

**TOWNSHIP OF EAGLESWOOD**  
**LAND USE BOARD MEETING**  
 Minutes  
**April 08, 2014**

**CALL TO ORDER**

The Eaglewood Township Land Use Board was called to order by Chairman Paul Poklikuha at 07:04 p.m.

**FLAG SALUTE**

Mr. Poklikuha led the Flag Salute

**ROLL CALL**

Those members present upon roll call were Mr. Bartlett, Mr. Holman, and Mr. Nickel, Mr. Pasternak, Mrs. Sysol and Mr. Poklikuha Also present were Terry Brady, Esquire. Absent: Mr. Haines, Mr. Kinnevy, Mr. Pine and Mrs. Rivas.

**STATEMENT ~ PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT**

"Provisions of the Open Public Meetings Act have been met. Notice of this meeting Resolution 2014-04, has been transmitted to the Asbury Park Press and the Times Beacon given to those having requested and paying for same, and posted on the Bulletin Board in the Municipal Building on January 14, 2014."

**APPROVAL OF MINUTES**

February 11, 2014

Land Use Board	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Mr. Bartlett (Alternate)					x		
Mr. Haines						x	
Mr. Holman	x		x				
Mr. Kinnevy						x	
Mr. Nickel			x				
Mr. Pasternak		x	x				
Mr. Pine						x	
Mrs. Rivas						x	
Mrs. Sysol			x				
Mr. Poklikuha					x		
<b>VOTE:</b>			<b>4</b>		<b>2</b>	<b>4</b>	

March 11, 2014

Land Use Board	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Mr. Bartlett (Alternate)					x		
Mr. Haines						x	
Mr. Holman		x	x				
Mr. Kinnevy						x	
Mr. Nickel					x		
Mr. Pasternak	x		x				
Mr. Pine						x	
Mrs. Rivas						x	
Mrs. Sysol			x				
Mr. Poklikuha					x		
VOTE:			3		3	4	

**RESOLUTIONS:**

**RESOLUTION NO. 2014-06**

**RESOLUTION OF EAGLESWOOD TOWNSHIP LAND USE BOARD  
APPROVING THE APPLICATION FOR AN AMENDED SITE PLAN**

**EAGLES NEST AIRPORT, APPLICANT  
APPLICATION NO. 2014-03  
BLOCK 34, LOTS 1, 2, 3, 3.01 &  
BLOCK 36, LOTS 13, 13.01, 16 THRU 22  
CEDAR LANE & OLD COUNTRY ROAD  
LIMITED BUSINESS/AIRPORT SAFETY OVERLAY ZONE**

**WHEREAS**, the applicant, Eagles Nest Airport, has applied to the Eagleswood Township Land Use Board for amended site plan approval to permit the extension of the airport runway in a westerly direction by 400ft with a corresponding shift of 400ft of airport runway on the easterly side of the same, regarding property known as Eagleswood Township Tax Map Block 34, Lots 1, 2, 3 & 3.01, and Block 36, Lots 13, 13.01 & 16 thru 22, and being located at Cedar Lane & Old County Road in the Limited Business/Airport Safety Overlay zone; and

**WHEREAS**, the Overall Taxiway Layout Plan was prepared by Michael Geller, PE, dated 1/14/2014; and

**WHEREAS**, the Eagleswood Township Land Use Board, after carefully considering the evidence presented by the applicant, and the report from its professional staff, hereby makes the following findings of fact:

1. The applicant has a proprietary interest in the property.
2. The applicant has requested approval in accordance with the Land Use Ordinances of the Township of Eagleswood and all record property owners located within 200 feet of the subject property were duly notified of the

public hearing, and a notice summarizing the application was duly published, as required by law, in an official periodical of the Land Use Board.

3. The property is located at Cedar Lane & Old Country Road.

4. The applicant is requesting approval in accordance with the Zoning Ordinance of the Township of Eagleswood for the purpose of permitting the extension of the airport runway in a westerly direction by 400ft with a corresponding shift of 400ft of airport runway on the easterly side of the same.

5. Frank Little, P.E., of Owen, Little & Associates, the Board's engineer, prepared a report to the Board dated January 28, 2014.

The Board hereby adopts the findings in the report of its professional and incorporates the same in this Resolution by reference.

6. The applicant and its professionals testified that the proposed runway relocation does not require any variance from the Township Zoning Ordinances. The applicant has requested only an application submission waiver of an environmental impact statement. The applicant's proposal is in compliance with the area and neighborhood zoning, and that the granting of the site plan amendment would not be detrimental to the public good.

The Board concurs with these representations and so finds.

**WHEREAS**, the Land Use Board has determined that the applicant should be granted the requested amendment to the site plan and the waiver of the environmental impact statement submission requirement for the following reasons:

1. The granting of the application will not be a substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan, Master Plan and/or the Zoning Ordinances and Master Plan of the Township of Eagleswood.

2. The Board has taken into consideration the comments of public present at the hearing.

**3. The safety and well-being of the immediate area will not be adversely affected by the granting of the application.**

4. No use variances or bulk variances are proposed or requested.

5. The waiver of the environmental impact statement submission requirement will not impair the ability of the Land Use Board to properly consider and evaluate the application.

**NOW THEREFORE BE IT RESOLVED**, by the Eagleswood Township Land Use Board

that the Land Use Board hereby grants and approves the application as submitted, subject, however, to the following conditions being satisfied prior to the signing of the plan or issuance of a Zoning Permit:

1. **Revised plans will be submitted to reflect only the previously approved and presently approved site conditions (no parachute landing zone to be designated at this time).**
2. **Complaint telephone quick contact information shall be maintained on the Airport website and on property signage for the Airport Owner's immediate availability.**
3. **All lots will be consolidated into a single lot in each affected tax map block by deed of consolidation.**
4. **Additional drainage facilities will be noted on the plans and be installed to account for any additional impervious lot coverage.**
5. **The applicant will provide camera monitoring of the site no later than December 31, 2014.**

In addition, the following general conditions of approval apply:

1. Submission of an affidavit signed by the Eagleswood Township Tax Collector certifying payment of outstanding real estate taxes.

2. No building permit will be issued until the Land Use Board Secretary has confirmed that all professional fees have been paid in full. In the event a building permit is issued and there are outstanding Land Use Board professional fees, a stop work order will be filed against the applicant/contractor(s) and remain in effect until the fees have been paid.

3. In the event there is an *existing* violation, the applicant shall have thirty (30) days from the date the Notice of Decision is published to correct the violation. Failure to correct the existing violation within the time proscribed will result in the issuance of a summons.

4. Within fourteen days of receipt of the approved resolution, the applicant must submit for publication a Notice of Decision to an approved newspaper of the Township of Eagleswood. Once the Notice is published, the applicant must submit the Affidavit of Publication issued by the newspaper, along with all other resolution items, to the Board office.

5. Approval of the following agencies and any other municipal, county, state, and/or federal agency having jurisdiction over said application, if not already obtained, and if required:

- a. Ocean County Planning Board;
- b. Eagleswood Township Municipal Water and Sewer Department;
- c. Ocean County Soil Conservation District;

- d. NJ Department of Environmental Protection;
- e. NJ Department of Transportation.

6. Applicant must assemble all executed conditions in a COMPLETE package and submit them along with the reproducible original to the Board office so the map can be signed and the Zoning Permit can be issued prior to an application for Building Permit being filed.

7. The applicant must obtain signed certifications from the Township Code Enforcement Officer certifying that the applicant has complied with all conditions of this Resolution of Approval.

8. Signing of the plan and issuance of a Zoning Permit will not take place until compliance with all conditions has been certified.

9. This approval will expire one year after the date of approval if a building permit is required or, if a building permit is not required, a certificate of occupancy, if required, has not been obtained.

10. It is incumbent upon the applicant/owner to prominently display the address number on the premises so that it is clearly identifiable and visible from the street.

**BE IT FURTHER RESOLVED**, the applicant's request for amended site plan approval, with an application submission waiver, as set forth more fully in the preamble of this Resolution, be and hereby is approved.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the applicant, the Building Department, the Zoning Department and the Township Clerk by the Land Use Board secretary.

Land Use Board	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Mr. Bartlett (Alternate)					x		
Mr. Haines						x	
Mr. Holman		x	x				
Mr. Kinnevy						x	
Mr. Nickel					x		
Mr. Pasternak	x		x				
Mr. Pine						x	
Mrs. Rivas						x	
Mrs. Sysol			x				
Mr. Poklikuha					x		
<b>VOTE:</b>			3		3	4	

**OLD BUSINESS**

- **Application 2014-002- Skydive East Coast- Block 34 Lot 1;3.01 Block 36 Lots 12:13:13.01 Application for Appeal of Administrative Officer- Interpretations- Amendment to Site Plan-** The applicant seeks jurisdictional interpretation, as well as subject matter interpretation in regards to sky-dive operations at an approved airport. No development is proposed. New construction is proposed. No changes to zoning are proposed. Applicant proposes continued operations of a sky-dive operations.  
**(Meeting is being carried from the February 11, 2014 Meeting)**  
**\*\*This Application has been moved to the May 13, 2014 Meeting\*\***

**NEW BUSINESS**

NONE

**CORRESPONDENCE**

Chairman Pokliuha read the correspondence from Mr. John Novak dated 03.31.2014 requesting for application 2014-002 be adjourned till May. Chairman Pokliuha also advised the board of the correspondence dated 03.31.2014 to Terry Brady requesting application 2014-002 be adjourned till May 13, 2014.

Vice Chairman Holman stated that the OPRA request that was mentioned in the correspondence from Mr. Novak was supplied to Mr. Novak within the required time frame required by law.

**BOARD DISCUSSION**

None

**ADJOURNMENT**

Mr. Pasternak made a motion to adjourn, Second by Mr. Holman. All Ayes. Motion carried. The meeting was adjourned at 07:20 P.M.

Respectfully submitted,

Lisa H. Hand  
Eagleswood Township Land Use Board