

BOROUGH OF SUSSEX  
MEETING MINUTES  
PLANNING/ZONING BOARD  
August 25, 2014

1. CALL TO ORDER by Chairman Klein.
2. ROLL CALL – MEMBERS PRESENT: Rich Klein, Steve Danner, Karen Vander Veer, John Rand, Kathy Little, Frank Darvey, Brad Case  
ABSENT: Jonathan Rose, Sal Lagattuta, Bruce Kristiansen  
PROFESSIONALS PRESENT: Ken Nelson, Glenn Gavan  
ABSENT: Mike Vreeland
3. STATEMENT OF COMPLIANCE – Chairman Klein stated “This meeting is in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. It has been properly advertised and certified by the Secretary.”
4. FLAG SALUTE AND MOMENT OF SILENCE – Chairman Klein invited everyone to stand for the Pledge of Allegiance and a moment of silence.
5. APPROVAL OF MINUTES – A motion to approve the minutes of the July 28th, 2014 meeting was made by Steve Danner, second by Kathy Little.  
Upon roll call vote:  
Ayes: Klein, Danner, Little, Darvey, Case  
Nays: None  
Absent: Rose, Lagattuta, Kristiansen  
Abstentions: Vander Veer, Rand
6. APPLICATIONS
  - a. *Barry Fitzpatrick, PZ 2013-03*  
*49 Bank Street, Block 204, Lot 4*  
*Use Variances and Height Variance*  
  
Martin Van Der Heide, Attorney for the Fitzpatrick’s appeared before the Board. Attorney Gavan stated that the revised survey has just been submitted and the Board Members have not received this information. Therefore, the application has been adjourned and carried to the next meeting which will be held on Monday, September 22<sup>nd</sup>.
  - b. *McNamara Investments, PZ 2014-03*  
*25 Bank Street, Block 204 Lot 10.01*  
*Use Variance*

Kate Yaskovic, an Attorney with the law firm of Dolan & Dolan appeared before the Board and stated that she represents the applicant, McNamara Investments LLC, but she is also a

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member of that LLC. Attorney Gavan asked Ms. Yaskovic if she will also be testifying and she replied that someone else will be testifying on her behalf. Attorney Gavan announced that he and Ms. Yaskovic serve together on a voluntary board at the college but do not have any business dealings and agree that there is no conflict of interest.

Kate Yaskovic, Jessica Caldwell and Mike McNamara were sworn in by Attorney Gavan. Jessica Caldwell appeared before the Board and stated that she is a professional Planner and listed her qualifications. The applicant is seeking a "D1" use variance approval for Lot 10.01, Block 204 which is located at 25 Bank Street and is in the Public Use Zone. The site contains an existing structure which has historically been used as a single family residence and commercial uses. No construction or development is required or proposed. The applicant simply seeks to return the building to productive use. The property has been vacant and abandoned for some time at least until Sussex Bank took title by a deed in lieu of foreclosure in December of 2011 almost three years ago. The testimony will demonstrate that allowing the subject property to once again become productive will be positive for the neighborhood and the Borough. The proposed use promotes the general welfare of the community and does not cause any substantial detriment to the public good or harm to the Master Plan or Zoning Ordinance.

Jessica Caldwell stated that she prepared a Planning Report dated July 23, 2014 which was submitted with the application. Ms. Caldwell noted that there weren't any commercial conversions in the past. There are two (2) parking spaces deeded to the property located to the rear of the building. Ms. Caldwell summarized the positive and negative criteria as outlined in the Planning Report. In conclusion, the findings in the report were that the structure was used a residence in the past, the parking is sufficient, the property is in a neighborhood of mixed uses and fits in, there are no proposed changes to the property and changes and additional parking would be required for other uses.

Ms. Little asked if the applicant knew the size of the rooms and it was indicated that the floor plan is a "railroad" configuration with the kitchen located in the rear. There was a discussion with regard to the occupancy of the residence being limited to a maximum of two (2) occupants.

### 7. OPEN TO THE PUBLIC

Mr. Michael Cecchini, Sr. appeared before the Board as a representative of the Sussex United Methodist Church since he is a member of the church. Initially there were some concerns in regard to the parking but our questions were answered after a review of the

application showing the two deeded parking spaces. The church is located to the left of the applicant's

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property. Some years back, the Church and the Board of Education made an agreement to designate one driveway as an entrance and one driveway as an exit to the parking lot in the rear. The Trustees of the Church are asking if Mr. McNamara would take the time to get together with the Church and School Board and to pay for some of the expenses for the maintenance of the driveways and parking lot. Mr. McNamara said that would not be a problem and he will contact the Church Trustees.

A motion to grant approval for a one bedroom single family residence was made by Steve Danner, second by John Rand.

Upon roll call vote:

Ayes: Klein, Danner, Vander Veer, Rand, Little, Darvey, Case

Nays: None

Absent: Kristiansen

Abstentions: None

A motion to Grant a Waiver to allow the applicant to advertise the property for rent without waiting for the Memorialization was made by Karen Vander Veer, second by Kathy Little with all in favor.

### 8. BILLS/VOUCHERS

Dated 8/7/14 from The Nelson Consulting Group re: Simmons \$161.00

Dated 8/7/14 from The Nelson Consulting Group re: Fitzpatrick \$264.50

Dated 8/7/14 from The Nelson Consulting Group re: McNamara \$517.50

A motion to approve the Bills and Vouchers was made by Steve Danner, second by John Rand.

Upon roll call vote:

Ayes: Klein, Danner, Vander Veer, Rand, Little, Darvey, Case

Nays: None

Absent: Rose, Lagattuta, Kristiansen

Abstentions: None

### 9. OPEN AND CLOSE TO THE PUBLIC

The meeting was opened to the public. Since there were no members present from the public, the meeting was closed to the public.

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10. NEW BUSINESS

Chairman Klein advised the Board that another resident was denied a Zoning Permit but went ahead and completed the work. The Zoning Officer and the Construction Official will each issue a summons to the resident.

11. OLD BUSINESS

Mention was made that the Hyundai sign looks to be too close to the road. Chairman Klein asked if Alpine Village was finished with their project and Mr. Danner said that everything was done except for the fence.

12. ADJOURNMENT

A motion to adjourn was made by Kathy Little, second by Karen Vander Veer with all in favor.

Meeting adjourned at 8:13 P.M.

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Blanche Stuckey, Planning/Zoning Board Secretary

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Date of Approval