

The regular meeting of the Delaware Township Board of Adjustment held on the noted date, was called to order by Chair Cline at 7:30 p.m., in Township Hall, Sergeantsville, New Jersey, as supported by the virtual meeting procedures via ZOOM.

PLEDGE OF ALLEGIANCE

STATEMENT

Chair Cline read a statement noting that the requirements of the Open Public Meetings Act had been met.

ROLL CALL

Present: Buchanan, Emmons, Fowler, Gilbreath, Kenyon, Manley, Warren, Cline

It was noted that Member Buchanan will be approved as a member of the Board of Adjustment at the next Township Committee meeting, February 14, 2022.

Absent: McAuliffe

Also present: NO professionals needed

MINUTES: January 13, 2022

The Board discussed the minutes, noting changes and typographical errors. It was moved by Member Fowler to approve said minutes. Member Manley seconded the motion. Said motion was approved by voice vote.

MEMORIALIZATIONS - none

APPLICATIONS

Brant Switzler, Block 55, Lot 2, use variance approval requested for tennis training facility, continued from 04.29.21 special meeting; and regular meetings of June 10, 2021 and July 8, 2021; continued from special meeting of July 22, 2021; adjourned from November 11, 2021 meeting; continued from January 13, 2022 meeting.

Chair Cline noted that the application would not be proceeding. He read the following email into the record.

From Erica Edwards, attorney for the applicant, via email on February 10, 2022:

This message confirms the substance of our discussion of earlier today, specifically that the applicant can make his planner available for cross examination at this evening's meeting only in virtual format - not in person - due to the fact that the planner has self-quarantined in anticipation of a trip to Puerto Rico this weekend for which she is required to be tested for Covid. Meanwhile, Mr. Simon, the objector's attorney, objects to being required to cross-examine the applicant's planner while she appears virtually, and wants instead to cross examine the planner when she can once again appear in person at the hearing.

With the above in mind and acknowledging both parties' positions as valid, the applicant has agreed to forego his appearance before the Board this evening in favor of an appearance at the Board's March 10th regular meeting when all parties will be available to appear in person. Please note as well that all essential parties are likewise available on March 31st, April 14th, and April 28th. That being the case, the applicant respectfully requests that the Board agree to permit the applicant to continue his hearing on the aforementioned dates - March 10th, March 31st, April 14th, and April 28th. The applicant grants the Board an extension of time through April 28th within which to make a decision on this application.

Lastly, I understand that the Board does not require my attendance at the meeting this evening, in person or virtually. That being the case kindly note that I am not planning to attend. However, should the Board later decide that it requires my input at the meeting, please feel free to reach out to me via my mobile phone. The number is shown below.

Chair Cline announced that the application has been adjourned to the March 10, 2022 meeting. He noted that there will be no cross examination at tonight’s hearing. He asked members if they can attend a March 31 special meeting. He noted that the Board’s professionals and all others for the applicant and the objector are available for March 31.

It was noted that the Switzler application is also being scheduled for April 14. There was a discussion about scheduling a second special hearing for April 28. Chair Cline suggested that this could be a possibility but that there would be no commitment at this time.

Administrative Officer Klink asked if there would be a date scheduled for public comments, to hear all public comments. Chair Cline agreed that this would be a good idea, but stated that there is a procedure that guides the process: first – applicant testimony; second – objector testimony; next – public comments. He noted that once the public is done, the Board will do their deliberations, at which time, nothing new is brought up.

Member Manley made a motion to adjourn the application and carry it to the March meeting. It was noted that the applicant provided a time extension through April 28. Member Fowler seconded the motion.

Roll Call Vote

Aye: Emmons, Fowler, Gilbreath, Kenyon, Manley, Warren, Cline

Nay: None

Absent: McAuliffe

Planning Board Update: Liaison Cline

Liaison Cline reported that the Planning Board is still working on the reexamination of the Master Plan. He noted that the PB reorganized, with Ros Westlake as Chair and Larry Coffey as Vice Chair.

Liaison Cline noted that the Planning Board will also continue to use hybrid meetings.

Liaison Cline noted that the quarry license for Trap Rock is up for renewal. He noted that it is a renewal that takes place every ten years. He noted that the Reclamation Plan will be reviewed as will the hydrogeology data that has been submitted for the past few years.

Correspondence – none

Bill List

Bill List: Engineering Services – Van Cleef Engineering Associates LLC

Escrow Charges

44/4.03, Weiss, #3935015-4	\$322.50
51/5.05, Tilch, #3935013-5	\$166.00

Member Gilbreath made a motion to approve payment of these vouchers from their respective escrow accounts. Member Fowler seconded the motion that was approved by voice vote.

ADJOURNMENT: 7:52 p.m.

It was moved, seconded, and unanimously carried to adjourn at the noted time.

Respectfully submitted,

Kathleen E. Klink,
Administrative Officer, Secretary