

**MINUTES**

**7:30 PM**

**PRESENT:** T. Ciacciarelli  
R. Dodds  
D. Haywood  
J. Mathieu  
J. Strasser  
M. Synchron  
L. Voronin, Alt #1  
C. Ely, Alt #2  
T. Decker, Engineer  
D. Pierce, Attorney

**ABSENT:** S. McNicol  
L. Riggio

**CALL TO ORDER**

The meeting was called to order by M. Synchron 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 on January 21, 2016, 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**

Hunterdon County Division of GIS

R. Dodds stated a draft ordinance has been circulated, prepared by the State, in regard to having a standard for the electronic submission of plats in subdivisions. The requirement of a certain format for the submission can always be waived by the Planning Board. T. Decker will review the draft ordinance and make sure it is appropriate for Kingwood. The submission in a certain format will make the revisions to the Township tax map easier.

T. Decker stated the current tax map is a hand drawn map. He will be preparing a proposal for the Township Committee for the preparation of a new tax map. He stated on recent submissions the County has required

applicants to provide them with GIS information on the lots that have been subdivided. The old lots are not reflected accurately. The new tax maps will have to be approved by the State.

D. Pierce stated a change has to be made to the checklist.

L. Voronin stated the County has a GIS file of all the block and lots in Kingwood. R. Dodds responded the County GIS file is off by considerable amounts on some of the lots.

### **Approval of Minutes**

It was moved by R. Dodds, seconded by J. Mathieu and carried to approve the minutes of September 8, 2016 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except T. Ciacciarelli, who **ABSTAINED**.

### **APPLICATION STATUS**

### **CORRESPONDENCE**

### **PRIVILEGE OF THE FLOOR**

### **TRESPASSING**

J. Mathieu stated that A. Mitchell of the New Jersey Conservation Foundation, who helped set up the Hunterdon Land Trust Alliance and is a Kingwood resident, mentioned the issue of quads, motorcycles and off-road vehicles trespassing on properties in Kingwood. She has witnessed it on her property. J. Mathieu stated A. Mitchell expressed her concern that Kingwood may want to regulate people taking these vehicles on to other people's properties, foreclosed properties or preserved properties.

R. Dodds stated there was a 13 year old on the park property. He had driven about six miles to get to the park. He wanted to just drive home. We called his parents to pick him up.

D. Pierce stated there is no way to handle it by ordinance or anything else. It is determined by whether the property is posted or not. It is the property owner's responsibility to post their property. The park property and preserved properties should have signs of what is permitted and what is not permitted. If you catch someone, you can give them a warning and the next time call the police. If they refuse to leave when you ask them, it is defined as trespassing.

L. Voronin stated the DEP was cracking down on using ATVs on state properties.

R. Dodds stated the DEP impounds the vehicle for a fairly lengthy period of time.

### **TDR GRANT**

R. Dodds stated when the Scenic Overlay Ordinance was done for Route 12 a few years ago, the Township promised the landowners along Route 12 that they would pursue a Transfer of Development Rights (TDR) program. The landowners would be able to sell their development rights and not lose any value of their property. The Township applied to the State TDR bank, which meets once a year. The annual meeting was October 12<sup>th</sup>. He went down to Trenton and the Township's grant was the only item on the agenda. The award of the grant moves the Township one step closer to the promise they made four or five years ago.

**BUNKER HILL SUBDIVISION**

T. Decker stated he had received a call from R. Dodds regarding the residents in the Bunker Hill subdivision. The residents came to the Township Committee last week and voiced some concerns. Construction hasn't wrapped up yet in the development and the landscaping has not been planted. In regard to landscaping, drainage and road improvements, the road is constructed with the base course but the top coat has not been installed. Usually the top coat is done shortly before the developer wants to turn over the road to the Township. The drainage on this site was designed shortly after the new Stormwater Regulations came into effect under the Best Management Practices. It has been a learning curve over the last few years. There are items that are done differently today than when the new regulations were adopted. There were bio-retention swales that should have percolated into the ground which have not worked. Ponding water sits there after a rainstorm. There is not much the Township can do in that regard other than ascertain that the developer has constructed the drainage improvements as approved. He has inspected the drainage and it has been installed according to the plan. The residents may not be happy with the drainage but there is not much he can make the developer do. In regard to the landscaping, the developer still has not planted any of the street trees along the road. The trees have not been planted around the detention basins. The conservation easement was required by the DEP to be reforested. The developer is in the process of working with the DEP to get around putting in that vegetation since it has been sitting for the last ten years and some natural growth has occurred. He stated he has indicated to the developer that the reforestation has to be done according to the DEP approvals. The residents are concerned that the developer will sell the last house and leave the development incomplete. The developer still has a performance guarantee in place. It has been reduced to the minimum, which is 30% of the original performance bond amount. The MLUL (Municipal Land Use Law) states the developer is entitled to a reduction in the performance bond once they have put in some of the improvements. The bond should be about a couple hundred thousand dollars. Pulling the bond to get the improvements done from the insurance company is a long process. Once the development is completely finished, the performance guarantee is released. The developer will have to post a two year maintenance bond which is 15% of the total improvement costs. The maintenance bond stays in place for two years. There was supposed to be a Homeowner's Association. It is his understanding that it has not been established. He is not sure if it is geared towards how many homes have Certificates of Occupancy. The Homeowner's Association should also provide for the maintenance of the retention ponds. The approval was for eleven lots. He stated the Board may want to consider, on future developments, with regard to the street trees to require a developer to install them after a certain number of Certificates of Occupancy have been issued. On the Van Holten subdivision, the developer started their construction without a performance guarantee because they have not filed their final plat. The developer cannot sell any of the lots until the final plat is filed. The MLUL permits one building permit to be issued before the final plat has to be filed. He stated if any of the residents from Bunker Hill should come back to the Township they should be informed that most of their concerns regarding the subdivision improvements are covered by the performance bond. The issues the residents have that pertain to their particular lots will have to be addressed with the developer themselves. It is his recommendation that the Township not get involved.

R. Dodds stated the Township Committee explained to the residents that they may need to retain counsel. The residents were informed that at some point the Township's goals and their goals may differ.

D. Haywood stated the residents indicated they were going to set up a meeting with the developer. The Township forwarded to the developer the concerns that were provided to the Township.

**ADJOURNMENT**

It was moved by C. Ely, seconded by R. Dodds and carried to adjourn the meeting at 8:12 PM. All members present voted **AYE**.

**Respectfully submitted,**

**Diane Laudenschick, Secretary**