

**KINGWOOD TOWNSHIP  
BOARD OF ADJUSTMENT  
MINUTES  
September 12, 2018  
7:30 PM**

**CALL TO ORDER**

A regular meeting of the Kingwood Township Board of Adjustment (BOA) was called to order at 7:32 pm by P. Lubitz.

**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 February 22, 2018 and Courier News on February 19, 2018 also by telefaxing copies of the notice to the Express Times on February 26, 2018. Copies of the notice were also posted in the Kingwood Township Municipal Building on February 16, 2018. The Board of Adjustment proceedings close at 10:30 pm.**

**ROLL CALL:**

PRESENT: Phillip Lubitz – Chairman, Jim Laudенbach – Vice Chairman, Mary Lou Haring, Owen Hooley

ABSENT: Dave Hewitt, Cynthia Ostergarrd, John Mathieu

OTHER: David Pierce, Attorney, Cynthia Keller, Twp. Clerk

**New Business:**

Phil Lubitz asked Karen Radcliffe, the new Secretary to the Board of Adjustment to introduce herself and tell the Board about her background. The Board welcomed the new Secretary.

Phil Lubitz stated that there is a quorum and the first order of business is to approve the April 11, 2018 and June 13, 2018 BOA meeting minutes. He asked if there were any additions or changes required for this.

David Pierce stated that the approvals should be done separately as Phil Lubitz and Mary Lou Haring were not present at the June Meeting. They started with the April minutes.

Jim Laudenschlager there is no mention in either set of minutes as to why the Board went into Executive Session or why they were there. David Pierce said generally they don't for potential litigation. Mary Lou Haring stated the minutes just note that we went into the Executive Session.

P. Lubitz took motion to accept the April 13, 2018 minutes. Mary Lou Haring made the motion. Owen Hooley seconded the motion. Phil Lubitz asked for a roll call vote of those present at the April meeting.

**Roll call vote:**

**Aye:** P. Lubitz, J.Laudenschlager, M. L. Haring O. Hooley

**Abstain:** None

**Absent:** D. Hewitt, J. Mathieu, C. Ostergarrd

Phil Lubitz asked if there were any addition or corrections for the June minutes. Owen Hooley made the motion to approve the June 13, 2018 minutes. Jim Laudenschlager seconded the motion. Phil Lubitz asked to take a roll call vote for the June minutes.

**Roll call vote:**

**Aye:** O. Hooley, J. Laudenschlager:

**Abstain:** P. Lubitz, M. Haring

**Absent:** D. Hewitt, J. Mathieu, C. Ostergarrd

Phil Lubitz stated there were no meetings in July or August so they will move on to the correspondence and reports. A letter came in notifying the township of the application to the New Jersey Department of Environmental Protection (NJDEP) of the Verizon Wireless Tower footprint. He had not sat through one of those letters before and questioned does the township have an approval on that. D. Pierce said based on township ordinance it would come through the BOA because of a use variance. P. Lubitz asked if it always goes to the NJDEP first. D. Pierce said not necessarily but because there are wetlands on this land, they went to the DEP first rather than come to the BOA. If they came to the BOA first, and then went to the DEP only to be turned down, it would have wasted their BOA submission money. P. Lubitz said this would be an item that might come to the BOA in the future.

P. Lubitz moved on to the letter from the Delaware and Raritan Canal Commission (DRCC) regarding Galleria Construction. His understanding is that the DRCC is waiting for Galleria to submit the resolution from the BOA for approval. As of today Galleria has not yet supplied it.

P. Lubitz moved on to the Planning Board Agendas for July 12, 2108 and August 9, 2018. Sharing the Planning Board Agendas is to keep the BOA apprised of what is going on with the Planning Board (PB). Three things discussed were an ordinance about millings, an ordinance about soil being brought into the township and the Townships Affordable Housing Plan. Owen Hooley asked what the first item was and David Pierce gave a quick summary about the proposed ordinance stating that it prohibits the use of millings in the township unless a top coat is provided for stability because they have been found in the Lockatong and other streams and the PB has been concerned about that.

Mary Lou Haring questioned where the millings are going to from the Rt. 12 paving project. She said the trucks are going down Rt. 519 so fast and loud especially past Union Rd. She is afraid someone is going to get hurt. Phil Lubitz asked Cynthia Keller to call the State Police to check the speed of the trucks due to complaints to the township. M. Haring said that the trucks can only do 80 loads a night because the asphalt plant can't produce more than that a night. She is curious as to where they are going. They are heading down Rt. 519 south.

Phil Lubitz then mentioned the Zoning Reports that they have not had these reports before in the past. M. Haring said that they were requested last year as to what activity may be coming up that affects the BOA. Currently, there was a lot of activity but nothing that really affects the BOA. Phil Lubitz has found the Zoning Officer to be very competent and is very pleased with him, very professional.

P. Lubitz stated there is nothing left on the agenda and asked if there anything else to discuss in terms of old business or new business. There is no public present. He commended the new secretary on having made it through her first meeting.

**ADJOURNMENT:**

P. Lubitz called for a motion to adjourn. Mary Lou Haring made the first motion and Jim. Laudenschach seconded the motion. Phil Lubitz asked the Board if anyone objected to a short meeting in October just to keep the momentum rolling along. Mary Lou Haring said yes just to keep apprised of what is going on. Phil Lubitz said plan on meeting on the second Wednesday in October. By a unanimous vote the BOA voted to adjourn.

**The meeting adjourned at 7:48 pm.**

Respectfully submitted,



Karen Radcliffe  
BOA Secretary