

**EAST AMWELL
ZONING BOARD OF ADJUSTMENT - MINUTES
Municipal Building – 7:30 PM
July 8, 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 July 8, 2014 in the Main Meeting Room of the Municipal Building, 1070 Route 202/31, Ringoes, NJ by Vice Chair Williams.

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 July 3, 2014.

Roll Call and Agenda Review

Present: Nancy Cunningham
Paul Gavzy
Kendra Schroeder
Anne Williams
Diana Garrett – Alt. #1
James Atkeson – Alt. #2
Attorney Cecil
Engineer Paul Ferriero – *(Covering for regular Board Engineer O'Neal)*

Absent: Sherrie Binder
Gloria Frederick
Gael Gardner

Presentation of Bills for Payment

A motion by Nancy Cunningham, 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

It was noted for the record that there were no applications listed on the agenda for completeness.

Applications for Public Hearing

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

Present for the public hearing was property owner Ruth Sigal, her Attorney Gary Forshner, Planner Carlos Rodrigues and Engineer Bob Templin.

Attorney Forshner explained that the public hearing was a continuation from the Board's May 22, 2014 and June 10, 2014 meetings. He noted the site plans were revised to address concerns expressed at the Board's last meeting and subsequently review memos were issued by Planner Slagle and Engineer O'Neal. Attorney Forshner noted that Planner Slagle indicated all of her concerns were addressed when the Board granted the variance approval. With regard to Engineer O'Neal's review memo he stated they will be providing testimony from Engineer Templin and Planner Rodrigues to address the items outlined.

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Attorney Cecil swore in Engineer Ferriero.

Attorney Forshner called Engineer Templin forward who noted the following site plan revisions were done: Adjustments were made to the driveway curves and radius, minor design changes were made to the detention basin's sand filter and the slope was increased on some of the storm sewer pipes for better capacity.

Planner Rodrigues came forward to address the requested design waivers:

Curbs – It was noted that curbs are required for 6 or more parking spaces and they are requesting a design waiver because typically farms do not have curbing and they believe these standards are not applicable to their project.

Dimensions of Parking Stalls – It was noted that on the site plan, the individual parking stalls have been identified for the purposes of showing that they fit but he noted their intention is to have informal parking on the farm with no striping or curbing.

Landscaping – It was noted that the site is fully landscaped and that the additional plantings in the area of the detention basin are *de minimis* and will not require a formal landscaping plan designed by a certified landscape architect.

Attorney Forshner commented that Engineer O'Neal has indicated that the requested waivers are appropriate for the application and that he took no issue with them. It was noted that the requested design waivers will not result in any detriment to the public good and will not impair the zone plan.

Attorney Forshner referred to Engineer O'Neal's review memo dated 7/2/14 noting Engineer O'Neal had no issue with some remaining items as possible conditions of approval and he made the following comments:

1. Submission of an LOI
2. Traffic volume will be minimal – 5 to 10 total trips per day during the week and 10 to 15 total trips per day on the weekend
3. No special events will take place on the property
4. Design waivers: No curbing, no parking stalls and no formal landscape plan
5. Landscaping: Some additional plantings will be done in the area of the detention basin
6. NJDEP approval
7. No lighting on the entrance signage
8. Signature blocks will be added to the site plans
9. No fill will be removed or brought to the site, only sand for the detention basin
10. Site Triangle Easement: It was noted that there is a portion of the site triangle that is not on the subject site but the owner will reach out to the neighbor in an effort to seek a formal easement.
11. Right-of-way easement will be provided
12. Additional technical details on the stormwater management report will be provided
13. Potable Water: Attorney Forshner noted that they do have a well certification and the right to use the potable water will come from the Board of Health upon completion and prior to use of the potable water

Engineer Ferriero remarked that he cannot argue with an applicant willing to comply with all of the Engineer's recommendations and added that he had no additional comments.

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A motion by Paul Gavzy, seconded by Nancy Cunningham to open to the public was unanimously approved.

Frances Gavigan of 123 Wertsville Road came forward and expressed support for the Board approving the site plan application. She remarked that the proposed project seems consistent with East Amwell's rural character and will be an asset to the community.

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

A motion by Nancy Cunningham, seconded by Paul Gavzy to approve the Preliminary and Final Major Site Plan with design waivers and the conditions outlined in Engineer O'Neal's memo by Attorney Forshner was unanimously approved by roll call vote.

Roll Call Vote: Nancy Cunningham: Yes, Paul Gavzy: Yes, Kendra Schroeder: Yes, Anne Williams: Yes, Diana Garrett: Yes, Jamie Atkeson: Yes.

Old Business

It was noted for the record that there were no old business items listed on the agenda.

New Business

Memorialization of Resolution AJ-14-02: Frank DiGioia – Approval of Side Yard Setback Variance – Block 25 Lot 7.19

It was noted for the record that the resolution has not yet been drafted and will be listed on the Board's 8/12/14 agenda for memorialization.

Comments of the Board Members

It was noted for the record that there were no comments made by any of the Board Members.

Attorney Comments

It was noted for the record that Attorney Cecil made no comments.

Open to the Public

A motion by Nancy Cunningham, seconded by Paul Gavzy to open to the public was unanimously approved.

Frances Gavigan of 123 Wertsville Road came forward and expressed concern with the expenses associated with applications. Ms. Gavigan asked that this matter be looked into and expressed that the financial burden put on farmers isn't consistent with the Master Plan and the affirmations that East Amwell is a farm friendly community.

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

Adjournment

A motion by Paul Gavzy, seconded by Kendra Schroeder to adjourn the meeting was unanimously approved.

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The meeting adjourned at 7:56 PM.

Maria Andrews, Administrative Officer