**OCTOBER 30, 2019**

The regular meeting of the Califon Borough Planning/Zoning Board was held at the municipal building on October 30, 2019. Chairman Owens called the meeting to order at 7:32 pm. Chairman Owens assured that proper notice had been given for this meeting in accordance with the “Open Public Meetings Act,” as follows: notice was sent to the Hunterdon Review and the Hunterdon Democrat, posted on the bulletin board in the Municipal Building and filed with the Borough Clerk.

Chairman Owens led the Salute to the flag.

**ROLL CALL**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | Mayor  Daniel | Leo  Janas | Mary  Phillips | John Lynch | Thomas Bedell | Peggy  Ctibor | Arthur Owens | Gil  Smith |
| Present | x | x | x | x | x | x | x |  |
| Absent |  |  |  |  |  |  |  | x |
| Late |  |  |  |  |  |  |  |  |

Also, present Borough Attorney Mark Anderson, Borough Planner James Kyle, and Board Secretary Kerry Brown, Board Secretary

**MINUTES**

**A. September 25, 2019**

Minutes were tabled at this time

**BUSINESS**

**A. A. 2019-01**

Emily Harker & Antonio Gagliostro

2 Coolidge Court

Variance application for undersized lot

**Representing applicant:**

Robert Harker, Architect

Emily Harker, applicant

Antonio Gagliostro, applicant

John Peale, Planner

Board member Peggy Ctibor recused herself at this time considering she is within 200 feet of the application.

Mr. Harker gave a description of the four exhibits that would be discussed as part of the testimony.

Mr. Peale described the nature of the variance being sought. Mr. Peale described if the variance is approved that the applicants wish to build a modest single-family dwelling that ties in with the neighborhood.

Mr. Peale detailed the existing lot and the surround lots in comparison. Mr. Peale explained that the current zoning requires 22,000 square feet and that the existing lot consist of 19,875 square feet. Mr. Peale testified that the lot is similar in size to most of the surrounding lots. Mr. Peale stated that the proposal is consistent with the Master Plan.

There were several questions from Board members regarding wetlands and easements. Mr. Peale stated that there were no wetlands on the existing property or easements. Mr. Peale also testified that no trees would be removed as part of the proposed construction.

Mr. Dorocki, the current owner of the lot testified that he has prepared perc test.

There was a brief discussion regarding the proposed septic location and if the septic would need to be placed in the front yard or if a mound septic would need to be constructed. Board Planner James Kyle stated that the Board of Health would be required to review and approve or disapprove the proposed plan.

Ms. Mahon, 4 Coolidge Court, had questions regarding the certified letter and the wording of any and all other variances the Board may deem necessary.

Ms. Mahon had questions pertaining to the perc tests and the location of the proposed septic in regards to her property. Ms. Mahon also expressed concerns regarding water run-off and drainage onto her property due to the elevation.

Mr. Peale stated that if the proposal was approved, that the applicant would comply with all regulations from the Borough and all outside agencies.

Board attorney, Mark Anderson stated at this time that there was a petition submitted immediately prior to the meeting for a “no build.” There was a brief discussion on the petition.

There was a discussion amongst the Board members on undersized lots and why the Borough decided to adopt an ordinance that allowed for the development of undersized lots.

The Board also discussed the existing drainage and run-off issues and conditions if the proposal was approved. The Board discussed the condition of increasing both side yard setbacks to 25 feet instead in order to give more light to the adjoining neighbors.

Motion to approve the application with a grading plan prior to construction was made by Mary Philips and seconded by Thomas Bedell. The following roll call was taken:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Mayor  Daniel | Leo  Janas | Mary  Phillips | John Lynch | Thomas Bedell | Arthur Owens |
| Motion |  |  | x |  |  |  |
| Seconded |  |  |  |  | x |  |
| Aye | x | x | x | x | x | x |
| Nay |  |  |  |  |  |  |
| Abstain |  |  |  |  |  |  |
| Absent |  |  |  |  |  |  |

Thomas Bedell made an amendment to the first motion to include a no mound septic is permitted. John Lynch seconded Mr. Bedell’s amended motion.

The following roll call was taken:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Mayor  Daniel | Leo  Janas | Mary  Phillips | John Lynch | Thomas Bedell | Arthur Owens |
| Motion |  |  |  |  | x |  |
| Seconded |  |  |  | x |  |  |
| Aye |  |  |  | x | x |  |
| Nay | x | x | x |  |  | x |
| Abstain |  |  |  |  |  |  |
| Absent |  |  |  |  |  |  |

The amended motion did not pass.

Thomas Bedell made a second amendment to the motion to indicate that the applicant would need to provide 25 feet side yard set backs to both sides. Leo Janas seconded the motion.

The following roll call was taken:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Mayor  Daniel | Leo  Janas | Mary  Phillips | John Lynch | Thomas Bedell | Arthur Owens |
| Motion |  |  |  |  | x |  |
| Seconded |  | x |  |  |  |  |
| Aye |  | x |  | x | x |  |
| Nay | x |  |  |  |  |  |
| Abstain |  |  | x |  |  | x |
| Absent |  |  |  |  |  |  |

The motion passed and application was approved.

**B. Ordinance 2018-08**

Amending the Land Development Ordinance regarding the merging of non-conforming lots under common ownership.

There was a discussion amongst the Board members and the disappointment of never receiving the ordinance for review and recommendation. Board attorney Mark Anderson explained that the ordinance and the procedures even if the not the most conventional, are in fact legal and followed the procedures in place.

Board Planner James Kyle went over the maps showing all the properties that the ordinance would pertain to. Mr. Kyle stated that even though it appears there are 15 lots, that due to lot sizes, configurations, etc, the overall number would drop to about 5-6 lots.

**RESOLUTIONS**

No resolutions at this time

**PUBLIC SESSION**

No one from the public came forward.

**CORRESPONDENCE/DISCUSSION**

**A. Califon United Methodist**

Thomas Bedell stated that the Califon United Methodist Church needed an emergency roof replacement. Mr. Bedell explained that the roof was going to be replaced with the same materials and no changes were being made. Mr. Bedell explained that generally this would go the Historic Preservation Committee for review but considering it was an emergency, the Planning Board could approve the request. Mr. Bedell stated that the request along with all the material specs were sent to the HPC members and there were no issues with the request.

Member Peggy Ctibor at this time handed out a letter to all the members and announced her resignation. Mayor Daniel thanked member Ctibor for her time and dedication to the Borough.

There was also a brief discussion and it was determined that due to lack of professionals and members, that the November meeting would be canceled.

**ADJOURNMENT**

A motion to adjourn the meeting was made at 8:03 p.m. by Mr. Owens and seconded by Ms. Phillips. All in favor.

Respectfully submitted,

Kerry Brown

Board Clerk