

**EAGLESWOOD TOWNSHIP LAND USE BOARD
REGULAR MEETING
March 13, 2012**

Call to Order:

Chairman, Paul Poklikuha called the meeting to order at 7:00 PM. Mr. Poklikuha led in the salute to the flag.

Roll Call:

Members present upon roll call were Don Haines, Michael Pasternak, James Pine, Paul Poklikuha, Debra Rivas, and Kathleen Wells. James Bartlett, Kenneth Holman, Edward Nickel and Kate Thomas were absent.

Statement of open public meetings act was read by Mr. Poklikuha.

Approval of the Minutes:

January 10, 2012 Regular Meeting

Don Haines made a motion to approve the minutes. Second by Kathleen Wells. Roll call: Mr. Haines, yes, Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes, Ms. Wells, yes and Mr. Poklikuha, yes. Motion carried.

**Eagles Nest Aerodrome, LLC, Block 34 Lots 1, 2, 3 Block 36 Lots 13, 13.01, 16 through 22
Administrative Field Changes Request - Minor Site Plan**

Paul Poklikuha stepped down as he is a property owner within 200' of the airport. Vice Chairperson Kathleen Wells was acting Chairperson.

Howard Butensky, Esquire, representing the applicant described the requested field changes for administrative approval to the board. The request involves changing the size of the bollards from four (4) feet to six (6) feet as it is required (by construction code) and item two is relocating the lighting. A different type of lighting would be required for their present proposed location. Moving the lighting location would allow the applicant to use the type of lighting as originally planned.

Referring to a review letter from James F. Stanton, P.E., dated February 28, 2012. Mr. Stanton indicated in his letter he had no objection to the changes requested, had the changes been on the original submission, Mr. Stanton would have approved them.

Debra Rivas made a motion to approve the administrative changes requested on the Minor Site Plan. Second by James Pine. Roll call: Mr. Haines, yes, Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes and Ms. Wells, yes. Motion carried.

Administrative Changes Request - Major Site Plan

The request for Administrative approval on the Major Site Plan involves the relocation of the drainage basin and for the hangar usage, the applicant is proposing to eliminate three (3) of the hangars to construct one (1) large maintenance hangar. In Mr. Stanton's review letter dated March 6, 2012, he states the hangar building is primarily limited to the "Floor Plan" in that the outside dimensions remain the same. The creation of one large hangar space results in the loss of three (3) "T" hangar spaces resulting in the net loss of two (2) hangar spaces. It does not impact the area to be developed, impervious surface coverage, stormwater management facilities or site grading.

Mr. Butensky referenced page 2, first paragraph of Mr. Stanton's review letter regarding clearing existing vegetation. Mr. Stanton states "in regard to the proposal to relocate and enlarge the stormwater basin, I have no objection to that action however; the plan indicates that the entire area between the currently approved hangars and the relocated stormwater basin is to be cleared.

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This will result in the clearing of an area of existing vegetation that will not be developed until such time as the proposed future hangars are approved." Mr. Butensky gave testimony that the area was the original site of the approved basin, there has been some clearing in that area, there will not be any more clearing until the applicant receives approval to relocate the basin. Mr. Butensky wanted to state for the record there has been no violation of Mr. Stanton's recommendations, the area was being cleared for the original basin should someone make a site inspection.

Kathy Wells did not have a problem with the floor plan within the hangar that was approved. Ms. Wells was concerned that the storm water basin was being relocated due to future construction that has not been applied for nor approved.

Mr. Butensky indicated the applicant's intentions are to avoid building a basin and after making application for future expansion and possible approval the basin would then have to be relocated. The redesign if approved will eliminate the future need to relocate the stormwater basin.

There was discussion regarding the submission of plans to be distributed to the Board members.

James Pine made a motion to adjourn the request for administrative approval for changes to Major Site Plan pending submission of plans by the applicant. Second by Deb Rivas. Roll call: Mr. Haines, yes, Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes and Ms. Wells, yes. Motion carried.

Donald Haines, Block 4 Lot 196.01 - Application for Interpretation of Resolution 2009-05

Donald Haines stepped down as he is the applicant. Mr. Pokliuha returned as Chairperson. Mr. Haines was sworn in for testimony by Mr. Cherkos.

Mr. Haines is seeking interpretation of Resolution 2009-05 page 2 item 14 (G). Mr. Haines spoke to the Zoning Officer regarding a proposed tenant to store new cars in the said storage area.

James Pine feels wrecked cars are more dangerous than new cars. Mr. Pine was concerned there would be a large car carrier unloading cars on Route 9, but the new cars storage would be less of an impact than wrecked cars storage.

Debra Rivas feels new cars storage would be environmentally better for the site than wrecked cars storage.

Kathleen Wells feels the Resolution was very clear in that there is a storage area and new cars storage would be less intense than the wrecked car storage.

Deb Rivas read the definition of Impound area is a yard of enclosing or corralling. Mrs. Rivas added there is a storage area as stated in the Resolution page 2 item 14(G), if it is used for wrecked cars or new cars what is the difference. If they are delivered or driven to the site regardless of how they get to the site, they will end up in the storage area that has been established on the site by the resolution.

Mr. Haines testified that the Zoning Officer informed him he would not have a problem issuing a Zoning Permit if the Board agreed that it did not make a difference if the storage area contained new cars or wrecked cars. Mr. Haines testified the storage area is 100' x 100'. He purchases cars all the time that are delivered by a new car carrier and are unloaded on Route 9.

Russ Cherkos explained the difference between an Interpretation and a Request for a Revision is notice to the public. Mr. Haines is before the Board for an Interpretation of his Resolution. Mr. Cherkos read the paragraph for the record. The paragraph consists of testimony given by Mr. Haines at his previous hearing. Mr. Haines testifying the following uses on the property to (G) the Storage area at the rear of the premises. Mr. Cherkos explained to the Board the board could interpret the Resolution being very specific as to what type of cars are stored in the storage area or the board could interpret there is a storage area on the site for cars of any type.

There was discussion of the preexisting non conformity of a storage area for cars on the site.

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The board agreed new cars storage would be less of an issue than wrecked cars storage on the site.

Kathleen Wells made a motion that the request for storage of new vehicles within the designated storage area is within the approval granted in Resolution 2009-05. Second by Michael Pasternak. Roll call: Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes, Ms. Wells, yes and Mr. Poklikuha, yes. Motion carried.

Correspondence:

Paul Poklikuha informed the board of correspondence received by an attorney for Lorrie Morrison. Ms. Morrison felt the entire Little Egg Harbor Planning Board was in conflict to hear her application and was seeking Eagleswood Township Land Use Board to hear and decide on her application. Russ Cherkos replied to the attorney for Ms. Morrison Eagleswood Township Land Use Board does not have jurisdiction over land located in Little Egg Harbor Township.

Adjournment:

James Pine made a motion to adjourn. Second by Kathleen Wells. All ayes. Motion carried. The meeting was adjourned at 7:35 PM

Respectfully Submitted,

Sherry G. Cummings, Secretary,
Eagleswood Township Land Use Board