

MINUTES

7:30 PM

PRESENT: T. Ciacciarelli
R. Dodds
S. McNicol
E. Niemann (7:50 PM)
J. Strasser
M. Syrnick
T. Decker, Engineer
D. Pierce, Attorney

ABSENT: P. Lubitz
J. Mathieu
L. Riggio

CALL TO ORDER

The meeting was called to order by Vice Chairperson M. Syrnick at 7:30 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

202 Heath Road – Block 22, Lot 17.02 – Drainage Problems

Patrick and Annette O’Neill, owners of 202 Heath Road, were present this evening. They provided pictures to the Board of the current conditions on the driveway during a heavy rainstorm.

T. Decker stated the drainage problems have been going on for the past year. The drainage problems were brought to his attention in April of 2012. The O’Neill’s property is part of the Kingwood Manor/Bunker Hills Home subdivision which was approved in 2006. The site was designed under the State’s new BMP management which encourages groundwater recharge by utilizing less piping and fewer inlets. During the DEP approval of the subdivision, the inlets and piping were moved and replaced with roadside swales which run down both sides of Heath Road. The dwelling is the third house constructed in the development. The property is also at the downstream end of the road. The swale that runs along Heath Road collects on the front yards of all the houses on that side of the road and during a heavy rainfall event, the swale does not have the capacity for the stormwater and it overtops the driveway which creates a ponding condition on their front apron. He had met with the O’Neills and the builder in April of 2012 and discussed some possible solutions. At the time of that meeting, another issue was brought up about another problem in the rear of the property. The builder installed a pipe which helped to alleviate the flow in the channel at the rear of the property. The swale in the front of the property was built in accordance with the design in cross section and slope and was inspected by Gilmore Associates’ inspectors. The swale is not deep enough to carry the water without overtopping the driveway. The road does not have its 2” top course which would feather into the apron. The swale was designed so that low

intensity storms perc into the ground and a higher flow would flow into an inlet. The inlet is 6” higher than the bottom of the swale. On the lower flows, the water would pond and soak into the ground. The DEP requires the water to soak into the ground within 72 hours. The grade of the inlet was not much different than that of the driveway apron so it was backing up into the driveway causing flooding. He met with the builder and the builder modified the inlet and put in a 15” stub which helped to alleviate the drainage within the swale as far as lower storms. After 72 hours, the swale would drain for the most part and helped lower the water on the O’Neill property. The swale has not been regraded. He recommended to the builder to have some survey shots done to indicate the high and low points. The sight is still under construction and the swales were installed early on in the construction. Some sediment has deposited overtime and created some high points. At the upper end of the cul-de-sac it was determined that a berm was diverting some of the water to the front of the lots. The builder has taken care of it which will keep the water to the back. At the high end of the cul-de-sac, there was some water in the swale. On the first driveway, the water was going under the pipe, at the second house it starts to accumulate. There is a 6” drop over 100’. When he was out there on June 7th, the water was not backing up. He described the conditions present in his photographs. The site is surrounded by wetlands and the groundwater can be at 6-18” deep. The builder has taken care of the stockpile of top soil. The builder stated he would come out and hand grade this swale to make sure it had positive drainage coming down and would check the highpoints. There is some resistance on the part of the builder as he has built the project per plan and was concerned about what would happen to his DEP approval if there were alterations to the approved plan.

E. Niemann entered the meeting at 7:50 PM and began to chair the meeting.

P. O’Neill stated he had met with the builder on May 9th and inquired of the builder why his driveway was lower than the other ones. P. O’Neill inquired why his was not constructed like his neighbors. The builder responded because it costs more and is now required by the Road Supervisor. He stated Mr. Severino informed him that he would put more berms on Lot 5 to keep the water in the back. Mr. Severino stated he is going to start building his next house soon and once construction was started, he would look at the swale. He stated Mr. Severino seemed open to moving the pipe in his apron or putting in a larger pipe. Mr. Severino has taken care of the dirt on Lot 5.

After some discussion between the Board, Engineer and property owners, the Board decided to request Mr. Severino come to the next Planning Board meeting. If he did not want to come before the Board, a smaller meeting would be arranged.

Block 32, Lots 10 and 11.02 – Request for Amendment to Approval – Implementation of Groundwater Monitoring Program

E. Niemann stated the above letter is most appropriately handled at the Board of Health.

Resolution

It was moved by R. Dodds, seconded by S. McNicol and carried to adopt **Resolution No. 2013 – 04 - Block 22, Lot 13 & 13.06 – Gulics/Redl – Locktown Road – Boundary Line Adjustment.** All members present voted **AYE**, except M. Synchron, who **ABSTAINED**.

Proposed Ordinance No. 17-14-2013 Driveway Ordinance

It was moved by M. Synchron, seconded by T. Ciacciarelli and carried to recommend to the Township Committee that proposed Ordinance No. 17-14-2013 is not inconsistent with the Master Plan. All members present voted **AYE** on **ROLL CALL VOTE**.

Proposed Ordinance No. 17-15-2013 Amendment to Chapter 132 – Definitions and Provisions for helistops, helipads and heliports

It was moved by J. Strasser, seconded by M. Syrnick and carried to recommend to the Township Committee that proposed Ordinance No. 17-15-2013 is not inconsistent with the Master Plan. All members present voted **AYE** on **ROLL CALL VOTE**.

Section 132-30C(6) – Accessory Uses – Tenant House

R. Dodds stated if a property owner has an 11 acre property with sufficient road frontage in the AR-2 zone, the property owner would be able to construct a second house without coming before the Planning Board. He is suggesting moving that section to a conditional use so the Planning Board would have a chance to review the overall plan. In theory a property owner could abuse the situation.

It was moved by S. McNicol, seconded by J. Strasser and carried to recommend to the Township Committee that Section 132-30C(6) be moved to Section 132-30D – Conditional Uses. All members present voted **AYE** on **ROLL CALL VOTE**.

T. Decker left the meeting at 8:50 PM.

Banisch and Associates – 2013 Professional Services Agreement

It was moved by S. McNicol, seconded by T. Ciacciarelli and carried to approve the above agreement. All members present voted **AYE** on **ROLL CALL VOTE**.

Minutes

It was moved by R. Dodds, seconded by S. McNicol and carried to approve the minutes of May 9, 2013. All members present voted **AYE** on **ROLL CALL VOTE**.

APPLICATION STATUS

D. Pierce stated the solar development on Block 21, Lot 2 – Alethea Solar Development has been denied interconnection to the grid by the BPU. The applicant is going to appeal but does not expect to be successful. D. Pierce stated he had a conversation earlier with T. Decker and the engineer for the two EffiSolar facilities have indicated they will not be going forward with the development. The projects are not financially feasible since the SREC market has dropped. The Sundancer development has an issue with the DEP in regard to historic preservation. If the State requires onsite preservation of the building it will be a substantial deviation from their approval.

CORRESPONDENCE

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by R. Dodds, seconded by T. Ciacciarelli and carried to adjourn the meeting at 9:00 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenbach, Secretary