

**MINUTES**

**PRESENT:** J. Abel  
J. Burke  
R. DeCroce  
D. Haywood  
J. Lutz  
J. Mathieu  
S. Rawlyk  
T. Siano  
J. Strasser  
J. Harabedian, Alt. #1  
L. Herrighty, Alt. #2  
D. Pierce, Attorney

**ABSENT:** J. Harabedian

**CALL TO ORDER**

The meeting was called to order by J. Lutz at 8:00 PM.

**NOTIFICATION**

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.

Notification of the time, date and place of this meeting has been published in the Delaware Valley News and sent to the Hunterdon County Democrat, and has been posted in the Kingwood Township Municipal Building at least 48 hours prior to this meeting and has been filed with the Municipal Clerk.

**NEW AND PENDING MATTERS**

Continuation of Work Sessions on Master Plan Recommendations.

D. Banish stated clustering requires the preservation of a large portion of the tract as open space to benefit the new residents in the subdivision. Open space parcel would be set aside as open space, not occupied by a single family dwelling or farm. It is removed from the tax roles. Lot size averaging provides all lots occupied by residents and remaining on the tax roles. The ordinance this evening calls for lot size averaging. The Board talked about the desirability of keeping the land in private ownership because it remains on the tax roles and maintenance of the open space does not fall upon the township. There is flexibility built into the ordinance to allow the options of clustering or lot size averaging. D. Banish reviewed the draft ordinance provided to the Board this evening. At the last

meeting, the Board gave me some direction. The Board wanted to preserve the lot size averaging provisions with certain qualifications, require minimum improvable lot standard and lot circle standard. The minimum improvable lot standard and the lot circle standard should fit inside the other. The Board also wanted to maintain flexibility in the lot size averaging, leaving it at the discretion of the Board. The Board wanted to increase the minimum lot size to six or seven acres based on ground water limitations of the township. He provided for a seven acre minimum lot size in the draft ordinance. The draft ordinance provides for a minimum lot size of two acres with the lot size averaging provision, providing some land will be set aside for open space. The draft ordinance was reviewed in detail, a copy of which is attached to these minutes. The proposed ordinance deals with lot size averaging of major subdivisions, at the sole discretion of the Planning Board, revising the minimum lot size requirements for major subdivisions, establishing a minimum improvable lot area standard and minimum lot circle requirements for conventional major subdivisions. The minimum lot area of a farm to have viability, on the east coast, is 20 acres. It is not consistent with the Farmland Assessment Law. The Board has the ability to place additional standards such as requiring prime soils be set aside. The conventional type of farming is changing. You can see the different types of agricultural popular at different times over the last century. The land would be set aside for natural resource protection. Each individual tract would present its own special circumstances.

D. Pierce stated if you grant development concessions to allow a more intensive development of the remaining lands and the large lot is retained in agricultural use, it would be difficult to place restrictions on the intensity of the agricultural use. The Board will have information before them indicating the capacity of the aquifer and see if it can support a reasonably sized farm and the quality of the soils.

D. Banish stated the MLUL requires all lands be treated alike in similar districts.

D. Pierce stated the Board might be faced with a potential challenge by making it apply to minor subdivisions. It should be applicable to all lots in the zone. It is not uncommon to have a grandfather provision. Currently, the Township has a limitation of 2 acres you can take off on a road. The Board might suggest limiting that to a maximum of two new lots for any lot in existence.

The Board discussed elimination of the Class III minor subdivision. The majority of the Board members were in favor of eliminating the Class III minor subdivision.

D. Pierce stated the next thing the board should consider is what if any limitation on 2 acre subdivisions. Should there be a time restriction between the subdivisions? Under the MLUL, any development that contains new roads or an extension of a new road is considered a major subdivision.

### **Public Comments**

J. MacConnell, Spring Hill Road – commented he would like to see seven acre zoning in the entire Township.

W. Pandey, Spring Hill Road – commented he was in favor of requiring seven acre zoning.

S. Siano, Warford Road – commented she was in favor of keeping two acre zoning.

M. Blecher – Horseshoe Bend Road – commented he was in favor of seven acre zoning.

J. Lutz stated by the public comment made this evening, they would like to see a higher average of land per lot.

D. Banish, as a result of this evening's comments and discussion, the consensus was to leave it at 2 acres on a sliding scale basis and have some number of years at intervals and a cap on the overall thing.

R. Oakes, Horseshoe Bend Road – commented on the sliding scale.

D. Banish stated most members were in favor of a back lot line dimension requirement on all lots.

After listening to the discussions this evening, D. Banish summarized the changes the Board would like to see in the proposed draft ordinance: provide for a minimum width of rear lot, setting aside of prime soils, add clustering or lot size averaging, at the discretion of the board, impervious coverage standards, conversation areas added to the guidelines at the end of the ordinance, resource conservation, design standard exceptions that would be granted for an applicant under a case of hardship and grandfather provision.

F. Palopoli – inquired if the public would be offered the opportunity to review the proposed ordinance.

J. Lutz responded the Township Committee would be introducing and adopting the ordinance.

## **ADJOURNMENT**

It was moved by J. Mathieu, seconded by J. Burke and carried to adjourn the meeting at 10:50 PM. All members present voted **AYE**.

**Respectfully submitted,**

**Diane Laudenschick, Secretary**