

**EAST AMWELL PLANNING BOARD MINUTES**  
**7:30 PM East Amwell Municipal Building**  
**April 14, 2010 - Meeting**

**Call to Order, Attendance and Pledge of Allegiance**

This meeting of the East Amwell Planning Board was opened on April 14, 2010 at 7:30 PM. The following notice was read, "In compliance with the Open Public Meetings Act, this is a regularly scheduled meeting pursuant to the annual meeting notice as published in the January 21, 2010 issue of the Hunterdon County Democrat, a copy of the agenda for this meeting was forwarded to the Hunterdon County Democrat, filed in the Township Clerk's Office and posted on the bulletin board on April 7, 2010."

**Present:** Fred Gardner – *(arrived at 7:33 PM)*  
Rob Gilbert – *(arrived at 7:33 PM)*  
Gail Glashoff  
Peter Kneski  
Linda Lenox  
Don Reilly, Chairman  
Dart Sageser  
Michael Weis  
Joe Wolfgang  
Roger DeLay – *(arrived at 7:33 PM)*  
Planner Slagle

**Excused:** Bela Kamensky

**Citizens' Privilege to Speak on Items Not on the Agenda**

It was noted that there were no members of the public present at the meeting at this time.

**Review of Minutes**

A motion by Gail Glashoff, seconded by Dart Sageser to approve the Board's minutes from 3/10/10 was approved with Ms. Lenox and Mr. Wolfgang abstaining.

It was noted that a copy of the Application Review Committee (ARC) minutes from the 3/18/10 meeting with Dr. J. Dilts House, LLC was included in the Board Member's packets for informational purposes.

**New Business – Other**

**Discussion: Tree Harvesting Ordinance – Revised Version from Planner Banisch's Office**

It was noted that the draft ordinance is back for Planning Board review because when it was forwarded to the Township Committee, the Township Attorney's Office had made several comments. The Board reiterated that the initial purpose of revising the Ordinance was to address inconsistencies within the existing Ordinances that were previously discovered by a prior Zoning Officer.

Chairman Reilly indicated the goal this evening is to incorporate the Board's intentions and new policies into the existing tree harvesting ordinance.

The Board conducted a page by page review of the document. Suggested changes and edits were made that will be incorporated into Planner Slagle's final draft for review at next month's meeting.

East Amwell Township Planning Board Minutes – April 14, 2010

It was the consensus of the Board to hold a public hearing on the final draft version of the Tree Harvesting Ordinance at the Board's 5/12/10 meeting. Ms. Andrews will notice the meeting accordingly. It was noted that there were many issues raised during discussion of this ordinance that could not be resolved and will be taken up in a future review of this ordinance.

Chairman Reilly opened the floor to public comment. Frances Gavigan of 123 Wertsville Road came forward and commented that she has the NJ Best Management Practices (BMP) document on her computer and noted that the BMP does not protect the Sourland Mountains. She expressed that there are issues in the BMP that may conflict with what the Board intends and how the Board plans on executing those intentions.

Mr. Weis commented that he had consulted with Dr. Keller, an Environmentalist recommended by Banisch Associates, specifically to determine whether or not the Board could rely on a forester or the BMP in order to protect the ecology of the Sourland Mountains. Mr. Weis explained that Dr. Keller had indicated the Sourland Mountain area is very healthy even with the clear cutting that has taken place. He said Dr. Keller noted that a limited amount of clear cutting is actually good for species diversity and that foresters are not necessarily trained on ecology. Mr. Weis added that when he heard that the Township Committee was considering bringing in a forester, he thought that they should bring in Dr. Keller.

Ms. Gavigan remarked that her concern is that the Tree Harvesting Ordinance started out to protect the Sourland Mountains and has now spread throughout the entire Township. She said the message is that wherever there are trees, they must be protected for all time and the Ordinance becomes onerous for those who may wish to clear pasture area in the Amwell Valley District.

Chairman Reilly commented that the existing Tree Harvesting Ordinance is not exclusive to the Sourland Mountain area. He noted that for the purpose of zoning enforcement, the Board has attempted to create consistency between the existing Tree Harvesting Ordinance and the Sourland Mountain restrictions that have been established.

Ms. Gavigan's final comments were regarding the Board's consideration of including Scenic By-ways and Cross Roads of the Revolution designations in the Master Plan. She asked that the Board strongly consider the suggestion.

Andrea Bonette of 17 Ridge Road came forward and referred to the information she had provided to the Board about a year ago regarding the clear cutting that took place along Stony Brook Road in Hopewell Township. She noted that this clear cutting was approved by a State Forester. Ms. Bonette recommended her Forester, Curtis Helm as good person to contact regarding ecological values.

Ms. Bonette then commented that she was at the Board of Adjustment meeting regarding the Fiscor application. She remarked that Mr. Fiscor believes he has the right to farm in the Sourland Mountains and she stated she did not hear any discussion at this evening's Planning Board meeting regarding the right to farm and asked whether or not this issue plays into the Tree Harvesting Ordinance.

Planner Slagle remarked that the reason State approved Forest Management plans are excluded in the Tree Harvesting Ordinance is because they are protected under the right to farm and there is a provision which allows property owners to get farmland assessment.

East Amwell Township Planning Board Minutes – April 14, 2010

Ms. Bonette also provided a Smart Growth update for the Board. She said they are moving on Phase 3 of Smart Growth and the kickoff meeting is scheduled for 4/29/10.

Mr. Gardner asked what the procedure is for implementing a Scenic By-ways designation. Planner Slagle explained that the process typically starts at the Planning Board with an analysis/report on what is considered to be valuable scenic resources.

Ms. Gavigan suggested the Planning Board consider recommending to the Township Committee that they request permission from the County to consider Scenic By-ways and Cross Roads of the Revolution designation in their Master Plan so they can then grant their permission to East Amwell for the Township to include the County roads within the municipality as Scenic By-ways in their Master Plan. She noted that there may even be grants available to pay for Banisch's study.

A motion by Linda Lenox, seconded by Gail Glashoff to close to the public was unanimously approved.

**Oral Reports**

FOSPC – Mr. Gardner reported that FOSPC members conducted a site walk with Bill Ralick of D&R Greenway of properties which D&R has identified as good pieces of land to connect the trail way properties they have already established along the Sourland Mountain. Another area of discussion was several wood lots that go between Montgomery Township and the upper part of North Hill Road. Mr. Gardner indicated D&R is concerned with these lots because they are beautiful, old grove forested areas that were probably never used as pasture land. He commented that an enterprising developer could potentially link 90 acres of properties in this area which already have access to the upper part of North Hill Road where 5 or 6 new homes could potentially be built. Mr. Gardner expressed that he thinks this notion should be a considerable concern to the Township because it would result in a significant engineering proposition. He said he believes FOSPC is in the process of encouraging D&R to go ahead and explore the options for trying to acquire these properties.

Agricultural Advisory Committee – Ms. Lenox reported that resident and CPA John Seramba attended their meeting and informed them on how the IRS is cracking down on farms and the importance of keeping records and receipts.

Environmental Commission – Mr. Sageser reported that they adopted their 2010 goals. He also noted that a letter was written in support of the Amwell Valley Design Standards grant. Chairman Reilly explained that the grant will not be pursued at this time due to funding issues. He remarked that he and Planner Slagle thought that they could designate the matching funds out of the Planning Board budget, but the way the Municipal budget works is that in order to make the financial commitment, a separate line item must be established that cannot be used for any other purpose. He noted that if the grant was not received, the funds could not be given back to the Planning Board. The Township Committee was supportive, but not in a position to fund the grant independently and the Planning Board couldn't simply designate the funds. Mr. Kneski noted that the timing of the grant was also an issue.

SM Smart Growth Grant – No report given.

HART Representative – No report given.

COAH – No report given.

Wastewater Management – No report given.

AVAD Design Standards – Chairman Reilly reported that this subcommittee has not met yet.

PB Secretary – No report given.

Chairman – No report given.

East Amwell Township Planning Board Minutes – April 14, 2010

**Presentation of Vouchers**

A motion by Fred Gardner, seconded by Rob Gilbert to approve the vouchers for payment as listed on the Board's agenda was unanimously approved.

**Adjournment**

Chairman Reilly thanked the Board Members for all of their efforts and adjourned the meeting at this time, 9:41 PM.

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Maria Andrews, Administrative Officer