

## AGENDA

### ORGANIZATIONAL MEETING TUESDAY, JANUARY 5, 2016 8:00 P.M.

#### BOARD OF ADJUSTMENT

#### LONG HILL TOWNSHIP

1. The Planning & Zoning Coordinator will call the meeting to order at 8:00 P.M.
2. Notice of tonight's meeting was e-mailed to the Echoes-Sentinel and Courier News and was posted at Town Hall and filed with the Municipal Clerk on January 7, 2015.
3. Pledge of Allegiance.
4. The Oath of Office will be administered to new/reappointed members.
5. The Planning & Zoning coordinator will call the roll.
6. The Board of Adjustment will elect a member Chairman for the year 2016. The Planning & Zoning Coordinator will open the nominations.
7. The Board of Adjustment will elect a member Vice Chairman for the year 2016. The Chairman will open the nominations.
8. The Planning & Zoning Coordinator will prepare the Annual Report on Variances Heard by the Zoning Board, as required by NJSA 40:55D-70.1. Copies of the report and resolution, when adopted by the Board of Adjustment, shall be forwarded to the Township Committee and Planning Board.

#### 9. PLANNING & ZONING COORDINATOR'S APPOINTMENT

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township that Cyndi Kiefer be appointed Planning & Zoning Coordinator of the Zoning Board of Adjustment until the Organizational Meeting of January 2017. The Planning & Zoning Coordinator will hold office hours at Town Hall, 915 Valley Road, Gillette, N.J., Mondays, Tuesdays and Thursdays 8:30 A.M. to 4:30 P.M., Wednesdays 8:30 A.M. to 6:30 P.M. and Fridays 8:30 A.M. to 2:30 P.M.

#### 10. ATTORNEY'S APPOINTMENT

**WHEREAS**, the Long Hill Township Board of Adjustment requires professional legal services which shall include but not be limited to attendance at meetings, preparation of administrative documents and correspondence, legal research, consultation with the Board Members, Coordinator, and other municipal personnel, as well as with legal representatives of applicants, and miscellaneous other legal services (except for litigation and certain other types of services such as (a) Any litigation handled for the Board; (b) Any extensive or major redrafting of Township ordinances; (c) Drafting of resolutions on applications for development and for other matters coming before the Board; and (d) Review of easements, deeds, agreements or documentation pertaining to formation of a planned development, condominium, homeowners' association, or the like; (e) Other matters requiring attendance at conferences, work sessions, etc., out of the office. Other types of legal services would also include the preparation of administrative documents and correspondence, miscellaneous legal research, consultation with the Board Members, the Board Coordinator and other municipal personnel; and

**WHEREAS**, the anticipated term of this contract is (1) one year; and

**WHEREAS**, the Law Firm of Bernstein & Hoffman has submitted a proposal dated October 6, 2015 indicating that it provides the legal services at a rate of Five Hundred Fifty (\$550.00) Dollars (or \$183.33 per hour) for attendance at meetings and an hourly rate of \$162.00 for other types of legal services including those embraced hereinabove and those set forth above in Items (a) – (e);

**WHEREAS**, the Law Firm of Bernstein & Hoffman has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Firm of Bernstein & Hoffman has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Law Firm of Bernstein & Hoffman from making any reportable contributions through the term of the contract; and

**WHEREAS**, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Township Chief Financial Officer, in accordance with N.J.A.C. 5:34-5.1, has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount of the contract;

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Adjustment of the Township of Long Hill, in the County of Morris, State of New Jersey as follows:

1. A professional services contract with Bernstein & Hoffman, Attorneys at Law, 2253 South Avenue, Suite 8, Scotch Plains, N.J. 07076 is hereby authorized.
2. The Board Chairman and Planning & Zoning Coordinator are authorized to sign a professional service contract with Bernstein & Hoffman, in accordance with the following terms and conditions:
  - A. Term: A period not to exceed 12 months
  - B. Rate: \$550.00 (or \$183.33 per hour) per meeting attendance, and \$162.00 per hour for other legal services as stated above and in Items (a) – (e) above
  - C. Services: The firm shall provide professional legal services
3. The Planning & Zoning Coordinator, in accordance with the provisions of N.J.S.A. 40A:11-5 (1)(a)(i), is directed to publish a notice once in the Echoes-Sentinel stating the nature, duration, service and amount of this contract.
4. The Planning & Zoning Coordinator shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey, during regular business hours.
5. This contract shall be charged to 01-2016-0020-0185-2-00236. The certification of available funds by the Township Chief Financial Officer shall be attached to the original Resolution and shall be maintained in the files of the Planning & Zoning Coordinator.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

#### **11. PLANNING CONSULTANT'S APPOINTMENT**

**WHEREAS**, the Long Hill Township Board of Adjustment requires professional planning services which shall include but not be limited to attendance at Board Meetings; field work, research and writing; and any other task assigned by the Board of Adjustment; and providing advice as a non-fair open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the anticipated term of this contract is (1) one year; and

**WHEREAS**, the Firm of Shamrock Enterprises, Ltd. has submitted a proposal dated October 13, 2015 indicating they will provide the planning services at a rate of Five Hundred and Fifty (\$550.00) Dollars per meeting; and an hourly rate of \$125.00 for all other planning services, including field work, research and writing; and any other task assigned by the Board; and

**WHEREAS**, the firm of Shamrock Enterprises, Ltd. has completed and submitted a Business Entity Disclosure Certification which certifies that the Firm of Shamrock Enterprises, Ltd. has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Firm of Shamrock

Enterprises, Ltd. from making any reportable contributions through the term of the contract; and

**WHEREAS**, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Township Chief Financial Officer, in accordance with N.J.A.C. 5:34-5.1, has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount of the contract;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Adjustment of the Township of Long Hill, in the County of Morris, State of New Jersey, as follows:

1. A professional services contract with Shamrock Enterprises, Ltd., Madison House, 866 Madison Ave., Rahway, N.J. 07065 is hereby authorized.
2. The Board Chairman and Planning & Zoning Coordinator are authorized to sign a professional service contract with Shamrock Enterprises, Ltd., in accordance with the following terms and conditions:
  - A. Term: A period not to exceed 12 months
  - B. Rate: Meeting rate of \$550.00; and \$125.00 per hour for all other work including field work, research and writing and any other task assigned by the Board
  - C. Services: The firm shall provide professional planning services.
3. The Planning & Zoning Coordinator, in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes-Sentinel stating the nature, duration, service and amount of this contract.
4. The Planning & Zoning Coordinator shall make copies of this resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
5. This contract shall be charged to 01-2016-0020-0185-2-00221. This certification of available funds by the Township Chief Financial Officer shall be attached to the original resolution and shall be maintained in the files of the Planning & Zoning Coordinator.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

## **12. ENGINEER'S APPOINTMENT**

**WHEREAS**, the Long Hill Township Board of Adjustment requires certain technical and/or professional services hereinafter described as Engineering Consulting Services which shall include but not be limited to the following: serve as the general engineering consultant to the Board of Adjustment; attend all meetings of the Board of Adjustment as requested; advise the Board of Adjustment on all engineering matters under their jurisdiction; the Consultant shall be available for consultation by telephone at all reasonable times; represent the Board of Adjustment as its Professional Engineer pursuant to N.J.S.A. 40:55D-24; review site and subdivision plans, as requested; prepare special reports, plans, studies, applications, and similar work, as requested; testify on behalf of the Board of Adjustment before Commissions, Agencies, or Courts of the State of New Jersey, as requested; and perform any other related engineering work, as requested; and

**WHEREAS**, the anticipated term of this contract is (1) one year; and

**WHEREAS**, Remington, Vernick, & Arango Engineers has submitted a proposal dated October 14, 2015 indicating they will provide engineering services at a rate of One Hundred Eight Three Dollars and Thirty Three Cents (\$183.33) per hour to attend night meetings. An hourly rate of \$125.00 will be billed for engineering services for all other work including field work, research writing, and any other task assigned by the Board; and

**WHEREAS**, the firm of Remington, Vernick & Arango Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that the Firm of Remington, Vernick & Arango Engineers has not made any reportable contributions to a political or candidate committee in the Township of Long Hill in the previous one year, and that the contract will prohibit the Firm of Remington, Vernick & Arango Engineers, from making any reportable contributions throughout the term of the contract; and

**WHEREAS**, in addition, this contract is for professional services and may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Township Chief Financial Officer in accordance with N.J.A.C. 5:34-5.1 has certified in writing to the Township Committee the availability of adequate funds to pay the maximum amount of the contract;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Adjustment of the Township of Long Hill, in the County of Morris, State of New Jersey as follows:

1. A professional services contract with Remington, Vernick & Arango Engineers, 300 Penhorn Avenue, 3rds Floor, Secaucus, NJ 07094 is hereby authorized.
2. The Board Chairman and Planning & Zoning Coordinator are authorized to sign a professional service contract with Remington, Vernick & Arango Engineers, in accordance with the following terms and conditions:
  - A. Term: A period not to exceed 12 months
  - B. Rate: \$183.33 per hour to attend night meetings; and \$125 per hour for other engineering services as stated above.
  - C. Services: The Firm shall provide professional engineering services.
3. The Planning & Zoning Coordinator in accordance with the provisions of N.J.S.A. 40A:11-5(1)(a)(i), is directed to publish a notice once in the Echoes-Sentinel stating the nature, duration, service and amount of this contract.
4. The Planning & Zoning Coordinator shall make copies of this Resolution available for public inspection at the Municipal Building, 915 Valley Road, Gillette, New Jersey during regular business hours.
5. This contract shall be charged to 01-2016-0020-0185-2-00237. The certification of available funds by the Township Chief Financial Officer shall be attached to the original Resolution and shall be maintained in the files of the Planning & Zoning Coordinator.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.

### **13. CALENDAR ORDER OF BUSINESS**

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township that the Calendar Order of Business shall be mailed or given to each member of the Board on or before the Friday before each designated meeting.

Pursuant to the requirements of Section 13 of the Open Public Meetings Act agendas for Regular and Special Meetings of the Board of Adjustment will be posted at Town Hall as required.

### **14. NOTICE OF PUBLICATION**

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township that the following newspapers are designated to receive Notices as required by the Open Public Meetings Law:

1. Courier News
2. Echoes-Sentinel

All notices required by the provisions of the Open Public Meetings Law shall be furnished the newspapers designated for such purposes.

**15. MINUTES**

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township:

1. The minutes of the regular public meetings shall be sent to the Board of Adjustment members and that a copy of said minutes be posted at the Town Hall. By this procedure and/or unanimous agreement of the Board Members, the reading of said minutes shall be waived. Copies will be sent to the Board of Adjustment Attorney, the Township Engineer, the Township Planning Consultant, and the Township Library. Copies will also be made available to the public upon request. The charge for such copies of Minutes will be as determined by Township Ordinance.
2. A recording will be made of all Public Meetings and will be retained for two years or until after the conclusion of the appeal time or the conclusion of any litigation, whichever is later. Members of the public may listen to any recording by contacting the Planning & Zoning Coordinator and establishing a mutually convenient time and place for the review. Arrangements for transcripts can be made through the Planning & Zoning Coordinator.
3. The cost of providing copies of audio recordings of meetings to any person desiring the same will be as determined by Township Ordinance.

**16. MEMBERSHIP**

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township that the Board approves the application for membership for 2017 in the New Jersey Planning Officials at the established annual fee for 2017.

**17. MEETING CUT-OFF**

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township that, as a matter of procedure, it is the intention of the Board of Adjustment not to continue any matter past 11:00 P.M. at any regular or special meeting of the Board unless a motion is passed by the members then present to extend the meeting to a later specified cut-off time. Further, that this notice shall be made part of published operating procedures for applications to this Board and shall be announced at the opening of each meeting.

**18. MEETINGS – EXECUTIVE AND REGULAR**

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township that meetings, in general, will be held on the first and third Tuesday of each month with the following exceptions: in July, August and December, the Board will only meet on the first Tuesdays. Unless otherwise scheduled, all regular meetings will begin at 8:00 P.M. (or immediately following an executive session if deemed necessary) in Town Hall, 915 Valley Rd., Gillette, N.J. Following is the Regular Meeting Schedule. If deemed necessary, Executive Session meetings of the Zoning Board of Adjustment will be held in Town Hall, 915 Valley Rd., Gillette, N.J. on the same dates as listed below at 8:00 P.M. *prior* to the regular meeting.

**2016 BOARD OF ADJUSTMENT CALENDAR**

|             |                                      |
|-------------|--------------------------------------|
| January 19  | July 5                               |
| February 2  | August 2                             |
| February 16 | September 6                          |
| March 1     | September 20                         |
| March 15    | October 4                            |
| April 5     | October 18                           |
| April 19    | November 1                           |
| May 5       | November 15                          |
| May 17      | December 6                           |
| June 7      |                                      |
| June 21     | January 3, 2017* Reorganization Mtg. |

**19. 2016 BUDGET**

**BE IT RESOLVED** by the Zoning Board of Adjustment of Long Hill Township that the following Budget for 2016 is approved for submission to the Township Committee.

**PROPOSED 2016 BUDGET**

| <b>ACCOUNT NUMBER</b>     | <b>ITEM</b>             | <b>2015 BUDGET</b> | <b>2015 ACTUAL</b> | <b>2016 BUDGET</b> |
|---------------------------|-------------------------|--------------------|--------------------|--------------------|
| 01-2015-0020-0185-2-00201 | Miscellaneous           | \$ 50.00           | \$ 403.00          | \$ 50.00           |
| 01-2015-0020-0185-2-00203 | Office Supplies         | 600.00             | 389.93             | 400.00             |
| 01-2015-0020-0185-2-00209 | Conventions/Conferences | 350.00             | 170.00             | 250.00             |
| 01-2015-0020-0185-2-00213 | Advertising             | 200.00             | 57.13              | 100.00             |
| 01-2015-0020-0185-2-00214 | Publications            | 300.00             | 228.50             | 300.00             |
| 01-2015-0020-0185-2-00219 | Dues/Memberships        | 250.00             | 260.00             | 250.00             |
| 01-2015-0020-0185-2-00236 | Legal                   | 600.00             | 347.91             | 700.00             |
| 01-2015-0020-0185-2-00237 | Engineering             | 500.00             | 500.00             | 650.00             |
| 01-2015-0020-0185-2-00238 | Planning Consultant     | 600.00             | 320.83             | 700.00             |
| 01-2015-0020-0185-2-00271 | Educational             | 600.00             | 600.00             | 600.00             |
| <b>TOTAL</b>              |                         | <b>\$ 4,050.00</b> | <b>\$ 3,277.30</b> | <b>\$ 4,000.00</b> |
| 01-2015-0020-0185-1-00101 | Salary - Full Time      | \$ 39,000.00       |                    | \$ 22,500.00       |
| 01-2015-0020-0185-1-00105 | Salary - Part Time      | \$ 16,500.00       |                    | \$ 6,500.00        |

NOTE: "2015 Actual" does NOT include December billings from consultants.

**20. PUBLIC HEARING (cont'd.)**

STIRLING HOTEL, INC.  
227 Main Avenue  
Block 10515, Lot 3

#14-07Z  
D-1 Use Variances,  
Prelim/Final Site Plan  
Dev. Permit, Bulk Vars.

Per the applicant's request, this application will be carried *without further notice* to a date certain to be announced at the meeting.

**21. RESOLUTION OF MEMORIALIZATION**

JAMES & SARA SEMPER  
73 Church Road  
Block 12501, Lot 5

#15-05Z  
Bulk Variances

**22. RESOLUTION OF MEMORIALIZATION**

ANTONIO CERQUEIRA  
50 Gates Avenue  
Block 13503, Lot 8

#15-04Z  
Bulk Variances  
FAR Use Variance

**23. DISCUSSION/POSSIBLE ACTION** – "Checklist for Land Use Applications Limited to Bulk Variances"

**24. DISCUSSION/POSSIBLE ACTION** – "Process improvements to be taken by the BOA in 2016 to further streamline the application process and lower costs for homeowners."

**24. ADJOURN**

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