

EAST AMWELL PLANNING BOARD MINUTES
7:30 PM East Amwell Municipal Building
September 10, 2014 - Meeting

Call to Order, Attendance and Pledge of Allegiance

This meeting of the East Amwell Planning Board was opened on September 10, 2014 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 16, 2014 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 September 4, 2014."

Present: Roger DeLay
Fred Gardner
Rob Gilbert
Gail Glashoff
Linda Lenox
Dart Sageser
David Wang-Iverson

Excused: Don Reilly
Gail Skupien – Alt. #1

Citizens' Privilege to Speak on Items not on the Agenda

Vice Chairman Gilbert opened the floor to public comment. Beverly Smith of 30 Back Brook Road came forward and expressed support for getting the library to move back into town. She remarked that the library is a "gathering place" which was a great benefit to the community. She commented that its new location is inconvenient.

Several Board Members expressed agreement with wanting the library to move back into town. Mr. Sageser stated that he will be meeting with the library board later in the month and indicated there was some speculation on a "South County Branch" of the library being built in this area. Township resident Dick Ginman spoke up from the public saying that a subcommittee of himself, Mr. Sageser, Mr. Reilly and Mr. Matthews will be meeting with the library board in the main meeting room of the library on 9/19/14 at 9:00 AM.

Seeing no other members of the public come forward, a motion by Roger DeLay, seconded by Linda Lenox to close to the public was unanimously approved.

Review of Minutes

A motion by Fred Gardner, seconded by Linda Lenox to approve the Board's minutes from 8/13/14 with no revisions noted was approved with Mr. Gilbert abstaining. Township resident Glorianne Robbi spoke up from the public and expressed that the comments made by Frances Gavigan at the 8/13/14 meeting regarding the Federal Regulatory Energy Commission (FERC) were incorrect. She stated she will provide the Board with updated information.

New Business – Other

Public Hearing: D&R Greenway Land Trust – Minor Subdivision Approval/Lot Line Adjustment – Block 38 Lot 3 (*Estate of Plimpton*) & 3.01 (*Smith*): 247 & 243 Rileyville Road

Present for the application was John Watson, Jr. (Jay), Vice President of D&R Greenway Land Trust.

Engineer O’Neal referred to his 9/9/14 review memo noting several requested waivers which he believed to be reasonable and recommended that the application could be found complete. A motion by Dart Sageser, seconded by Gail Glashoff to deem the application complete was unanimously approved by voice vote.

Mr. Watson explained that he was working with John Plimpton on the preservation of this parcel when he passed away during the process. He commented that the negotiations were subsequently continued with Mr. Plimpton’s brother.

It was noted that the applicant is proposing to subdivide existing Block 38 Lots 3 and 3.01 for the purpose of land preservation and lot conformance. Block 38 Lot 3 owned by the Plimpton Estate is a 26 acre parcel which D&R Greenway is proposing to subdivide into 2 lots: New lot 3.03 will consist of 4 acres including the existing Plimpton home and related outbuildings, New lot 3.04 will consist of 21 acres of open space which will be deed restricted in conjunction with D&R Greenway Land Trust. Additionally the applicant is proposing to convey .78 acres to existing Lot 3.01 in order to provide the current property owners room for any future septic improvements. The total acreage for lot 3.01 will become 1.76 acres.

Mr. Watson indicated that there is no new development associated with the proposed subdivision and he explained the funding will be provided by County Open Space and D&R Greenway. He clarified the purpose of the subdivision is to preserve 21 acres which will add to the adjoining Sourland Preserve, retain the current single family home on its own lot and provide additional land to the adjoining property owner to make his lot more conforming and provide additional land for future septic improvements.

Planner Slagle referred to her review memo date 9/10/14 and noted the following required variances:
Minimum Lot Area for the two lots: 1.76 acres and 4.42 acres where 15 acres is required
Minimum Lot Width for the two lots: 182 ft. and 414 ft. where 500 ft. is required
Minimum Lot Depth for the two lots: 377 ft. and 427 ft. where 500 ft. is required
Minimum Side Yard Setback for Lot 3.01: 49 ft. where 100 ft. is required
Maximum Lot Coverage for the two lots: 8.4% and 6.1% in violation of the sliding scale percentages

She commented that the Master Plan encourages open space preservation in the Sourland Mountain and the proposed subdivision meets the long term planning goals for the preservation of open space. She added that the subdivision is logical and will not create any irregular lot lines.

Ms. Glashoff asked the applicant if they have received County Planning Board approval. Mr. Watson indicated they are working on it.

A motion by Roger DeLay, seconded by Dart Sageser to open to the public was unanimously approved.

Stephen Anasiewicz of 235 Rileyville Road asked how the subdivision will impact his property. Planner Slagle explained that .78 acres of the large lot will be acquired by the owner of lot 3.01 simply to increase their existing lot size in the event septic improvements are needed in the future. Mr. Anasiewicz commented he had no issue with the proposed application.

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Wayne Smith of 243 Rileyville Road came forward and stated he is the property owner of existing lot 3.01 and simply wanted a little extra land in the event of future septic issues. He stated that no Township money is involved with the transaction and commented that he wanted to thank everyone for facilitating the subdivision.

Rich Spiegel of 1 Mountain Road came forward and asked who was funding the subdivision and how much the property was worth. Attorney Norman expressed that the financial aspect of the application is out of the Board's purview. Mr. Spiegel commented that in 2006 the same scenario happened with the Dursch property and he expressed concern with creating non-conforming lots out of conforming lots. He added that the current taxes are over \$10,000 on this parcel and remarked that after 2 years of the property being in preservation that amount will come off the tax books. He questioned whether or not a precedent was being set.

Attorney Norman stated that the site is not really being altered and that the one smaller lot is actually being made more conforming. He commented that the proposal presents a better planning alternative and stated each application is reviewed and considered on its own merits. Attorney Norman noted 21 acres will be preserved which is one of the purposes of the MLUL, to promote conservation and open space which is what the proposed subdivision will do. He remarked that the benefits of granting the variances to allow for that may outweigh any detriments in having non-conforming lots. Mr. Spiegel asked how much the tax payer is expected to absorb.

Vice Chairman Gilbert commented that there is also a tax benefit to preserving land. Mr. Spiegel remarked that he has heard it all and expressed that the schools are not crowded. He stated a team in the little league was dropped because there aren't enough kids in the schools.

Seeing no other members of the public come forward, a motion by Dart Sageser, seconded by Gail Glashoff to close to the public was unanimously approved by voice vote.

A motion by Dart Sageser, seconded by Fred Gardner to approve the subdivision application with the requested variances conditioned upon the items outlined in the professional's review memos was unanimously approved by roll call vote.

Roll Call Vote: Dart Sageser: Yes, Fred Gardner: Yes, Roger DeLay: Yes, Rob Gilbert: Yes, Gail Glashoff: Yes, Linda Lenox: Yes, David Wang-Iverson: Yes

Approval: Resolution PB#2014-04: Final Major Subdivision Approval – Steve Lang: Block 8 Lot 10 – Boss Road

A motion by Dart Sageser, seconded by Gail Glashoff to approve Resolution PB#2014-04 was unanimously approved by roll call vote.

Roll Call Vote: Dart Sageser: Yes, Gail Glashoff: Yes, Roger DeLay: Yes, Fred Gardner: Yes, Linda Lenox: Yes, David Wang-Iverson: Yes

Discussion: Proposed Amendments to Chapter 176 from Board of Health, re: Water Supply Ordinance

Mr. Wang-Iverson explained that some of the language in the ordinance needs to be changed for better clarification. Mr. DeLay asked how it will be determined if any alterations will result in an increased demand on a well of 20%. Mr. Wang-Iverson explained that the well re-certifications will be based on the information provided on the permit applications. He remarked that if a bedroom is added to a home that may trigger a re-certification based on the NJDEP standards. It was noted that the Planning Board had no comments on the proposed changes to the language.

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Oral Reports

FOSPC – No report was given

Agricultural Advisory – Ms. Glashoff reported that the Farm Forum will be on 10/23/14

Environmental Commission – Mr. Sageser reported that the 4-H Fair was a success

PB Secretary – No report was given

Chairman – No report was given

It was noted for the record that Attorney Norman and Engineer O’Neal were excused from the meeting at this time, 8:25 PM.

Correspondence

Ms. Lenox asked about the letter sent from the County Planning Board regarding their disapproval of the “Peacock Apartments.” Planner Slagle explained that the issues raised were technical and most were listed as conditions of approval in the Board of Adjustment’s resolution.

Open to the Public

A motion by Fred Gardner, seconded by Gail Glashoff to open to the public was unanimously approved by voice vote.

Frances Gavigan of 123 Wertsville Road came forward and asked for some guidance from the Planning Board regarding the upcoming Ag meeting with respect to a possible ordinance on noxious weeds. She stated that it ties into property maintenance because the Canadian Thistle is invasive and impacts farm crops. She stressed the importance of the timing of the mowing and remarked that it should be done twice a year.

Mr. Sageser noted that this matter has been discussed and the issue is always enforcement. Some additional discussion took place with comments made by Planner Slagle suggesting that this issue might be addressed through the property maintenance ordinance being considered by the governing body.

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

Planner Slagle noted that the draft of the Village Study is done and in the process of being reviewed. She stated it should be distributed shortly.

Presentation of Vouchers

A motion by Fred Gardner, seconded by Dart Sageser to pay the vouchers as listed on the agenda was unanimously approved by voice vote.

Adjournment

Vice Chairman Gilbert adjourned the meeting at 8:44 PM.

Maria Andrews, Administrative Officer

Note: These minutes have not been formally approved and are subject to change at the Board’s 10/8/14 meeting.