

MINUTES

7:30 PM

PRESENT: T. Ciacciarelli
R. Dodds
P. Lubitz
S. McNicol
E. Niemann
L. Riggio
M. Syrnick
T. Decker, Engineer
D. Pierce, Attorney

ABSENT: J. Mathieu
J. Strasser

CALL TO ORDER

The meeting was called to order by E. Niemann at 7:32 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 MATTER

Block 32, Lots 10 & 11.02 – Tumble Partners – Tumble Idell Road, Determination of Completeness and Public Hearing for final subdivision approval

D. Pierce stated this application is for final subdivision approval. Preliminary approval was granted in January of 2007. This application is subject to the provisions of the Permit Extension Act. Under the MLUL, preliminary approval has protection against zoning changes for five years. Because of the Permit Extension Act, the preliminary approval is valid. Since the property is not located in an environmentally sensitive area, the property is eligible under the Permit Extension Act. The Board needs to review the final subdivision application for completeness and if they deem it complete, the Board can proceed with the hearing. In the application for final subdivision approval, the applicant needs to demonstrate that the application meets the conditions of preliminary approval and where appropriate conditions that could not be satisfied until final approval and the development being built, the outstanding preliminary approvals will be incorporated into the resolution granting final approval.

T. Decker stated in his memo of February 22, 2013, there were a few completeness items still outstanding and the applicant is requesting waivers. On March 12, 2013, T. Decker stated he received a revised set of plans. The applicant was advised that he did not have to copy the Board on the plans, since there were no substantial

changes. One item that remains is the street addresses for the properties. It is his understanding that the applicant will be obtaining the addresses from the tax assessor. There are a few administrative items remaining such as the electronic file, escrow agreement and tax certification.

It was moved by R. Dodds, seconded by M. Synchron and carried to deem the application complete. All members present voted **AYE** on **ROLL CALL VOTE**.

T. Decker stated one of the conditions of preliminary approval was the aquifer testing. The aquifer test would carry forward as a condition of final approval. The applicant would not be able to perfect the subdivision until the aquifer test report is submitted.

D. Pierce stated because this is an application for a final major subdivision approval public notice is not required.

R. Zederbaum, a licensed professional engineer in New Jersey, is with the firm that produced the original preliminary plat as well as the documents this evening.

D. Pierce swore in R. Zederbaum.

R. Zederbaum testified that the final plat is perfecting what the Board originally approved at preliminary approval. There were several conditions on the preliminary subdivision approval. 99% of the conditions of preliminary approval have been completed and reviewed by T. Decker. There are some administrative items still outstanding and incorporated as conditions for final approval. There are some items which cannot be completed at this time, such as the addresses of the properties. The hydrogeological testing has been completed and was submitted to V. Uhl in 2009. There was a minor question or one additional item that has to be taken care which is technical in nature. V. Uhl has signed off on most of the items. The following items of T. Decker's letter of March 12, 2013 should be conditions on the final approval:

#2, 3, 4, 5, 6, 12, 14, 15, 16, 17, 24 and 25

T. Decker stated he is in agreement with R. Zederbaum that the outstanding administrative conditions are typical in any final approval.

D. Pierce stated the names of the roads submitted by the Historical Society are Rodman or Durham Road. R. Zederbaum stated the applicant has chosen Durham Road. D. Pierce stated an additional condition of final approval would be the designation of the receipt of the street addresses.

It was moved by L. Riggio, seconded by S. McNicol and carried to grant final major subdivision approval for **Block 32, Lots 10 & 11.02 – Tumble Partners**. All members present voted **AYE** on **ROLL CALL VOTE**.

Driveway Ordinance

E. Niemann stated a review of a driveway ordinance was encouraged by the Township's building department. She inquired of T. Decker if there were aspects of the Township's ordinance that are lacking in anyway.

After some discussion, T. Decker was authorized to review the Township's driveway ordinance and provide a draft of some suggested changes for the April meeting. He will review the subject with Road Supervisor M. Petro. Some of the Board's concerns were stones washing into the road, drainage and water flow down the driveways, gates on driveways, providing for turn-arounds and requiring permits for driveways installed on County or State roads for the property under the Township's jurisdiction.

T. Decker left the meeting at 8:14 PM.

Approval of Minutes

It was moved by R. Dodds, seconded by S. McNicol and carried to approve the minutes of January 10, 2013 and place on file. All members voted **AYE** on **ROLL CALL VOTE**, except P. Lubitz and M. Syrnick, who **ABSTAINED**.

It was moved by S. McNicol, seconded by R. Dodds and carried to approve the minutes of February 19, 2013 and place on file. All members voted **AYE** on **ROLL CALL VOTE**, except P. Lubitz and M. Syrnick, who **ABSTAINED**.

APPLICATION STATUS

CORRESPONDENCE

E. Niemann reviewed the correspondence listed on the agenda.

NJ Planner – November/December 2012 and January/February 2013;
NJTPA – Public Information Meeting – March 18, 2013;

VII. PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by P. Lubitz, seconded by R. Dodds and carried to adjourn the meeting at 8:17 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschach, Secretary