

MINUTES  
7:32 PM

**PRESENT:** R. Dodds  
T. Kratzer  
P. Lubitz  
J. Mathieu  
S. McNicol  
E. Niemann  
J. Strasser  
M. Syrnick  
D. Floyd, Alt #1  
D. Pierce, Attorney

**ABSENT:**

**CALL TO ORDER**

The meeting was called to order by 7:32 PM by R. Dodds.

**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**

**Block 8, Lot 25.01 & 25.15 – Rabosky – Lower Oak Grove Road – Boundary Line Adjustment Hearing**

G. Rabosky, applicant, and R. Lorentz and P. Fatten of Heritage Consulting Engineers were present for the matter this evening. P. Fatten stated Lot 25.01 is currently a flag lot which extends to the back of the property. It is currently a 10.7 acre parcel. Lot 25.15 is also a flag lot and contains 5.5 acres. The proposed application is to take the back half of Lot 25.15 and merge it with Lot 25.01, which would create a backland lot where the Rabosky's would like to build their home. They currently live in Kingwood and would like to stay in Kingwood and raise their family. Lot 25.15 contains 5.5 acres and is on the left and the applicant would like to add 4.78 acres from Lot 25.01 to create a lot of 10.28 acres. It will reduce Lot 25.01 to a 5.94 acre flag lot. He stated the Rabosky's also own Lot 25.14, which is not going to change in size. T. Decker has requested some minor revisions and the applicant has made those revisions. The applicant is seeking final approval of the application.

D. Pierce stated the application results in two fully conforming lots. The approval should contain, other than the standard conditions, a condition that the applicant submit revised plans as per T. Decker's letter.

It was moved by E. Niemann, seconded by P. Lubitz and carried to approve the above boundary line adjustment. All members present voted **AYE** on **ROLL CALL VOTE**.

**Block 11, Lot 2 – KJK Door Systems – Route 12 – Graphics Permit**

D. Tinsman, owner of KJK Door Systems was present this evening for the application. D. Tinsman stated he is proposing a sign to be installed perpendicular to the road on Route 12. His site plan shows the location in relation to the building. The sign is being restored from the Bemis Bag sign.

It was moved by J. Mathieu, seconded by M. Syrnick and carried to approve the graphics permit for the above application. All members present voted **AYE** on **ROLL CALL VOTE**.

**Statement of Environmental Impact and Assessment and Threatened and Endangered Species Ordinance**

R. Dodds stated the professionals have submitted some comments in regard to the above referenced proposed ordinance. The Board determined the ordinance should not duplicate any requirements the State has for an SEIA. After some discussion, the Board decided the triggering factor for the SEIA would be three lots. D. Pierce stated a site plan would trigger the requirement for an SEIA. After a lengthy discussion, D. Pierce stated he would incorporate the professional's suggestions to the ordinance at a project rate of no more than five hours at a cost of \$800.00. The Board was polled and all members were in favor of having D. Pierce compile the professional's comments in a draft ordinance with a cost limit of \$800.00.

**Executive Session**

The following resolution was introduced and adopted:

**RESOLUTION NO. 2012 - 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, 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:

**Litigation - Gombosi**

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. Mathieu, seconded by E. Niemann and carried to adopt the foregoing resolution at 8:19 PM. All members present voted **AYE**.

The Board returned to regular session.

D. Pierce suggested the Solar Ordinance be re-adopted by the Township Committee. The ordinance should be revised to deal with the requirement of the open land and converting that to an impervious coverage limitation that is based on not including the solar panels in that calculation. He will review the ordinance and report to the members by email.

#### **Approval of Minutes**

It was moved by J. Mathieu, seconded by S. McNicol and carried to approve the minutes of February 9, 2012 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except T. Kratzer who abstained.

#### **Privilege of the Floor/Board**

T. Kratzer stated the models that are being used to calculate the imperviousness of the solar panels should not be applied as it is being applied. The regulations should be reviewed to see how they pertain to this part of the country.

R. Dodds announced that tomorrow, March 9, 2012, there is an open public hearing for the public to make comments or suggestions for the use of the Horseshoe Bend Park.

#### **Adjournment**

It was moved by J. Mathieu, seconded by P. Lubitz and carried to adjourn the meeting at 8:40 PM. All members present voted **AYE**.

**Respectfully submitted,**

**Diane Laudenschach, Secretary**