

MINUTES

7:30 PM

PRESENT: S. Harris
D. Haywood
S. McNicol
A. Russano
M. Syrnick
G. Vitale
L. Voronin
F. Murray, Alt #1
A. Fisher, Attorney
D. Banisch, Planner

ABSENT: J. Mathieu

CALL TO ORDER

The meeting was called to order at 7:30 PM by Chairperson D. Haywood.

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 February 9, 2023, and has been posted in the Kingwood Township Municipal Building on February 9, 2023 and has been filed with the Municipal Clerk.

NEW AND PENDING MATTERS

Consideration of the Re-Exam Report

D. Haywood inquired if the Board members had an opportunity to review the report.

L. Voronin responded that she had reviewed it.

D. Haywood stated that she had reviewed it and did not see any issues with it, except the typo on page 5 under Accessory Residential Use “be required to from an applicant.”

S. McNicol stated it is on the page that begins with Diversifying Affordable Housing Opportunities.

L. Voronin stated that she has one question about the contents on page regarding Warehousing and Warehouse Use. She stated the paragraph says that it is prohibited but she thought it was added and had to be under a certain square footage.

M. Syrnick responded that no warehousing is permitted in the SCO district.

L. Voronin stated that she thought it looked really good.

M. Syrnick stated at the last meeting the Board did discuss what designates a mini warehouse and there was some discussion but the SCO does not allow them. The Board also discussed at the last meeting the size of a warehouse.

Resolution No. 2023-04 – Adopting the Re-Examination Report for the Scenic Corridor Overlay

**RESOLUTION #2023-04 OF THE PLANNING BOARD OF THE TOWNSHIP OF
KINGWOOD – ADOPTING THE 2023 MASTER PLAN REEXAMINATION
REPORT**

WHEREAS, the Planning Board of the Township of Kingwood ("Board") is authorized to prepare, adopt, and amend a master plan to guide the use of lands within the Township of Kingwood ("Township") in accordance with the purposes of the Municipal Land Use Law; and

WHEREAS, N.J.S.A. 40:55D-89 requires municipalities to prepare a re-examination report for the municipality's Master Plan at least every 10 years; and

WHEREAS, N.J.S.A. 40:55D-28 permits municipalities to, after a public hearing, amend a master plan or component thereof, to guide the use of lands within the municipality in a manner which protects public health and safety, and promotes the general welfare; and

WHEREAS, the Board authorized and directed the Township and Board Planner, David Banisch, P.P., to reexamine and prepare a report regarding the Township Master Plan and, if deemed appropriate by Mr. Banisch, to prepare an amendment to the Land Use Plan Element of the Master Plan; and

WHEREAS, Mr. Banisch did so prepare a Master Plan reexamination report, which does not recommend an amendment to the Land Use Plan Element of the Township's Master Plan but does recommend some changes in classification to certain zoning districts to accommodate additional permitted uses; and

WHEREAS, adequate notice of the consideration of the 2023 Master Plan Reexamination Report was provided in accordance with the requirements of the Municipal Land Use Law ("MLUL"), and made available for public inspection at least ten (10) days prior to the February 27, 2023 special meeting of the Board; and

WHEREAS, at a public hearing held on February 27, 2023, the Board duly considered the proposed 2023 Master Plan Reexamination Report (attached hereto as **Exhibit A**), and the testimony of Mr. Banisch under oath and any, and all, other testimony and evidence provided; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Kingwood, State of New Jersey as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Board, having reviewed the proposed 2023 Master Plan Reexamination Report (**Exhibit A**), hereby adopts the same, finding it consistent with the goals and objectives of the Master Plan and further finding that same will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28 and N.J.S.A. 40:55D-89.

Section 3. The Clerk/Secretary of the Planning Board shall forward a copy of this Resolution, with the attached 2023 Master Plan Reexamination Report, to the New Jersey State Office of Planning Advocacy and the Hunterdon County Planning Board, and notice of the adoption of same shall be sent to the Municipal Clerk of each adjoining municipality, as well as published in an official newspaper(s) of the Township.

Section 4. This Resolution shall take effect immediately.

It was moved by Voronin, seconded by S. Harris, and carried to adopt Resolution No. 2023-04 Adopting the Re-Examination Report for the Scenic Corridor Overlay. All members present voted **AYE** on **ROLL CALL VOTE**.

Consistency Review of Ordinance No. 5-2023

A. Fisher stated the Board is discussing finding Ordinance #5-2023 to be consistent with the Master Plan pursuant to Sections 26A and 64 of the Municipal Land Use Law (MLUL). He stated when an ordinance is introduced by the governing body and that ordinance affects zoning or land use it then has to go before the Planning Board and the Planning Board has to adopt a resolution or make a finding that it's not inconsistent with the Master Plan. This resolution makes that finding. It then gets returned to the governing body for public hearing and adoption.

Resolution No. 2023-05 – Finding Ordinance No. 5-2023 Not Inconsistent with the Master Plan

RESOLUTION # 2023-05 OF THE PLANNING BOARD OF THE TOWNSHIP OF KINGWOOD FINDING ORDINANCE NO. 5-2023 TO BE CONSISTENT WITH THE MASTER PLAN PURSUANT TO SECTIONS 26(a) AND 64 OF THE MUNICIPAL LAND USE LAW

WHEREAS, on February 2, 2023, at a duly noticed and constituted public meeting, the Township Committee of the Township of Kingwood ("Governing Body") introduced, on first reading, proposed Ordinance No. 5-2023, which amends the Township's Zoning Ordinance ("Proposed Ordinance") to clarify the zoning map of the Township and consider additional principal permitted uses for the Route 12 Scenic Corridor Overlay zoning district; and

WHEREAS, after introduction, the Governing Body referred the Proposed Ordinance to the Planning Board of the Township of Kingwood ("Planning Board") for Master Plan consistency review pursuant to N.J.S.A. 40:55D-26(a) and N.J.S.A. 40:55D-64; and

WHEREAS, on February 27, 2023, at a duly noticed and constituted public meeting, the Planning Board considered the testimony of the Board Planner and any comments from members of the public and determined that the Proposed Ordinance is not inconsistent with the Township's Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board, as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full;

Section 2. The Planning Board hereby finds and determines that Ordinance No. 5-2023, which is attached as **Exhibit A**, is consistent with the Township's Master Plan;

Section 3. The Secretary of the Planning Board shall forward a copy of this Resolution with the attached Ordinance to the Governing Body. This Resolution shall serve as the report to the governing body in accordance with N.J.S.A. 40:55D-26(a) and N.J.S.A. 40:55D-64 as to the Planning Board's consistency review of the Ordinance; and

Section 4. This Resolution shall take effect immediately.

It was moved by McNicol, seconded by L. Voronin, and carried to adopt Resolution No. 2023-05 – Finding Ordinance No. 5-2023 Not Inconsistent with the Master Plan. All members present voted **AYE** on **ROLL CALL VOTE**.

PRIVILEGE OF THE FLOOR

M. Syrnick stated that D. Banisch had sent out something about EV electric vehicle charging stations along Route 12. He made a recommendation to the Township Committee that they discuss it by developing some type of approval process for the installation of an EV charging station so that it can be consistent with the goals of New Jersey.

D. Haywood inquired if there is a template available for an ordinance.

A. Fisher stated there is a State template for requiring EV parking spaces as part of certain developments. He also believes that the MLUL was amended not too long ago to require that any Master Plan Re-Examination also look at the EV stations. The Board may want to consider establishing EV standards.

M. Syrnick stated she just wanted to bring it to the attention of Board to adopt standards for EV charging station especially in the Township's commercial districts or any restaurants.

D. Haywood inquired if the Board can be provided with a copy of the State's template for their review.

A. Fisher stated he would provide it to the Board.

The Board discussed listing EV charging stations on their March agenda for possible discussion.

M. Syrnick stated the Board should review and make a recommendation to the Township Committee.

ADJOURNMENT

It was moved by M. Syrnick, seconded by A. Russano, and carried to adjourn the meeting at 7:45 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschach, Secretary