

**MINUTES**

**7:30 PM**

**PRESENT:** R. Dodds  
C. Ely  
L. Frank  
D. Haywood  
J. Strasser  
M. Syrnick  
L. Voronin, Alt #1  
D. Pierce, Attorney

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

**CALL TO ORDER**

The meeting was called to order by C. Ely at 7:31 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 25, 2018, and has been posted in the Kingwood Township Municipal Building on January 22, 2018 and has been filed with the Municipal Clerk.

**NEW AND PENDING MATTERS**

**Block 12, Lot 33 – Delia – Route 519 – Minor Subdivision – Determination of Completeness**

It was moved by R. Dodds, seconded by J. Strasser and carried to table the Determination of Completeness until the March 8, 2018 meeting. All members present voted **AYE**.

**Clover Rod and Gun Club – Block 37, Lots 18 & 19 - Request for Extension of Time**

D. Pierce stated the applicant recorded the deeds without the Planning Board's stamp and Chairperson and Secretary's signature. In the past the County has refused to record the deeds without the Planning Board stamp. The time to record the deeds has expired and the applicant has requested an extension of time rather than having to come before the Board for re-approval of the Boundary Line Adjustment.

It was moved by D. Haywood, seconded by M. Syrnick and carried to grant a 90 day extension of time to file the deeds for Clover Rod and Gun Club – Block 37, Lots 18 & 19. All members present voted **AYE** on **ROLL CALL VOTE**.

**Proposed Ordinance No. 19-03-2018 – Setback Requirements for Sheds**

R. Dodds stated that smaller lots, which are three acres or less, have difficulty placing an accessory structure within the current set back requirements. The accessory structure could not be used for poultry or livestock.

After some discussion, it was moved by L. Frank, seconded by J. Strasser and carried to recommend adoption of Ordinance No. 19-03-2018 with the following change:

- 1) Accessory buildings, *whose primary purpose is the storage of garden tools, mowers and other ancillary residential items* and are less than 200 square feet in area, may be located within fifteen (15) feet of any side or rear lot line on lots of three (3) acres or less.

All members present voted **AYE** on **ROLL CALL VOTE**, except R. Dodds, who **ABSTAINED** and L. Voronin, who voted **NAY**.

#### **Resolution No. 2018-01 – Block 32, Lots 10 & 11.02 – Tumble Partnership – Extension to File**

It was moved by R. Dodds, seconded by J. Strasser and carried to adopt Resolution No. 2018-01 - Block 32, Lots 10 & 11.02 – Tumble Partnership – Extension to File. All members present voted **AYE** on **ROLL CALL VOTE**, except L. Frank and M. Synchron, who **ABSTAINED**.

#### **Resolution No. 2018-02 – Block 40, Lots 8 & 8.04 – Casuscelli – Extension to File**

It was moved by R. Dodds, seconded by J. Strasser and carried to adopt Resolution No. 2018-02 – Block 40, Lots 8 & 8.04 – Casuscelli – Extension to File. All members present voted **AYE** on **ROLL CALL VOTE**, except L. Frank and M. Synchron, who **ABSTAINED**.

#### **Resolution No. 2018-03 – Block 22, Lot 17 – Bunker Hill Homes – Amending Prior Approval**

D. Pierce stated the attorney for Bunker Hill contacted him and informed him that his client is agreeing to the deadlines imposed by the Board. He drafted the resolution in accordance with last month's meeting. The street trees would be planted no later than May 1, 2018 and the completed final paving would be completed by October 11, 2018.

It was moved by J. Strasser, seconded by L. Frank and carried to amend the approval. All members present voted **AYE** on **ROLL CALL VOTE**, except D. Haywood, who voted **NAY**.

It was moved by J. Strasser, seconded by L. Frank and carried to adopt Resolution No. 2018-03 – Block 22, Lot 17 – Bunker Hill Homes – Amending Prior Approval. All members present voted **AYE** on **ROLL CALL VOTE**, except D. Haywood, who was **INELIGIBLE**.

#### **2018 Budget Request**

The matter was tabled until the March meeting.

#### **Approval of Minutes**

It was moved by R. Dodds, seconded by L. Frank and carried to table the approval of the January 11, 2018 minutes until the March meeting. All members present voted **AYE** on **ROLL CALL VOTE**.

**CORRESPONDENCE**

Quakertown Solar Farm, LLC – Block 15.01, Lot 1 – Permit or Approval to the NJDEP

The Secretary was requested to see if the application for the LOI is filed with the Municipal Clerk. If the Municipal Clerk has the application, the Clerk should be requested to forward it to the Environmental Commission.

**PRIVILEGE OF THE FLOOR**

M. Syrnick reported that PennEast received their Certificate of Public Convenience and Necessity. They are taking everyone to court who has not settled with them for eminent domain. A meeting has been schedule for Tuesday, March 13 @ 7:00pm for all concerned citizens and impacted homeowners. PennEast is requesting the easements by hardship. Penn East will need to post the funds for the appraised value of the properties.

R. Dodds stated the amounts of the appraisals were not given to the owners and he was not sure where PennEast got their numbers. PennEast is proposing to have the pipeline go through Horseshoe Bend Park East. If you review the lease agreement, it provides for 24 hour access, which is well beyond what FERC allows. The bridge on the property is not rated.

M. Syrnick stated Horseshoe Bend Road is a categorized as a heavy haul road. She stated obtaining access to the properties is a hardship for them due to the fact that they cannot obtain their permits from the DEP. The Attorney General of the State of New Jersey stated they will not be giving away Green Acres land. PennEast made it sound like they already an agreement with Green Acres.

R. Dodds stated, as of today, Horseshoe Bend Park East is jointly owned by the DEP and the Township. A lot of property in Kingwood is owned by the DEP and the State of New Jersey. The Attorney General stated that PennEast cannot come onto property owned by the State. The DEP owns the development rights to some properties and the pipeline is considered development. PennEast will have to negotiate with the DEP. New Jersey controls their own freshwater wetlands. On the Constitution Pipeline, the pipeline cut down all the trees to the state border with New York and the pipeline was cancelled.

M. Syrnick stated fracking was banned but it did allow for the disposal of the wastewater from the fracking.

**ADJOURNMENT**

It was moved by J. Strasser, seconded by R. Dodds and carried to adjourn the meeting at 8:27 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenbach, Secretary