

EAST AMWELL PLANNING BOARD MINUTES
7:30 PM East Amwell Municipal Building
December 9, 2009 - Meeting

Call to Order, Attendance and Pledge of Allegiance

This meeting of the East Amwell Planning Board was opened on December 9, 2009 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 29, 2009 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 December 4, 2009."

Present: Fred Gardner
Rob Gilbert
Bela Kamensky
Linda Lenox
Don Reilly, Chairman
Dart Sageser
Michael Weis
Joe Wolfgang
Roger DeLay
Planner Banisch

Excused: Gail Glashoff
Peter Kneski

Citizens' Privilege to Speak on Items Not on the Agenda

Chairman Reilly opened the floor to public comment. Hugh McGee of 11 Rosemont Ringoes Road came forward and read a prepared statement regarding drainage issues and concerns he has with a neighboring property. Mr. McGee also provided color copies of slides he had previously used for a presentation at another venue, showing a water/drainage problem. A copy of the statement and related slides are attached.

Chairman Reilly thanked Mr. McGee for his information and informed him that since this matter is before the State and the County, the Planning Board has no jurisdiction to get involved at this time.

Ralph Maiwaldt of 46 Van Lieus Road came forward and expressed concern with his neighbor's recent addition to an existing barn. Mr. Maiwaldt claims the barn has doubled in size and questioned why his neighbor was allowed to expand the structure when it is situated so close to the adjoining property line without notification to the surrounding neighbors.

Mr. Maiwaldt commented that he had spoken to Zoning Officer McManus who informed him that the barn was a grandfathered structure and the addition was put on with all of the proper permits and approvals. He also indicated he had spoken to the Board of Adjustment at their meeting last night. Mr. Maiwaldt was seeking some type of assurance from the Board that the structure would not be enlarged any further without notification to the neighbors and/or a public hearing.

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Chairman Reilly commented that he would like to speak to Zoning Officer McManus to get a better understanding of the rationale behind the approved addition to the grandfathered structure. He suggested he would call Mr. Maiwaldt after he had an opportunity to contact the Zoning Officer. The Board agreed with Chairman Reilly's suggestion.

John Seramba of 111 John Ringo Road came forward to rebut Mr. McGee's comments and allegations.

Chairman Reilly commented that the Planning Board is not the proper venue to correct the issues pertaining to the McGee and Seramba properties.

Frances Gavigan of 123 Wertsville Road came forward and expressed her support for Mr. Seramba. She also cautioned the Board to be wary of residents like Mr. McGee who are trying to get stormwater management regulations applied to farm operations.

A motion by Roger DeLay, seconded by Bela Kamensky to close to the public was unanimously approved.

Review of Minutes

A motion by Fred Gardner, seconded by Rob Gilbert to approve the Board's 11/11/09 minutes was approved with Michael Weis and Linda Lenox abstaining.

New Business – Other

Discussion: Draft Steep Slope and Riparian Buffer Ordinances

Chairman Reilly informed the Board that there was nothing new to report on this matter. Planner Banisch commented that he believed the State had moved the deadline to have these ordinances submitted to May of 2010. It was noted that this matter will be removed from the agenda until it comes up again next year.

Motion: Lang/Chiesa – Preliminary Major Subdivision – B:8 L:10 – Motion to Deny Without Prejudice

Chairman Reilly explained this application was deemed complete in October of 2008. It was noted that the applicant's have been providing letters of extension for the Board to hear the application for over a year. Ms. Andrews commented that as a matter of administrative housekeeping the application should be denied without prejudice which will stop the MLUL clock and allows the applicant to return to the Board when they are actually ready to proceed with application.

A motion by Fred Gardner, seconded by Linda Lenox to deny the Lang/Chiesa Major Subdivision application without prejudice was unanimously approved.

Discussion: Working List of Outstanding PB Issues

Chairman Reilly explained that this matter was listed on the agenda to get Board Members thinking about creating a working list of outstanding Planning Board issues for review in 2010. Planner Banisch prepared a slide show presentation for the Board focused on design standards that the Board may wish to review for 2010. He explained that he had recently traveled down Manners Road and was struck by the impact that several new homes have had on the rural character of the landscape and the views. He commented that his suggestions are not intended to be judgmental of what is permitted in the zone, but rather to be informative about how the Board can provide for better planning outcomes in the future.

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Planner Banish noted that recent farmland preservation efforts have provided for a few lots on which houses have been constructed. He commented that the placement of the residential structures as well as the materials used to build the structure all play a significant role in maintaining the character of a specific zone or community.

Planner Banisch remarked the Amwell Valley Zone could benefit by supplementing the current area and yard requirements and clustering opportunities with standards regarding the placement and appearance of new dwellings relative to the surrounding topography. He commented that property owners should view land, in certain areas of the Township, with the perspective of maintaining the largest contiguous portion for agricultural purposes.

Frances Gavigan of 123 Wertsville Road came forward and asked if the Board was considering changing clustering from an option to a preferred design. Chairman Reilly indicated that this would be one consideration and it may be limited. Ms. Gavigan then clarified that the Board is, "...talking about coming up with best management practices for development within an agricultural district and an area of historical and recreational significance." Chairman Reilly remarked that Ms. Gavigan's comment was well stated and said that the Board will be carrying this issue for continued discussion in 2010.

John Seramba of 111 John Ringo Road came forward and commented that Planner Banisch should contact the Planner in Raritan Township because they developed something like this in 1999 when he was on the Committee.

Oral Reports

FOSPC – No report given.

Agricultural Advisory Committee – No report given.

Environmental Commission – No report given.

SM Smart Growth Grant – No report given.

Stormwater Committee – No report given.

COAH – Chairman Reilly reported that the Township had received its Third Round Certification.

Wastewater Management – No report given.

PB Secretary – No report given.

Chairman – Chairman Reilly commented that he thought there may be an applicant coming before us this evening for an extension on a major subdivision approval. He indicated this has been done in the past and questioned whether or not the Board had any concern over the owner of the property and whether or not the owner has an interest in the extension. Planner Banisch commented that Attorney Norman should answer the question, but noted that he believes once a property owner has signed a consent agreeing to the application, that implies they will continue to consent to any requested extensions. It was noted that Chairman Reilly will speak with Attorney Norman on the matter.

Open to the Public

A motion by Rob Gilbert, seconded by Linda Lenox to open to the public was unanimously approved. Frances Gavigan of 123 Wertsville Road came forward and complimented the Township's new website. She noted she was searching through the ecodes and could not find anything on drainage. She asked if there is anything in the code specifically addressing drainage. Mr. Gardner suggested this may be a question for the Board of Health. Chairman Reilly commented he is not aware of anything in the ordinance pertaining to drainage regulations.

A motion by Rob Gilbert, seconded by Linda Lenox to close to the public was unanimously approved.

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Presentation of Vouchers

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

Adjournment

Chairman Reilly adjourned the meeting at 9:03 PM.

Maria Andrews, Administrative Officer