

**STILLWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
February 25, 2013**

MEMBERS PRESENT: Mr. Powell, Mr. Sarni, Mr. Stachura, Mr. Lippencott, Mrs. Galante

MEMBERS ABSENT: Mr. Daingerfield, Mr. Hammond

ALSO PRESENT: Board Attorney Morgenstern

A REGULAR MEETING OF THE Stillwater Township Zoning Board of Adjustment was held on Monday, February 25, 2013 at 7:30 p.m. at the Municipal Building in Middleville, New Jersey. The meeting was called to order by Chairman Powell in accordance with the Open Public Meetings Act.

The flag was saluted and roll call taken.

MINUTES

Mr. Lippencott made a **motion** to approve the minutes of January 28, 2013, seconded by Mr. Stachura:

Roll Call Vote: Mr. Stachura, yes, Mr. Sarni, abstain, Mr. Lippencott, yes, Mrs. Galante, yes, Mr. Powell, yes

HEARING

Manser, New Image Landscape Services, Block 2401, Lot 19.06, Cal. No. 558(a) – Request for extension of approval, specifically for condition #5 of the Resolution memorialized on April 23, 2012 for preliminary and final site plan approval requiring the applicant to apply for a transition waiver from the NJDEP to construct a pole barn within 180 days of the date of the Resolution and requiring the applicant to construct the pole barn within 24 months of obtaining said NJDEP approval. All notices appeared to be in order. David Manser, 993 Stillwater Road, was sworn in.

Mr. Manser requested a 24-month extension to obtain a transition waiver from the NJDEP to construct a pole barn in relation to his landscape services business. He has obtained an LOI from the NJDEP delineating the wetlands and transition area and has filed a copy with the Board. Mr. Powell noted most wetland approvals have a life of five years. He recommended filing for the transition waiver at this time and suggested a 90-day period in which to apply to the NJDEP. He requested that the applicant copy the Board on the application to guarantee that it was done within the 90 day period. After further discussion the Board agreed the extension should run with the Board meeting in May, which would be slightly more than 90 days, to May 30, 2013.

Mr. Stachura made a **motion** to grant an extension on condition #5 of the Resolution memorialized on April 23, 2012, requiring the applicant to apply for a transition waiver from the NJDEP to construct a pole barn by May 30, 2013, seconded by Mr. Lippencott, memorializing Resolution effective February 25, 2013. The time period for the construction of the pole barn would remain at 24 months from the time the transition waiver is obtained.

Roll Call Vote: Mr. Stachura, yes, Mr. Sarni, yes, Mr. Lippencott, yes, Mrs. Galante, yes, Mr. Powell, yes

Annual Report 2012:

Following review of the 2012 Annual Report by Mr. Morgenstern, Mr. Sarni made a **motion** to adopt the 2012 Annual Report and forward a copy to the Planning Board and Township Committee, seconded by Mr. Stachura.

Roll Call Vote: Mr. Stachura, yes, Mr. Sarni, yes, Mr. Lippencott, yes, Mrs. Galante, abstain, Mr. Powell, yes

BILLS

Mr. Stachura made a **motion** to pay the following bills, seconded by Mr. Lippencott:

<u>Dolan & Dolan:</u>	General – January 2013	\$214.48
	Monthly Meeting – January 2013	\$ 77.50
	Escrow – Manser	\$ 77.50
	Nextel – Litigation	\$826.15
<u>Escrow Refunds:</u>	Morris	\$213.50
	Gordon	\$110.50
	Russo	\$275.90
	Allen	\$178.00
	Doolittle	\$188.00
	Brendler	\$ 79.50
<u>Rodman Associates:</u>	General – January 2013	\$113.00
	Escrow – Habitat Humanity	\$123.50
<u>New Jersey Herald:</u>	Nextel Resolution	\$ 13.20
	Legal Notices	\$117.00
<u>SCCC:</u>	Mandatory Training – Galante	\$ 98.00

Roll Call Vote: Mr. Stachura, yes, Mr. Sarni, abstain, Mr. Lippencott, yes, Mrs. Galante, yes, Mr. Powell, yes

Correspondence:

Letter from Hampton Township to Gregory Meese, dated 2/21/13, re: Nextel of NY and JCP&L – copied to R. Morgenstern

Letter to Planning Board from E2 Project Management, dated 12/18/12, re: Cellco/Verizon, SHPO

At this point, this portion of the meeting was opened to the public at 8 p.m.

There being no members of the public wishing to speak, this portion of the meeting was closed at 8 p.m.

Committee Liaison Report (Mayor Gross): No report.

There being no further business, Mr. Stachura made a **motion** to adjourn the meeting at 8:05 p.m., seconded by Mr. Sarni. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder, Board Secretary

Eric Powell, Chairman