

MINUTES OF DELAWARE TOWNSHIP BOARD OF ADJUSTMENT

www.delawaretwpnj.org

HYBRID IN-PERSON and VIRTUAL via ZOOM PUBLIC ANNUAL REORGANIZATION MEETING

DATE: May 11, 2023

Chairman Cline called the meeting to order at 7:30pm.

Chairman Cline read the Public Notice Requirements.

The Notice Requirements called for in the Open Public Meetings Act have been satisfied. Said Notice was transmitted to the Hunterdon County Democrat, The Times (of Trenton), and the Star-Ledger. Said Notice was posted in the Delaware Township Municipal Building and filed in the Board Office; all on February 9, 2023.

MEMBERS IN ATTENDANCE

Emmons, Fowler, Gilbreath, Manley, McAuliffe, Milesnick, Warren, Cline

MEMBERS ABSENT

Buchanan

PROFESSIONALS/STAFF IN ATTENDANCE

- 1) Steve Goodell, Board Attorney (via Zoom)
- 2) Denise Filardo, Board Secretary

MEETING MINUTES

1) FEBRUARY 9, 2023

The Board voted on the motion of Mr. Fowler seconded by Ms. Gilbreath to adopt the February 9, 2023 Meeting Minutes. All members in attendance were in favor. No abstentions and none opposed.

2) MARCH 9, 2023

The Board voted on the motion of Mr. Manley seconded by Mr. Emmons to adopt the March 9, 2023 Meeting Minutes. All members in attendance were in favor. No abstentions and none opposed.

RESOLUTIONS/MEMORIALIZATIONS

1) LEAH WEST

Block 42, Lot 6

223 Lambertville Headquarters Road

Resolution No. 2023-04

Grant of Bulk Variance relief to construct two (2) one-story additions to the existing two-story single-family dwelling.

Eligible Members: *Buchanan, Emmons, Gilbreath, Manley, Milesnick, Warren and Cline*

The Board voted on the motion of Mr. Manley seconded by Ms. Gilbreath to adopt Resolution No. BOA-2023-04. The vote record follows.

Roll Call: LEAH WEST Block 42, Lot 6 – Resolution No. BOA-2023-04						
Member	Motion	2nd	Yes	No	Abstain	Absent
Buchanan (Alt. 1)						X
Emmons (Vice Chair)			X			
Fowler					X	
Gilbreath		X	X			
Manley	X		X			
McAuliffe					X	
Milesnick (Alt. 2)			X			
Warren			X			
Cline (Chair)			X			

A. REQUEST FOR INTERPRETATION OF ORDINANCE

1) SPARROW KING AND KURT HUMMLER

Block 4, Lot 10

48 Locktown School Road

The applicant is seeking an interpretation as to whether an in-home dog boarding constitutes a home occupation as long as it is in compliance with Section 230-104 of the Township Land Use Code.

We received a letter today from the applicant's attorney requesting an adjournment until the September meeting.

The Board agreed to carry this matter.

B. PUBLIC HEARINGS

1) GREGG AND JOSH LYNCH

Block 22, Lot 4

712 Sergeantsville Road

The applicant is seeking variance approval to permit the continued use of two (2) existing one-bedroom apartments in addition to the principal dwelling.

The applicant's attorney sent a letter today stating that they cannot proceed this evening as there are some open issues that must first be resolved with the Hunterdon County Planning Board. Accordingly, please confirm that the application will be carried to June 8, 2023 meeting of the Board without further notice and/or publication. In addition, be advised the applicants agree to extend the time for the Board to act to July 31, 2023.

The Board agreed to carry the application to the June 8th meeting without further notice.

The applicant's attorney

C. CORRESPONDENCE

- 1) Letter dated May 8, 2023 prepared by Jim Kyle, Board Planning Expert re: KING/HUMMLER.

PLANNING BOARD UPDATE

Chairman Cline reported that the Planning Board meeting was cancelled last month.

PROFESSIONAL BILL LIST

Chairman Cline read the non-escrow items from the Bill List.

<u>NON-ESCROW BILLS</u>	<u>INVOICE NO.</u>	<u>DATE</u>	<u>AMOUNT</u>
Parker McKay, P.A. (Gen. Legal)	3159367	3/15/23	\$136.00
Parker McKay, P.A. (Gen. Legal)	3159370	3/15/23	\$697.00
Parker McKay, P.A. (Gen. Legal)	3160893	4/17/23	\$595.00

The Board voted on the motion of Ms. Gilbreath, seconded by Mr. Fowler to authorize payment of the non-escrow bills. The vote record follows.

<i>Roll Call: Payment of General Legal Non-Escrow bills</i>						
Member	Motion	2nd	Yes	No	Concur	Absent
Buchanan (Alt. 1)						X
Emmons (Vice Chair)			X			
Fowler		X				
Gilbreath	X		X			
Manley			X			
McAuliffe						
Milesnick (Alt. 2)			X			
Warren			X			
Cline (Chair)			X			

<u>ESCROW BILLS</u>	<u>INVOICE NO.</u>	<u>DATE</u>	<u>AMOUNT</u>
Parker McKay, P.A. (Legal)			
GTG Builders	3159368	3/15/23	\$986.00
Friends of Locktown Stone Church	3159369	3/15/23	\$561.00
Locandro	3159371	3/15/23	\$408.00
West	3160196	4/17/23	\$493.00
King-Hummler	3160891	4/17/23	\$170.00
Van Cleef (Engineering)			
Lynch	3935019-2	3/14/23	\$420.00
Lynch	3935019-3	4/20/23	\$350.00
Marinelli	3935020-2	3/14/23	\$350.00
West	3935021-2	3/14/23	\$1,240.00
Kyle McManus (Planning)			
King-Hummler	4412	5/09/23	\$ 676.20
Lynch	4413	5/09/23	\$926.10

The Board voted on the motion of Ms. Gilbreath, seconded by Mr. Fowler to approve payment of the escrow bills. All were in favor, no abstentions and none opposed.

Attorney Goodell had questions regarding past due bills, a few of which were approved by the Board this evening. Secretary Filardo explained that the CFO is working with a few applicants regarding replenishment of escrow accounts.

ADJOURNMENT

A motion was made by Mr. Fowler and seconded by Mr. Milesnick and the meeting was adjourned at 7:51pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on July 13, 2023.