

JULY 6, 2011 MINUTES

A regular meeting of the Township of Roxbury Planning Board was held on July 6, 2011, at 7:30 p.m. in the Municipal Building at 1715 Rt. 46, Ledgewood, N.J. After a Salute to the Flag the Chairman read the Open Public Meetings Act.

ROLL CALL:

PRESENT: Mr. Shadiack, Mr. Bautz, Mrs. Lutz, Mr. Verge,
Councilman Zoschak, Mr. DeFillippo, Mr. Carey and Mr.
Meyer.

ABSENT: Mayor Rilee

STAFF: Mr. Stern and Mrs. Wiss

EXCUSED: Mr. Ferriero and Mr. Germinario

MINUTES: June 15, 2011

Motioned by Councilman Zoschak and seconded by Mr. Bautz to approve

Ayes: Mr. Shadiack, Mr. Bautz, Mrs. Lutz, Mr. Verge, Councilman Zoschak, Mr. Carey
and Mr. Meyer

Abstain: Mr. DeFillippo

Noes: None

COMPLETENESS:

RESOLUTIONS:

PBA-11-08 KBC PROPERTIES, LLC, (Kuiken Brothers) Block 1905, Lots 11 & 13 33 Route 10
Final Site Plan Approval

**ROXBURY TOWNSHIP PLANNING BOARD
RESOLUTION**

**Decided: June 15, 2011
Memorialized: July 6, 2011**

**IN THE MATTER OF KBC PROPERTIES, LLC
FINAL SITE PLAN APPROVAL
BLOCK 1905, LOTS 11 & 13
APPLICATION NO. PBA-11-08**

WHEREAS, KBC Properties, LLC (hereinafter the "Applicant") applied to the Roxbury Township Planning Board (hereinafter the "Board") for final site plan approval on 5/25/11; and

WHEREAS, the application was deemed complete by the Board, and a public hearing was held on 6/15/11; and

WHEREAS, it has been determined that the Applicant has complied with all procedural requirements, rules and regulations of the Board, and that all required provisions of procedural compliance have been filed with the Board; and

WHEREAS, the Board makes the following findings and conclusions based upon the documents, testimony and other evidence comprising the hearing record:

1. The property which is the subject of the application consists of 11.34 acres located in the B-2 Highway Business District. By Resolution memorialized 7/11/07, Applicant was granted

preliminary major site plan approval with variances and design waivers to construct an 86,690 sq. ft. lumberyard building and accessory structures with outdoor lumber storage areas. An amended site plan approval for architectural and landscaping modifications was granted by Resolution memorialized 9/16/09. The Applicant is now before the Board seeking final site plan approval.

2. The development of the subject property to which the Board's decision herein pertains is depicted and described in the following drawings and/or plans:

Prepared by Birdsall Services Group – dated 5/20/11

- Sheet 1, Cover Sheet
- Sheet 2, Existing Conditions Plan
- Sheet 3, Site Layout and Dimensional Control Plan
- Sheet 4, Grading and Utility Plan
- Sheet 5, Landscape Plan

3. The Board's planning and engineering professionals and/or consultants submitted the following reports concerning their respective reviews of the application, which are part of the hearing record:

Russell Stern, PP, dated 6/7/11
Paul Ferriero, PE, dated 6/13/11

4. In the course of the public hearing, the following exhibits were marked and are part of the hearing record:

- A-1 As-Built Impervious Calculation Exhibit,
dated 6/10/11
- A-2 Landscape Plan Exhibit

5. In the course of the public hearing, the Applicant was represented by Jason Rittie, Esq., and the Applicant presented the testimony of the following witnesses, which testimony is part of the hearing record:

Robert Foley, PE, engineer
Henry Kuiken, Applicant principal

6. The Board finds that the Applicant has constructed the project substantially in accordance with the approved preliminary site plans, subject to the completion of those items set forth in the conditions herein below.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby approve the final site plan as depicted and described in the drawings and/or plans referenced hereinabove.

This approval is subject to the following conditions which shall, unless otherwise stated, be satisfied prior to the issuance of a certificate of occupancy:

1. The following items shall be completed prior to the issuance of a permanent Certificate of Occupancy:

- a. An additional freestanding light along the access drive.
- b. In lieu of irrigation yard hydrants, across the driveway from the northwest corner of the security building and across from the southeast warehouse building corner, install one additional hose bib on each side of the building.

- c. Three hose bibs along the rear building elevation.
 - d. Concrete pads adjacent to the rear and southerly side elevation doors.
 - e. Sidewalk in front of the drive-through building elevation to join the store sidewalk.
 - f. Pedestrian crossing pavement striping in front of the drive-through driveways.
 - g. Freestanding "One Way" signs by the drive-through ingress and egress; the ingress sign shall be located in the adjoining southerly island.
 - h. Decorative trim on the Route 10 elevation of 'T' sheds 2 and 3 (consistent with 'T' shed 1).
 - i. Install missing landscaping and replace dead and marginal plants.
 - j. Reseed grass where needed to establish a full lawn.
 - k. Mulch landscaping.
 - l. Fill ruts/holes and seed to the rear of the warehouse and by the freestanding sign. Remove loose block.
 - m. Closed lid dumpsters/containers shall be provided for perishable wastes and recyclables, and shall be located within an enclosure if not within a building.
 - n. A floodlight on a wood pole located along the access drive and a floodlight on a metal pole near the terminus of the railroad tracks shall be removed.
 - o. The cracked sidewalk panel and accessible ramp on the sidewalk along the Route 10 frontage shall be repaired.
 - p. An intermediate step shall be installed for the personnel door to the right of the main entrance.
2. Applicant shall verify payment of the non-residential development fee pursuant to condition 72 of the 7/11/07 Resolution.
 3. Payment of all fees (including lot line revision), escrows and pro-rata off-tract contribution shall be verified.
 4. In accordance with the 9/16/09 amended preliminary site plan Resolution, authorization from NJDEP for replacement of the "raingarden" perennial plantings in the swales with turf shall be provided on or before 11/13/12. In the event such NJDEP authorization is not forthcoming, the "raingarden" perennial plantings shall be installed on or before 11/13/12.
 5. Tree stakes and wires shall be removed one year after the date of installation.
 6. All operational conditions contained in the Resolution shall remain in force.
 7. This approval is subject to all other approvals required by any governmental agency having jurisdiction over the subject property.
 8. This approval is subject to the payment in full by the Applicant of all taxes, fees, escrows, assessments and other amounts due and owing to the Township and/or any agency thereof.

9. If the Soil Conservation District, Morris County Planning Board, or any other governmental body from which approval is necessary causes, through their examination of the plans as recited in this resolution, any revisions to said plans then, in that event, same shall be submitted to the Planning Board Engineer. If the Planning Board Engineer deems said revisions to be significant, the Applicant shall return to the Planning Board for further review and approval.

10. Revised plans shall be submitted within 60 days and must be deemed complete to the satisfaction of the Board Engineer within 6 months of the date of memorialization. Failure on the part of the Applicant to satisfy this or any other condition of this resolution will result in referral of this matter back to the Planning Board for purposes of deeming the approval null and void.

The undersigned does hereby certify that the foregoing is a true copy of the Resolution of the Roxbury Township Planning Board memorializing the action taken by the Board at its meeting of June 15, 2011.

Motioned by Councilman Zoschak and seconded by Mr. Bautz to approve.

Ayes: Mr. Shadiack, Mr. Bautz, Mrs. Lutz, Mr. Verge, Councilman Zoschak, Mr. Carey and Mr. Meyer

Abstain: Mr. DeFillippo

Noes: None

MOTION APPROVED.

PBA-11-05 TACO BELL (EIPCO FOODS CORP. OF ROXBURY AND WEST CALDWELL) Block 5104, Lot 2 268 Route 10

Minor Site Plan application to add a 193 sf area to existing building.

**ROXBURY TOWNSHIP PLANNING BOARD
RESOLUTION OF MEMORIALIZATION**

**Decided: June 15, 2011
Memorialized: July 6, 2011**

**IN THE MATTER OF TACO BELL (EIPCO FOODS CORP.)
MINOR SITE PLAN APPROVAL
BLOCK 5104, LOT 2
APPLICATION NO. PBA-11-05**

WHEREAS, Taco Bell (EIPCO Foods Corp.) (hereinafter the "Applicant") applied to the Roxbury Township Planning Board (hereinafter the "Board") for minor site plan approval on 6/1/11; and

WHEREAS, the application was deemed complete by the Board, and a public hearing was held on 6/15/11; and

WHEREAS, it has been determined that the Applicant has complied with all procedural requirements, rules and regulations of the Board, and that all required provisions of procedural compliance have been filed with the Board; and

WHEREAS, the Board makes the following findings and conclusions based upon the documents, testimony and other evidence comprising the hearing record:

1. The property which is the subject of the application consists of 61,320 square feet (1.4077 acres) located in the B-2 Highway Business District (min. 10,000 sf lot size). It is developed with a 2,520 square foot Taco Bell fast food restaurant with a drive-through window and 43 parking spaces. Final site plan approval was granted in 1988. On the adjoining westerly property (Harmon Cosmetics),

final site plan approval was granted in 1992 which included the construction of a 33 stall parking lot on the Taco Bell property. Public water and sewer service the property.

2. The development of the subject property proposed by the Applicant comprises minor site plan approval of a 193 square feet expansion along the rear building elevation for an additional drive-through window to enhance order and pick-up activity. No modifications are proposed to the existing site, drive-through traffic lane or signage. Impervious coverage will be increased from 63.9% to 64.2% (60% permitted) and floor area ratio from 4.1% to 4.4% (20% permitted).

3. The proposed development of the subject property to which the Board's decision herein pertains is depicted and described in the following drawings and/or plans:

Prepared by Gluszko Architects, P.C.

- Sheet SP-1, Title Sheet, dated 3/7/11,
revised 5/12/11
- Sheet SP-2, Existing Conditions Site Plan,
dated 3/7/11
- Sheet SP-3, Proposed Site Plan, dated 3/7/11
- Sheet A-1, Floor Plan, Elevations & Notes,
dated 3/7/11
- Sheet A-2, Door & Window Schedules & Structural
Drawings, dated 3/7/11

Prepared by Courvrette Associates, Inc. – As-Built/
Final Site Plan Taco Bell

- Sheet 1, Title Page, dated 7/26/88
- Page 2, As-Built/Final Site Plan, dated 7/26/88
- Sheet 3, As-Built Landscape Plan, dated 7/26/88
- Sheet 2 of 3, Final Site Plan, dated 3/30/92

4. In support of the application, the Applicant submitted the following documents, which are part of the hearing record:

Planning Board Application and Checklist,
dated 3/29/11

5. The Board's planning and engineering professionals and/or consultants submitted the following reports concerning their respective reviews of the application, which are part of the hearing record:

Russell Stern, PP, AICP, CLA, dated 6/1/11

Paul Ferriero, PE, PP, CME, LEED, dated 6/13/11

6. Township officials and/or agencies submitted the following reports concerning their reviews of the application, which are part of the hearing record:

Michael Kobylarz, PE, PP, CME, Township Engineer,
dated 6/13/11

Michael Pellek, Fire Official, dated 6/9/11

Ptl. Gregg Predergast, Traffic Safety Bureau,
dated 6/4/11

Matthew Zachok, Health Dept., dated 6/8/11

7. In the course of the public hearings, no exhibits were marked.

8. In the course of the public hearings, the Applicant was represented by Edward Dunne, Esq., and the Applicant presented the testimony of the following witnesses, which testimony is part of the hearing record:

Richardo Davila, Applicant's principal
Peter Gluszko, RA, AIA architect

9. The development of the subject property as proposed by the Applicant requires relief from the following land use provisions of the Township ordinances:

- A variance is necessary from Section 13-7.2502D9, as the maximum permitted impervious coverage in the B-2 District is 60% while the Applicant proposes an increase from 63.9% to 64.2%. The existing impervious coverage is nonconforming and predated the current 2001 coverage standards. The increased coverage is from the 193 square feet drive-through addition.

- A design waiver is necessary from Section 13-8.701B, as the 193 square feet expansion will require an additional four (4) parking space which the application does not provide. It should be noted that the expansion is to enhance drive-through operations. Only one additional employee is anticipated. Furthermore, in 1988 the site required 8 parking spaces and in 2011 requires 54 while the property is developed with 43 spaces (excluding the 33 Harmon Cosmetic spaces).

10. Based on the hearing record, the Board has made the following findings relative to the variances and/or design waivers sought by the Applicant:

The requested variance and design waiver relief is justified pursuant to NJS 40:55D-70c(2), since the benefits of improved site functionality and efficiency associated with the additional drive-through window outweigh the detriments associated with the deviations from Ordinance requirements.

With respect to the design waiver for parking, the proposed improvements will have a minimal on increased parking demand, and the hearing testimony indicated that the existing parking is more than adequate to meet current demands.

The Board further finds that this relief can be granted without substantial detriment to the public good and that the granting of this relief will not substantially impair the intent and purpose of the zone plan and/or the zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby approve the minor site plan as depicted and described in the drawings and/or plans referenced hereinabove. In connection with this approval, the Board grants relief from land use provisions of the Township ordinances in accordance with Section 10 above.

This approval is subject to the following conditions which shall, unless otherwise stated, be satisfied prior to the issuance of a certificate of occupancy:

1. Sheet SP-1 shall note that 50 parking spaces are required under zoning for the current restaurant and 54 spaces with the proposed addition.

2. Sheet A-1 Rear Elevation detail depicts and labels a "future canopy." This shall be revised as "proposed canopy." Further detail of the canopy (dimensions, materials, color, lighting, etc.) shall be provided to the satisfaction of the Township Planner and the Board Engineer.

3. All rooftop mechanical equipment shall be screened by the proposed parapet wall.
4. Revised plans shall note that the CT cabinet and meter will be painted to match building wall color.
5. Details of the proposed wall lights shall be provided. All lights except for emergency lights shall have a concealed light source with the light lens parallel to the ground.
6. A bollard detail shall be provided.
7. Tree species and size shall be specified on the drawings.
8. Revised plans shall note that all existing parking spaces on the subject property will be restriped (including those associated with Harmon Cosmetics).
9. An easement for the Block 5104/Lot 1 (Harmon Cosmetics) parking lot shall be filed and shall be provided as was required in the 1991 approval.
10. The easement for the Block 5104/Lot 1 (Harmon Cosmetics) parking spaces shall be depicted on the drawings.
11. A permanent certificate of occupancy shall not be issued until an as-built drawing of the area of expansion is submitted and the site is inspected and approved by the Township Engineer and Planner.
12. Applicant shall apply to the Township Health Department for a construction permit, which application shall include plans with floor and wall schedules.
13. The two handicap accessible ramps along the driveway to St. Therese's Terrace and the handicap accessible ramp at the corner of St. Therese's Terrace and Main Street shall be reconstructed to meet current ADA standards with respect to slope, curb flush with pavement and/or detectable warning surfaces to the satisfaction of the Board and Township Engineers.
14. In place of the current labeling of "directional signs," traffic signage on the plans shall be re-labeled as follows: Stop signs shall be designated at both the exit to Route 10 and the exit onto St. Therese's Terrace. A one way traffic sign (directing traffic to enter Route 10 in a westbound direction only) shall be designated at the Route 10 westbound exit.
15. The following construction mitigation measures are hereby made applicable to this project:
 - A. Elimination of anti-vandalism horns on equipment.
 - B. Work hours shall be limited from 7:00 a.m. to 5:00 p.m. Monday through Saturday. No work shall take place on Sundays or holidays except on an emergency basis. The holidays which shall be observed for purposes of this condition shall be New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas. The Applicant shall maintain personnel on site to whom incidents of noise disturbance shall be reported and said personnel shall be authorized to take measures to minimize said disturbances. As used in this section, "work" shall include both interior and exterior construction.
 - C. Anti-litter regulations shall be imposed on site.

- D. The Applicant shall establish regulations for the safe and proper transfer and transport of fuel on site.
- E. Tracking mats shall be located by the Morris County Soil Conservation District and the Township Engineer in such places as to minimize the tracking of dirt and mud onto Route 10.
- F. Clean-up and wash-down of trucks and equipment shall be required before leaving the construction site.
- G. Adequate provisions for safe control of employee parking including employees of the contractors and sub-contractors shall be required on site during construction.
- H. During construction, all construction traffic shall enter and exit the site exclusively from Route 10.
- I. Violation of any of these construction mitigation measures may result in a stop work order, which order shall remain in full force and effect until the condition is remedied to the satisfaction of the Township Engineer.

16. Prior to disturbance of the subject property, the Applicant shall comply, to the extent applicable, with the provisions of Ordinance Chapter XVII, "Soil Removal and Soil Relocation."

17. The Applicant shall pay a mandatory development fee in accordance with Ordinance Section 13-7.829, or any applicable successor provision of the Township Ordinance and/or State law in effect at the time a building permit is issued.

18. Applicant shall source separate and recycle all mandated material as required by the Municipal Recycling Ordinance and the Morris County Solid Waste Management Plan both during construction and for the duration of occupancy.

19. This approval is subject to all other approvals required by any governmental agency having jurisdiction over the subject property.

20. This approval is subject to the payment in full by the Applicant of all taxes, fees, escrows, assessments and other amounts due and owing to the Township and/or any agency thereof.

21. If the Soil Conservation District, Morris County Planning Board, or any other governmental body from which approval is necessary causes, through their examination of the plans as recited in this resolution, any revisions to said plans then, in that event, same shall be submitted to the Planning Board Engineer. If the Planning Board Engineer deems said revisions to be significant, the Applicant shall return to the Planning Board for further review and approval.

22. Revised plans shall be submitted within 60 days and must be deemed complete to the satisfaction of the Board Engineer within 6 months of the date of memorialization. Failure on the part of the Applicant to satisfy this or any other condition of this resolution will result in referral of this matter back to the Planning Board for purposes of deeming the approval null and void.

The undersigned does hereby certify that the foregoing is a true copy of the Resolution of the Roxbury Township Planning Board memorializing the action taken by the Board at its meeting of 6/15/11.

Motioned by Mrs. Lutz and seconded by Mr. Bautz to approve.

Ayes: Mr. Shadiack, Mr. Bautz, Mrs. Lutz, Mr. Verge, Councilman Zoschak, Mr. Carey and Mr. Meyer

Abstain: Mr. DeFillippo

Noes: None

MOTION APPROVED.

PBA-11-07 SILCOX, WILLIAM Block 4001, Lots 7 & 8 86 North Hillside Avenue
Minor Subdivision/Lot Line Adjustment Application

**ROXBURY TOWNSHIP PLANNING BOARD
RESOLUTION OF MEMORIALIZATION**

**Decided: June 15, 2011
Memorialized: July 6, 2011**

**IN THE MATTER OF WILLIAM SILCOX
MINOR SUBDIVISION APPROVAL
BLOCK 4001, LOTS 7 & 8
APPLICATION NO. PBA-06-0008**

WHEREAS, William Silcox (hereinafter the "Applicant") applied to the Roxbury Township Planning Board (hereinafter the "Board") for minor subdivision approval on 5/7/11; and

WHEREAS, the application was deemed complete by the Board, and a public hearing was held on 6/15/11; and

WHEREAS, it has been determined that the Applicant has complied with all procedural requirements, rules and regulations of the Board, and that all required provisions of procedural compliance have been filed with the Board; and

WHEREAS, the Board makes the following findings and conclusions based upon the documents, testimony and other evidence comprising the hearing record:

1. The property which is the subject of the application consists of Block 4001, Lots 7 and 8 located on North Hillside Avenue in the R-3 Residential District. Both parcels are developed with single-family dwellings and have conforming lot areas exceeding the 15,000 square feet minimum. Lot 7 encompasses 33,507 square feet in a "pork chop" configuration. Lot 8 encompasses 18,235 square feet and adjoins the Black River on its northeasterly property line. The common Lot 7/Lot 8 property line straddles the Lot 8 driveway and garage. A portion of each lot is encumbered by a conservation restriction/easement to NJDEP. Both lots are served by public water and sewer.

2. The Applicants now seek approval of a minor subdivision/lot line adjustment with 'C' variances to subdivide and square off the "pork chop" and shift the common property line so that the Lot 8 driveway and garage lies entirely within the parcel. An existing shed associated with Lot 7 will be removed. After subdivision, Lot 7 (7.01) will encompass 19,488 square feet and Lot 8 (8.01) 32,254 square feet. A similar minor subdivision proposal was approved by the Planning Board in 2002 but not perfected by the owners as the deeds were not filed. While variances are required for lot width and lot frontage on Lot 7, the application represents an improvement in comparison to existing conditions by eliminating a common property line that straddles existing improvements (driveway and garage).

3. The proposed development of the subject property to which the Board's decision herein pertains is depicted and described in the following drawings and/or plans:

Prepared by Jaman Engineering Associates

- Sheet 1 of 1, Minor Subdivision,
dated 4/18/11, revised 5/31/11

4. In support of the application, the Applicant submitted the following documents, which are part of the hearing record:

Planning Board Application, dated 5/6/11

5. The Board's planning and engineering professionals and/or consultants submitted the following reports concerning their respective reviews of the application, which are part of the hearing record:

Russell Stern, PP, AICP, CLA, dated 6/8/11

Paul Ferriero, PE, PP, CME, LEED, dated 6/13/11

6. Township officials and/or agencies submitted the following reports concerning their reviews of the application, which are part of the hearing record:

Michael Kobylarz, PE, PP, CME, Township Engineer,
dated 6/13/11

7. In the course of the public hearings, the Applicant was represented by himself, and the Applicant presented his own testimony, which testimony is part of the hearing record.

8. The development of the subject property as proposed by the Applicant requires relief from the following land use provisions of the Township ordinances:

- A variance is necessary from Section 13-7.1301D2(a), which requires a minimum lot width of 100 feet while Lot 7 (7.01) is proposed at 80 feet.
- A variance is necessary from Section 13-7.1301D3(a), which requires a minimum frontage of 90 feet while Lot 7 (7.01) is proposed at 80 feet.
- The following design waivers are required:
 - a) Section 13-13-8.602A for insufficient right-of-way and pavement width.
 - b) Section 13-8.608 for absence of curbing.
 - c) Section 13-6.10A for absence of sidewalks.
 - d) Section 13-8.804 for partial street trees.

9. Based on the hearing record, the Board has made the following findings relative to the variances and/or design waivers sought by the Applicant:

The relief is warranted pursuant to NJS 40:55D-70c(2), because the proposal represents an improvement over existing conditions by relocating a property line that currently straddles improvements on Lot 8.

The Board further finds that this relief can be granted without substantial detriment to the public good and that the granting of this relief will not substantially impair the intent and purpose of the zone plan and/or the zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby approve the minor subdivision as depicted and described in the drawings and/or plans referenced hereinabove. In

connection with this approval, the Board grants relief from land use provisions of the Township ordinances in accordance with Section 9 above.

This approval is subject to the following conditions which shall, unless otherwise stated, be satisfied prior to the filing of the minor subdivision deeds:

1. Subject to the existing NJDEP Conservation Easement, Applicant shall provide a 33' half width dedication along the N. Hillside Avenue frontage of Lots 7 & 8 for a possible future sidewalk extension.

2. Lot numbers shall be verified by the Township Tax Assessor.

3. The Applicant shall comply with Section 13-2.402A, Lot Line Revision Fee, prior to the filing of minor subdivision deeds.

4. The existing shed on Lot 7 shall be removed.

5. Minor subdivision deeds and deed descriptions shall be reviewed and approved by the Board's Attorney and Engineer prior to filing. Deeds shall include the following recital: "Pursuant to N.J.S.A. 40:55D-47, the minor subdivision referred to in the within Deed was approved by the Roxbury Township Planning Board on [date] and memorialized by Resolution on [date]." Vacation of the driveway and garage easement shall be referenced in the deeds.

6. This approval is subject to all other approvals required by any governmental agency having jurisdiction over the subject property.

7. This approval is subject to the payment in full by the Applicant of all taxes, fees, escrows, assessments and other amounts due and owing to the Township and/or any agency thereof.

8. If the Soil Conservation District, Morris County Planning Board, or any other governmental body from which approval is necessary causes, through their examination of the plans as recited in this resolution, any revisions to said plans then, in that event, same shall be submitted to the Planning Board Engineer. If the Planning Board Engineer deems said revisions to be significant, the Applicant shall return to the Planning Board for further review and approval.

9. Revised plans shall be submitted within 60 days and must be deemed complete to the satisfaction of the Board Engineer within 6 months of the date of memorialization. Failure on the part of the Applicant to satisfy this or any other condition of this resolution will result in referral of this matter back to the Planning Board for purposes of deeming the approval null and void.

The undersigned does hereby certify that the foregoing is a true copy of the Resolution of the Roxbury Township Planning Board memorializing the action taken by the Board at its meeting of 6/15/11.

Motioned by Mr. Bautz and seconded by Councilman Zoschak to approve with a minor correction.

Ayes: Mr. Shadiack, Mr. Bautz, Mrs. Lutz, Mr. Verge, Councilman Zoschak, Mr. Carey and Mr. Meyer

Abstain: Mr. DeFillippo

Noes: None

MOTION APPROVED.

APPLICATIONS: none

NEW BUSINESS:

The Open Space and Recreation Plan will be adopted as an update to the Master Plan on August 3, 2011.

The Council is working on appointing new Planning Board members to replace those who resigned and the Board will need to elect a new Vice Chairman from the Class IV members (Shadiack, Bautz, Lutz and DeFillippo).

CORRESPONDENCE:

A motion to adjourn was made at 7:36 p.m.

FOR THE PLANNING BOARD
TOWNSHIP OF ROXBURY

Eugenia Wiss, Board Secretary