

JEFFERSON TOWNSHIP LAND USE BOARD

MONDAY, FEBRUARY 24, 2020

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
Capt. Castimore
Mr. Hine
Mr. DiFrisco
Mr. Jacoby
Mr. Deutsch
Mr. Small
Mr. Galfo

Absent:
Ms. Fallon

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

COMPLETENESS SESSION:

Casmento	No. 19-07	Block 490, Lots 3 & 5 26 & 30 E. Birch Road Lot Line Adjustment
----------	-----------	---

Ms. Jill Hartmann referred to the missing checklist items in her report. The applicant is requesting waivers for these items, and understands that any approval would be conditional upon approval from the Health Department. The committee recommends that this application be deemed complete, and that it be heard this evening.

Vice-Chairman Palko made a motion to deem the application complete. **Mr. Deutsch** seconded the motion.

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

Keystone Mgmt./Mucha	No. 03-19	Block 20, Lot 26 131 New Jersey Ave. Bulk Area Variance
----------------------	-----------	---

In Favor: Vice-Chairwoman Galfo, Vice-Chairman Palko, Capt. Castimore, Mr. Hine, Mr. DiFrisco, Mr. Jacoby, Mr. Deutsch, Mr. Small, and Chairman Williams.

DiCola

No. 20-03

Block 125, Lots 1 & 27
48 Yacht Club Dr. & Crescent
Bulk Area Variance

Ms. Hartmann referenced the missing checklist items in her report. The committee recommends that the application be deemed complete, conditional upon the receipt of the required items.

Mr. Hefe, the applicant's Attorney, stated that he has the missing information, and will forward it to Ms. McCormack next week.

Vice-Chairwoman Galfo made a motion to deem the application complete, conditional upon the receipt of the required items. **Mr. Jacoby** seconded the motion.

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

Baum-Shupp

No. 20-04

Block 462, Lots 19 & 23
5612 Berkshire Valley Rd. &
Minor Subdivision & Use
Variance

Ms. Hartmann went through the requested waivers. The committee recommends the application be deemed complete.

Mr. Hine made a motion to deem the application complete. **Vice-Chairwoman Galfo** seconded the motion.

In Favor: Vice-Chairwoman Galfo, Vice-Chairman Palko, Capt. Castimore, Mr. Hine, Mr. DiFrisco, Mr. Jacoby, Mr. Deutsch, Mr. Small, and Chairman Williams.

REGULAR MEETING (IF DEEMED COMPLETE):

Casmento

No. 19-07

Block 490, Lots 3 & 5
26 & 30 E. Birch Road
Lot Line Adjustment

Mr. Thomas Casmento, the applicant, came forward and was sworn in.

Mr. Glenn Kienz then proceeded to swear in professionals Ms. Jill Hartmann, Board Planner, and Ms. Samantha Anello, Board Engineer, filling in for Mr. John Ruschke.

Mr. Casmento proceeded to describe the details of his application. He explained that he owns both properties, and is looking to evenly split the properties so that he can have access to the lake and be able to maintain the back of his property without having to utilize the adjoining lot. He purchased the property next to his in 2018, and it had been vacant since at least 2006.

Mr. DiFrisco asked the applicant to describe what the submitted photographs represent.

Mr. Casmento explained that the pictures on the left of Page 1 show the front and rear of his home. His mailbox is actually on the neighbor's property. The pictures on the right of Page 1 show the neighboring house that he purchased both from the lake side and from the side door of his home.

Mr. Kienz asked the applicant to verify that he took the pictures and that they accurately depict both properties.

Mr. Casmento confirmed that he did, in fact, take the pictures, and that they accurately depict both properties. On Page 2, the top two pictures show an orange marker under the ladder where a tank exists. The remaining pictures show various views of both properties.

Mayor Wilsusen asked the applicant to explain his relationship with the potential buyer of the second property.

Mr. Casmento stated that he is currently the owner of both properties. Prior to purchasing the property with the vacant structure, he had a handshake deal with the neighbor across the street. This agreement allowed him to purchase the property for the lot line adjustment, and once approved, the neighbor would purchase the property from him in order to avoid real estate fees, etc.

Ms. Jill Hartmann then went through the required variances for both properties.

***Chairman Williams opened the meeting to the public.
The public portion was closed.***

Mr. Kienz asked if any easements were required.

Ms. Hartmann stated there are no easements required. She then asked the applicant if he has submitted an application to the Morris County Planning Board.

Mr. Casmento stated he did not, and asked where he could find the information to do so.

Mr. Kienz stated that Mr. Casmento's surveyor, Mr. Gardell, should have sent the Morris County Planning Board application in when the Land Use Board application was submitted.

Mr. DiFrisco made a motion to approve the application with the conditions as discussed. **Councilwoman Senatore** seconded the motion.

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

Mr. Bernd Hefe, the applicant's Attorney, came forward. He explained that the applicant bought the property a few years ago, and has been working on renovating the dilapidated house. Now that the house is completed, he would like to convert the small, detached one-car garage into a three-car garage. The application triggers three variances; a front-yard setback variance, a side-yard setback variance, and a variance for an accessory structure in the front yard. The applicant has modified the plans three times in order to address the concerns of Bill Gregor, the previous Board Engineer.

Mr. Wojciech Mucha, the applicant, came forward and was sworn in. He stated that he owns Keystone Management, the business that owns the property in question. He has owned the property since the fall of 2017. When he purchased the home, the house and the garage were in very bad shape. They have spent the last two years renovating the home, and they are now ready to renovate the garage. The reason for the three-car garage is so that it can house their two cars, the boat, a jet ski, and a motorcycle, eliminating any outdoor storage. Several of the other neighboring properties have detached garages in the front yard of their homes because there isn't any other option. All of the neighbors are aware of the his plans for the garage, and have no issues with the project.

Mr. DiFrisco asked if the garage was going to be used for commercial use since the property is owned under an LLC.

Mr. Mucha stated that since he purchased the home through a broker and could not acquire a mortgage on the property, he bought the property through his business. Even though it was purchased through the business, it will be used and is already being used as his primary home.

Mr. Hine asked the applicant what the footprint of the existing garage is as opposed to what is being proposed for the new garage.

Mr. Hefe stated that the Engineer will address that question during his testimony.

Mr. Hine asked if the proposed garage would have a second story.

Mr. Hefe stated it would not have a second story.

Mr. Mucha stated that the peak on the proposed garage will be 17 feet high, and the existing garage peak is 12 feet high.

Mr. Louis Scheidt, the applicant's Engineer, came forward and was sworn in. He stated that he did not prepare the plans, but he has reviewed the plans prepared by Morgan Engineering for this application in order to testify. He then explained the condition of the existing garage, and proceeded to go through the items of concern in John Ruschke's report.

Mr. Galfo asked what size garage doors would be used on the garage.

Mr. Mucha stated the garage doors will be 9 feet wide by 7 feet high.

Mr. DiFrisco stated that the dimensions in the architectural drawings do not match the dimensions on the plan.

Mr. Hefe stated that the garage will be 34 feet by 24 feet, and the height will be 17.4 feet high.

Mr. DiFrisco asked if there would be any utilities in the garage.

Mr. Mucha stated that there will only be electric in the garage.

Councilwoman Senatore asked if there was a trench drain in the front of the garage.

Mr. Scheidt stated that there would be a trench drain in the front of the garage.

Mayor Wilsusen asked if the letter from the Lake Hopatcong Commission would be addressed.

Mr. Hefe stated it would be addressed.

Ms. Anello asked if the applicant received the memo from the Township Engineer requesting the applicant to apply for a driveway permit.

Mr. Scheidt stated that the applicant would comply with the request.

Mr. Hefe then addressed the letter from the Lake Hopatcong Commission. He stated that the applicant will comply with all of the concerns in the letter.

Chairman Williams opened the meeting to the public.

Ms. Colleen Lyons, a representative from the Lake Hopatcong Commission, came forward and was sworn in. She explained the Commission's role in the application process. She then asked if there would be a maintenance plan for the property.

Mr. Hefe stated that there would be a maintenance plan, but he did not feel it necessary to provide a formal maintenance plan to the Board.

Mr. Kienz asked Ms. Lyons if it will be normal practice going forward for the Commission to be involved in any applications near the lake.

Ms. Lyons stated that the Commission will be providing comments on any application located within 200 feet of Lake Hopatcong.

Mr. Kienz recommended the township have a discussion on whether or not to require maintenance plans for any future applications within 200 feet of Lake Hopatcong.

The public portion was closed.

Mr. DiFrisco made a motion to approve the application with the conditions as discussed. **Councilwoman Senatore** seconded the motion.

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

APPROVAL OF THE MINUTES DATED JANUARY 27, 2020:

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

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

Mr. Kienz mentioned that he would not be able to represent the Board on the McDonald's application due to a conflict of interest within his firm. He is willing to recommend alternate counsel for this application if necessary. He then recommended that the Board update their by-laws.

The board unanimously agreed.

Mr. Galfo asked if the professionals could provide their information a little sooner than the day of the meeting. It makes it difficult for the board members to have time to review it prior to the meeting.

ADJOURNMENT:

Mayor Wilsusen moved to adjourn at **9:13 PM.**
Vice-Chairwoman Galfo seconded.

In Favor: **All.**

Respectfully Submitted by:

Stephanie McCormack
Secretary to the Planning Board