

EAST AMWELL PLANNING BOARD MINUTES
7:30 PM East Amwell Municipal Building
Reorganization Meeting - January 8, 2014

Call to Order, Attendance and Pledge of Allegiance

This meeting of the East Amwell Planning Board was opened on January 8, 2014 at 7:30 PM. The following notice was read, "In compliance with the Open Public Meetings Act, this is a regularly scheduled meeting and reorganization 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 January 2, 2014."

Present: Rob Gilbert
Gail Glashoff
Linda Lenox
Don Reilly
Dart Sageser
David Wang-Iverson
Gail Skupien
Maria Souza
Planner Slagle

Excused: Roger DeLay
Fred Gardner

New Business – Reorganization

Ms. Andrews asked for nominations for the Board's Chair. A motion by Gail Glashoff, seconded by Linda Lenox to nominate Don Reilly as the Board Chair was made. Hearing no other nominations, a motion by Dart Sageser, seconded by Linda Lenox to close the nominations was unanimously approved. The Board unanimously approved Mr. Reilly's nomination and congratulated him. Chairman Reilly took over the meeting.

Chairman Reilly asked for nominations for the Board's Vice Chair. A motion by Gail Glashoff, seconded by Linda Lenox to nominate Rob Gilbert as the Board's Vice Chair was made. Hearing no other nominations, a motion by Dart Sageser, seconded by Linda Lenox to close the nominations was unanimously approved. The Board congratulated Mr. Gilbert.

It was noted that the Application Review Committee (ARC) will consist of Fred Gardner, Gail Glashoff, Dart Sageser and Roger DeLay with Linda Lenox serving as an alternate member.

A motion by Rob Gilbert, seconded by Gail Glashoff to appoint Maria Andrews as the Board's Administrative Officer was unanimously approved.

It was noted for the record that approval of Resolution PB#2014-01 and the related contract for Board Attorney Chris Norman will be carried to the Board's 2/12/14 meeting since Mr. Norman's Planning Board contract for 2014 has not yet been received.

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Mr. Sageser commented that at the Township Committee Re-organization meeting there was discussion on the Bond Counsel and Planner's contracts. He stated the Committee had agreed to extend the 2013 contracts for both of these entities until RFP's can be received. Mr. Sageser and Mr. Wang-Iverson both indicated they believe the Township should maintain and keep these professionals in place but remarked that they wanted to know what the Planning Board's thoughts were.

Chairman Reilly suggested that the Planning Board carry on with their re-organizational business and commented that the Township Committee can do what they wish. He remarked that he understands the importance of being prudent with the taxpayer's money and endorsed Banisch Associates for their service to the Board and the applicants stating he didn't believe there was any issue.

A motion by Gail Glashoff, seconded by Rob Gilbert to appoint Frank Banisch as the Board's Planner and to approve his 2014 contract and the related resolution was unanimously approved by roll call vote.

A motion by Rob Gilbert, seconded by David Wang-Iverson to appoint Dennis O'Neal as the Board's Engineer and to approve his 2014 contract and the related resolution was unanimously approved by roll call vote.

A motion by Rob Gilbert, seconded by Gail Glashoff to adopt the Robert's Rules of Order was unanimously approved. It was noted that the Board reserves the right to recognize members of the public during public discussion when the Board believes there is a need to do so.

A motion by David Wang-Iverson, seconded by Rob Gilbert to approve the Board's 2014 meeting schedule was unanimously approved. It was noted the Planning Board will continue to meet the second Wednesday of each month at 7:30 PM.

Citizens Privilege to Speak on Items Not on the Agenda

Chairman Reilly opened the floor to public comment. Seeing no members of the public come forward, he closed the floor.

Approval of Minutes

A motion by Rob Gilbert, seconded by Linda Lenox to approve the Board's 12/11/13 minutes with no revisions noted was unanimously approved.

New Business – Other

Adopt Goals/Priorities for 2014

Planner Slagle provided an overview of her memo outlining the Board's 2014 Goals and Priorities. She explained that since the Board had indicated last month that they wished to explore the details of conducting a Ringoes Village Study she included it in the Board's 2014 priorities.

Planner Slagle clarified that such a study would include an introduction, a study area and approach, planning considerations, a background characterization, public input and recommendations such as design guidelines, zoning regulations, property maintenance and traffic and safety concerns. Once the study was conducted an action plan would be created including short and long term solutions, funding sources and what the next steps might be.

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Chairman Reilly suggested the public input aspect of the study take place first in order to provide the Planning Board with guidance as to what the concerns of the residents living in the Village District are. He suggested that a subcommittee be established to work with Planner Slagle. It was noted that the Village Study Subcommittee will consist of: Don Reilly, Dart Sageser, David Wang-Iverson and Maria Souza.

Mr. Wang-Iverson asked if the correspondence listed on the agenda regarding the Hunterdon County Economic Development Initiative ties into the Village Study. Planner Slagle commented that she believed the County's initiative was focused more on business development.

The other items listed in the planning Board's 2014 Goals and Priorities memo included:

- Affordable Housing – on hold, but shouldn't be forgotten
- Historic Preservation Ordinance – awaiting input from Historic Preservation Committee
- Miscellaneous Ordinance Revisions – for language consistency
- Revision to the Application Checklist – separate checklists for preliminary and final approvals
- Review of Sourland Mountain Ordinances – for consistency
- Review of Non-domesticated Animals on Non-farm Properties – Zoning Officer's request
- AVAD Design Standards – on hold, but not to be forgotten

A motion by Rob Gilbert, seconded by Gail Glashoff to adopt the Planning Board's 2014 Goals and Priorities as outlined was unanimously approved by voice vote.

It was noted that the following Board Members will provide oral reports to the Planning Board on the following Ad Hoc Committees:

- Agricultural Advisory Committee: Gail Glashoff
- Environmental Commission: Dart Sageser
- FOSPC: Fred Gardner

Discussion: The Keeping of Non-customary Animals on Residential Properties Throughout the Township – Update

Chairman Reilly noted that he had spoken with Zoning Officer McManus since the Board's last meeting. He indicated the legal memo written by the Board of Adjustment Attorney expresses that the Township has nothing in its ordinances prohibiting animals on non-farm lots and that the ordinances are only applicable to commercial farms and those with farmland assessment. He conveyed that Zoning Officer McManus disagrees with this position and believes that the Right-to-Farm ordinance and the definition of farming apply to, and encompass, non-commercial farms and those properties without farmland assessment.

Chairman Reilly indicated that from speaking with Zoning Officer McManus the issue of non-customary animals on properties is not a large systemic matter but rather an occasional neighbor dispute that arises throughout the Township. He stated that the Zoning Officer would like the Planning Board to clarify the definition of farming and consider the keeping of non-customary animals on residential lots a conditional use.

Planner Slagle stated that the Right-to-Farm regulations in the Township ordinance mimic the State's language regarding Right-to-Farm. She added that the issue of non-customary animals on properties can get tricky because the issues are usually policing, general code or Board of Health related and not a matter of land management. Planner Slagle also commented that horses typically trigger thresholds by the County regarding manure management.

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Mr. Gilbert suggested the Board get a copy of whatever guidelines the County has regarding non-customary animals prior to the Board moving forward on the matter.

Mr. Wang-Iverson asked Chairman Reilly if Zoning Officer McManus will continue to follow the legal opinion provided by the Board of Adjustment Attorney. Chairman Reilly remarked that he cannot speak for the Zoning Officer but that in a recent situation he deferred to the legal opinion and rescinded a previously issued notice of violation. Mr. Sageser commented that East Amwell does tout itself as being a farm friendly community. Chairman Reilly suggested the Board defer the matter to the Ag Advisory Committee to try and establish guidelines for keeping non-customary animals on properties. Ms. Glashoff indicated she would bring it up at the next Ag Advisory meeting.

A motion by Gail Glashoff, seconded by Rob Gilbert to open to the public was unanimously approved.

Peter Harnett of 8 Orchard Road came forward and expressed his concern with the legal opinion provided by the Board of Adjustment Attorney regarding non-customary animals. Mr. Harnett wanted to clarify some things he believed to be inaccuracies, including the number of actual horses on the property referenced in the legal opinion and the boarding of an additional horse that sometimes occurs during the summer. Mr. Harnett suggested that this activity may elevate this residential property to a commercial level. Chairman Reilly commented that this was a determination the Zoning Officer must make.

Mr. Harnett remarked that the Board of Adjustment Attorney failed to make a reference to the County's guidelines for non-customary animals on small lots without much pasture area. He commented that limited pasture area creates an abundance of manure and he gave the following statistics on the impact of one horse saying, "A horse...in terms of wet manure, which is fecal matter plus urine, produces 50 pounds...per day, a 1000 pound horse. So in a calendar year you are getting close to 9 tons or 18,000 pounds and that's not including bedding which would put the figure larger." Mr. Harnett expressed his concern for the other issues associated with manure such as dust, flies and odor.

He asked the Board if the County guidelines would be implemented as an ordinance or as guidance. Chairman Reilly stated that he believes where the Board stands right now is that having non-customary animals on properties is not rising to a level that requires an ordinance to be enacted therefore the County guidelines would serve as guidance. Mr. Harnett asked about commercial activities taking place on smaller lots. Chairman Reilly explained that this is an issue for the Zoning Officer, not the Planning Board.

Mr. Harnett commented that for him there is a disconnect. He stated, "When I think of Right-to-Farm that brings to mind practices like animal husbandry, planting...the proper number of corn per acre...it's an attempt to create something and do it properly...we have enough land in East Amwell and in this area in general that it seems to me to horseshoe a number of horses into a small lot is something that is not really necessary in this area." He concluded by saying, "By the way I have no issue with two horses on two acres."

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

Oral Reports

FOSPC – No report.

Agricultural Advisory Committee – Ms. Glashoff noted that “Greenfest” was briefly discussed and stated additional details will be forthcoming. She also noted that Ag is working on creating a mission statement.

Environmental Commission – No report.

PB Secretary – No report.

Chairman – Chairman Reilly commented that on occasion applicants will call him and ask to meet with him to get guidance on how to present their application. He noted that he makes all applicants aware that any meetings are non-binding and all of his guidance is given unofficially. None of the Board Members took any issue with Chairman Reilly continuing this practice.

Presentation of Vouchers

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

Adjournment

Chairman Reilly adjourned the meeting at 8:53 PM.

Maria Andrews, Administrative Officer