

MINUTES

7:30 PM

PRESENT: T. Ciacciarelli
R. Dodds
D. Haywood
S. McNicol
J. Strasser
M. Synchronick
L. Voronin, Alt #1 (7:35 PM)
C. Ely, Alt #2

ABSENT: L. Riggio
J. Mathieu

CALL TO ORDER

The meeting was called to order by D. Laudenbach at 7:34 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

D. Laudenbach called for nominations for Chairperson.

M. Synchronick was nominated as Chairperson for 2016 by S. McNicol, seconded by R. Dodds.

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

C. Ely was nominated as Vice-Chairperson for 2016 by M. Synchronick, seconded by S. McNicol.

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

L. Voronin entered the meeting at 7:35 PM.

It was moved by M. Synchron, seconded by S. McNicol to appoint Lindabury, McCormick and Estabrook, David Pierce as attorney for 2016. All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by D. Haywood, seconded by S. McNicol to appoint Van Cleef Engineering, Thomas Decker as engineer for 2016. All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by R. Dodds, seconded by D. Haywood to appoint Banisch and Associates, David Banisch as planner for 2016. All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by D. Haywood, seconded by L. Voronin and carried to approve the meeting dates as set forth below:

February 11, 2016	July 14, 2016
March 10, 2016	August 11, 2016
April 14, 2016	September 8, 2016
May 12, 2016	October 13, 2016
June 9, 2016	November 10, 2016
	December 8, 2016

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

It was moved by R. Dodds, seconded by D. Haywood and carried to designate the Hunterdon County Democrat as the official newspaper, with the Courier News as alternate, of the Kingwood Township Planning Board.

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

Approval Minutes

It was moved by S. McNicol, seconded by R. Dodds and carried to approve the minutes of December 10, 2015. All members present voted **AYE** on **ROLL CALL VOTE**, except D. Haywood, J. Strasser and C. Ely, who **ABSTAINED**.

Resolutions

It was moved by J. Strasser, seconded by R. Dodds and carried to adopt **Resolution No. 2016-12 – DeSapio Boundary Line Adjustment**. All members present voted **AYE** on **ROLL CALL VOTE**, except D. Haywood, J. Strasser and C. Ely, who **ABSTAINED**.

Applications

T. Ciacciarelli recused himself from the following matter.

Tumble Partnership – Block 32, Lot 11.02 – Tumble Falls Road – Class II Minor Subdivision – Completeness Determination

R. Zederbaum, engineer, was present for the application. He is a licensed professional engineer in New Jersey. In 2013, there was an application for a six lot major subdivision. Due to the economy, the developer felt it was more appropriate to reduce the amount of lots and submit an application for a Class II minor subdivision.

T. Decker provided the following completeness review:

A. Administrative

- Item 4. One (1) copy of plan set in electronic format in accordance with Ordinance §115-5A(1). *Applicant requests a waiver for completeness purposes but agrees to provide a copy upon final approval of the subdivision. Applicant's engineer has agreed to provide an electronic copy of the submitted plans at the January 14th Board meeting.*
- Item 5. Sixteen (16) copies of hydrogeological report and pump testing. *Applicant notes that copies of the report had been previously submitted for the Major Subdivision application. Our understanding is that all required testing has been performed to the Township Hydrogeologist's satisfaction for the previous Major Subdivision application. Board Attorney David Pierce can provide an update based on his conversations with the applicant's attorney John Belardo.*
- Item 8 Six (6) copies of a Stormwater Management Plan. *An updated Stormwater Management report was not submitted with the Minor Subdivision application. Applicant's engineer has agreed to bring copies of the Stormwater Management report to the January 14th board meeting.*
- Item 11 Financial disclosure statement for all persons or entities having more than 10% financial interest in the property to be developed. *According to the Board Secretary a financial disclosure statement has not been provided. The submitted application to the Hunterdon County Planning Board contained a financial disclosure statement*
- Item 14 Proof of submission of application and fee to NJDEP for a Freshwater Wetlands Letter of interpretation. *A letter of interpretation (LOI) was originally issued by NJDEP on March 8, 2001 and is on file with the Township. Applicant should confirm if the LOI is still valid per the Permit Extension Act. Applicant's attorney will address the validity of the LOI at the Planning Board hearing.*
- Item 15 Proof of submission of application and fee to County Planning Board. *According to the Board Secretary a copy of the Minor Subdivision application to the County Planning Board has not been provided. Provided.*
- Item 16 Proof of submission of application and fee to County Soil Conservation District. *According to the Board Secretary a copy of the application to the Hunterdon County Soil Conservation District (HCSCD) has not been provided. Applicant's engineer has requested that submission to the Soil Conservation District be waived for completeness purposes and agrees to submit as a condition of any approval the Board may grant.*
- Item 21 Statement of Environmental Impact and Assessment (SEIA). *Applicant requests a waiver. We have no objection to granting a waiver given the reduction in the number of lots from the approved Major Subdivision.*
- Item 22 Threatened and Endangered Species investigation. *Applicant requests a waiver. We have no objection to granting a waiver given the reduction in the number of lots from the approved Major Subdivision.*

B. Plan Requirements

- Item 7. Proposed deeds to lots and lands remaining. *We recommend granting a waiver for completeness purposes with the understanding that proposed deeds will be provided upon any approval of the Minor Subdivision Plan.*
- Item 15. Names of the owners of all property within 200 feet of the property being developed as disclosed by the most recent municipal tax records & certified by the tax assessor. *List of property owners as shown on the cover sheet of the submitted set is dated March 8, 2013. A current property owner's list should be obtained from the Tax Assessor. **Applicant's engineer is waiting for a response from the Tax Assessor.***
- Item 16. Street address of each property shall be indicated on all plans. *We recommend granting a waiver for completeness purposes with the understanding that street addresses will be provided upon any approval of the Minor Subdivision Plan.*
- Item 22. Deeds to contain wording that the approval of the subdivision shall not be construed and is not to be considered as an approval of a sewerage disposal system. *We recommend granting a waiver for completeness purposes with the understanding that the required deed language will be provided upon any approval of the Minor Subdivision Plan.*
- Item 24. Deeds to contain wording regarding the Right to Farm Ordinance. *We recommend granting a waiver for completeness purposes with the understanding that proposed deeds will be provided upon any approval of the Minor Subdivision Plan.*
- Item 29. Completed Constrained Area Maximum Tract Yield Calculation Form to be shown on subdivision plan. *Applicant requests a waiver. We recommend granting a waiver given that the proposed Minor Subdivision decreases the density from the previously approved Major Subdivision.*
- Item 31. Mapping of steep slopes in accordance with Chapter 114, Steep Slope Conservation. *Applicant requests a waiver. **Satisfied by submission of the revised Detention Basin Plan with steep slopes shown.***
- Item 41. Estimated cost of improvements and performance bond. *We recommend granting a waiver for completeness purposes with the understanding that an estimate will be provided upon any approval of the Minor Subdivision Plan.*

Based on clarifications provided by the applicant's engineer, we have no objection to granting waivers for completeness purposes for Administrative Items 5, 14, 16, 21 and 22 and Plan Items 7, 15, 16, 22, 24, 29 and 41. **Provided that materials are submitted at the January 14, 2015 Board meeting for Administrative Items 4, 8 and 15, we recommend that the application be deemed Complete at the January 14th meeting.**

R. Zederbaum stated all the missing information was delivered tonight, the electronic copy of the plat, the revised stormwater management plan, a copy of which was sent directly to T. Decker, and the application to the County Planning Board.

D. Pierce stated the applicants are indicating the #5 – Hydrogeological report and pump testing was submitted previously for the major subdivision, which should be deemed satisfactory for this application, otherwise the applicant would not have been granted approval for the major subdivision. The current application is for a reduction to four lots. It would be appropriate for the Board to grant a waiver for #5 or deem that it has been satisfied.

D. Pierce stated #8 – Stormwater Management Report, #11 – Financial Disclosure of 10% or greater interest in the ownership has been supplied. D. Pierce stated #14 – Freshwater Wetlands LOI was issued in 2001.

R. Zederbaum stated the applicant had received one extension and then fell under the Permit Extension Act. The attorney will be present at next month's meeting. The application is still covered for approximately three more months. R. Zederbaum will provide proof of the extension.

D. Pierce stated if the LOI had expired and the applicant did not obtain an extension then they would not be eligible for the Permit Extension Act. It is appropriate for the Board to grant a waiver for completeness purposes.

D. Pierce stated #15 – County Planning Board Application has been provided. He stated the applicant has requested #16 – Proof of submission and payment of fee to the Hunterdon County Soil Conservation District be waived for completeness purposes and agreed to submit it as a condition of approval. It is appropriate for the Board to grant a waiver for completeness purposes.

R. Zederbaum stated he would like to submit the application to the County Planning Board after approval in case there should be any changes requested by the Board.

D. Pierce stated the applicants are requesting waivers for # 21 - Statement of Environmental Impact and Assessment and # 22 – Submission of Deeds. The applicants previously had approval for a major subdivision and they are now reducing the number of lots and impact. It is appropriate for the Board to grant waivers for completeness purposes.

D. Pierce stated the applicants are requesting a waiver for #7 - Proposed deeds to lots and lands remaining. It is appropriate for the Board to grant a waiver for completeness purposes.

D. Pierce stated the applicants are requesting a waiver for #15 - Names of the owners of all property within 200 feet of the property being developed as disclosed by the most recent municipal tax records & certified by the tax assessor. They have requested the information from the Tax Assessor and are waiting for a response. It is appropriate for the Board to grant a waiver for completeness purposes. If it is not provided, the Board cannot proceed with the hearing next month.

R. Zederbaum stated he has left several messages and emailed the Tax Assessor but has received no response.

D. Pierce stated the applicants are requesting a waiver for #16 - Street address of each property shall be indicated on all plans. It is appropriate for the Board to grant a waiver for completeness. The item will be a condition of approval.

D. Pierce stated the applicants are requesting waivers for # 22 - Deeds to contain wording that the approval of the subdivision shall not be construed and is not to be considered as an approval of a sewerage disposal system

and #24 - Deeds to contain wording regarding the Right to Farm Ordinance. The Board can grant the waiver for #22 and #24 as a condition of completeness. The deeds would be a condition of approval.

D. Pierce stated the applicants are requesting a waiver for #29 - Completed Constrained Area Maximum Tract Yield Calculation Form to be shown on subdivision plan. The reason for the request is that the application is a reduction from what was previously approved.

D. Pierce stated the applicants are requesting a waiver for #41 - Estimated cost of improvements and performance bond. It would be appropriate for the Board to grant a waiver for completeness purposes. There may be changes and it can be incorporated as a condition of approval.

It was moved by R. Dodds, seconded by L. Voronin to grant waivers for completeness purposes for Administrative Item #s 5, 14, 16, 21 and 22 and Plan Requirement #s 7, 15, 16, 22, 29 and 41. All members present voted **AYE** on **ROLL CALL VOTE**.

T. Ciacciarelli resumed his seat on the Board at this time.

APPLICATION STATUS

D. Pierce stated the application for Chic's Services LLC is being withdrawn The applicants have found another location in another township.

CORRESPONDENCE

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by R. Dodds, seconded by J. Strasser and carried to adjourn the meeting at 7:53 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschick, Secretary