

## Branchville Planning & Zoning Board Minutes

OCTOBER 12, 2022

**Present:** Chairmen Clune, Mr. Sutton, Mrs. Whitesell, Mr. Frato, Mr. Horjus, Mr. Bathgate, Mr. Whitehead Mr. Worthington. **Absent:** Mr. Bansemer, Mrs. Klimas, Mr. Robinson and Mr. Smith.

Also present: Robert Morgenstern from Dolan & Dolan and Matt Morris from Harold Pellow and Associates.

**Call to Order:** The meeting of the Branchville Planning & Zoning Board of Adjustment was called to order at 7:00 p.m. by Chairman Clune who led in the flag salute. Meeting was held at the Branchville Borough Municipal Building, 34 Wantage Ave, Branchville NJ.

**Meeting Notice Announcement:** Mr. Clune advised this meeting is being held in compliance with the provision of PL 1975, Secs. 4 & 13 of the Sunshine Law. Adequate notice of this meeting has been supplied to the official newspaper of the Planning and Zoning Board that being the Sunday & Daily New Jersey Herald and was posted in the usual location of posted notices.

**Approval of minutes:** A motion was made by Board Member Bathgate, seconded by Board Member Whitesell to approve the minutes for September 14, 2022.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, and Worthington. Absent: Bansemer, Klimas, Robinson, and Smith.

Mike Clune discussed an email he received from a lawyer interested in renting 238 Rt. 206 Unit A in the strip mall. This property is currently commercial and the lawyer is seeking to rent as law office. A law office is part of the permitted use.

Motion was made by Board Member Whitesell, seconded by Board Member Bathgate to allow the usage without a formal application.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, and Worthington. Absent: Bansemer, Klimas, Robinson, and Smith.

Janet Jones, 7 Church Hill Road has withdrawn the application.

Motion was made by Board Member Whitesell, seconded by Board Member Whitehead to dismiss the application.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, and Worthington. Absent: Bansemer, Klimas, Robinson, and Smith.

Applicants William and Vivian Hill filed for a minor sub-division for Block 504/ lots 15.01 and 15.02.

Robert Morgenstern swore them both in.

Mr. Morgenstern reviewed his completeness report.

Owners are interested in renovating the existing barn on the property for primary residence. The moving of the lot line is to increase the property for the remodel.

Matt Morris of Pellow and Associated reviewed the completeness report.

Motion was made by Board Member Worthington, seconded by Board Member Whitesell to declare the application complete.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Whitehead, and Worthington. Absent: Bansemer, Klimas, Robinson, and Smith. Abstain: Horjus

Conditions of approval are they will need to install a turn around and pave the driveways and the connection of the sewer lateral will need to be moved to benefit lot 15.01.

Motion was made by Board Member Worthington, seconded by Board Member Whitesell to approve the minor sub-division.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Whitehead, and Worthington. Absent: Bansemer, Klimas, Robinson, and Smith. Abstain: Horjus.

Motion was made by Board Member Worthington, seconded by Board Member Whitehead to allow William and Vivian Hill to proceed now.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Whitehead, and Worthington. Absent: Bansemer, Klimas, Robinson, and Smith. Abstain: Horjus.

Applicant Robert Harris has filed for a use variance and site plan approval for Block 603, Lot 2.

Robert Morgenstern swore him in.

Robert Morgenstern reviewed his completeness report. Mr. Harris is looking to have Cold Nose Warm Heart Rescue in the back portion of the property.

Motion was made by Board Member Bathgate, seconded by Board Member Whitesell to declare the application complete.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, and Worthington. Absent: Bansemer, Klimas, Robinson, and Smith.

Board Member Robinson arrived at the meeting.

Mr. Harris explained what the rescue is doing. There are no animals left on premises overnight. Dogs arrive at the premise on the day they are being picked up and adopted out to new owners.

Matt Morris reviewed the completeness report from Pellow and Assoc. He made the conditions for waste pickup and motion sensor lighting outside. Also a letter to the Sussex County Planning Board to be sent.

Motion was made by Board Member Sutton, seconded by Board Member Whitesell for Use Variance Approval.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, and Worthington. Absent: Bansemer, Klimas, and Smith. Abstain: Robinson.

Motion was made by Board Member Whitesell, seconded by Board Member Whitehead for Site Plan Approval.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, and Worthington. Absent: Bansemer, Klimas, and Smith. Abstain: Robinson.

Motion was made by Board Member Bathgate, seconded by Board Member Whitesell to allow the Warm Heart Cold Nose Rescue to proceed now.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, and Worthington. Absent: Bansemer, Klimas, and Smith. Abstain: Robinson.

Applicants Steven and Connie Leenheer appeared along with their attorney, William Kehoe and Ken Dykstra, engineer.

Robert Morgenstern swore all in.

Steve and Connie Leenheer have 2 applications. 1 for an easement granted by AG Pizza and site plan approval for renovations, both for property location 6 Broad Street.

Mr. Kehoe reviewed both applications.

Motion was made by Board Member Sutton, seconded by Board Member Whitesell to declare the application for the easement complete.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead. Absent: Bansemer, Klimas, and Smith. Abstain: Worthington and Robinson.

Motion was made by Board Member Bathgate, seconded by Board Member Whitehead to approve the site plan for the easement.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead. Absent: Bansemer, Klimas, and Smith. Abstain: Worthington and Robinson.

Robert Morgenstern reviewed his completeness report for the 2<sup>nd</sup> application for 6 Broad Street. Steven and Connie Leenheer want to continue with renovations on an existing building on the property. 1st floor for a business and upstairs 2 apartments.

Motion was made by Board Member Bathgate. Seconded by Board Member Horjus to declare the application complete.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead. Absent: Bansemer, Klimas, and Smith. Abstain: Worthington and Robinson.

Matt Morris from Pellow and Associates reviewed his completeness report. Site plan and Both Front and side yard variances needed.

### **Open to the public**

Wes Shelton, trustee for the United Methodist Church commented on the easement sought by 6 Broad Street. He agreed to allow the stairway, sidewalk and wall and if meets requirement, they do not need to come back for Board approval.

### **Closed to the public**

Motion was made by Board Member Frato, seconded by Board Member Sutton to approve the site plan for renovations.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead. Absent: Bansemer, Klimas, and Smith. Abstain: Worthington and Robinson.

Motion was made by Board Member Frato, seconded by Board Member Whitehead to allow Steve and Connie Leenheer to proceed.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead. Absent: Bansemer, Klimas, and Smith. Abstain: Worthington and Robinson.

10 Mill Street discussed. Mike Robinson to get with Bob Morgenstern for a notice to appear in court.

**VOUCHERS:** Motion was made by Board Member Frato, seconded by Board Member Whitesell to approve vouchers for payment.

Roll Call Vote: Aye- Clune, Sutton, Whitesell, Frato, Bathgate, Horjus, Whitehead, Worthington, Smith and Robinson. Absent: Bansemer, Klimas, and Smith.

Motion was made by Board Member Frato to adjourn. All: Aye