

EAST AMWELL PLANNING BOARD MINUTES
7:30 PM East Amwell Municipal Building
August 14, 2013 - Meeting

Call to Order, Attendance and Pledge of Allegiance

This meeting of the East Amwell Planning Board was opened on August 14, 2013 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 17, 2013 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 August 7, 2013."

Present: Roger DeLay
Fred Gardner
Rob Gilbert
Gail Glashoff
Don Reilly, Chairman
Dart Sageser
David Wang-Iverson
Gail Skupien – Alt. #2

Excused: Joe Wolfgang
Linda Lenox – Alt. #1

Citizens' Privilege to Speak on Items not on the Agenda

Chairman Reilly opened the floor to public comment for any items not on the agenda. Frances Gavigan of 123 Wertsville Road came forward and suggested that the Board establish a better definition for flag lots and what is considered to be the front yard on these properties. She remarked that this is currently an issue with an existing lot in the township and noted that it would be beneficial to have clarification especially for agricultural properties.

Review of Minutes

A motion by Gail Glashoff, seconded by Dart Sageser to approve the Board's 7/10/13 minutes as revised was unanimously approved.

New Business – Other

Discussion – Continued Review of Draft Master Plan Re-Examination Report

Planner Slagle noted that some minor revisions were done based on the comments made at the Board's 7/10/13 meeting. Specifically, a few grammatical issues were corrected, language was added regarding the land preservation efforts within the township and language was added to better express the Township's position regarding development in the Sourland Mountain District based on the unique geology and ecology of this area.

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There was some discussion on the Sourland Mountain District. Planner Slagle clarified that the characteristic features of this area have always proven to be problematic to well and septic, to erosion, to the forest canopy, the ecology and the environmental impacts of forest degradation. She referenced the history of the district and remarked that some amendments had been challenged in Court years ago. Chairman Reilly explained that in 1992 the zoning went from 3 acre density to 5 acre density and when it was challenged in Court the Judge ruled that the Township did not have sufficient data to justify increasing the acreage from 3 to 5 acres and so the Stony Brook District was created for the small area south of the Sourland Mountain District.

Planner Slagle continued to explain that in 2002 the Township conducted a new study in the Sourlands to review the hydrogeology and the environmental data which resulted in proof that the area that had become the Stony Brook District really was characteristic of the Sourlands based on the data and subsequently the Stony Brook District was eliminated and that area became part of the Sourland Mountain District. Planner Slagle noted that in 2002 there was also an ordinance amendment increasing the minimum lot size requirement in the Sourland Mountain District from 5 acres to 15 acres.

Chairman Reilly added for clarification that in 1989 the Board of Health changed the well testing procedures to address one of the concerns expressed by the Judge relative to the testing standards. He noted from that point forward a tremendous amount of data was collected and then used in the 2002 Demicco Groundwater Resource Evaluation Report. It was noted that one of the items this report addressed was well testing methodology. Chairman Reilly added that the 15 acre zoning was predicated on the nitrate dilution model as presented in the report. He remarked that 25 acre zoning could have very well been justified but 15 acres is what everyone at the time felt comfortable with.

Planner Slagle clarified that the recommendations that come out of the history of the Sourland studies is to be mindful of the zoning districts, the land development ordinances and to keep abreast of new scientific data regarding hydrogeology and to use all of this information as the basis for sound policy decisions. It was noted this thought process is administered across all zoning districts including the Amwell Valley Agricultural District regarding prime farmland soils and what disturbance of them may mean.

Mr. Wang-Iverson asked if Planner Slagle was recommending that a follow up study be done. She indicated that the recommendation is that future analysis of the Sourland Mountain District may be necessary at some point. Mr. Wang-Iverson asked what would trigger the Planning Board to make that recommendation. Planner Slagle indicated any number of things such as the Board of Health raising major issues or even the development of new information by the NJDEP or the Sourland Alliance. Chairman Reilly remarked that the Planning Board is not aware of anything at the moment that would trigger this recommendation.

Mr. DeLay suggested a minor adjustment to the structure of a paragraph and Mr. Gardner suggested a minor language change. It was noted that a final draft of the Master Plan Re-examination Report will be available prior to next month's meeting and it was the consensus of the Planning Board to hold a public hearing on the re-exam at their 9/11/13 meeting. Ms. Andrews noted that she will provide public notice accordingly.

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Oral Reports

FOSPC – Mr. Gardner commented that there was no FOSPC meeting.

Agricultural Advisory Committee – Ms. Glashoff commented that there was no Ag Advisory meeting.

Environmental Commission – No report was given.

PB Secretary – No report was given.

Chairman – No report was given.

Ms. Glashoff asked about the email from Mr. Gardner that was forwarded to the Board Members. Chairman Reilly explained that it was simply an impression Mr. Gardner had and he was sharing his perspective as a prior Board of Adjustment member. Mr. Gardner added that he believed the email may be beneficial to some Planning Board Members so they were aware of the statement from the Municipal Land Use Law which outlines the duties and role of the Board of Adjustment.

Open to the Public

A motion by Gail Glashoff, seconded by Rob Gilbert to open to the public was unanimously approved. Frances Gavigan of 123 Wertsville Road came forward and asked if the well testing data contains results for all areas throughout the Township or just for specific zoning districts. Chairman Reilly explained that he believes when a property owner comes in for a well permit there are requirements associated with drilling a well in the Township and the data from those drill sites is the data that is being collected. Ms. Gavigan asked if the Board of Health was populating a spreadsheet or something to make the data readily available. Chairman Reilly said no and remarked that in the past a hydrogeologist has come in and gathered all of the test data to compile into a report.

Ms. Gavigan commented that she has reviewed Township maps from the late 80's and early 90's showing the geological structure of the Township, specifically the Sourland Mountain area. She suggested this geology be reviewed when comparing the Board of Health groundwater studies. Chairman Reilly commented that one of the questions brought up at the Board's last meeting was what the rationale was for the borders that delineated what is now known as the Sourland Mountain District. He asked Planner Slagle to explain. She indicated that geology has always been the basis for the districting in the Township.

Mr. Gardner commented that there was a huge infusion of lava into the surrounding rock which is now known as diabase. He said the formation is 17 miles long noting the lava baked the surrounding rock, turning it into what is known as metamorphic rock. He said the baked rock is not as bad at conducting water as the diabase is but it was noted that it is severely limiting when it comes to getting water.

Ms. Gavigan asked if there is any plan to change the boundary of the Sourlands to Wertsville Road. Chairman Reilly indicated that the Board will let the data dictate what decisions are made. He reiterated that there is no plan to review anything unless there is a reason to and stated he is not aware of anything at the moment that would trigger further study of the area or the alteration of the zoning in the Sourland Mountain.

Seeing no other members of the public come forward, a motion by Fred Gardner, seconded by Rob Gilbert to close to the public was unanimously approved.

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Presentation of Vouchers

A motion by Rob Gilbert, seconded by Gail Glashoff to approve the vouchers for payment as listed on the agenda was unanimously approved.

Adjournment

Chairman Reilly adjourned the meeting at 8:25 PM.

Maria Andrews, Administrative Officer