

MINUTES

7:30 PM

PRESENT: S. Harris
D. Haywood
J. Mathieu
S. McNicol
F. Murray
A. Russano
M. Syrnick
G. Vitale
L. Voronin
M. Flynn, Attorney
W. Ingram, Engineer

ABSENT:

CALL TO ORDER

The meeting was called to order by D. Haywood at 7:43 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. Your cooperation is appreciated. Due to continuing COVID19 precautions, the Planning Board meeting is a virtual meeting held online. The meeting is hosted on Zoom with the link posted on the Township website.

Notification of the time, date and place of this meeting has been published in the Hunterdon County Democrat and Courier News on December 15, 2022, and has been posted in the Kingwood Township Municipal Building on December 15, 2022 and has been filed with the Municipal Clerk.

NEW AND PENDING MATTERS

Block 12, Lot 1 -The Ant Farm LLC – Minor Subdivision – Request for Extension of Time to February 9, 2023.

Block 12, Lot 33 - Delia – Minor Subdivision – Request for Extension of Time to February 9, 2023.

M. Flynn stated that the applicants' attorney requested an extension of time. For Block 12, Lot 33 it was to more thoroughly respond to the engineer's review letter and for Block 12, Lot 1, it was because the principal of the applicant was ill. They also have not provided notice. He stated the applicants have consented to the extension to the February meeting.

It was moved by J. Mathieu, seconded by A. Russano to grant an extension of time until February 9, 2023. All members present voted **AYE**.

Block 9, Lot 2.01 – 963 Route 12 – Planned Water Usage Changes

**PLANNING BOARD MEETING
JANUARY 12, 2023**

The Township received an email from J. Luckhardt of Verdantes stating that his firm is conducting a groundwater remedial action protectiveness/biennial certification for Block 9, Lot 2.01. He was requesting the Board inform him, as required by NJDEP, if there were any planned water use changes in the Brunswick aquifer beneath the site.

M. Syrnick stated it is one of the properties in the Township that has been monitored for several years.

D. Haywood inquired if the email was just a notification or if the Board needs to take any action.

W. Ingram stated it was a previous application. It is under the jurisdiction of the DEP and it is really general correspondence.

L. Voronin stated the EC thought that the DEP had deemed that there was no problem at the site or they had completed the remediation.

S. McNicol stated they may be on a number of year plan to continue to inform the Township of any progress. There was some cleanup of an underground water problem or pollution. They notified the EC a couple of years ago that the problem was under control but they have to let the Township know periodically for a number of years.

M. Syrnick stated that the correspondence states they are conducting a ground water remedial action protectiveness/biennial certification. They must be required to submit a certification every two years.

D. Haywood inquired if the Township would be notified if the certification is approved.

M. Flynn stated he is assuming that it may be required to notify the Planning Board.

M. Syrnick requested the email be forwarded to the EC secretary.

D. Laudenbach stated she had reached out to the individual and he stated they require something from the Township to notify them that there were or were not going to be any changes to the planned water uses.

M. Flynn stated it should be under the jurisdiction of the governing body.

J. Mathieu stated he thinks it involves a diesel fuel tank leak and may not arise to the situation that was present at MEI back a number of years ago. MEI was required to come to the Planning Board about 15 years ago. It may have been coordinated with the DEP. He stated it should be looked into and see exactly what they are requesting and the Township should be informed when the site gets a clean bill of health. There was a DEP case number. He remembers MEI sending someone to give the Planning Board a report annually on what was going on with the wells.

M. Syrnick stated basically the notice says that they are asking the Township if they know of any changes in the aquifer as required by the DEP, such as a planned development tapping into the aquifer. She does not think it is what is happening at the site but what is happening around the site.

J. Mathieu stated he is not aware of any aquifer pumping such as they did for MEI at this site.

M. Syrnick will reach out to the individual and report back to the Planning Board next month.

**PLANNING BOARD MEETING
JANUARY 12, 2023**

After a brief discussion on the property's history, M. Syrnick will be reaching out to the company to see what information the Board may need to provide. She will report back to the Board next month.

Ordinance No. 2-2023: An Ordinance by The Township Committee of The Township of Kingwood Amending the Township Code of Ordinances of The Township of Kingwood to Repeal Chapter 132-37 Entitled "Floodplain District" And to Create a New Chapter, Chapter 79, Entitled "Floodplain Management and Regulations;" To Adopt Flood Hazard Maps; To Designate a Floodplain Administrator; And Providing for Severability and An Effective Date

D. Haywood stated the ordinance looks like a template.

M. Syrnick stated the State has determined that municipalities are mandated to adopt this ordinance in order to be in compliance with the new Flood Plain rules.

D. Haywood inquired if the Planning Board would be hearing variances rather than the BOA.

J. Mathieu stated the Board would be able to hear all variances except a "d" variance.

M. Flynn indicated that the Board would be able to hear all other variances under that section.

M. Syrnick stated the ordinance changes the flood plain setbacks so when the Board hears an application for a subdivision or development, they can grant an exception or not. The ordinance does impact Township properties.

M. Flynn stated it does repeal a section of the zoning ordinance and the Board should take a vote that the ordinance is not inconsistent with the Township's Master Plan. He also stated that the Township has to appoint a Flood Plain Administrator.

W. Ingram stated the current ordinance has the zoning officer listed in that position.

It was moved by S. McNicol, seconded by J. Mathieu, and carried to determine Ordinance no. 2-2023 is not inconsistent with the Township's Master Plan. All members present voted **AYE** on **ROLL CALL VOTE**.

D. Haywood stated these ordinances are required for a reason and offer protection to all the landowners in the municipality as well as the State.

2023 Budget Request

D. Laudenbach stated the Board spent approximately \$2,300.00 of the \$30,000 budgeted for 2022.

The Board discussed the work that may be upcoming for 2023 such as a Re-Examination Report, Climate Change Element, Farmland Preservation Plan, COAH and changes along Route 12.

It was moved by S. McNicol, seconded by J. Mathieu, and carried to request \$30,000 for the 2023 budget from the Township Committee. All members present voted **AYE** on **ROLL CALL VOTE**.

Approval of Minutes

**PLANNING BOARD MEETING
JANUARY 12, 2023**

It was moved by A. Russano, seconded by L. Voronin, and carried to approve the minutes of December 8, 2022. All members present voted **AYE** on **ROLL CALL VOTE**, except S. Harris, J. Mathieu and F. Murray who **ABSTAINED**.

CORRESPONDENCE

D. Haywood reviewed as per the agenda.

Township of Delaware – Notice of Public Hearing;
NJLM – League Professional Development Webinar – Understanding the State Planning
Commission’s Warehouse Siting Guidance

L. Voronin stated she may be interested in attending.

M. Flynn stated he had been informed that the webinar was going to be very good. He can check to see if anyone in his firm is going to attend and report back to the Planning Board at the next meeting.

Sustainable Hunterdon Hub 2023 Kick Off Event – January 18, 2023 – 5-7 pm;

PRIVILEGE OF THE FLOOR

S. McNicol inquired about the status of the Scenic Corridor Overlay Ordinance (SCO). She thought it was going to be introduced at the January Township Committee meeting.

M. Syrnick stated the Township Committee did not introduce the ordinance at the January meeting. She stated last month D. Banisch presented really concise changes or enhancements to the ordinance to make it clearer. He was supposed to provide it to the Township Committee to introduce on first reading in January. The ordinance does not propose to make any changes but did add one or two uses. She does not know where it stands at this point. She requested M. Flynn to reach out to D. Banisch.

A. Russano stated he believes that D. Banisch was supposed to reach out to M. Flynn for some language.

M. Flynn stated he did help him in the preparation of the draft last month. He will reach out to D. Banisch.

M. Syrnick stated she prefers that the Township Committee receives the ordinance sooner rather than later. She would like to get them in place and make them clearer.

A. Russano stated he wanted to thank everyone for their dedication in volunteering their time over the last year. He has learned a lot from the members with them bringing in their personal experience and knowledge.

D. Haywood stated she would like to thank D. Laudenbach for sending out the package in a different format. It made it easier to review the information.

L. Voronin stated she found it was easier to review for her also.

M. Syrnick welcomed new Board members F. Murray and welcomed back S. Harris.

ADJOURNMENT

**PLANNING BOARD MEETING
JANUARY 12, 2023**

It was moved by L. Voronin, seconded by J. Mathieu, and carried to adjourn the meeting at 8:15 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudенbach, Secretary