns regarding a portion of the existing driveway being over the property line and the height and size of the garage.

Ms. Hartmann asked the applicants why the garage had to be 22 feet high.

Mr. Schroeder stated that he just recently had to close down three gyms, and would like to work out in his garage and keep some gym equipment in there. In addition, they own two cars, and would also appreciate any extra storage since their home is so small. He is willing to be flexible on the height of the garage.

Mr. Miliano suggested a one-car garage in the rear yard near the shed.

Ms. DeMiro stated that they had to consider an increase in impervious coverage and the fact that the well and the septic are in the rear yard. It just seemed the most logical to locate it at the top of the driveway.

Mr. Schroeder stated that he would be willing to lower the height of the garage to 12 feet instead of 22 feet.

Mr. Miliano would be willing to compromise with the 12-foot-high garage and some plantings behind the garage as a buffer.

Chairman Williams stated that the Board can make those items conditions of the resolution.

The public portion was closed.

Mr. DiFrisco feels that they should also make it a condition of the resolution that the applicant provide drawings of what the garage will look like and the elevations.

Mr. Kienz asked if he wanted the Board to review it, or just let the professionals take a look at it. Typically, he would just have the professionals take a look at it, and if there are issues, they would bring it back to the Board.

Mr. DiFrisco agreed.

Mr. Hine does not see any reason for the items discussed to have to come back to the Board. He feels a vote should be taken at tonight's meeting.

Vice-Chairman Palko voiced his concerns on whether the 12-foot garage height is feasible for a two-car garage.

Ms. Hartmann stated that it can be done. If they find that it cannot be done, they would have to file a new application and go through the entire process again.

Ms. Anello stated that the applicant may want to carry the application in order to give them an opportunity to make sure what they are proposing is feasible.

Ms. DeMiro asked if they would have to come back in front of the Board if the height was not feasible and they decided to make the dimensions of the garage a little smaller.

Mr. Kienz stated that they would not have to come back in front of the Board if they had to make the garage smaller to adhere to the 12-foot height.

Mayor Wilsusen made a motion to approve the application with the conditions as discussed. **Mr. Hine** seconded the motion.

In Favor: **Mayor Wilsusen, Vice-Chairman Palko, Mr. Hine, Mr. DiFrisco, and Chairman Williams.**

Against: **Vice-Chairwoman Galfo.**

Abstained: **Councilwoman Senatore.**

OTHER BUSINESS

Re-Examination Report

Discussion

Ms. Hartmann stated that she inadvertently forgot to add one and two bedroom apartments above ground floor commercial businesses in the C-1 and C-2 District. In addition, a new public law has been enacted whereby the Land Use Plan Element of the Municipal Master Plan must be amended to include a Climate Change-Related Hazard Vulnerability Assessment. She recommends that the Board re-adopt this revised Re-examination Plan.

Mayor Wilsusen made a motion to approve the revisions to the Re-Examination Report. **Councilwoman Senatore** seconded the motion.

In Favor: **Mayor Wilsusen, Councilwoman Senatore, Vice-Chairwoman Galfo, Vice-Chairman Palko, Mr. Hine, Mr. DiFrisco, and Chairman Williams.**

Ms. McCormack then reiterated a comment made earlier by Mayor Wilsusen regarding the increased involvement of the Township Engineer in any future application review process. She then asked Mr. Kienz how to handle recent correspondence from Board Member Patty Fallon, requesting a leave of absence due to medical issues.

Mr. Kienz recommended that the Board grant her a leave of absence, and re-evaluate her circumstances again in six months.

A member of the public, Ms. Pollison, stated that she logged in at 7:30 for one of the applications that was carried. She did not realize the meeting started at 7:00 because the Township website has the start time as 7:30 p.m.

Mayor Wilsusen stated the time will be changed on the website.

RESOLUTIONS:

McDonald's

No. 20-01

Block 272.01, Lot 19
735 Route 15 South
Extension Request

Vice-Chairwoman Galfo made a motion to approve. **Councilwoman Senatore** seconded.

In Favor: **Mayor Wilsusen, Councilwoman Senatore, Vice-Chairwoman Galfo, Vice-Chairman Palko, Mr. Hine, Mr. DiFrisco, and Chairman Williams.**

APPROVAL OF THE MINUTES DATED JANUARY 25, 2021:

Vice-Chairwoman Galfo made a motion to approve the minutes. **Mr. Hine** seconded the motion.

In Favor: **Mayor Wilsusen, Councilwoman Senatore, Vice-Chairwoman Galfo, Vice-Chairman Palko, Mr. Hine, Mr. DiFrisco, Mr. Jacoby, and Chairman Williams.**

ADJOURNMENT:

Mayor Wilsusen moved to adjourn **at 8:23 PM.**
Vice-Chairwoman Galfo seconded.

In Favor: **All.**

Respectfully Submitted by:

Stephanie McCormack
Secretary to the Planning Board