

**MINUTES**

**PRESENT:** D. Haywood  
J. Mathieu  
S. McNicol  
E. Niemann  
L. Senus  
J. Strasser  
D. Posey, Alt #2  
D. Pierce, Attorney

**ABSENT:** J. Burke  
R. Dodds  
T. Kratzer  
M. Syrnick, Alt #1

**CALL TO ORDER**

The meeting was called to order by J. Mathieu at 7:31 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 Hunterdon County Democrat and Courier News, 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**

Errickson – Block 12, Lot 8

J. Mathieu called the matter and no response was heard.

BDAC – Block 23, Lot 17.02 – Barbertown Point Breeze Road – Request for Extension to File

A. Belle was present this evening for the request.

It was moved by D. Haywood, seconded by L. Senus and carried to grant a 130 day extension of time to file the deeds. All members present voted **AYE** on **ROLL CALL VOTE**.

General Code Enforcement Official

E. Niemann stated B. Sidote will be coming a little later.

Checklist Review

D. Pierce stated R. Dodds might have requested the matter to be listed on the agenda. R. Dodds wanted to have the well testing as part of the checklist. D. Pierce stated it might be more appropriated to have the discussion at the next meeting in order for him to review T. Decker’s memo regarding the checklist. Possibly a comprehensive revision of the checklist should be done. The matter was held over until the April meeting.

**Resolution No. 2009-04 – Honeymar – Block 26, Lot 4 – Amendment Prior Approval**

It was moved by D. Haywood, seconded by S. McNicol and carried to adopt **Resolution No. 2009-04 – Honeymar – Block 26, Lot 4 – Amendment Prior Approval**, with the following correction:

*Page 3 – Condition #8 .....is hereby revised to read as follows.....:  
Change the “9” to an “8”.*

All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by D. Haywood, seconded by S. McNicol and carried to adopt **Resolution No. 2009-05 – Van Holten – Block 28, Lot 11 – Extension of Approval**. All members present voted **AYE** on **ROLL CALL VOTE**.

**Approval of Minutes**

It was moved by D. Haywood, seconded by S. McNicol and carried to approve the minutes of February 10, 2009 with the following corrections:

*Page 3 – “verses” should be “versus”.  
Page 9 – replace “Dixon” with “Hallgring”.*

All members present voted **AYE** on **ROLL CALL VOTE**.

**APPLICATION STATUS**

**CORRESPONDENCE**

ANJEC – Grant – S. McNicol stated the Environmental Commission will be submitting the same plan as last year for the grant.

**PRIVILEGE OF THE FLOOR**

E. DelMonte – inquired if the Board would be receptive to wind farms.

D. Pierce stated there is currently a bill pending in Trenton to deem power generation facilities using solar or wind power an inherently beneficial use. The Township’s zoning does not specifically allow wind farms. An application for rezoning or a variance would be required. If the legislation is passed, the effect would be a lower threshold to obtain approval for an inherently beneficial use.

It was suggested E. DelMonte come to the Board with an informal proposal.

General Code Enforcement Official

B. Sidote, General Code Enforcement Official, entered the meeting at this time.

E. Niemann stated the Planning Board wrote to the General Code Enforcement Official with their concerns regarding a number of different situations in the Township. There were some uses which changed subsequent to the applicant receiving approval. She passed the information on to the new Code Enforcement Official. She stated it would be beneficial to B. Sidote if he received copies of the approving resolutions.

B. Sidote stated he has visited Chris' Citgo one time. He is going to set up another meeting. After everything is in place, he will start issuing warnings. In reference to Chris' Citgo, the owner has not made any attempt to conform to the resolution. In response to a comment by a Board member, he responded it is a little difficult to find the neighboring house due to the items in front of it. He stated each Township is different in regard to their regulations.

E. Niemann stated the Township's ordinances are being reviewed. She asked for some assistance from the Board members.

The other businesses discussed were the Shack (who has not obtained a sign permit), the top soil business at the Route 12 Business Park and the landscaping business on the east side of Route 12, near the liquor store. The Board requested B. Sidote inquire if a certificate or approval is needed to sell topsoil from the Hunterdon County Soil Conservation District.

The Board requested a written report.

Errickson – Block 12, Lot 8

D. Pierce stated the Board should address the matter. His recommendation would be to have D. Banisch review J. Errickson's planner's report and testimony and issue a report to the Board. After D. Banisch has issued his report, the Board can discuss the issues, deliberate and reach a decision on the matter. J. Errickson's escrow has been depleted and will need to be replenished before the review by D. Banisch can begin.

It was moved by D. Haywood, seconded by S. McNicol and carried to authorize the Board's attorney to communicate to the applicant or the interested party who is seeking a review to inform the applicant to replenish their escrow account so that the Township's planning consultant can review and present a written report. All members present voted **AYE** on **ROLL CALL VOTE**.

## **ADJOURNMENT**

It was moved by D. Haywood, seconded by J. Strasser and carried to adjourn the meeting at 8:13 PM. All members present voted **AYE**.

Respectfully submitted,

*Diane Laudenschach*

Diane Laudenschach, Secretary