

MINUTES

PRESENT: J. Burke
R. Dodds
D. Haywood
W. Kastning
T. Kratzer
J. Mathieu
E. Niemann
J. Strasser
S. McNicol, Alt. #1
L. Senus, Alt. #2
D. Banisch, Planner
A. Clerico, Planner

ABSENT: T. Siano

CALL TO ORDER

The meeting was called to order by J. Mathieu at 8:09 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

Wild & Scenic Lower Delaware

G. Rackin, Wild & Scenic River Coordinator, was present this evening to give a brief powerpoint presentation to the Board. The presentation was an overview for community leaders of the Wild & Scenic River Partnership Program and the background and history of the program. In 1992 a study was authorized by Congress at the request of all river communities. In 1997 a study was performed and the result concluded the river should be part of the Wild and Scenic Program. He reviewed the Delaware River Basin Commission's responsibilities. There is a very high water quality in the Delaware River. It was designated, two years ago, as special protection waters. He is requesting the Township either adopt a resolution or issue a letter supporting the Basin Commission's plans.

Public Workshop and Discussion on the Farmland Preservation Plan Element of the Master Plan

D. Banisch stated he has provided to the Board this evening a preliminary rough draft. It is being revised and supplemented. A draft will be provided by December 5th to the Board members. There will be several more maps in the draft being supplied to the Board for the December meeting. The maps in the plan will give a general overview and characterization of the lay of the land of Kingwood. The targets are shown in red and the purple are the preserved farms. The map indicates an outline of two distinct project areas, one in the northerly and one in the southerly portion of the Township. There might be revisions following the meeting on December 11th. The second map shows the classifications of the properties currently in the Township, 1 acre, 1-5 acres, 5-10 acres and 10+ acres. The map can be supplemented with additional categories. The maps indicate the framework of the Farmland Preservation Plan. D. Banisch stated preserved farmland property does not allow public access.

Some suggestions the Board members made were to include preserved property in adjacent municipalities, indicating the recently preserved parcels and prioritization for the Wickechoeke and Locketong creeks overlapping them with the farm areas in order to maintain high quality source water.

On the draft the Board members suggested the following changes:

*Page 3 – indicates mileage of the Township at 35.6 miles and page 17 – 34.9 miles
D. Banisch stated the information is derived from different sources and frequently the GIS mapping does not include the roads. He will obtain an exact number.*

Page 4 – last paragraph – should be corrected to say “The revised rules have taken effect on June 20, 2007.

Page 5 – last paragraph – should be corrected to say “Below is a current listing of the farm properties under preservation.

Minor Subdivision Classifications

D. Banisch stated the Class II allows four lots, the Class III allows five lots. The Class II allows two flag lots and two with road frontage. The Class III requires seven acre minimum sized lots with a common driveway. The minor subdivision has to comply with the natural resource constraints. The Board might want to consider modifying the ordinance to amend the definition that prohibits the road from becoming a public road. With the Class III and the requirement of a variance for lots not abutting a street, the surrounding property owners within 200’ receive notice. He stated any future Class III subdivisions would be subject to the new stormwater management regulations. The roads should be improved to the minimum updated road requirements. The flag stem is owned by the rearward most lot. There should be a shared maintenance obligation among all the property owners. The townships he is familiar with have a minor and a major subdivision. He stated the developer should create the road with notice to any purchaser. It will eliminate the possibility the taxpayers will have to assume the cost of plowing or resurfacing the road.

J. Mathieu stated when you create these lots every time you want to build anything of your property, you will need a variance. There is no blanket variance. You can tell the purchaser he has two years from the time he purchases their property, through the variance that is granted, they have to enumerate what they want to do and

complete it within the two years or the variance requirement is triggered. The Municipal Land Use Law (MLUL) is very succinct in what you can and cannot do.

The Board was polled and the majority of the members were in favor of eliminating Class III minor subdivisions.

It was moved by R. Dodds, seconded by T. Kratzer and carried to write a letter to the Township Committee indicating the Planning Board is recommending the elimination of the Class III minor subdivisions. All members present voted **AYE** on **ROLL CALL VOTE**.

D. Banisch and A. Clerico left the meeting.

Resolution No. 2007 - 31 - Executive Session – Personnel and Potential Litigation

RESOLUTION NO. 2007 - 31

WHEREAS, Section 7 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (R.S. 10:4-13) permits the exclusion of the public from a meeting or a portion of a meeting of this public body in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Kingwood, County of Hunterdon and State of New Jersey as follows:

1. The public shall be excluded from the meeting or a portion of a meeting at which this public body discusses the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

**Personnel – 2008 Professional Appointments;
Potential Litigation**

3. The time when the circumstances under which the discussions conducted in closed session of this public body can be disclosed to the public is as follows:

The minutes of the closed session will be made public upon conclusion, dismissal or settlement of litigation; or final resolution of agreements or personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and -13.

4. This resolution shall take effect immediately.
5. The Planning Board may take additional action upon returning to regular session.

It was moved by J. Burke, seconded by R. Dodds and carried to adopt the foregoing resolution. All members present voted **AYE** on **ROLL CALL VOTE**.

J. Mathieu announced the Board was returning to regular session.

CORRESPONDENCE

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by J. Strasser, seconded by J. Burke and carried to adjourn the meeting at 10:34 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschick, Secretary