

MINUTES

PRESENT: M. Augustine

R. Dodds

D. Haywood

T. Kratzer

J. Mathieu

S. McNicol

L. Senus

J. Strasser

D. Pierce, Attorney

ABSENT: E. Niemann

CALL TO ORDER

The meeting was called to order by D. Laudенbach at 8:01 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 Express Times 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

Nomination of Chairperson

J. Mathieu was nominated by R. Dodds, seconded by J. Strasser as Chairperson for 2008. It was moved by D. Haywood, seconded by R. Dodds and carried to close the nominations. All members present voted **AYE** on **ROLL CALL VOTE**, except J. Mathieu, who abstained.

Nomination of Vice Chairperson

R. Dodds was nominated by S. McNicol, seconded by L. Senus as Vice-Chairperson for 2008. It was moved by D. Haywood, seconded by M. Augustine and carried to close the nominations. All members present voted **AYE** on **ROLL CALL VOTE**, except R. Dodds, who abstained.

Appointment of Attorney

Lindabury McCormick and Estabrook, David Pierce, Esq. was appointed as Attorney for the Planning Board by S. McNicol, seconded by M. Augustine. It was moved by J. Strasser, seconded by R. Dodds to close the appointments. All members present voted **AYE** on **ROLL CALL VOTE**.

Appointment of Engineer

Gilmore and Associates, Thomas R. Decker, was appointed as Engineer for the Planning Board for 2008 by S. McNicol, seconded by J. Strasser. It was moved by M. Augustine, seconded by R. Dodds and carried to close the appointments. All members present voted **AYE** on **ROLL CALL VOTE**.

Approval of Meeting Dates:

| | |
|-------------------|-------------------|
| February 12, 2008 | July 8, 2008 |
| March 11, 2008 | August 12, 2008 |
| April 8, 2008 | September 9, 2008 |
| May 13, 2008 | October 14, 2008 |
| June 10, 2008 | November 11, 2008 |
| | December 9, 2008 |

It was moved by D. Haywood, seconded by R. Dodds and carried to approve the above meeting dates for 2008. All members present voted **AYE** on **ROLL CALL VOTE**.

Designation of Newspaper

It was moved by J. Strasser, seconded by D. Haywood and carried to designate the Delaware Valley News as the official paper of the Planning Board, with the Easton Express as an alternate. All members present voted **AYE** on **ROLL CALL VOTE**.

Approval of Minutes

It was moved by S. McNicol, seconded by T. Kratzer and carried to approve the minutes of December 11, 2007 and place on file with the following correction:

Page 3 – last sentence of paragraph beginning with “D. Pierce stated should begin with “In his opinion,”

All members present voted **AYE** on **ROLL CALL VOTE**, except M. Augustine, who abstained.

It was moved by D. Haywood, seconded by R. Dodds and carried to approve the minutes of the December 11, 2007 Executive Session. All members present voted **AYE** on **ROLL CALL VOTE**, except M. Augustine, who abstained.

It was moved by R. Dodds, seconded by S. McNicol and carried to authorize the release of the Executive Session Minutes of December 11, 2007. All members present voted **AYE** on **ROLL CALL VOTE**, except M. Augustine, who abstained.

Resolutions

Resolution No. 2008-01 – Honeymar, Block 26, Lot 4 – Denying Amended Subdivision

It was moved by D. Haywood, seconded by R. Dodds, and carried to adopt **Resolution No. 2008-01 – Honeymar, Block 26, Lot 4 – Denying Amended Subdivision** with the following change:

“Substituting Augustine for Burke on the last page”

All members present voted **AYE** on **ROLL CALL VOTE**, except M. Augustine, who abstained.

Resolution No. 2008-02 – Laura Properties, Block 8, Lot 25.01 – Extension of Time

It was moved by S. McNicol, seconded by D. Haywood and carried to adopt **Resolution No. 2008-02 – Laura Properties, Block 8, Lot 25.01 – Extension of Time** with the following change:

“Substituting Augustine for Burke on the last page”

All members present voted **AYE** on **ROLL CALL VOTE**, except M. Augustine, who abstained.

Applications

Honeymar – Block 26, Lot 4 – Kingwood Locktown Road – Minor Subdivision – Granting Extension of Time to Hear

D. Pierce stated an extension of time was granted by the applicant by letter dated December 14, 2007 for sixty (60) days. The Board has received another letter granting an additional thirty (30) days.

It was moved by D. Haywood, seconded by R. Dodds and carried to rescind the disapproval and reinstate the application. All members present voted **AYE** on **ROLL CALL VOTE**.

Perrotti – Block 7, Lot 14.10 – Oak Grove Road – Request for Extension of Time

J. Sordillo was present on behalf of the applicant this evening. The applicant is requesting a six (6) month extension of time. There are a few issues remaining with the County Planning Board: figures for stormwater management and the CD of the development.

It was moved by D. Haywood, seconded by J. Strasser and carried to grant a 190 day extension of time to file the deeds. All members present voted **AYE** on **ROLL CALL VOTE**.

Tumble Partnership – Block 32, Lots 10 & 11.02 – Tumble Idell Road – Request for Extension of Time

J. Sordillo was present on behalf of the applicant this evening. The applicant had received preliminary major subdivision approval and under the MLUL, the applicant has three (3) years to complete all conditions before applying for final approval. When the request was originally submitted, it was thought the applicant received approval for a minor subdivision rather than a major subdivision. The application is within the period of preliminary approval and does not need an extension of time. The applicant has been moving forward on the application and has everything in place to commence the well testing. The well testing cannot be done until July 1st.

PRIVILEGE OF THE FLOOR

Elizabethtown Gas Co.

M. Kelly and K. Wynart were present from Elizabethtown Gas. The construction manager was called away and unable to attend this evening’s meeting. The installation of the gas line is for Route 12. They are not looking, at this time, to expand into residential areas. The installation of a regulator pit at the Route 12 intersection would not be unsightly and offer the ability to shut off service if a repair was necessary. The pipe is installed at a depth of approximately three feet. The purpose of the line is to fortify their system.

A request was made for Elizabethtown to provide the Township a mapping of the lines. The Board was concerned if Elizabethtown had received the appropriate stream crossing permits and performed compaction tests if the roads were disturbed. The Board was also concerned with appropriate training of first responders.

M. Kelly stated he would bring the concerns of the Board to Elizabethtown and respond to the Township Committee. He has received some calls from different businesses along Route 12 for service. The businesses were informed the franchise would have to be settled with the Township before any additional services could be connected. He will respond directly to the Township Committee with a copy provided to the Board.

Executive Session Resolution – 2008-03

RESOLUTION NO. 2008 - 03

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;
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 S. McNicol, 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 is returning to Regular Session.

Construction Signage

J. Mathieu stated he had spoken to J. Burke and W. Degan is no longer the Construction Official for the Township. The Township currently has a substitute Construction Official until a new one is hired. The Board decided to send another letter to the Construction Department requesting a response of the action taken to assure the proper signage for projects.

CORRESPONDENCE

J. Mathieu reviewed as per the agenda.

OTHER MATTERS

Delaware River Basin Commission

T. Kratzer discussed his letter to the Delaware River Basin Commission. The Board members had no objection for the letter to be forwarded on to the Township Committee.

Design Standards Committee

The Committee scheduled a meeting for January 23, 2008 beginning at 5:00 PM. The Board suggested the Committee address site plan review, marking of conservation and wetland easements, possibly requiring monuments, standardized language for Homeowner's Associations, monitoring of the easements and requiring the presentation of the Letter of Interpretation to the Zoning Officer and Construction Official.

Habitat for Humanity

S. McNicol stated the Township Committee had a presentation at their January meeting by Habitat for Humanity. They are interested in building some homes on the Ukarish farm. The units would help the Township with their COAH obligations. One plan has three houses on the property conforming to the Township's acreage requirements. The second plan has a flag lot with two of the properties falling under two acres and the other two over 2 acres. The third plan has seven houses on the property. She suggested the Board provide guidance on the plan for development. The ultimate question for the development is water. There are a lot of wetlands on the property.

J. Mathieu suggested Habitat for Humanity come to the Board with a conceptual plan and receive feedback from the Board.

D. Pierce stated, under the proposed third round rules, there were exemptions from the zoning for affordable housing, allowing multi family dwellings in the AR-2 zone. The proposed rules have the Township providing one affordable unit for every four new units.

ADJOURNMENT

It was moved by R. Dodds, seconded by M. Augustine and carried to adjourn the meeting at 10:04 PM. All members present voted **AYE** on **ROLL CALL VOTE**.

Respectfully submitted,

Diane Laudenbach
Diane Laudenbach, Secretary