

**EAST AMWELL
ZONING BOARD OF ADJUSTMENT - MINUTES
Municipal Building – 7:30 PM
February 11, 2014**

Call to order and compliance with the Open Public Meetings Act

The regular meeting of the Board of Adjustment was called to order at 7:30 PM on February 11, 2014 in the Main Meeting Room of the Municipal Building, 1070 Route 202/31, Ringoes, NJ by Chair Binder.

In compliance with the Open Public Meetings Act, the Administrative Officer announced this was a regularly scheduled meeting pursuant to the Annual Meeting Notice as published in the January 23, 2014 issue of the Hunterdon County Democrat, filed in the Township Clerk's Office, and posted on the Bulletin Board on February 5, 2014.

Roll Call and Agenda Review

Present: Sherrie Binder
Nancy Cunningham
Gloria Frederick
Gael Gardner
Kendra Schroeder
Anne Williams
Diana Garrett – Alt. #1
James Atkeson – Alt. #2
Attorney Kevin Van Hise
Planner Slagle
Engineer O'Neal

Absent: Paul Gavzy

Ms. Cunningham suggested the agenda be reordered to address the adoption of policies under old business so the applicant and their professionals don't have to wait. The Board agreed with the suggestion.

Presentation of Minutes

A motion by Gloria Frederick, seconded by Kendra Schroeder to approve the Board's open session minutes from 1/14/14 with no revisions noted was approved with Ms. Gardner abstaining.

A motion by Kendra Schroeder, seconded by Gloria Frederick to approve the Board's closed session minutes with no revisions noted was approved with Ms. Gardner abstaining.

Presentation of Bills for Payment

A motion by Gael Gardner, seconded by Kendra Schroeder to approve the vouchers for payment as listed on the agenda was unanimously approved.

Applications to be Deemed Complete or Incomplete

New Market Farm, LLC – AJ-14-01 – Block 41 Lot 17.02 – Sourland Mountain: 125 Linvale Road – Preliminary & Final Major Site Plan Approval with Variances

East Amwell Township Board of Adjustment Minutes – 2/11/14

Present for the discussion was Attorney Gary Forshner on behalf of the applicant. Attorney Forshner explained that he had received the completeness review memo from Engineer O’Neal and noted that they had submitted revised plans this afternoon for his review. Attorney Forshner indicated that once the revised plans are reviewed he will submit additional copies for distribution to the Board. It was noted that they are still requesting a waiver from the Environmental Impact Statement (EIS) because he does not believe a full EIS is helpful or applicable, therefore a waiver or partial waiver is being requested.

Attorney Forshner requested that the Board address the completeness and the public hearing at next month’s meeting so the application could continue to move forward.

Ms. Gardner asked for revised plans showing the wetlands delineation. Engineer O’Neal remarked that the applicant has submitted plans to the NJDEP which will likely take some time to be reviewed. He indicated that any approval the Board may give could be conditioned upon NJDEP approval. With regard to the EIS, Engineer O’Neal stated he believes the applicant should get one. He noted the following items that he believes need to be addressed: Surface and subsurface hydrogeology, runoff, potable water supply, lights and noise, construction routes, determination of a farm dump site on the premises, stormwater recharge and waste handling.

Ms. Cunningham asked if the Board of Health approved the well testing. Attorney Forshner commented that any approval the Board of Adjustment may give would be conditioned upon “all other” necessary approvals which would include the Board of Health and NJDEP.

Ms. Gardner asked if there will be a new septic bed for the new facility. Attorney Forshner cautioned that he did not want to get into too much testimony but indicated that they do intend to enlarge the existing septic bed.

Engineer O’Neal commented that it was his recommendation that the application be deemed incomplete until the requested additional information can be received and reviewed.

A motion by Kendra Schroeder, seconded by Gael Gardner to deem the application incomplete, subject to the additional requested information being provided was unanimously approved.

It was noted for the record that Engineer O’Neal left the meeting at this time, 7:52 PM.

Applications for Public Hearing

It was noted that there were no applications listed on the agenda for public hearing.

Old Business

Adoption of Policies of the Zoning Board of Adjustment as Adopted on 1/8/02 and Last Revised 1/28/14

A motion by Gloria Frederick, seconded by Anne Williams to adopt the Policies of the Zoning Board of Adjustment was unanimously approved.

New Business

It was noted that there were no new business items listed on the agenda.

Comments of the Board Members

It was noted that none of the Board Members made any comments.

Attorney Comments

It was noted that Attorney Van Hise made no comments.

Open to the Public

A motion by Gloria Frederick, seconded by Gael Gardner to open to the public was unanimously approved.

Toni Robbi of 144 Lambertville-Hopewell Road came forward and commented on the Demicco Report not being referenced in the planning report submitted by the Planner for the New Market Farm application. Attorney Van Hise interrupted Mr. Robbi advising him that any discussion on a pending application is inappropriate at this time.

Seeing no other members of the public come forward, a motion by Sherrie Binder, seconded by Kendra Schroeder to close to the public was unanimously approved.

Adjournment

A motion by Gloria Frederick, seconded by Nancy Cunningham to adjourn the meeting was unanimously approved.

The meeting adjourned at, 7:55 PM.

Maria Andrews, Administrative Officer