

**MINUTES**

**7:30 PM**

**PRESENT:** R. Dodds  
C. Ely  
D. Haywood  
J. Mathieu  
S. McNicol  
L. Riggio  
J. Strasser  
L. Voronin, Alt #1  
L. Frank, Alt #2  
D. Pierce, Attorney

**ABSENT:** M. Synchronick

**CALL TO ORDER**

The meeting was called to order by D. Laudendach 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 on December 28, 2017, and has been posted in the Kingwood Township Municipal Building on January 5, 2018 and has been filed with the Municipal Clerk.

**NEW AND PENDING MATTERS**

**Re-Organization:**

L. Riggio was nominated as Chairperson for 2018 by J. Mathieu, seconded by J. Strasser.

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

C. Ely was nominated as Vice-Chairperson for 2018 by R. Dodds, seconded by J. Mathieu.

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

It was moved by J. Mathieu, seconded by S. McNicol and carried to appoint David R. Pierce of Lindabury, McCormick and Estabrook as attorney for 2018. All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by R. Dodds, seconded by S. McNicol to appoint Thomas R. Decker of Van Cleef Engineering as engineer for 2018. All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by J. Mathieu, seconded by R. Dodds to appoint David Banisch of Banisch and Associates as planner for 2018. All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by R. Dodds, seconded by C. Ely and carried to approve the meeting dates as set forth on the agenda.

|                  |                    |
|------------------|--------------------|
| February 8, 2018 | July 12, 2018      |
| March 8, 2018    | August 9, 2018     |
| April 12, 2018   | September 13, 2018 |
| May 10, 2018     | October 11, 2018   |
| June 14, 2018    | November 8, 2018   |
|                  | December 13, 2018  |

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

It was moved by J. Mathieu, seconded by R. Dodds 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**.

#### **Block 32, Lots 10 & 11.02 – Tumble Idell Road –Tumble Partnership - Extension of Time to File Deeds**

D. Pierce stated the applicant has requested an extension of time to file the deeds on the application. The applicant has retained H. Apgar as their attorney.

It was moved by J. Mathieu, seconded by D. Haywood and carried to grant a 90 day extension of time to file the deeds on **Block 32, Lots 10 & 11.02 – Tumble Idell Road –Tumble Partnership**. All members present voted **AYE** on **ROLL CALL VOTE**, except L. Frank, who **ABSTAINED**.

#### **Block 40, Lots 8 & 8.04 – Tumble Falls Road – Casuscelli – Extension of Time to File Deeds**

P. Cerillo, attorney for the applicant was present this evening for the request. The attorney requested a 90 extension of time to file the deeds.

It was moved by R. Dodds, seconded by J. Mathieu and carried to grant a 90 day extension of time to file the deeds on **Block 40, Lots 8 & 8.04 – Tumble Falls Road – Casuscelli**. All members present voted **AYE** on **ROLL CALL VOTE**.

#### **Bunker Hill Homes – Block 22, Lot 17 – Heath Road – Discussion on Prior Approval**

M. Vincent, attorney for the applicant, was present for the application this evening. He stated his client and engineer were before the Board in November. Subdivision approval was granted in 2006 and the development was started in 2007-2008. In the last ten years, his client has sold approximately one house a year. In 2016, he sold two homes. In his client's appearance in November, he requested and received approval for the bio-retention basin to be removed from Lot 17.04. Also in the approval was the requirement that the street trees be planted before the

Certificate of Occupancy (CO) was issued on Lot 17.04. The applicant has satisfied the DEP required reforestation. The house on Lot 17.04 has been finished for about a year and a half. There was a statement in the resolution that Lot 17.04 was the applicant's last lot. He still owns Lot 17.03. The applicant was agreeable to require a restriction on the CO for Lot 17.03 until the street trees were planted.

J. Mathieu stated one of the concerns is that the existing homeowners would want the street cap and street trees installed and not wait until the last lot is developed.

D. Pierce suggested that he was not thrilled to having an unlimited time duration to get the street trees planted because no one knows when the last lot will be developed. In order to avoid a hardship to the applicant with respect to the sale of the house on Lot 17.04, he suggested the Board entertain amending the subdivision approval to require the street trees to be installed by May of 2018, which provides the Board with a definite date. If the applicant does not satisfy the date, the Township can call the bond under the Developer's Agreement. In regard to the final coat, it is at the engineer's discretion when the appropriate time would be for its installation. The amending resolution can provide for a reasonable period of time to get the last house built, possibly a year or a year and a half may be suitable.

J. Mathieu stated there are two interested parties, the applicant and the residents who live there. He is concerned that the people who live there are going to inquire why the final paving hasn't been done. Based on the request, it seems as if the last house dictates the completion of the paving.

S. Mc Nicol inquired when was the first house was sold. M. Vincent responded 2008. S. McNicol stated it has been long enough for the residents to live on a road without the street trees having been planted and the final course installed.

C. Ely stated he agrees with S. McNicol's comments.

L. Voronin inquired how many trees need to be planted. M. Vincent responded that he did not have the number. L. Voronin inquired why the applicant didn't install the street trees when he was installing the DEP reforestation. M. Vincent responded the applicant planted the trees, shrubs and wetland plants that were required by the DEP. His client felt that the priority was to satisfy the DEP reforestation requirements.

D. Pierce stated the Township has not received any complaints from the residents of the development in regard to the lack of the installation of the final course of pavement. It is not as if the road is not usable just not completed. A condition can be put in to require the final paving to be completed by a certain date and that no CO can be issued for Lot 17.03 until the final course is done. If the house is sold earlier then the paving will be done and if not, it will be done later.

R. Dodds suggested that all the street trees delineated in the original approval be installed by May 1, 2018 and then nine months from today the final course be installed. If the applicant agrees to those conditions, the Township would agree to allow the CO to be issued on Lot 17.04.

M. Vincent asked for a moment to speak with his client.

### **2018 Budget Request**

R. Dodds stated the Township will be continuing working on the Transfer of Development Rights in 2018 and suggested the Board put in the same amount as 2017.

D. Pierce stated that the Township will also have to address the COAH settlement on affordable housing with a new Master Plan element.

R. Dodds stated the Board may want to increase the budget for 2018.

The Board is waiting on D. Banisch for an estimate for the cost of the work. The matter will be listed on the February agenda.

### **Approval of Minutes**

It was moved by J. Mathieu, seconded by R. Dodds and carried to approve the minutes of December 14, 2017 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except S. McNicol and L. Frank, who **ABSTAINED**.

### **Bunker Hill Homes – Block 22, Lot 17 – Heath Road – Discussion on Prior Approval**

M. Vincent indicated that he could not reach his client. He requested the matter be continued to the February meeting.

The Board was polled, with seven members being in favor and one member being opposed, to amend the approval requiring the street trees to be planted by May 1, 2018 and the final paving to be done prior to the issuance of the CO on Lot 17.03.

### **CORRESPONDENCE**

NJ Planner – November-December 2017

### **PRIVILEGE OF THE FLOOR**

### **ADJOURNMENT**

It was moved by J. Mathieu, seconded by R. Dodds and carried to adjourn the meeting at 7:56 PM. All members present voted **AYE**.

**Respectfully submitted,**

**Diane Laudenschick, Secretary**