

WHARTON PLANNING BOARD
REGULAR SCHEDULED MEETING
September 13, 2016

The Regularly Scheduled Meeting of the Wharton Planning Board was called to order with Chairman Ken Loury reading the Open Meeting Statement as required by law.

ROLL CALL was taken and the following members were present: Chairman Ken Loury, Ms. Charlotte Kelly, Mr. Roger Steele, Ms. Jennifer O'Malley-Dorr and Mr. Peter Rathjens. Also present were Attorney Alan Zakin and Secretary Patricia Craven. Excused were Mayor William J. Chegwiddden, Councilman Thomas Yeager, Mr. Mark Harris, Mr. Jared Coursen, Mr. Patrick O'Brien, Mr. Brian Bosworth, Planner Jessica Caldwell and Engineer Christopher Borinski.

Mr. Patrick O'Brien was present via speaker phone at 7:20 pm.

The approval of the bills was next. A Motion was made by Peter Rathjens and Seconded by Charlotte Kelly to approve the bills that were read. YEA – 5 NAY – 0

The Minutes of the July 12, 2016 Planning Board Meeting was next. A Motion was made by Jennifer O'Malley -Dorr and Seconded by Roger Steele to approve the minutes.
YEA -4 NAY- 0 ABST – 1 (Rathjens)

Mr. Patrick O'Brien was present via speaker phone at 7:20 pm

Attorney Zakin asked for a vote prior to reading the Resolution to add a D-1 Variance to the Cicchetti application. At the last meeting they voted on a Pre Existing, Non-Conforming 2 family residence that would only run with the Building. The D-1 Variance will run with the land and would make it in conformance. Attorney Zakin stated that he spoke to the applicant, who is present and they are in agreement.

A Motion was made by Roger Steele and Seconded by Jennifer O'Malley-Dorr to approve the addition of a D-1 variance. YEA- 5 NAY – 0 ABST–1 (Rathjens)

The Resolution for Cicchetti was read. Page 2 Item #2 second line the word kitchen was added. The secretary questioned Paragraph 1 on Page 4. After a brief discussion Item #4 was eliminated. Secretary Craven stated that the discussion at the last meeting as well as what is in the minute's states that a preexisting non-conforming use status means that if the house burns down you can rebuild it. Attorney Zakin stated for the record that adding the D-1 variance allows the multi family dwelling to run with the land as opposed to the structure. He also referred to Mr. Moreno's letter. This clarifies what he believes was unintentionally misleading at the last meeting.

A Motion was made by Jennifer O'Malley-Dorr and Seconded by Roger Steele to approve the Resolution as corrected. YEA -5 NAY – 0 ABST- 1 (Rathjens)

Patrick O'Brien left the meeting conversation at this point of the meeting.

Next was the discussion about the concern that there should be some control over multi-family dwellings. Attorney Zakin stated that this concern may have been motivated by this application. He was going to suggest that the Borough Planner study that and make a recommendation to the Mayor and Council, but has since found out that the Council is already considering that along with other changes to the Master Plan. He suggested that they table this discussion and wait to see what the Council comes forward with.

The enforcement of timelines was the next on the agenda. After a brief discussion Attorney Zakin stated that the Board can impose timelines. Roger Steele would like to see this as a part of every application.

A Motion was made by Roger Steele and Seconded by Peter Rathjens to adjourn.

YEA – 5 NAY – 0

Meeting adjourned at 7:50 P.M.

Patricia M. Craven – Secretary

Ken Loury - Chairman