

**KINGWOOD TOWNSHIP
BOARD OF ADJUSTMENT**

**MINUTES
June 14, 2017
7:30 PM**

CALL TO ORDER

The meeting was called to order by M.L. Haring at 7:31 PM.

PRESENT:	J. Mathieu	ABSENT:	
	L. Frank		
	M.L. Haring		
	J. Laudenbach		
	P. Stepanovsky		
	D. Hewitt		
	C. Ostergaard		
	Blake Width for D. Pierce, Attorney		
	T. Decker, Engineer		

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.

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon County Democrat on December 29, 2016 and Courier News on January 9, 2017 also by telefaxing copies of the notice to the Express Times on January 9, 2017. Copies of the notice were also posted in the Kingwood Township Municipal Building on December 15, 2016. The Board of Adjustment proceedings close at 10:30 pm.

NEW BUSINESS

M.L. Haring – Called for additions or corrections to the May 10, 2017 meeting minutes. No Comments noted.

It was moved by J. Mathieu, seconded by D. Hewitt and carried to approve the minutes of May 10th, 2017. **On roll call to vote.**

Abstain: C. Ostergaard

Absent:

Aye: J. Mathieu, J. Laudenbach, P. Stepanovsky, M.L. Haring, L. Frank, D. Hewitt

M.L. Haring – Announced the new business of Galleria Construction, Inc., Block 17, Lot 15, Use Variance Application Completeness Review.

Mr. Todd Bolig, ESQ introduced himself as the applicants Attorney and described the proposed project as a Bifurcated Application under D-1 Land Use Law. He explained the project is being presented in phases. The first phase is to obtain a Use Variance Approval, if an approval is granted by the Board the applicant will then invest in a second phase, which would be a detailed site plan. It was also noted that the application package was miss numbered but is complete.

T. Decker – Agreed with this approach.

M.L. Haring – Questioned if the Board should act on the Use Variance or Determination of Completeness first.

T. Decker - Explained the Determination of Completeness for Use Variance Application should be granted first. It was recommended that Dave Banish, Township Planner review the application and also be present at the Public Hearing once set.

J. Mathieu – Asked what is expected of the Board at tonight’s meeting.

T. Decker – Confirmed once again that it would be appropriate for the Board to consider deeming this application complete. No further decisions were necessary at this time.

The following letter was reviewed by Tom Decker:

Block 17, Lot 15
Kingwood Township, Hunterdon County, New Jersey
VCEA # 6598.029

Dear Board Members:

Our office has received documentation in support of a variance pursuant to NJSA 40:55D-70(d)(1) from Kingwood Township Zoning Ordinance §132-40 for a use and industrial building in the Towhship’s Eastern Gateway Village Center Overlay (EGVCO) Zone. Proposed is a 27,400 sf building including 25,000 sf of warehouse space and 1,480 sf of office with associated site improvements.

Applicant is seeking a bifurcated use variance. In support of the bifurcation, the applicant has submitted documentation for the Board to review for the use only. Should the Board rule favorably for the use variance, the applicant would submit a fully engineered site plan application to the Board.

Documentation submitted for this application consists of the following:

- 1. Kingwood Township Board of Adjustment Application Form signed on May 23, 2017.**

2. Ownership Disclosure Statement signed May 23, 2017.
3. W-9 Form – Taxpayer Identification Number and Certification.
4. Certification from the Tax Collector that all real estate taxes are current through the second quarter of 2017
5. List of property owners within 200 feet as issued by the Tax Assessor on May 8, 2017.
6. Application Fee check in the amount of \$350.00 and Escrow Fee check in the amount of \$500.00.
7. Grant of Conservation Restriction/Easement dated September 17, 2017.
8. Plan titled “Warehouse Concept Plan Bifurcated Application” as prepared by Civil & Environmental Engineering, Inc. dated May 22, 2017.
9. Plans titled “Concept Elevation – New Warehouse for Galleria” as prepared by J.D.R Consultants dated February 20, 2017 consisting of two (2) sheets. Sheets A-3 & A-4.

Completeness Review

We have reviewed the above submitted documentation for completeness in accordance with the non-resident column of the Kingwood Township Variance Application Checklist. We find the following items as deficient. All other items have either been provided or are not applicable.

Variance Checklist Item	Comment
6	Based on current survey prepared by a licensed New Jersey Land Surveyor.
8	Title block giving names of site plan, applicant(s), owner(s) and preparer. <i>Owner and applicant information has not been provided.</i>
27	Indicate provisions for refuse and garbage disposal.
29	Indicate all existing or proposed exterior lighting.
30	Show all existing and proposed signs and their sizes.
32	Show proposed screening, green areas, landscaping and fencing, including a planting schedule.
33	Show improvements to adjoining streets and roads and traffic control devices necessary in streets and highways
36	Show fire service lines, hydrants, Siamese connections, automatic sprinkler systems, fire zones, and pavement and wall signs.
37	Complete construction plans for all improvements, including roads, fences, drainage, water, sewer and surface water management facilities

Variance Checklist Item	Comment
38	Lot grading plans
39	Location of natural features to be preserved;
40	Soil erosion and sediment control plan in accordance with Chapter 103, Soil Erosion
41	Calculations demonstrating the adequacy of existing and/or proposed surface water management facilities.
44	Certification as to Delaware & Raritan Canal Commission (DRCC) Review Zone or that property is exempt;
45	Steep Slopes;
46	Stormwater Management Plan

Completeness Recommendation

Given the nature of the application as a bifurcated use variance, we recommend that waivers for completeness purposes be granted for all of the above items. The applicant has submitted adequate information for the Board to move forward with a public hearing to hear testimony regarding the merits of the application. By granting waivers for completeness purposes only, the Board retains the ability to request additional information should it deem necessary.

M.L. Haring – Asked if there was concern over the location of the well at this time.

J. Mathieu - Questioned if there was a need to show parking design at this point.

T. Decker – Explained all waivers being requested are for the checklist only, not for design purpose. It is being recommended that Dave Banish be presented for the next phase due to the Eastern Gateway Village Overlay Zone Ordinance. Galleria Construction is the first application to go through this process and will need the guidance of Mr. Banish and his knowledge in this area.

M.L. Haring – Asked the Board for additional questions or concerns.

J. Mathieu – Asked the Attorney if it was suitable to deem this application complete tonight.

B. Width – Advised that no additional decision were necessary or ideal other than a Determination of Completeness until more information is presented.

P. Stepanovsky – Voiced his concern about missing Key Map information and list of property owners.

T. Decker – Explained that the checklist does not require the property owners list be provided on the plan, it does require the certified list be submitted which was included. It was explained that there are two different checklists, one for variances and the other for site plans. This board has

typically only seen site plan application where it is required in the plan section to be listed. This however is a Use Variance therefore only requiring a certified list be provided.

M.L. Haring – Suggested that the Use Variance Application checklist be revised to require the Key Map be provided on the site plans. This would assist the Board in making decision by seeing surrounding businesses.

T. Decker – Agreed and advised that revising the checklist would be a good idea. This would have to be adopted by the Board.

M.L. Haring – Called for a motion to deem this application complete if all questions and concerns were addressed. No further comments were noted.

It was moved by D. Hewitt, seconded by J. Mathieu and carried to deem the Galleria Construction Application complete with the recommendations made by Tom Decker.

On roll call to vote.

Abstain: L. Frank

Aye: J. Mathieu, D. Hewitt, J. Laudenschlager, P. Stepanovsky, M.L. Haring,
C. Ostergarrd

COMMUNICATIONS/REPORTS

May Zoning Report was announced.

OPEN TO THE PUBLIC

M.L. Haring - Called for comments from the public.

Sara Perri, resident of Kingwood questioned converting a barn into living space to reside in after retirement. The property is described to be on 8 plus acres, there is an existing house, farm hand house and a barn, the property is not farmland assessed at this time. It was explained after meeting with Joe Rossi from Zoning, it was still unclear if a barn conversion was allowed. Ms. Perri was then referred to the Board of Adjustments for guidance.

It was suggested by the Board and Tom Decker that Ms. Perri contact Dave Banish for clarification.

ADJOURNMENT:

The meeting was adjourned with a motion by D. Hewitt, seconded and carried by L. Frank. **All in favor.** The meeting adjourned at 8:00pm.

Respectfully submitted,

Kris Boxwell, Secretary