

MEMORIALIZING RESOLUTION OF THE  
PLANNING BOARD OF THE TOWNSHIP OF SPARTA  
APPROVING THE MINOR SITE PLAN AND SITE PLAN  
EXCEPTION APPLICATION OF SPARTA LAND  
COMPANY, LLC, RELATING TO BLOCK 17001, LOT 5  
AND LOCATED AT 401 HOUSES CORNER ROAD IN  
THE RR ZONE

DECIDED: August 2, 2023

MEMORIALIZED: September 6, 2023

APPLICATION NO. 699

**WHEREAS**, Sparta Land Company, LLC, with the address of 22 Howard Boulevard #204, Mt. Arlington, New Jersey 07856 (hereinafter the “Applicant”) applied to the Sparta Township Planning Board (hereinafter the “Board”) for approval of a minor site plan and related site plan exceptions for a sign in accordance with site plan and survey drawings prepared by Louis J. Weber, P.L.S., 47 Woodport Road, Sparta Township, New Jersey 07871, dated April 7, 2023 (hereinafter “Minor Site Plans”); and

**WHEREAS**, the matter was discussed at a public hearing of the Board on August 2, 2023; and

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

**WHEREAS**, the Planning Board of the Township of Sparta hereby makes the following findings of fact based upon the evidence submitted to the Board at the hearing:

1. The Board reviewed the following reports: reports of the Planning Board Engineer, David Simmons, P.E., dated October 18, 2022, May 17, 2023 and May 25, 2023; and report of the Township of Sparta Environmental Commission dated July 7, 2023. The Applicant agreed to comply with the reports. Said reports are attached hereto and incorporated herein by reference.

2. The Board reviewed the following exhibits:

A-1 Large photo of the existing sign.

A-2 Additional large photo of the existing sign.

A-3 Large photo of the street and river stone swale on the side of the newly repaved Houses Corner Road.

A-4 Large photo of the street and river stone swale on the side of the newly paved Houses Corner Road.

A-5 Large photo of the drainage ditch from the roadside swale as reconstructed with the Township repaving of Houses Corner Road.

3. The Applicant was represented by Counsel, David E. Gray, Esq. The Applicant presented testimony by Tom Schoonmaker, a principal of the Applicant. Mr. Schoonmaker explained the photos of the sign and the area. He explained that he purchased the property from the Michelotti Family, and that he decided to use it for woodlands management and for farmland with a woodlands and agriculture tax assessment. He explained that he cleared trees to make the land useful for his tenant farmer, Tor Andersen, to farm most of the 34 acres on the lot. He explained that a few acres on the periphery are not suitable for farming, but that the sole use of the property is for farming. He knows that he could build a house and a barn on the property, but he has no present intention

to do so at this time, since he has an existing farm in Andover. He explained that he might want to sell the property to Tor Andersen, or another farmer, for a possible farm house and barn on the property. He explained that he has installed the sign because it was unclear to persons driving on Houses Corner Road that the property was part of a farm, and he wanted to identify the farm by means of the sign. He asked for an increase in the size of the maximum sign from 2 square feet to approximately 16 square feet as built, so that it is more visible to the motoring public on Houses Corner Road. He asked to keep it at the current location approximately 3.7 feet from the right-of-way and approximately 6 feet from the paved surface of the road, but agreed, at the Board's request, that, if the sign is ever damaged or moved, it will be moved to be 10 feet from the right-of-way.

4. Various members of the public testified regarding the application. The Board reviewed the application and Mr. Simmons' reports. The Board finds that the Applicant is proposing to utilize the sign to identify the farm use of the property, and that the size and location of the sign are appropriate at this time, provided that if the sign is ever damaged or moved, it shall be moved at least 10 feet from the right-of-way line. The Board further finds that the minor site plan should be granted subject to the conditions of Mr. Simmons' review reports and the conditions of this Resolution. The Board finds that it would be impractical to require the Applicant to comply with the 2 square foot size limitation for the sign, and a site plan exception is granted in accordance with N.J.S.A. 40:55D-51 to allow the sign to be 16 square feet as built. The Board finds that practical difficulties justify maintaining the sign in its current size and location to identify to

the public that this private property is not open to the public and is a farm property owned by a farmer.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Sparta, County of Sussex, State of New Jersey that the application of Sparta Land Company, LLC, for minor site plan approval and related site plan exceptions for the size of the sign is hereby granted, subject to the following terms and conditions:

1. The terms of such approval are to be strictly in accordance with the site plans, architectural plans, representations and testimony submitted to the Board herein, and same are incorporated into this Resolution by reference.

2. The Applicant shall comply with the following reports: reports of the Board Engineer, David Simmons, P.E., dated October 18, 2022, May 17, 2023 and May 25, 2023; and report of the Township of Sparta Environmental Commission dated July 7, 2023. Said reports are attached hereto and incorporated herein by reference. The Applicant agreed to comply with the reports, except as explained in the testimony.

3. The Applicant shall comply with the approved minor site plan drawing and survey.

4. The applicant shall maintain the sign in its existing color, materials and appearance. If the sign is ever damaged or moved, the sign and landscape plan shall be moved to be 10 feet from the right-of-way line of Houses Corner Road.

5. All fees, taxes, assessments, escrows and other monies due to the Township of Sparta shall be paid in full.

6. The Applicant shall obtain governmental approval from any other governmental agencies with jurisdiction relating to the property, including but not limited to the Sussex County Planning Board.

7. The Applicant shall comply with all statutes, ordinances, rules and regulations of the United States of America, State of New Jersey, County of Sussex, and Township of Sparta.

SPARTA TOWNSHIP PLANNING BOARD

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Dorrie Fox, Secretary

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Celeste Luciano, Chairwoman

I hereby certify that the within is a true copy of a Resolution passed by the Sparta Township Planning Board at a meeting held on September 6, 2023.

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Dorrie Fox, Secretary

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Celeste Luciano, Chairwoman