

**North Hanover Township  
Joint Land Use Board  
MEETING MINUTES  
February 26, 2020  
7:00p.m. @ Municipal Complex**

**Call to Order-** Vice Chairman Greg Grauer called the meeting to order at 7:00pm

**Flag Salute**

**Statement – Provisions of the Open Public Meetings Act**

“The provisions of the Open Public Meetings Act have been met. Notice of this meeting has been transmitted to the Burlington County Times and the Courier Post, given to those having requested and paying for the same and posted on the bulletin board in the foyer of the Municipal Building “

**Oath of Office**

**Patricia Mellor- Alternate 2**

**Roll Call For Attendance –**

In Attendance: Russ Comisky, Jim Durr, Ron DeBaecke, Dave Forsyth, Joe Greene, Debbie Kucowski, Brendan O’Donnell, Patricia Mellor, Jack Smyle, Greg Grauer

Absent: Tom Kimball

Also in Attendance: Patrick Varga of Dasti, Murphy, McGuckin, Ukaky, Koutsouris & Connors in for Land Use Solicitor Gregory McGuckin

**Minutes for Approval**

Ron DeBaecke made a motion to approve January 22, 2020 minutes, motion was seconded by Brendan O’Donnell. All in Favor

**Memorialization of Resolution 2020-06- Owens/Mellor- Subdivision- Block 604.03 Lots 2,6,5**

NORTH HANOVER TOWNSHIP  
JOINT LAND USE BOARD  
RESOLUTION 2020 - 06

RESOLUTION GRANTING  
MINOR SUBDIVISION AND BULK VARIANCE APPROVAL  
KEITH OWENS  
BLOCK 604.03, LOTS 2, 5 & 6

WHEREAS, Keith Owens (the “Applicant”), has applied to the North Hanover Township Land Use Board (“Board”) seeking Minor Subdivision and Bulk Variance Approval with respect to the property commonly known as Block 604.03, Lots 2, 5 and 6, (the “Property”) as shown on the official tax maps of North Hanover Township; and

WHEREAS, the property is located in the R-1 Residential Zone; and

WHEREAS, the purpose of the application is to adjust the lot lines for the three subject lots. Existing Lot 5 was previously used for access to the existing lot 2. Proposed Lots 2.01 and 6.01 are being used for residential purposes. No changes to the uses are being proposed. In addition, the Applicant is requesting a bulk variance approval for proposed lot 2.01 for the accessory structure side yard setback (10 feet required – 4.3 feet provided). The structure is located in the southeast corner of the proposed property (hereinafter referred to as the “Project”); and

WHEREAS, there are numerous preexisting nonconforming uses, all of which are set forth on Page 2 of the review letter from Joseph R. Hirsch, PE, CME, dated January 15, 2020; and

WHEREAS, the minor subdivision map which is the subject of the application was prepared by Thomas A. Harris, Jr. dated December 2, 2019; and

WHEREAS, the Applicant submitted uncontroverted testimony that the application will permit the existing homes to be more conforming, and therefore increase the value of each of the properties; and

WHEREAS, in support of the application, the Applicant has submitted and executed a minor subdivision and variance application package, as well as the aforementioned minor subdivision map; and

WHEREAS, this matter was the subject of a public hearing held by the Board on January 22, 2020; and

WHEREAS, prior to the hearing the Board had an opportunity to review the aforementioned report from the Board's Consulting Engineer and Planner, which report is incorporated herein by reference; and

WHEREAS, the Applicant has submitted uncontroverted testimony in support of the variance and minor subdivision application, testifying that the application will not cause adverse consequences to the surrounding properties and will be in general compliance with the Zone Plan and neighborhood scheme; and

WHEREAS, after having listened to the testimony submitted, the Board agrees there will not be negative impact granting the relief requested; and

WHEREAS, the Applicant has agreed to comply with all plat detail requirements and recommendations set forth in the aforementioned review letter from Joseph R. Hirsch, PE, CME. NOW THEREFORE BE IT RESOLVED on this 22nd, day of January, 2020, that the Applicant's request for Minor Subdivision and Bulk Variance Relief be and hereby is approved, subject to the Applicant complying to all terms and conditions set forth in the preamble of this Resolution; and

IN SO APPROVING the aforementioned application, the Land Use Board of the Township of North Hanover has made the following findings of fact and conclusions of law and further declares:

1. The Applicant is the owner of the property and has a proprietary interest in this application.
2. All requisite fees and real estate property taxes have been paid in full to date.
3. The Applicant has complied with all notification requirements of the municipal land use ordinance of the Township of North Hanover.
4. The application is a "complete application" as defined by the municipal land use ordinance of the Township of North Hanover.
5. The Applicant has submitted uncontroverted testimony that the application as modified herein is in general compliance with the Zone Plan, will not unduly impact upon the neighborhood scheme, and in fact will provide a positive benefit to the properties and the surrounding neighborhood.
6. Inasmuch as there has been no public opposition or comment with regard to the application, it appears that the application is in general compliance with the neighborhood.

BE IT FURTHER RESOLVED that this approval is further conditioned upon the following:

1. The receipt by the Applicant of all approvals and compliance with all permit conditions from any Federal, State, County or local regulatory agency having jurisdiction over this application. Upon receipt of such approvals, the Applicant shall provide a copy of any permit or written evidence of approval to the Board and its professional staff. If any agency requires a change in the plans approved by the Board, the Applicant must reapply to the Board for approval of that change.
2. The Applicant shall provide a statement from the North Hanover Township Tax Collector that all taxes are paid in full as of the date of this resolution and as of the date of the fulfillment of any conditions in this resolution and the failure to provide such a statement shall render this resolution null and void abs initio.

3. The Applicant shall reimburse the Board for all professional fees extended or expended with regard to this application.
  4. The Applicant shall comply with all provisions of the reports of the Board's professional engineer and planner except as modified herein.
  5. The Applicant shall comply with all representations made before the Board by the Applicant since the Board has specifically relied upon those representations. Failure to comply with such representations will render any approvals herein null and void ab initio.
  6. Applicant shall resubmit this entire proposal for re-approval should there be any deviation from the terms and conditions of this resolution or the documents submitted as part of this application, all of which are made a part hereof and shall be binding on the Applicant.
  7. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.
  8. Unless specifically modified herein, the Applicant shall comply with all terms and conditions of all prior resolutions of the North Hanover Township Planning Board regarding this application.
- BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:
1. Burlington County Board of Health
  2. Burlington County Planning Board
  3. North Hanover Township Joint Land Use Board;
  4. Township Clerk; and
  5. Zoning Officer.

DATE ADOPTED: January 22, 2020

DATE MEMORIALIZED: February 26, 2020

FOR ADOPTION: Jim Durr, Ron DeBaecke, Dave Forsyth, Debbie Kucowski, Brendan O'Donnell, Jack Smylie, Greg Grauer, Tom Kimball

AGAINST:

ABSTENTIONS/RECUSALS:

Jim Durr made a motion to approve Resolution 2020-06, motion was seconded by Ron DeBaecke. All in Favor

**Memorialization of Resolution 2020-07- Tucker Farm- Conditional Use- Block 100 Lot 1.01- 1010**

Province line Road  
NORTH HANOVER TOWNSHIP  
JOINT LAND USE BOARD  
RESOLUTION 2020 - 07

RESOLUTION GRANTING  
CONDITIONAL USE APPROVAL  
NICHOLAS RICCI  
BLOCK 100, LOT 1.01

WHEREAS, Nicholas Ricci (the "Applicant") has applied to the North Hanover Township Joint Land Use Board (the "Board") seeking conditional use approval for property commonly known as Block 100, Lot 1.01 (the "Property") as shown on the official tax maps of North Hanover Township; and

WHEREAS, the property is located in the R-A Residential Agricultural Zone; and

WHEREAS, the Applicant is seeking approval to construct an Agricultural Employee Housing on the property by providing a thirty (30) by sixty (60) square foot mobile trailer and a dedicated twenty-four (24) by eighty (80) square foot parking area; and

WHEREAS, the proposed use is a conditional use permitted in the R-A Zone in accordance with Section 16-250.4, item 29; and

WHEREAS, in support of the application, the Applicant has submitted the following:

1. North Hanover Township Minor Subdivision Application.
2. Site Plan Sketch of property including proposed area for agricultural employee housing and parking.

WHEREAS, the Applicant has agreed to comply with all terms and conditions set forth in the review letter from Joseph R. Hirsch, PE, CME dated January 17, 2020; and

WHEREAS, at the public hearing held on January 22, 2020, the Applicant testified regarding each item in Section 16-250.6 (R) and verified compliance with same from the appropriate Migrant or Non-Migrant conditions presented therein and listed on Page 2 of the aforementioned review letter; and WHEREAS, the application requires no variances; and

WHEREAS, the Applicant submitted uncontroverted testimony that the mobile trailer will be fully equipped with hurricane straps, and will fully be in compliance with all fire and zoning code issues. In addition, the living quarters will be serviced with electric, water and septic system; and WHEREAS, further testimony for the Applicant revealed that the improvements will be on a preserved neighborhood farm and will therefore not unduly impact upon the Zone Plan or the surrounding properties; and

WHEREAS, there was no public opposition or comment with regard to the application; and

WHEREAS, the Board, prior to the hearing, had an opportunity to review the report of the Board's Consulting Engineer and Planner, dated January 17, 2020, which report is incorporated herein by reference; and

WHEREAS, it appears that all requisite fees and taxes have been paid in full to date; and

WHEREAS, the Board is satisfied the Applicant has submitted sufficient reasons to grant the relief requested.

NOW THEREFORE BE IT RESOLVED on this 22nd day of January, 2020, that the Application for Conditional Use Approval be and hereby is approved, subject to the Applicant complying to all terms and conditions set forth in the preamble of this Resolution.

IN SO APPROVING the aforementioned application, the Land Use Board of the Township of North Hanover has made the following findings of fact and conclusions of law and further declares:

1. The Applicant is the owner of the property and has a proprietary interest in this application.
2. All requisite fees and real estate property taxes have been paid in full to date.
3. The Applicant has complied with all notification requirements of the municipal land use ordinance of the Township of North Hanover.
4. The application is a "complete application" as defined by the municipal land use ordinance of the Township of North Hanover.
5. This is a conditional permitted use in the zone.
6. The Applicant has submitted uncontroverted testimony that the living quarters will be improved with electric, water and a septic system. The entire property is approximately 141 acres.
7. The mobile home will be sufficient living quarters for ten (10) employees.
8. The application is in substantial compliance with the zone plan and will not unduly impact upon the neighborhood scheme.
9. The Applicant has provided sufficient reasons to grant the requested relief herein.

BE IT FURTHER RESOLVED that this approval is further conditioned upon the following:

1. The receipt by the Applicant of all approvals and compliance with all permit conditions from any Federal, State, County or local regulatory agency having jurisdiction over this application. Upon receipt of such approvals, the Applicant shall provide a copy of any permit or written evidence of approval to the Board and its professional staff. If any agency requires a change in the plans approved by the Board, the Applicant must reapply to the Board for approval of that change.
2. The Applicant shall provide a statement from the North Hanover Township Tax Collector that all taxes are paid in full as of the date of this resolution and as of the date of the fulfillment of any conditions in this resolution and the failure to provide such a statement shall render this resolution null and void abs initio.

3. The Applicant shall reimburse the Board for all professional fees extended or expended with regard to this application.
  4. The Applicant shall comply with all provisions of the reports of the Board's professional engineer and planner except as modified herein.
  5. The Applicant shall comply with all representations made before the Board by its attorney, engineer and other expert witnesses as the Board has specifically relied upon those representations in granting the approvals set forth herein. Failure to comply with such representations will render any approvals herein null and void ab initio.
  6. Applicant shall resubmit this entire proposal for re-approval should there be any deviation from the terms and conditions of this resolution or the documents submitted as part of this application, all of which are made a part hereof and shall be binding on the Applicant.
  7. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.
  8. Unless specifically modified herein, the Applicant shall comply with all terms and conditions of all prior resolutions of the North Hanover Township Planning Board regarding this application.
- BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:
1. Burlington County Board of Health
  2. Burlington County Planning Board
  3. North Hanover Township Joint Land Use Board;
  4. Township Clerk; and
  5. Zoning Officer.

DATE ADOPTED: January 22, 2020

DATE MEMORIALIZED: February 21, 2020

FOR ADOPTION: Jim Durr, Ron DeBaecke, Dave Forsyth, Debbie Kucowski, Brendan O'Donnell, Jack Smylie, Greg Grauer, Tom Kimball

Jack Smylie made a motion to approve Resolution 2020-07, motion was seconded by Brendan O'Donnell. All in Favor.

**Greene Extension Request for Subdivision Filling- Resolution 2019-06**

Joseph J. Greene was sworn in. Mr Greene stated he is requesting an extension due the engineers going back on forth and could not get together. Vice Chiarman Greg Grauer opened the floor to public comment. Being no public to comment. Ron DeBaecke made a motion to close public comment, motion was seconded by Debbie Kucowski, All in Favor. Jim Durr made a motion to approve the extension. Motion was seconded by Ron DeBaecke

Roll Call:

Name	Motion	Second	Aye	Nay	Abstain	Absent
Russ Comisky			X			
Jim Durr	X		X			
Ron DeBaecke		X	X			
Dave Forsyth			X			
Joe Greene					X	
Debbie Kucowski			X			
Patricia Mellor			X			
Brendan O'Donnell					X	
Jack Smylie			X			
Greg Grauer			X			
Tom Kimball						X

**Metzger/Kornfeld Extension Request for Subdivision Filling- Resolution 2018-08**

Susan Metzger and Frank Kornfeld were sworn in. Mr. Kornfeld stated that their Attorney and the Engineers tool longer than expected. Mr. Kornfeld also state that his bank also took longer than expected to release the property. Mrs. Metzger also stated, the surveyor had the wrong land descriptions and it took time for those to be fixed. Vice Chairman Greg Grauer opened the floor to public comment. Being no public to comment Ron DeBaecke made a motion to close public comment, motion was seconded by Jack Smylie. Ron DeBaecke made a motion to approve the extension, motion was seconded by Jim Durr.

Roll Call:

<b>Name</b>	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Russ Comisky					<b>X</b>	
Jim Durr		<b>X</b>	<b>X</b>			
Ron DeBaecke	<b>X</b>		<b>X</b>			
Dave Forsyth					<b>X</b>	
Joe Greene					<b>X</b>	
Debbie Kucowski			<b>X</b>			
Patricia Mellor			<b>X</b>			
Brendan O'Donnell					<b>X</b>	
Jack Smylie			<b>X</b>			
Greg Grauer			<b>X</b>			
Tom Kimball						<b>X</b>

**Public Comment**

Vice Chairman Greg Grauer opened the floor to public comment. Being no public to comment, Ron DeBaecke made a motion to close public comment. Motion was seconded by Brendan O'Donnell. All in favor.

**Board Discussion**

Ron DeBaecke stated that the Township Committee had discussed the changes to the Poultry and Livestock Ordinance. The Township Committee was in favor of the changes. The Township Attorney will be drawing up the Ordinance. They hope to have it introduced at the March 5<sup>th</sup> Committee Meeting.

**Correspondence-** None

**Adjournment**

Ron DeBaecke made a motion to adjourn. Motion was seconded by Dave Forsyth. All in Favor. Meeting adjourned at 7:09pm