INDEPENDENCE TOWNSHIP LAND USE BOARD
Minutes – May 17, 2021

The Independence Township Land Use Board met for a regular meeting on Monday, May 17, 2021 via Zoom. Ricardo Fernandez called the meeting to order at 7:31 p.m. and he stated that the meeting is being held in accordance with the Open Public Meetings Act by posting said notice of this meeting on the bulletin board in the Municipal Building, posting on the Township Website, and notifying the Municipal Clerk. Advertisement of notice was placed in the NJ Herald and Express Times.

ROLL CALL:

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

MINUTES:

The minutes from the April 19, 2021 meeting were distributed prior to the meeting. Mr. Cougle made the motion to adopt the minutes. Motion seconded by Mr. Feula. Roll call vote:

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

OPEN TO THE PUBLIC:

Chairman Fernandez opened the meeting to the public for non-agenda items. With there being no public comment, Mr. Kelsey made the motion to close the meeting to the public. Motion seconded by Ms. Kelsey. Roll call vote:

Ayes: Mr. Feula, Mr. Kelsey, Mr. Rafalko, Ms. Milano, Mr. Cullen, Mr. Engels, Ms. Kelsey, Mr. Cougle, and Mr. Fernandez
Nays: None recorded
Abstain: Alt #4 Mr. Neumann

NEW BUSINESS

#21-001 Joe Coladarci Jr., Block 17, Lot 3-Completeness/Hearing

Erik Hassing Esq. was present on behalf of the Applicant. Mr. Bernstein reviewed Mr. Finelli's latest completness report, dated 5-17-21, which was discussed with the Board and the Applicant. The Boared reviwed the items that may need to supplied prior to a vote. Mr. Vuich stated that he did receive an email addressing the proposed residential lighting.

Mr. Cullen made the motion to deem the application incomplete. With there being no second, the motion dies.

Mr. Engels made the motion to deem the application complete. Motion seconded by Mr. Kelsey. Discussion on the motion: The Board Secretary confirmed whether the Class I and Class III should vote on completeness. Mr. Bernstein stated that they should recuse themselves. Roll call vote:

Ayes: Mr. Feula, Mr. Kelsey, Mr. Rafalko, Ms. Milano, Mr. Engels, and Mr. Fernandez
Nays: Mr. Cullen
Abstain: Alt #4 Mr. Neumann
Recused: Ms. Kelsey and Mr. Cougle

Fred Stewart, P.E. was sworn in and the following was displayed and marked as an Exhibit:
A-1 Plan submission, 8 pages, dated 3-23-21
Mr. Stewart gave an overview of the proposal for a 3 unit residential building and he described the 8 page plan submission. The Board had many questions regarding the septic system, drainage, location of the driveway, service of the well, the septic reserve area, and parking. The Board discussed the need for a variance for parking. The Applicant addressed the maintenance/service/inspection schedule for the septic system, parking, snow removal, and access, which were all discussed with the Board.

Mr. Vuich reviewed the 4-15-21 Engineering Report and the email received regarding the proposed lighting, which was discussed with the Applicants.

Mr. Banisch then reviewed his Planning Report, the variances being requested, the time frame to decide the application, some of the self inflicted variances, the over crowded development, planning testimony that is required, the lack of lighting specs/deatils, and the right of way. He also addressed the drive aisle and the lighting and reviewed the positive and negative criteria and the statutory criteria/testimony that should be presented to support the requested variance relief.

The Board took a brief recess at 9:44 p.m. The meeting resumed at 9:55 p.m with the following Board Members present: Mr. Feula, Mr. Kelsey, Mr. Rafalko, Ms. Milano, Mr. Cullen, Mr. Engels, Ms. Kelsey, Mr. Cougle, Mr. Neumann, and Mr. Fernandez.

The hearing was opened to the public for questions of Mr. Stewart.

Emilio China questioned the "gravel access road", which Mr. Stewart addressed.

With there being no further public questions, the hearing was closed to the public.

Joe Coladarci was sworn in and he described and reviewed the design of the proposed project at great length. He stated that he intends to build and rent out the units. He also reviewed the prior approval that was granted for office/residential use and the cost of quality development.
At 10:29 p.m. Chairman Fernandez asked if the Board wished to conclude for the evening.

Ms. Milano made the motion to carry the current application to June 21, 2021, without further notice. Motion seconded by Mr. Cullen. Discussion on the motion: The Board announced to the public that this matter is being carried to the Board's June 21, 2021 meeting, without further public notice. Roll call vote:

Ayes: Mr. Feula, Mr. Kelsey, Mr. Rafalko, Ms. Milano, Mr. Cullen, Mr. Engels, and Mr. Fernandez
Nays: None recorded
Abstain: Alt #4 Mr. Neumann
Recused: Ms. Kelsey and Mr. Cougle

OTHER BUSINESS:

Land Use Committee-Highlands/Affordable Housing

No update

DISCUSSION

Site Plan Subcommittee (Feula, Neumann, Engels)

None

Ordinance Subcommittee (Feula, Cullen, Rafalko)

None

Redevelopment Subcommittee (Feula, Neumann, Engels)

None

Master Plan Subcommittee Update (Ulmer, Feula, Rafalko)

None

BILLS: **Eric Bernstein**

Re:	General	225.00
Re:	Coladarci	900.00

Mr. Feula made the motion to approve the bills. Motion seconded by Mr. Kelsey. Roll call vote: Ayes: Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Engels, Mr. Cougle, Mr. Rafalko, Ms. Milano, Mr. Neumann, and Mr. Fernandez
Nays: None recorded
Abstain: None recorded

ADJOURNMENT

In a motion made and seconded the Board adjourned the meeting at 10: 35 pm. Voice vote:
Ayes: Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Engels, Mr. Cougle, Mr. Rafalko, Ms. Milano, Mr. Neumann, and Mr. Fernandez
Nays: None recorded
Abstain: None recorded

Respectfully submitted,

Alfia Schemm
Board Secretary
6/16/21