

**STILLWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
October 24, 2016**

A regular meeting of the Stillwater Township Zoning Board of Adjustment was held on Monday, October 24, 2016, at 7:30 p.m. at the Municipal Building in Middleville, New Jersey. The meeting was called to order by Chairman Eric Powell in accordance with the Open Public Meetings Act. The flag was saluted and roll call taken:

**MEMBERS PRESENT:** Mr. Lippencott, Mr. Sarni, Mr. Wykoff, and Mr. Powell.

**MEMBERS ABSENT:** Mr. Stachura, Mrs. Draghi, and Mr. Straub

**MINUTES**

Mr. Sarni made the motion to approve the regular minutes of March 28, 2016, seconded by Mr. Lippencott. Roll call vote: Mr. Lippencott-Yes, Mr. Sarni-Yes, Mr. Wykoff-Yes, and Mr. Powell-Yes

**HEARINGS:**

**#ZB 16-001 Herb Reutsch Real Estate LLC, Block 3501, Lot 15-Interpretation/Use Variance/Minor Site Plan**

William Hinkes, Esq. was present on behalf of the Applicant. Board Secretary Schemm stated that an email was received from the Zoning Officer that the application is in order. Board Attorney Morgenstern confirmed that adequate notice was provided. Attorney Hinkes went on to review that the application is for an interpretation that the proposed use is a permitted use in the zone. He stated that in reviewing the matter it was determined that a use variance may be required. It was noted that there are only 4 Board Members present at this time. Attorney Hinkes stated that they wish to proceed and begin this evening.

Joanne Reutsch and Kyle Ruetsch were sworn in. Ms. Ruetsch reviewed that they recently purchased the General Store and have been making improvements to the Store. She stated that they also would like to do small batch coffee roasting. Mr. Ruetsch described the property and he distributed a hand out which addresses the proposed coffee roasting operation. He stated that they wish to utilize an existing barn/building onsite to perform the coffee roasting. He went on to describe the process of getting the coffee beans and the roasting of the beans. He stated that they anticipate employing six local employees for both the store and the coffee roasting operation. Board Engineer Rodman reviewed his October 19th report. Mr. Ruetsch testified that the majority of the building would be used for storage and extra support beams would be installed to support the (10) 150 lb bags of green coffee beans, that are picked up every two months. He stated that approx 30 percent of his roasted coffee sales is retail and 70 percent is wholesale. He reviewed the coffee roasting process and he stated that the use would be an accessory to the store and there would be no selling out of the barn. It was stated that if the business were to grow, it would have to be relocated to a commercial space, as the current roaster can only roast 10 lbs of beans at a time. Board Attorney Morgenstern reviewed the aspects of the application: is the barn a second principle building/use or is it an accessory building/use to the General Store; is the proposed use a permitted use; and is the building/use a permitted accessory building/use, which was discussed with the Board.

At 8:17 p.m. the hearing was opened to the public. With there being no public comment, the hearing was closed to the public.

Mr. Lippencott made the motion to deem that the proposed use is a permitted use within the NC zone. Motion seconded by Mr. Sarni. Roll call vote: Mr. Lippencott-Yes, Mr. Sarni-Yes, Mr. Wykoff-Yes, and Mr. Powell-Yes

Mr. Sarni made the motion to deem that the proposed use is an accessory use and not a secondary principle use in the NC Zone. Motion seconded by Mr. Lippencott. Roll call vote: Mr. Lippencott-Yes, Mr. Sarni-Yes, Mr. Wykoff-Yes, and Mr. Powell-Yes

Mr. Lippencott made the motion to deem that the proposed use is a non permitted accessory use in the NC zone. Motion seconded by Mr. Sarni. Roll call vote: Mr. Lippencott-Yes, Mr. Sarni-Yes, Mr. Wykoff-Yes, and Mr. Powell-Yes .

Attorney Hinkes asked that this matter be carried to the Board's November 28th meeting. Board Attorney Morgenstern noted for the record that adequate notice was provided. Board Engineer Rodman stated that he will review the checklist for the "D" variance and Minor Site Plan, as the application was only reviewed by the Zoning Officer for the Interpretation. It was noted that additional fees and escrow will need to be supplied for the required "D" variance.

**BILLS:** Mr. Sarni made the motion to pay the following bills, seconded by Mr. Lippencott. .

Dolan & Dolan:	General	\$ 123.00
Ted Rodman:	JCPL/Nextel	\$ 1808.00
Escrow Refunds:	Durkos	\$ 462.30
	Mackey	\$ 63.25
	Gerber	\$ 2172.61

Roll call vote: Mr. Lippencott-Yes, Mr. Sarni-Yes, Mr. Wykoff-Yes, and Mr. Powell-Yes .

**CORRESPONDENCE:**

NONE

**OLD BUSINESS:**

NONE

**NEW BUSINESS:**

NONE

**OTHER BUSINESS:**

**2017 Budget**

Chairman Powell suggested that the Board defer their recommendations to next month.

**Board Membership**

It was noted that Eric van der Haeghen has expressed an interest in being a Planning Board cross-over member to the Zoning Board of Adjustment. There will be only one open Board Member spot, if that spot is filled by Mr. van der Haeghen. Board Secretary Schemm stated that she was advised that another Resident has also expressed an interest in sitting on either the Planning Board or Zoning Board of Adjustment.

**OPEN TO THE PUBLIC**

The meeting was opened to the public at 8:27 p.m. With there being no public, the meeting was closed to the public.

**COMMITTEE LIAISON REPORT:**

Committeeman Gross stated he is running for re-election and would appreciate resident support.

**ADJOURNMENT:**

With there being no further business, a motion was made and seconded to adjourn the meeting at 8:28 p.m. In a voice vote, all were in favor.

Respectfully submitted,

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Alfia Schemm, Board Secretary  
11/16/16

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Eric Powell, Chairman