

GREEN TOWNSHIP LAND USE BOARD MINUTES
REGULAR MEETING
June 13, 2024
Green Township Municipal Building

CALL TO ORDER: The June 13, 2024 Regular meeting of the Land Use Board was called to order by the Land Use Chairman, Mr. Scott Holzhauser, at 7:04pm. He then led everyone in the PLEDGE OF ALLIGIANCE.

Recitation of the OPEN PUBLIC MEETING STATEMENT by Mr. Holzhauser

ROLL CALL: Present: Mr. Robert Cahill, Mr. Samuel Diaz, Ms. Kate Douglass, Mrs. Jenny Kobilinski, Mr. John Lynch, Mrs. Sharon Mullen, Mrs. Margret Phillips, Mr. Rick Wilson, Mr. Scott Holzhauser
Also present: Mr. David Brady, Board Attorney, Mr. Tom Knutelsky in for Mr. Cory Stoner, Board Engineer, Mr. Justin Singleton in for Mrs. Jessica Caldwell-Dykstra, Board Planner and Ms. Kim Mantz, Board Secretary
Members Absent: Mr. Joseph Cercone, Mr. Jim DeYoung, Mr. Jason Miller

A motion was made by Mr. Wison to excuse absent members and was seconded by Mrs. Mullen
All Ayes. No Discussion. Motion Carried. Abstentions: none

MOTION TO APPROVE MINUTES:

Land Use Board Minutes of May 9, 2024

A motion was made to accept the minutes with corrections by Mr. Wilson and seconded by Mrs. Mullen
Comments: Corrections included missing information in one sentence and an incorrect word for COAH.
No Discussion. All Ayes. Abstentions: None

Notice of adjournment:

Application: LU#2309

Owner/Applicant: SAKS Properties, LLC

Block 35 Lot 8 – 57 Decker Pond Road, Andover, NJ 08721

Action: None – this application has been moved to the July 11th meeting at the Green Township Fire House

RESOLUTIONS:

Application: LU#2410

Owner/Applicant: Patrick and Patricia DeClesis

Block 98 Lot 5 - 91 Mackerly Road, Newton, NJ 07860

Action: Memorialize Approval from May 9, 2024

After a brief explanation of the resolution by Mr. Brady, a motion was made by Mr. Wilson to memorialize the approval for application LU#2410 and was seconded by Mrs. Kobilinski.

Roll call vote: Eligible to vote: Mr. Cahill, Mr. Diaz, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Wilson
No discussion. Motion carried. Abstentions: Mrs. Phillips

Application: LU#2402/2105
Owner/Applicant: 50 Stuyvesant, LLC
Block 34 Lot 21 - 50 Stuyvesant Road, Andover, NJ 07821
Action: Memorialize Approval from May 9, 2024

Mr. Brady briefly went through the resolution and explained the conditions and stated he added a deadline of September 1, 2024 for the construction permits and the fence. Mr. Diaz suggested the Board consider what the consequences will be if they do not comply with the deadline Mr. Brady suggested this includes a summons, a \$1000 a day fine and the revocation of the outdoor dining approval.

A motion was made by Mrs. Kobilinski to memorialize the approval for application LU#2410 and was seconded by Ms. Douglass.

Roll call vote: Eligible to vote: Mr. Diaz, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mrs. Phillips, Mr. Wilson.

No discussion. Motion carried. Abstentions: None

OLD BUSINESS: None

NEW BUSINESS:

Application: LU#2411
Owner/Applicant: Ronald M. Kemenczy
Block 61 Lot 36
Action: Completeness and Public Hearing

This application began at 7:14pm

Mr. Brady swore in the applicants Mr. and Mrs. Ronald and Sandra Kemenczy.

Mr. Knutelsky began with the comments from Mr. Stoner's report dated June 12th.

Item #13 – Architectural Plans need to be signed and sealed. Kim stated there are signed/sealed plans in the original application.

Item #21 – All plans shall include a tax map sheet that shows existing and proposed block and lot numbers. Mr. Stoner recommended a waiver be granted for this item.

Item # 28 - Existing man made and natural features within 200 feet of the property. Mr. Stoner believes that due to the minor nature of the disturbances and the area around it, this item could be waived as well.

Item #49 – Location of any existing or proposed above ground or below grade petroleum storage tanks. Mr. Stoner believes this item could be waived, but that information needs to be provided during testimony.

Item #26 – Location and results of soil logs. This was not submitted but Mr. Stoner feels it is unnecessary due to no additional proposed bedrooms and therefore a septic system expansion is not required.

Missing Testimony due to a recording malfunction from 7:19 to 7:25.

A motion was made by Mrs. Kobilinski to deem Application LU#2411 complete and was seconded by Mr. Wilson. Roll call vote: Mr. Cahill, Mr. Diaz, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mrs. Phillips, Mr. Wilson, Mr. Holzhauser.

No discussion. Motion carried. Abstentions: None

Mr. Kemenczy began by explaining this would be a 16-foot addition to the left and the back of the house with a 2-car garage and a deck. There is currently no garage and the parking is poor. A driveway which will have about a 10% grade. There are 20 steps to get into the house and with this addition there will only be 4 steps so this will help as they age. There will be a great room and no bedrooms will be added.

The Town Planner, Mr. Singleton, began by explaining this lot is considered a corner lot because there is frontage on two roads. He stated there was a change made to their zoning table just prior to the meeting. For the front yard setback on Highland Avenue the minimum required is 60 feet and the pre-existing non-conforming setback is 38.2 feet where 39.8 feet is proposed so a variance is required. The Hickory Lane front yard set back is 35.8 feet and 27.9 feet is proposed so a variance is needed. The northwest side (the corner of the deck to the property line) yard has a proposed 13.8 foot setback which will require a variance. There are other multiple pre-existing non-conforming conditions which will remain the same. Those include lot area, lot depth and max density.

Mr. Kemenczy stated there was a small piece of property, owned by his neighbor, that is currently a gravel driveway but has not been used except for him to park. Over the years, it has crept on to his property and will now be pushed back to the neighbor's property. There are two parking areas that he has used, this gravel area off Hickory Lane and one on Highland Avenue. The parking area off Hickory Lane is being removed.

Mr. Knutelsky is concerned with too many driveways. After a brief discussion, Mr. Brady suggested Mr. Kemenczy makes a good faith effort with his neighbor to remove the gravel from the Hickory Lane "driveway".

Mr. Kemenczy agreed.

Mr. Singleton has a concern about the rubble walls. Although the front yard and the side yard are within the maximum height, they are concerned about the wall along the property line. Mr. Kemenczy stated that wall will be a foot in from the property line so it will not be on the neighbor's property.

Mr. Lynch asked why the addition did not go in the side yard that has more area and Mr. Kemenczy explained that the septic system is there. Mr. Lynch confirmed that the configuration of the lot is what dictated where the addition went. There was a very brief discussion about the strange aspects of the lot shape.

Mr. Kemenczy stated the siding and roof will be new to make the addition and the existing house match and look brand new. Mrs. Kemenczy said the color would most likely be a natural looking green.

Mr. Wilson asked about the demolition plan. Mr. Kemenczy said the old deck, the chimney that is not used and a few walls inside are the only parts of the demo. The architectural drawings were presented by Mr. Kemenczy.

Mr. Holzhauser opened the meeting to the public. Marie Bilik, 30 Highland Avenue, was sworn in by Mr. Brady.

Mr. Brady stated he represents Mrs. Bilik and if she had an objection he would have to step away. Mrs. Bilik did not have an objection, only that she thought the addition would enhance the neighborhood.

Mr. Holzhauser closed the public portion as there was no one else in the audience.

Mr. Brady asked about the 3 sheds on the property and Mr. Kemenczy said all 3 would be removed. This will be a condition of approval. The playground equipment will remain.

Mr. Knutelsky would like the building permits will be obtained if required. This will be a condition of approval. He would also like to see a letter from the Health Department that this addition will not affect the septic.

The conditions of approval are:

Drainage calculations will be given to Mr. Stoner.

Remove all 3 sheds.

A good faith effort to ask the neighbor to remove the gravel from the Hickory Lane "driveway".

Rubble walls will be 1 foot off the property line and fencing if required. The wall design must be approved by Mr. Stoner.

Signed and sealed plans but Kim said they have been submitted.

Restore the gravel area to lawn off of Hickory Lane.

Construction permits as required.

Seepage pit calculations must be submitted.

Sussex County Board letter of no interest regarding septic.

Mrs. Mullen asked the current square footage of the house. It is 794 square feet.

A motion was made approve application LU#2411 with conditions and three variances by Mr. Diaz and was second by Mr. Wilson.

Roll call vote: Mr. Cahill, Mr. Diaz, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mrs. Phillips, Mr. Wilson, Mr. Holzhauser.

No discussion. Motion carried. Abstentions: None

This application ended at 8:09pm

Mr. Holzhauser opened and closed the public portion of the meeting as there was no public.

Mr. Holzhauser spoke briefly on the Master Plan Committee.

Mr. Brady spoke about the sunset of variances and said it is now for the Master Plan Committee to add.

Kim stated that SAKS is currently scheduled for July 11th.

Mrs. Mullen asked about the cannabis and if Green Township has opted out. The Township Committee did opt out for cannabis.

Mr. Holzhauser asked Mrs. Phillips if there was anything going on at the airport. She gave a brief description of the options at the airport, but no decisions have been made.

Mr. Holzhauser also asked about Open Space and if any purchases have been made recently. Mrs. Phillips spoke about the County Connector Trail and the property needed to join our trail with the Allamuchy portion.

Mrs. Mullen asked about the trees in front of the solar field on the 7th Day Adventist. Kim explained the Town is trying to close out escrows and that is on the list. In order for it to be closed Mr. Stoner has to do a resolution compliance inspection.

A motion to adjourn was made by Mrs. Phillips and seconded by Mrs. Mullen. The meeting was adjourned at 8:21pm.

Respectfully Submitted:

Kim Mantz, Land Use Board Secretary

Date approved: