

# Holland Township Board of Adjustment

## Reorganization

### Minutes of the January 30, 2013

The meeting was called to order by the Secretary, Maria Elena Jennette Kozak:

“I call to order the January 30, 2013 Meeting of the Holland Township Board of Adjustment. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Board of Adjustment Board Secretary on December 20, 2012 by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Published in the December 20, 2012 issue of the Hunterdon County Democrat
3. Faxed to the Express Times for informational purposes only

Flag Salute

Maria Elena Jennette Kozak asked all to please stand for the Pledge of Allegiance.

Re-Appointments – Secretary Maria Elena Jennette Kozak asked 2012 Attorney Bolig to recite the *oath of office* to the following member:

Ginger Crawford – regular member – term expires 12/31/2016

William Martin – regular member – term expires 12/31/2016

Wilson “Bo” Baker – Alternate #1 – term expires 12/31/2014

Secretary Maria Elena Jennette Kozak asked for a nomination for the position of the Chairman.

A motion was made by Les Gallipeau to nominate William Martin as chairman. Gail Rader seconded the motion.

A motion was made by William Martin to nominate Ginger Crawford as chairman. Laura Burke seconded the motion.

Discussion took place. William Martin thanked everyone for the nomination but expressed how he was more comfortable with Ginger Crawford as chairman. He has sat in as chairman but is comfortable with Ginger Crawford assuming the position of chairman. William Martin **declined** the nomination. Ginger Crawford accepted the nomination. All present were in favor of the motion. The motion carried. Congratulations to the 2013 chairman Ginger Crawford.

Secretary Maria Elena Jennette Kozak asked for a nomination for the position of Vice-chairman. A motion was made by Jerry Bowers to nominate William Martin as vice-chairman. Les Gallipeau seconded the motion. William Martin accepted the nomination. All present were in favor. The motion carried. Congratulations to the 2013 vice chairman William Martin.

Chairman Crawford took over the meeting.

**Professional Appointments: A resolution exists for each award of contract for services not utilizing the process defined in the third definition under N.J.S.A 19:4A-20.7. These contracts are awarded without competitive bidding as a “Professional Service” in accordance with 40 A:11-5-(1)(a) of the Local Public Contracts Law. This resolution shall be printed once in the Hunterdon County Democrat.**

A motion was made by Les Gallipeau and seconded by Gail Rader to appoint Attorney Todd Bolig for the Board of Adjustment attorney for 2013. All present were in favor. Motion carried.

A motion was made by Les Gallipeau and seconded by Gail Rader to appoint Attorney Bill Gianos – Gianos & Phillips LLC for the Board of Adjustment alternate attorney for 2013. All present were in favor. Motion carried.

Chairman Crawford explained that the sub-committee is working on interviews. They will make their recommendation to the Board at the next scheduled meeting. At that meeting an appointment will need to be made for the position of 2013 Board of Adjustment Engineer.

A motion was made by Les Gallipeau and seconded by William Martin to appoint Maria Elena Jennette Kozak as secretary for the board of adjustment for 2013. All present were in favor. Motion carried.

A motion was made by Wilson “Bo” Baker and seconded by Les Gallipeau to appoint Lucille Grozinski, CSR as the court reporter for the board of adjustment for 2013. All present were in favor. Motion carried.

A motion was made by Gail Rader and seconded by Les Gallipeau to make the Hunterdon County Democrat as the Official News Paper for the board of adjustment for 2013. All present were in favor. Motion carried.

The announcement of the time, date and location of the board of adjustment monthly meetings was previously approved but is as follows:

Township of Holland  
Board of Adjustment

**2013 Meetings**

**PLEASE TAKE NOTICE** that the Board of Adjustment, Township of Holland, County of Hunterdon, New Jersey, will hold their regular meetings on the following dates in 2013 at 7:30 p.m. to act on public business at the Municipal Building, 61 Church Road, Milford, NJ. Meetings are open to the public.

<u>Meeting Dates</u>	<u>Agenda Deadline</u>
January 30, 2013	January 9, 2013
February 27, 2013	February 6, 2013
March 27, 2013	March 6, 2013
April 24, 2013	April 3, 2013
May 29, 2013	May 8, 2013
June 26, 2013	June 5, 2013
July 31, 2013	July 10, 2013
August 28, 2013	August 7, 2013
September 25, 2013	September 4, 2013
October 30, 2013	October 9, 2013
November 20, 2013*	November 6, 2013*
December 18, 2013*	November 27, 2013*
January 29, 2014	January 8, 2014

By ordinance the meetings of the Holland Township Board of Adjustment are held the last Wednesday of the month, with the agenda deadline three weeks prior to the meeting with the following exceptions:

\* November meeting will be held on Wednesday, November 20, 2013 with a deadline for submission of Wednesday, November 6, 2013.

\*December meeting will be held on Wednesday, December 18, 2013 with a deadline for submission on Wednesday, November 22, 2013.

Identification of those at the podium for the benefit of the recording machine:

**Present:** Wilson “Bo” Baker, Jerry Bowers, Ginger Crawford, Bill Ethem, Les Gallipeau, William Martin, Gail Rader Todd Bolig, Esq., Lucille Grozinski, CSR, and Maria Elena Jennette Kozak, Secretary.

**Absent:** Peter Kanakaris. The board approved this as an excused absence.

**Minutes:** A motion was made by Wilson “Bo” Baker and seconded by Les Gallipeau, to review the minutes of the meeting on November 28, 2012. All Present were in favor. There were no corrections needed. A motion was made by Jerry Bowers and seconded by Les Gallipeau to **approve** the minutes of the meeting on November 28, 2012 as presented. All were in favor with the motion with the exception of Wilson “Bo” Baker and Bill Ethem who abstained. Motion carried.

**Report of the Board of Adjustment Attorney**

The Board Attorney, Todd Bolig submitted a “Holland Township Board of Adjustment Application Log”. The Board reviewed the application at the November 28, 2012 meeting but had questions on how to eliminate the “11<sup>th</sup> Hour” submittal of reports. Mr. Bolig explained the Municipal Land Use Law often holds us accountable to a time table. At a meeting, if the board does not feel like they have had sufficient time to review any material that is submitted they can address the issue with the applicant. The board may deny the application with prejudice which would mean the applicant would have to start the application process all over again. The board can discuss the option with the applicant and the applicant could grant an extension usually until the next scheduled meeting thus allowing the board to review what was submitted. Attorney Bolig has provided secretary Kozak with some language that can be incorporated in the application that gives the applicant an overview of what the board is expecting on the submittal of documents once the application has been deemed complete. The board was reminded that Municipal Land Use Law does govern them but you can always talk with the applicant during a meeting.

There was some discussion about a legal interpretation of a paragraph and everyone was told that it summarizes the law correctly. The resolution that needs to go to the Township Committee was previously submitted for review. A motion was made by William Martin and seconded by Les Gaillpeau to have Secretary Kozak submit to the township committee a statement that the board has no recommendations at this time and to provide the formal resolution and log as reviewed. At a roll call vote, all present were in favor. Motion carried.

### **Completeness**

No new applications received

### **Public Hearing**

There was not a Public Hearing scheduled.

### **Resolution**

There were no resolution to be discussed.

### **Old Business**

There was no Old Business to be discussed.

### **New Business:**

Block 1 Lot 3 – Dennis Road – Susan Philkill – Relief granted by BOA December 29, 2005. In the resolution the applicant had 18 (eighteen) months from the decision to commence with the project or relief granted by the Board would expire. Ms. Philkill is requesting an extension of the previous relief. Board Discussion Needed.

Susan Philkill and Gerald Philkill were present. Mr. Philkill was asked to step up to the microphone. Attorney Bolig explained that the application was previously granted relief with conditions. One of the conditions has an expiration which Susan Philkill is requesting be lifted. Mr. Bolig explained that no action could be taken tonight as it would require notice. This is for information only. If formal notice took place then an application process would need to take place.

Mr. Philkill said he was helping Susan Philkill with the process. He has read the memo prepared by Maser Consulting and understands. He believes that they will come back before the board. The board was not in the position to discuss this as a formal application has not been submitted. Susan Philkill understands this. There could also be governmental issues that could come into play with examples being the Highlands and the DEP. Susan Philkill will have to deal with the process all over again.

### **Public Comment**

A motion was made by Les Gallipeau and seconded by Gail Rader to open the meeting up to public comment. All present were in favor. Motion carried. There were no comments made from the public although public representation was present.

Les Gallipeau made a motion to adjourn. Motion carried.

Meeting ended at 7:55 p.m.

Respectfully submitted,

*Maria Elena Jennette Kozak*

Maria Elena Jennette Kozak

Secretary