

**WEST AMWELL TOWNSHIP
ZONING BOARD OF ADJUSTMENT
September 25, 2018 Minutes – 7:30 PM**

The West Amwell Township Zoning Board of Adjustment regular meeting was called to order by Chairman Fulper.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was read into the record by Chairman Fulper: This meeting is called pursuant to the provisions of the Open Public Meetings Act. This meeting was transmitted to the Hunterdon County Democrat and Trenton Times on February 1, 2018. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Zoning Board of Adjustment Office. The meeting was recorded via digital recording system and a copy of the CD is on file in the Zoning Board of Adjustment Office.

Chairman Fulper led the Pledge of Allegiance to the American Flag.

Attendance – Roll Call

Present: John Ashton
Brian Fitting
Joe Romano
Robert Fulper
Marvin Hartpence – Alt. #1
Michael Rassweiler – Alt. #2
Attorney Stewart Palilonis

Excused: John Cronic
George Fisher
Frank Sabatino

Presentation of Minutes

A motion by Mr. Fitting, seconded by Mr. Ashton to approve the Board's 8/28/18 minutes as revised was approved by roll call vote with Mr. Romano and Mr. Hartpence abstaining.

Roll Call Vote: Mr. Ashton: Yes, Mr. Fitting: Yes, Mr. Rassweiler: Yes, Mr. Fulper: Yes

Resolutions

Resolution ZBA#2018-12: Michael Verga – 3 Rose Run – Block 11 Lot 5.29 – Request for Side Yard Setback Variance Approval for Installation of an In-ground Pool

A motion by Mr. Fitting, seconded by Mr. Ashton to approve Resolution ZBA#2018-12 was approved by roll call vote.

Roll Call Vote: Mr. Ashton: Yes, Mr. Fitting: Yes, Mr. Rassweiler: Yes, Mr. Fulper: Yes

Resolution ZBA#2018-13: Carl Simonye -13 Hewitt Road – Block 28 Lot 16 – Request for Variance Approval to Construct a Pole Barn

A motion by Mr. Ashton, seconded by Mr. Fitting to approve Resolution ZBA#2018-13 was approved by roll call vote.

Roll Call Vote: Mr. Ashton: Yes, Mr. Fitting: Yes, Mr. Rassweiler: Yes, Mr. Fulper: Yes

Zoning Board of Adjustment Minutes – 9/25/18

New Business/Other

It was noted for the record that there were no new business items listed on the agenda.

Approval of the Bill List – 9/25/18

A motion by Mr. Fitting, seconded by Mr. Ashton to approve the voucher for payment as listed on the bill list was unanimously approved by voice vote.

Comments of the Board Members

Attorney Palilonis gave an overview of the presentation he recently attended on zoning as it relates to medical marijuana facilities. He explained there are 6 dispensaries in New Jersey with the closest one located in Cranbury. He noted the State has received over 150 new applications for dispensaries. With regard to zoning these facilities are treated like a pharmacy and municipalities can only review them from a site plan perspective for lighting, parking, drainage and landscaping compliance. Attorney Palilonis commented that such uses can be conditionally permitted in certain zones if municipalities wished to do so. He also clarified that the growing operations are not considered agricultural and are not protected under the right to farm.

Open to the Public

Chairman Fulper opened the floor to public comment. Seeing no members of the public come forward, he closed the floor to public comment.

Adjournment

A motion by Mr. Ashton, seconded by Mr. Fitting to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 7:57 PM.

Maria Andrews, Zoning Board Secretary