

**KINGWOOD TOWNSHIP
BOARD OF ADJUSTMENT**

**December 11, 2013
MINUTES
7:30 PM**

M.L. Haring, chairperson, called the meeting to order, at 7:30 pm.

PRESENT:

D. Hewitt	T. Ciacciarelli
M.L.Haring	J. Laudenbach
P. Stepanovsky	C. McBride
D. Pierce, Atty	B. Wilson, Sec

ABSENT:

L. Frank

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over- talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

The 48 hour requirements of the Sunshine Law have been met. Notice of this hearing has been advertised in the Democrat. Copies of this notice were posted in the Kingwood Township Municipal Building and filed with the Municipal Clerk. The Board of Adjustment proceedings close at 10:30 pm.

MINUTES:

The November 13, 2013 minutes were not available.

RESOLUTION:

Delaware River Tubing/Greg Crance-BL 50, L 9. The following typo's and additions were noted: (Page #'s may not correspond with initial Resolution submitted)

1. Page 3, #16- the name Tomas s/b Thomas.
2. P age 10, #2- 0.0671 s/b 0.671
3. Page 14, #20- remove the word have.
4. Page 16, #32- rive s/b river.
5. Page 18, #40- after cover add "during seasonal operations and removed during the off season.
6. Page 23, (b)- last sentence change "of" State parklands to "on" State parklands.
7. Page 26, #7- after period. Add new sentence: "At no time shall a bus be dispatched to the property while three (3) buses are located on the property. #8 quotation mark after Parking".
8. Page 27, #10- remove the word "a" and add "an on site" location
9. Page 27, #12- after (6) feet add: "and is contained within the designated fenced area."
10. Page 28, #17- after the word canopy, add ", portable toilets and camouflage cover" may not....
11. Page 28, add new condition #18 to read: During non-operating hours and the off season, the gates located at the ingress and egress locations shall be closed and locked to prevent entry and parking by unauthorized vehicles.
12. Page 28, #18 changed to #19- 10MW s/b 10KW.

13. Page 29, #22- 4th sentence from bottom remove the word “the”.
14. Page 31, #26- 6th sentence from bottom of that paragraph- change “department” to departments.

C. McBride made a motion to approve the Resolution with the above noted changes, seconded by P. Stepanovsky. On roll call to vote.

**Aye: C. McBride, P. Stepanovsky, D. Hewitt,
T. Ciacciarelli, M.L. Haring**
Abstain: J. Laudenschach
Absent: L. Frank

COMMUNICATIONS/REPORTS:

None

OPEN TO PUBLIC:

Diana Evans asked when the conditions have to be met

David Pierce stated before he begins his operation at the property.

Diana Evans asked when the minutes will be available to her, she has an OPRA request in.

Barbara Wilson, secretary, explained to her that when they're approved, which will most likely be in January.

C. McBride - doesn't he have to come back to the Board with his parking plan before he can do anything?

David Pierce stated that Crance will need to demonstrate that he has the parking rights because as the Board understood it, he only had the rights until the end of this season.

C. McBride – and he has some significant DOT requirements that he also has to satisfy, correct?

David Pierce – yes, he'll have to get DOT approval before he can use the property.

David Hewitt made a motion to appoint David Pierce from the law offices of Lindabury, McCormick, Estabrook & Cooper for the year 2014, seconded by J. Laudenschach. On roll call to vote.

**Aye: C. McBride, P. Stepanovsky, D. Hewitt, J. Laudenschach
T. Ciacciarelli, M.L. Haring**
Abstain: None
Absent: L. Frank

David Pierce thanked the Board.

C. McBride stated that over the past couple of years the Board has approved several variances and the one he recalls is the cell tower expansion on Route 651, and to date he hasn't seen any activity and he believes it's approaching two (2) years. He asked if they (the Board) gets a notification if it's expired?

David Pierce- there's no mechanism in place that he's aware of.

The Board secretary stated that she was glad that this was brought up because she is in the process of sending letters to all the cell tower applicants attorneys. Presently she is carrying escrow balances with no activity.

M.L. Haring thanked the Board for another productive successful year and wished everyone a Very Merry Christmas and a Happy, Healthy, Safe New Year.

ADJOURNMENT:

D. Hewitt moved to adjourn, seconded by T. Ciacciarelli. All in favor. Meeting adjourned at 7:50 PM.

**Barbara Wilson
Secretary
Board of Adjustment
Kingwood Township**