

INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – July 20, 2020

The Independence Township Land Use Board met for a regular meeting on Monday, July 20, 2020 via the Zoom virtual meeting service. The decision to hold the meeting via electronic means has been made in compliance with P.L. 2020, c.11 given the current circumstances surrounding the COVID-19 health situation, the limitations imposed under the Governor's Executive Orders 104 and 107, the physical limitations of the chambers, and the importance of social distancing. The meeting was called to order by Chairman Ricardo Fernandez at 7:30 p.m. 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.

ROLL CALL:

Present:	Carmen Feula	James Kelsey
	Robert Neumann	Donald Engels
	Geoffrey Cullen	Ricardo Fernandez
	Mark Rafalko	Michael Pennington
	Melissa Milano	Glenn Cogle
Absent:	Robert Best	George Ulmer
	Lucy Carvino	
Also Present:	Eric Bernstein, Esq.	Michael Finelli, P.E.
	David Banisch, P.P.	

MINUTES:

The minutes from the June 15, 2020 meeting were distributed prior to the meeting. Mr. Cullen made the motion to adopt the minutes. Motion seconded by Mr. Feula. Roll call vote:

Ayes: Mr. Feula, Mr. Kelsey, Mr. Cogle, Mr. Pennington, Ms. Milano,
Mr. Engels, Mr. Cullen, Mr. Neumann, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: None recorded

OPEN TO THE PUBLIC:

Chairman Fernandez opened the meeting to the public for non-agenda items. With there being no public present, the meeting was closed to the public for non-agenda items.

NEW BUSINESS:

#19-002 Pio Costa Enterprises, Block 21, Lot 38-Completeness Solar Application

Kevin Krystopik was present on behalf of the Applicant. Board Engineer Finelli reviewed his completeness report of July 16, 2020. Attorney Krystopik stated that they will provide the incompleteness items prior to the hearing and he asked about the wording of the notice via Zoom. Board Attorney Bernstein stated that all of the application materials will need to be placed on the website at least 20 days prior to the meeting.

Mr. Feula made the motion to deem the application complete. Motion seconded by Mr. Cogle. Discussion on the motion: Mr. Engels asked if Mr. Pennington and Mr. Cogle will need to recuse themselves for the use variance. Board Attorney Bernstein stated that they can act on completeness, but will need to recuse themselves for the hearing. Ms. Milano left the meeting. Roll call vote:

Ayes: Mr. Feula, Mr. Kelsey, Mr. Rafalko, Mr. Cogle, Mr. Pennington,
Mr. Engels, Mr. Cullen, Mr. Neumann, and Mr. Fernandez

Nays: None recorded
Abstain: None recorded

This matter is scheduled for the August 17th meeting. It was agreed that the Applicant will address the Technical Review. Ms. Milano returned to the meeting.

DISCUSSION:

Highlands/Master Plan/Redevelopment Discussion

Board Planner Banisch updated the Board on the status of his communication with the Highlands and his document that was distributed earlier this evening. He asked if the Board wants him to go back to the Highlands and ask them to identify a paired down plan conformance scope of work to keep the process moving. Chairman Fernandez went on to address the funding of this project, as the Board is close to or over budget for 2020. Mr. Cogle questioned the discussion on the “Town Center” designation, which was addressed by Board Planner Banisch. Chairman Fernandez requested funding estimates so that the Board and Township can make educated decisions. The Board discussed the status of the Master Plan Reexamination Report at great length. The Board discussed the no cost/expense information from the Highlands.

OTHER:

Stormwater Compliance Requirement

Board Engineer Finelli reviewed the Board Member educational requirements. The Board Members stated that they did receive the email from Board Secretary Schemm.

BILLS:

Bernstein

Re: General 150.00
Re: Pio Costa 210.00
Re: Coladarci 75.00

Finelli

Re: General 130.00
Re: Pio Costa 130.00
Re: Coladarci 212.50

Mr. Feula made the motion to pay the bills. Motion seconded by Mr. Neumann. Roll call vote: Ayes: Mr. Feula, Mr. Kelsey, Mr. Rafalko, Mr. Cogle, Mr. Pennington, Ms. Milano, Mr. Engels, Mr. Cullen, Mr. Neumann, and Mr. Fernandez

Nays: None recorded
Abstain: None recorded

ADJOURNMENT

In a motion made and seconded the Board adjourned the meeting at 8:34 p.m. Mr. Dizefalo, a member of the public, asked if he could speak about his concerns over the Coladarci approval process and any proposed modifications to the approved plan, which Board Attorney Bernstein began to address. It was agreed that the Board should not engage in any further conversation and any plan modifications will need to come back to the Board. The meeting adjourned at 8:44 p.m. Voice vote:

Ayes: Mr. Feula, Mr. Kelsey, Mr. Rafalko, Mr. Cogle, Mr. Pennington, Ms. Milano, Mr. Engels, Mr. Cullen, Mr. Neumann, and Mr. Fernandez
Nays: None recorded
Abstain: None recorded

Respectfully submitted,

Alfia Schemm
Board Secretary
9/17/20