

MINUTES OF THE MONTAGUE TOWNSHIP LAND USE BOARD RE-ORGANIZATION MEETING AND REGULAR MEETING HELD JANUARY 13, 2022

Open public meeting statement: The meeting was called to Order by the Board Secretary, Sharon M. Yarosz, 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: James Ledonne, Fred Merusi, Jody Case Kennedy, Glenn Barabagallo, Joseph Cooper, John Soracco, Katherine Snyder, Jamie Curreri, Steve Guida, Glen Plotsky, William Haggerty, the board attorney, and Thomas Knutelsky, the board engineer.

Those absent were: George Hutnick.

FLAG SALUTE

REORGANIZATION SESSION:

Chairperson: Nominations were opened for the position of Chairperson. A nomination was made by Ms. Kennedy and seconded by Mrs. Snyder to nominate Glen Plotsky as the Chairman of the Land Use Board. There were no further nominations. The nominations were closed. Roll Call was taken for Glen Plotsky for Chairman: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried. Glen Plotsky is the 2022 Land Use Board Chairman.

Vice Chairperson: Nominations were opened for the position of Vice Chairperson. A nomination was made by Mr. Barbagallo and seconded by Mrs. Snyder to nominate Jody Case Kennedy as the Vice Chairwoman of the Land Use Board. There were no further nominations. The nominations were closed. Roll Call was taken for Jody Case Kennedy for Vice Chairwoman: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried. Jody Case Kennedy is the 2022 Land Use Board Vice-Chairwoman.

Board Secretary: Nominations were opened for the position of Board Secretary. A nomination was made by Mrs. Snyder and seconded by Mr. Barbagallo to appoint Sharon M. Yarosz as the Secretary of the Land Use Board. There were no further nominations. The nominations were closed. Roll Call was taken for Sharon M. Yarosz for Board Secretary: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried. Sharon M. Yarosz is the 2022 Land Use Board Secretary.

Board Attorney: Nominations were opened for the position of Board Attorney. A nomination was made by Mr. Barbagallo and seconded by Mrs. Snyder to appoint William Haggerty of the firm Dolan & Dolan as the Attorney of the Land Use Board. There were no further nominations. The nominations were closed. Roll Call was taken for William Haggerty of the firm Dolan & Dolan for Board Attorney: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried. William Haggerty of the firm Dolan & Dolan is the 2022 Land Use Board Attorney. Mr. Haggerty joined the meeting.

Board Engineer: Nominations were opened for the position of Board Engineer. A nomination was made by Ms. Kennedy and seconded by Mr. Barbagallo to nominate Thomas Knutelsky of the firm of Harold E. Pellow & Associates, Inc. as the Engineer of the Land Use Board. There were no further nominations. The nominations were closed. Roll Call was taken for Thomas Knutelsky of the firm Harold E. Pellow & Associates, Inc. for Board Engineer: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried. Thomas Knutelsky of the firm Harold E. Pellow & Associates, Inc. is the 2022 Land Use Board Engineer. Mr. Knutelsky joined the meeting.

REORGANIZATION SESSION CONT.:

Board Planner: Nominations were opened for the position of Board Planner. A nomination was made by Ms. Kennedy and seconded by Mrs. Snyder to nominate Harold Pellow of the firm Harold E. Pellow & Associates, Inc. as the Planner of the Land Use Board. There were no further nominations. The nominations were closed. Roll Call was taken for Harold Pellow of the firm Harold E. Pellow & Associates, Inc. for Board Planner: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried. Harold Pellow of the firm Harold E. Pellow & Associates, Inc. is the 2022 Land Use Board Planner.

Site Plan/Subdivision Review Committee: The Chairman appointed Mr. Barbagallo, Mr. Cooper and Ms. Kennedy and himself, Glen Plotsky, as an Alternate to the Site Plan/Subdivision Review Committee.

Voucher Review Committee: The Chairman, Mr. Plotsky, appointed Mrs. Snyder to the Voucher Review Committee.

Designation of Official Primary and Secondary Newspaper: A Motion was made by Mr. Barbagallo and seconded by Mr. Merusi to declare the New Jersey Herald and the New Jersey Sunday Herald as the official primary and secondary newspaper for the Land Use Board. Roll Call: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried. The New Jersey Herald and the New Jersey Sunday Herald are the official primary and secondary newspapers for the Land Use Board for the year 2022.

Designation of time, date and place of meeting: A Motion was made by Mr. Merusi and seconded by Mr. Barbagallo to designate the second Thursday of each and every month for meetings of the Land Use Board which includes the Re-organization meeting of January 2023. Said meetings will be held at the Montague Township Municipal Building, 277 Clove Road, Montague, New Jersey and will begin at 7:00 p.m. Roll Call: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried.

Mr. Knutelsky was sworn in by the board Attorney as the Land Use Board Engineer and Planner for 2022.

REGULAR SESSION:

MINUTES:

The Minutes of the November 11, 2021 Land Use Board Meeting were reviewed. A Motion was made by Ms. Kennedy and seconded by Mrs. Snyder to approve the November 11, 2021 Minutes. Roll Call: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes, Mr. Barbagallo, abstain, Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, abstain; Mr. Guida, abstain, and Glen Plotsky, abstain. The Motion was carried.

NEW APPLICATIONS:

Aleksey Lukyanov-Cherny– LUB 21-03 – Block 16, Lots 20 & 21 – 8 Rubin Hill Road – “C”
Variance:

Appearing before the board was the applicant Aleksey Lukyanov-Cherny. Mr. Lukyanov-Cherny was sworn in by the board attorney.

Mr. Lukyanov-Cherny indicated that he has a small open porch which is 45 square feet. He would like to expand the porch by a few feet in each direction and enclose it for a 3 season porch which would be under 100 square feet in total.

Appearing before the board was the board engineer reviewed completeness in his report dated January 3, 2002:

Paragraph 1: The board secretary and attorney to confirm that items 1-8 of the checklist are complete. The board secretary indicated that they were.

Paragraph 2: The following items are found to be incomplete and/or lacks information for this application, or waivers have been requested:

Checklist Item #17 – Sheet Size 24” x 36”. The applicant has requested a waiver of this checklist item indicating that the scope and size of the project allows for the use of a smaller 11” x 17” paper size. Because the plan information was presented in a clear manner on this smaller sheet size, he recommended this waiver be granted.

Checklist Item #18 – Name, Address, License Number of Plan Preparer, Signature, Original Seal. The applicant has requested a waiver of this checklist item indicating that the limited scope and size of this project allows the presentation to be made by the applicant without professional assistance. Based upon this review of the plan information prepared by the applicant, he recommended this waiver be granted.

Mr. Knutelsky indicated that if the requested waivers are entertained by the board and granted, he would recommend that the application be found complete for this application. With proof of adequate notice given, he further recommended that this application proceed directly into the public hearing. Mr. Haggerty indicated that the notice was sufficient.

A Motion was made by Mr. Ledonne and seconded by Mr. Barbagallo to deem this application complete with the waivers requested for 17 and 18 of the checklist. All were in favor. The Motion was carried.

Mr. Haggerty questioned the applicant as to the size of the porch. He indicated it would be 95 square feet. He further indicated that there is an existing patio, concrete slab. He indicated that this will provide for him a 3 season porch so he can protect himself from misquotes. His house is approximately 350 square feet. He plans on re-doing the porch roof. He already has outdoor outlets on the outside of the existing house. He does not plan to expand on the electric or heat. He indicated that the existing septic system is further down the driveway at least 50’ feet away. Mr. Plotsky questioned if the roof went further than the current patio deck and if so, how much further. Mr. Lukyanov-Cherny indicated that he is trying to expand the existing patio which is currently 4’9” and he is requesting 6’8” which is slightly under 2 feet so he will have to rebuild the entire roof. Mr. Plotsky questioned as to how close will this be to the adjoining property. Mr. Lukyanov-Cherny indicated that this porch will encroach on both the side yard and the rear yard. He indicated that his rear yard already does not follow the current ordinance. The side yard he is encroaching approximately 25’.

Mr. Knutelsky indicated that based upon his review, he noted that the rear yard setback at 10’ is part of the existing condition. This particular porch will not extend into that 10’ building

NEW APPLICATIONS:

Aleksey Lukyanov-Cherny– LUB 21-03 – Block 16, Lots 20 & 21 – 8 Rubin Hill Road – “C”
Variance cont.:

setback. Mr. Haggerty indicated that he will note this in the Resolution to make an observation that the condition does exist and it is non-conforming. Relief for this is not required. Mr. Knutelsky referred to item 3 of his report with regards to the side yard setback:

“The required side yard setback for this zone is 35 feet whereas only 20 feet will be provided to the proposed enclosure. The plan provided shows 25 feet which is slightly less than the actual relief required. This will require a “C1” variance relief due to the shape of the existing property.” He indicated that the property is odd shaped. He recommended that the board should consider 20 feet for the setback which would be the worst case scenario.

Mr. Knutelsky reviewed paragraph 5 of his report: I further note for the board that the relief requested will be to encroach into the minimum westerly side yard of the aforementioned lot towards undeveloped lands and said proposed improvements will not impact any adjoining improvements.

Mr. Haggerty indicated that the applicant has provided a photograph of the property and it appears that the area is very heavily wooded. The applicant agreed. Mr. Plotsky questioned if any of this screening will be removed. Mr. Lukyanov-Cherny indicated that no screening will be removed for this project. Mr. Plotsky questioned the applicant if he would object if one of the conditions of approval was that no trees will be removed with this project. The applicant agreed.

Mr. Curreri questioned the applicant about the drainage off the roof. Mr. Lukyanov-Cherny indicated that currently the porch and roof have no gutters. He would like to install gutters and drain it towards the bushes.

Mr. Knutelsky referred to Paragraph 6 of his report: I finally note for the board that a review of available online GIS wetlands data reveals that environmentally sensitive lands are located greater than 150 feet from the disturbance area and that the proposed improvements will be conducted in previously developed lands. Environmental impacts are therefore seen to be deminimis.

A Motion was made by Mr. Barbagallo and seconded by Mr. Merusi to open this matter to the public. All were in favor. The Motion was carried.

There was no public participation, a Motion was made by Mr. Barbagallo and seconded by Mr. Merusi to close this matter to the public. All were in favor. The Motion was carried.

A Motion was made by Mr. Barbagallo and seconded by Mr. Ledonne to approve the “C” Variance request of the applicant according to the testimony given this evening. Roll Call: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, yes. The Motion was carried.

VOUCHERS

The vouchers were reviewed. A Motion was made by Mrs. Snyder and seconded by Mr. Soracco to approve the vouchers on the bills list attached hereto and made a part hereof. Roll Call: Mr. Ledonne, yes; Mr. Merusi, yes; Ms. Kennedy, yes; Mr. Barbagallo, yes; Mr. Cooper, yes; Mr. Soracco, yes; Mrs. Snyder, yes; Mr. Curreri, yes; Mr. Guida, yes; and Mr. Plotsky, 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 participation, this meeting was closed to the public.

AJOURN

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

Minutes prepared by:

SHARON M. YAROSZ
Land Use Administrator