**February 26, 2020**

The Regular meeting of the Califon Borough Planning and Zoning Board was held was held at the municipal building on February 25, 2020. Chairman Owens called the meeting to order at 7:32 pm. Chairman Owens assured that proper notice had been given for this meeting in accordance with the “Open Public Meetings Act.”

Chairman Owens led the salute to the flag.

**ROLL CALL**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | Mayor Daniel | Thomas Bedell | Leo Janas | Mary Phillips | John Lynch  | Gill Smith | Art Owens  |
| Present | x | x | x | x | x | x | x |
| Absent |  |  |  |  |  |  |  |
| Late |  |  |  |  |  |  |  |

**Also Present:**

Mark Anderson, Board Attorney

Kerry Brown, Recording Secretary

**MINUTES**

September 25, 2019

Motion to approve the minutes was made by Mr. Bedell and seconded by Mr. Janas. The minutes were approved by the following vote:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | Mayor Daniel | Thomas Bedell | Leo Janas | Mary Phillips | John Lynch  | Gill Smith | Art Owens  |
| Motion |  | x |  |  |  |  |  |
| Seconded |  |  | x |  |  |  |  |
| Aye | x | x | x | x | x |  | x |
| Nay  |  |  |  |  |  |  |  |
| Abstain  |  |  |  |  |  |  |  |
| Absent  |  |  |  |  |  |  |  |

**BUSINESS**

Karen Grieco 44 Main Street

Block 24, Lot 1

Appeal Zoning Officers decision - continued from January 22, 2020

Ms. Grieco came before the Board and reiterated that the building is pre-existing from when she purchased it and that the only things, she has done to the structure is just cosmetic.

Ms. Grieco stated that she has received the 79-page document and has read it.

Board attorney Mark Anderson stated that it is the applicant’s requirement to provide proof. Mr. Anderson stated that there were no documents that provided proof that the first-floor apartment was pre-existing. Considering that the applicant

There was a brief discussion regarding several documents and that the property was described as a single-family structure and there was no evidence stating that it was a mixed-use structure.

Ms. Grieco stated that she never changed tenants and did not know this was an issue. She stated that she has opened a business here in town and that it’s doing well. Ms. Grieco also stated that she maintains the property, doesn’t do anything illegal and was not sure why she is being bothered. She stated she was not happy.

Mr. Anderson stated that this an appeal. The Board’s jurisdiction is limited to the appeal.

The applicant is to demonstrate that the Zoning Officers decision is incorrect. Mr. Anderson stated that the applicant has not done that. Mr. Anderson stated that the Board secretary on multiple occasions informed the applicant it would be in her best interest to hire an attorney.

The Board discussed that there was no documentation that was submitted to deny to Zoning Officers decision. The Board also discussed that the applicant could submit for site plan application but that is not what was presented.

Ms. Grieco stated she’s not sure where this all came from or why. She said that now she is being threatened that if she does not comply with the Zoning Officer, she will be issued fines. Ms. Grieco stated that she should have more time. Ms. Grieco stated that the process is not fair and stressful.

Mr. Anderson explained that there is a process and that’s why she’s here. Mr. Anderson explained that the Board is to review the documents presented and the proof provided and determine the outcome.

Mr. Anderson explained that she could withdraw her application and submit a variance application. Mr. Anderson gave a brief summary of

Mr. Janas asked if the Board would consider giving Ms. Grieco

Chairman Owens stated that he would give Ms. Grieco 60 days in order to get an application together and submitted to the Board. Mr. Lynch stated that the Board should consider giving the applicant time to put an application together.

Mr. Anderson stated that the Board is limited. The Board is only discussing the options, not telling the applicant.

The Board requested that the Borough hold off on issuing any violations during this time while the applicant is preparing and submitting a site plan/use variance application. The application needs to be submitted before the May 27th hearing. The Board stated that determination of the Zoning Officers decision should be based on submission of an application.

Mr. Janas made a motion to carry the appeal for 60 days/April 22, 2020 which would be the next hearing date. Ms. Phillips seconded the motion. Motion to carry was approved by the following:

The minutes were approved by the following vote:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | Mayor Daniel | Thomas Bedell | Leo Janas | Mary Phillips | John Lynch  | Gill Smith | Art Owens  |
| Motion |  |  | x |  |  |  |  |
| Seconded |  |  |  | x |  |  |  |
| Aye | x | x | x | x | x |  | x |
| Nay  |  |  |  |  |  |  |  |
| Abstain  |  |  |  |  |  |  |  |
| Absent  |  |  |  |  |  |  |  |

**COMMUNICATIONS/DISCUSSION ITEMS/PUBLIC FORUM**

Ms. Mahon came forward and requested an agenda.

John Lynch inquired about 73 Main Street. It was discussed that the property is up for tax sale.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Mr. Bedell and seconded by Ms. Phillips. All in favor. The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Kerry Brown

Land Use Board Secretary