

INDEPENDENCE TOWNSHIP LAND USE BOARD

MINUTES

April 17, 2023

The Independence Township Land Use Board met for a regular meeting on Monday, April 17, 2023 at the Municipal Building. Chairman Fernandez called the meeting to order at 7:30 pm and he stated that the meeting is being held in accordance to the Open Public Meetings Act by posting said notice of this meeting on the bulletin board in the Municipal Building and notifying the Municipal Clerk. Advertisement of notice was placed in the NJ Herald and the Express-Times NJ Zone Edition.

Mr. Bernstein conducted the swearing in of Mr. Harry Noble as the Class II member of the Land Use Board.

ROLL CALL:

Present:	Robert Neumann	Lucy Carvino
	Mark Rafalko	Glenn Cogle
	Carmen Feula	Jonathan Stuber
	Harry Noble	James Kelsey
	Bonnie Kelsey	Ricardo Fernandez
Absent:	Geoffrey Cullen	Melissa Milano

Also Present: Eric Bernstein, Esq. Michael Finelli, P.E.

OPEN TO THE PUBLIC:

Mr. Fernandez opened the meeting to the public, for non agenda items. With there being no public comment, the meeting was closed to the public.

Mr. Neumann made a motion to close the meeting to the public. Motion seconded by Mr. Cogle. Voice vote:

Ayes: Mr. Neumann, Mrs. Carvino, Mr. Rafalko, Mr. Cogle, Mr. Feula, Mr. Stuber,
Mr. Noble, Mr. Kelsey, Mrs. Kelsey, Chairman Fernandez
Nays: None recorded
Abstain: None recorded

MEMORIALIZING RESOLUTIONS:

#2022-04 HMUA Water Storage Tank, Block 4, Lot 1.05

Mr. Bernstein stated that Mr. Engel emailed his concerns with the resolution as presented. The responses in the roll call vote can be corrected as requested and the only other comment that was brought to our attention was that the Board and the applicant agreed to the obligation to repair to the road in an expeditious fashion once the work has been completed. Mr. Fernandez stated that this was discussed along with the request to lessen the disturbance to the local residents. Mr. Cogle asked about the fencing with fabric around it requirement that is included in the resolution. Chairman Fernandez explained that this was discussed at the hearing and that the fencing was being used for screening. Mr. Bernstein read the Resolution into the record.

Mr. Cogle made a motion to approve the passage of Resolution 2022-04, which was seconded by Mr. Feula.

Ayes: Mr. Neumann, Mrs. Carvino, Mr. Engels, Mr. Rafalko, Mr. Cogle, Mr. Cullen, Mr. Feula, Chairman Fernandez
Nays: None recorded
Abstain: Mr. Stuber, Mr. Noble, Mr. Kelsey, Mrs. Kelsey

OTHER BUSINESS:

Land Use Committee- Woodmont Landscaping- Deferred Land Use Committee-Highlands/Affordable Housing- Deferred

Checklist Discussion- Mr. Neumann went through the comments that were discussed with the sub-committee. Mr. Neumann explained that the sub-committee would like advise as to how to title the request for the professionals to deem the application complete. Mr. Bernstein stated that at this time the Board determines completeness the Board can change this requirement to allow for the professionals to deem the application complete within the 45 day time allowance. Chairman Fernandez stated that the Board would still have the ability to ask for changes within the application. Mr. Rafalko explained that the sub-committee would like to make applications go through on minimal meetings. Mr. Feula stated that the sub committee would like to have the professionals grant completeness. Chairman Fernandez stated that there could be a checklist waiver granted for any non-site plan application. Mr. Feula stated that in his understanding the sub committee would like to have all of the applications go to the professionals. Mr. Rafalko did not agree that all applications should go to the professionals. Mr. Neumann asked who the applicant would go to if they would like a waiver from the professional's decision. Chairman Fernandez explained that the sub committee was tasked with the decisions of what waivers would be included on the checklist and for what. The Board discussed all of the different scenerios that can come from requirements with the checklist. Chairman Fernandez explained that the final checklist will be circulated to all members and professionals and then the expectations can be conveyed by the Board to the professionals. Mr. Rafalko asked that the Board have a separate checklist for 1 and 2 family homes. Chairman Fernandez stated that all of these items will need to be decided by the Board with the Professionals. Mr. Kelsey asked what items would bring the attorney or the planner into the checklist review. Chairman Fernandez and Mr. Bernstein explained what would require the planner and the attorney to assist with the checklist review for the completeness. Chairman Fernandez explained that the checklist has a waiver box to address the difference between applications and that the checklist is part of an ordinance which would need to be changed by the Township Committee.

DISCUSSION:

**Site Plan Committee Report (Feula, Engels)- None
Ordinance Subcommittee Update (Feula, Cullen, Rafalko) None
Redevelopment Subcommittee (Feula, Engels) None
Master Plan Subcommittee Update (Feula, Rafalko) None**

BILLS:

Finelli Consulting		
	HMUA Water Tank	1162.50
Bernstein	General & HMUA	1320

--	--	--

Mr. Feula made a motion to approve the bills. Motion seconded by Mr. Kelsey.

Ayes: Mr. Neumann, Mrs. Carvino, Mr. Rafalko, Mr. Cougle, Mr. Feula, Mr. Stuber,
Mr. Noble, Mr. Kelsey, Mrs. Kelsey, Mr. Fernandez
Nays: None recorded
Abstain: None recorded

ADJOURNMENT

Mr. Cougle made a motion to adjourn at 8:54 pm, which was seconded by Mr. Cullen.

Ayes: Mr. Neumann, Mrs. Carvino, Mr. Rafalko, Mr. Cougle, Mr. Feula, Mr. Stuber,
Mr. Noble, Mr. Kelsey, Mrs. Kelsey, Chairman Fernandez
Nays: None recorded
Abstain: None recorded