

**MINUTES OF THE MONTAGUE TOWNSHIP LAND USE BOARD REGULAR MEETING HELD
AUGUST 13, 2020**

Open public meeting statement: The meeting was called to Order by the Chairwoman, Jody Case Kennedy, and a statement was made that the meeting was duly advertised and met all of the requirements of the Open Public Meetings Act. Those present were: Richard Innella, Bryan Leeper, Glen Plotsky, Lauren Zitone, Joseph Cooper, Katherine Snyder, Nina Fradl, Jody Case Kennedy, and William Haggerty, the Board Attorney.

Those absent were: Fred Merusi, Glenn Barbagallo (excused), John Sorraco.

FLAG SALUTE

MINUTES:

The Minutes of the July 9, 2020 Land Use Board Meeting were not yet completed.

RESOLUTIONS

PPG Lessons, LLC – LUB 19-03 – Block 1, Lot 65 – 150A River Road – “D” Variance:

The Resolution was not yet completed and will be memorialized at the next regular meeting of the Land Use Board.

A Motion was made by Mrs. Snyder and seconded by Ms. Fradl to carry this Memorialization of the Resolution for PPG Lessons to the next regular meeting of the Land Use Board. All were in favor. The Motion was carried.

**TSZCO, LLC – Preliminary Site Plan – LUB 20-02 - Block 39, Lots 30 & 31 – 418 US Highway
Route 206:**

The Resolution was reviewed. A Motion was made by Mrs. Snyder and seconded by Mr. Leeper to approve the Resolution for a Preliminary Site Plan and Variances of the applicant TSZCO. Roll Call: Mr. Leeper, yes; Mr. Cooper, yes; Mrs. Snyder, yes; and Ms. Kennedy, yes. The Motion was carried.

OLD BUSINESS

Fence Ordinance – Land Use Board 35 Day Review:

The Ordinance was reviewed by the Land Use Board. It was noted that the Township Committee had a first reading on the ordinance and made no changes to the ordinance and it was back before the Land Use Board for their 35 Day Review.

Mr. Haggerty indicated that the Land Use Board originated the Ordinance and the Governing body had a first reading. By statute it comes back to the board again to confirm our action and say that the board affirmatively recommend the changes. This Ordinance was structured essentially for a flag type lot where there is a house setback off the road in terms of fence heights. The concern was a reduced fence height criteria along the road so we are not creating walls in front of houses. This does not really apply where there is a house setback with a flag lot.

Mr. Innella indicated that he agrees with the Ordinance and would like an addition to the ordinance that no fencing is allowed in the stem of the flag lot along the road. Mr. Haggerty indicated it would read as follows: (1) The height of a fence shall be no greater than four feet in the front yard. For purposes of this section, front yard is defined as that area of a parcel located between the road right-of-way and the front of a structure from the right-of-way to the closest point of the principal structure to the road right-of-way. Except that the limitation for fence height for a flag lot is six feet however, the height limitation of four feet shall continue to apply to a fence located along with the width of the stem of a flag lot where the lot intersects with a public road.

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OLD BUSINESS CONT.

Fence Ordinance – Land Use Board 35 Day Review cont.:

A Motion was made by Mr. Plotsky and seconded by Mrs. Snyder to approve the above change to the Fence Ordinance and forward same to the Township Committee for their review and adoption. Mr. Innella, yes; Mr. Leeper, yes; Mr. Plotsky, yes; Mrs. Zitone, yes; Mr. Cooper, yes; Mrs. Snyder, yes; Ms. Fradl, yes; and Ms. Kennedy, yes. The Motion was carried.

NEW BUSINESS

Tri State Center District Chapter 76, Article XXI – C:

Mr. Haggerty indicated when this Ordinance was created, gas stations were not included as permitted uses. When they went through the Master Plan Revisions various zones were adopted and changed along Route 23 and Route 206. For some reason the township eliminated as a conditional use gas stations. There are a number of gas stations on Route 23. He does not think it was intended to eliminate gas stations as a permitted use because it is one of the primary commercial uses down there. Mr. Leeper indicated that it is not the Montague Center District as noted in the proposed Ordinance, it should be the Tri State Center District. Mr. Haggerty indicated he would make this change.

A Motion was made by Mr. Plotsky and seconded by Ms. Fradl to approve the ordinance change to include gas stations as a permitted use in the Tri State Center District and forward same to the Township Committee for review and adoption. Roll Call: Mr. Innella, yes; Mr. Leeper, yes; Mr. Plotsky, yes; Mrs. Zitone, yes; Mr. Cooper, yes; Mrs. Snyder, yes; Ms. Fradl, yes; and Ms. Kennedy, yes. The Motion was carried.

VOUCHERS

The vouchers were reviewed. A Motion was made by Mrs. Snyder and seconded by Mr. Plotsky to approve the vouchers on the bills list attached hereto and made a part hereof. Roll Call: Mr. Innella, yes; Mr. Leeper, yes; Mr. Plotsky, yes; Mrs. Zitone, yes; Mr. Cooper, yes; Mrs. Snyder, yes; Ms. Fradl, yes; and Ms. Kennedy, yes. The Motion was carried.

CORRESPONDENCE

The correspondence was reviewed. No formal action was taken.

PUBLIC PARTICIPATION:

The meeting was opened to the public. There being no public, the meeting was closed to the public.

AJOURN

Having no further business, a Motion was made by Mr. Innella and seconded by Mr. Plotsky to adjourn the meeting. All were in favor. The Meeting was adjourned.

Minutes prepared by:

SHARON M. YAROSZ
Land Use Administrator