

1. Planning Board Agenda & Minutes

Documents:

[EAPB 5.8.19.PDF](#)

[AGENDA6.12.19.PDF](#)

[_PB AMENDED AGENDA 6.12.19.PDF](#)

EAST AMWELL PLANNING BOARD MINUTES
7:30 PM East Amwell Municipal Building
May 8, 2019

Call to Order, Attendance and Pledge of Allegiance

This meeting of East Amwell Planning Board was opened on May 8 , 2019 at 7:30 P.M. 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 31, 2019 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 May 2 , 2019."

Roll Call and Agenda Review

Present:

Rick Wolfe
Roger DeLay
Frances Gavigan
Gail Glashoff- Chair
Mark Castellano
Chris Sobieski (7:32 p.m.)
Tamara Lee
Joe Nyce
John Buckwalter

Also Present:

Planner Slagle
Attorney Norman
Krista Parsons (Admin. Officer)

Absent:

Tim Willey

REVIEW OF AGENDA (7:33:10)

None

PRESENTATION OF MINUTES: (7:33:22)

January 9th & April 10, 2019 Regular Minutes & March 10th & April 10, 2019 Executive Session Minutes

There was discussion regarding the submission of Mr. Gilbert's comments and should they be inserted into the minutes or attached to them. Since they include a representation of a verbatim transcript, the Board decided his comments should be attached to the minutes.

Motion made by Mr. Sobieski seconded by Mr. DeLay, to approve the January 9, 2019 with the attached comments made by Mr. Gilbert, was unanimously approved.

Motion made by Mr. DeLay, seconded by Mr. Sobieski to approve the April 10, 2019 minutes was unanimously approved.

Motion made by Mr. Sobieski, seconded by Mr. Castellano to approve the March 10th & April 10th Executive Session Minutes were unanimously approved.

CITIZENS PRIVILEGE TO SPEAK ON ITEMS NOT ON THE AGENDA (7:40:19)

Motion made by Ms. Gavigan, seconded by Mr. Sobieski to open to the public was unanimously approved.

Seeing no members of the public come forward, motion made by Mr. DeLay, seconded by Mr. Sobieski to close to the public was unanimously approved.

Resolution #19-06 Chad & Valerie Beyer (7:41:30)

Resolution #19-06 was approved by **Roll Call Vote**: Mr. Wolfe- **Yes**, Ms. Gavigan- **Yes**, Ms. Glashoff- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes** and Ms. Lee- **Yes**

New Business: Continuance of Public Hearing for Danebb LLC. (7:42:40)

A continuance to the June 12, 2019 meeting was made for Public Hearing Danebb LLC. Motion made by Ms. Gavigan, seconded by Mr. Sobieski, was unanimously approved.

Attorney Norman stated the applicants can continue to the June 12, 2019 meeting without further notice.

New Business: (7:43:26)

Continuance of Public Hearing for Bochenek.

A continuance to the the June 12, 2019 meeting was made for Public Hearing for Wojciech & Lorena Bochenek. It was questioned as to why the application was being deferred to the next meeting as it has been continued numerous times. Attorney Norman explained the applicant's Attorney submitted a continuance letter because the applicants may have a buyer for the house without the variance. Attorney Norman also stated the Board can grant multiple extensions and the Board can request or require the applicant to renotece.

Motion made by Ms. Gavigan, seconded by Mr. Sobieski was unanimously approved.

Public Hearing for Charles Waltz, Extension of Time -Bulk Variances: (7:45:44)

Attorney John Passante from Singer & Fedun, LLC, representing Charles and Josephine Waltz owners of Block 25, Lot 7.19 also know as 154 Back Brook Road, Amwell Valley Agricultural District. Attorney Passante explained his client intends to construct a modest, single family home on the property. Attorney Passante explained he is here to get approval on an extension of a C1 Hardship Variance of a side yard setback that was granted on August 12, 2014 and a C1 Hardship Variance for a front yard setback that was granted on December 13, 2015 by the Board. Attorney Passante's client is seeking to extend both variances until November 2024. Attorney Passante noted the only buildable portion of the parcel is upland in the northwestern corner of the property. The previous owners installed a well and septic field, and at the time the well was installed, it was in the required setback, however in 1997 when the ordinance was changed, creating larger bulk requirements, the ordinance left the property constrained.

There was discussion amongst the Board regarding the length of extension as well as the restrictions of the property.

Motion made by Mr. DeLay, seconded by Mr. Sobieski to approve the extension of both C1 Variances until November 30, 2024 and approved with a roll call vote.

Roll Call Vote:

Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Ms. Glashoff- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes**, Ms. Lee- **Yes** and Mr. Buckwalter- **Yes**.

UNFINISHED BUSINESS: (7:59:42)

Bed and Breakfast Ordinance- Ms. Lee discussed with the Board the changes that were made to the ordinance to reflect the Board's earlier comments. Ms. Gavigan raised a concern for the exclusion of the properties in the Village. Ms. Lee explained there is a one acre minimum lot size requirement for properties in the Village. Mayor Wolfe noted if the B&B's become a nuisance or issue, then the ordinance can be modified.

Motion made by Mayor Wolfe, seconded by Mr. Castellano, to pass the ordinance on to the Township Committee for introduction was unanimously approved by roll call vote:

Roll Call Vote:

Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Ms. Glashoff- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes**, Ms. Lee- **Yes** and Mr. Buckwalter- **Yes**.

(8:16:03)

Ms. Parsons added the resolution for the New Jersey Conservation Foundation for approval by the Board. Motion made by Mayor Wolfe, seconded by Mr. DeLay was unanimously approved by Roll Call Vote.

Roll Call Vote:

Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Ms. Glashoff- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes** and Ms. Lee- **Yes**.

ITEM FOR DISCUSSION: (8:17:04)

The Ridge at Back Brook Helistop- Mr. Buckwalter recused himself from the discussion. Mayor Wolfe remarked that NJDOT approved the license for The Ridge. Mayor Wolfe had a discussion with the Engineer at NJDOT, pointing out restrictions the Township asked for that were not included. Specifically the number of take offs and landings permitted per month. The Engineer informed Mayor Wolfe The Ridge would not bind them to the number stated on the application, and was then told he would need to get one of their lawyers involved. Mayor Wolfe noted he asked the Engineer about the other limitations and received the same response.

Mayor Wolfe mentioned the Township has a right to request an explanation from NJDOT addressing the issues the Township Committee raised in their letter to NJDOT. Mayor Wolfe indicated he does not intend to let this stop here and he raised his own views.

Mayor Wolfe discussed a New Jersey Supreme Court Case that started this process which allowed NJDOT to override local Planning Boards.

There was discussion between Attorney Norman, Mayor Wolfe and the Board in regards to the course of action that could be taken to get answers about why the NJDOT's decision approving the license for The Ridge does not include the Township's recommended restrictions.

ORAL REPORTS: (8:31:00)

FOSPC- Mayor Wolfe explained there was a discussion about FOSPC and the Agricultural Advisory Committee working more closely together and having the two committees meet on the same evening. The idea is for them to meet separately and then meet jointly all on the same night to discuss topics that affect both committees.

EC- Ms. Gavigan stated there is a need for more members to help with establishing a process for easements, site reviews and other matters that the EC is looking into.

Secretary- No report

Chair- Chair Glashoff stated the ARC (Application Review Committee) met last night to review an application that was incomplete.

CORRESPONDENCE: (8:35:00)

- a. Hopewell Township- Land Use and Development Ordinance
- b. Hunterdon County Planning Board- Breakfast Talk: Cyber Securities for Municipalities
- c. Proposal by NJDEP to reclassify certain rivers and streams, including Back Brook
- d. NJDEP proposed amendments and public hearing pertaining to environmental protection, water resource management, water monitoring standards and surface water quality standards and Proposed Amendments: N.J.A.C. 7:9B-1.4 and 1.15

OPEN TO THE PUBLIC (8:36:05)

Motion made by Mr. DeLay, seconded by Mayor Wolfe was unanimously approved. Seeing no members of the public come forward, a motion by Mr DeLay, seconded by Mr. Sobieski to close to the public was unanimously approved.

CLOSED EXECUTIVE SESSION: (8:37:02)

Chair Glashoff excused Planner Slagle and Attorney Norman.

Motion made by Ms. Gavigan, seconded by Mr. Sobieski to enter into Executive Session was unanimously approved.

Executive Session took place from 8:37 pm to 9:25 pm.

PRESENTATION OF VOUCHERS: (9:25:20)

There was discussion on the procedure of invoices and how it will take place going forward. Motion made by Mr. DeLay, seconded by Mr. Sobieski was unanimously approved.

ADJOURN (9:31:15)

Motion made by Mayor Wolfe, seconded by Ms. Gavigan was unanimously approved.

Krista Parsons, Administrative Officer

NEW BUSINESS:

- | | |
|---|--|
| 1. Danebb LLC.
Minor Subdivision/Lot Line Adjustment
20 John Ringo Road, Ringoes, NJ
1072 Route 202, Ringoes, NJ | Block 27.01 Lots #18 & 32
Highway Office & Village District |
|---|--|

PUBLIC HEARING

Minor Subdivision/Lot Line Adjustment

- | | |
|--|---|
| 2. Wojciech & Lorena Bochenek
23 Mountain Road
Ringoes, NJ 08551 | Block 40.03 Lot 3
Sourland Mountain District |
|--|---|

PUBLIC HEARING

Bulk Variance

3. Resignation of Planning Board Engineer, Dennis O’Neal

UNFINISHED BUSINESS:

1. Consistency Review of Ordinance 19-10
2. Open Space and Recreation Plan

ITEM FOR DISCUSSION:

1. Application Checklists

ORAL REPORTS:

FOSPC- Mayor Wolfe

EC- Ms. Gavigan

Secretary-

Chair-

CORRESPONDENCE:

1. NJ Planner March/April 2019 Edition

OPEN TO THE PUBLIC

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**PRESENTATION OF VOUCHERS:
Ferriero Engineering, Inc.**

a. February 2019- Bochenek	\$ 471.25
b. March 2019 Planning Board	\$ 580.00
c. March 2019- Danebb	\$ 72.50
d. March 2019- NJCF	\$ 661.00
April 2019- NJCF	\$ 573.50

Total: \$2,358.25

ADJOURN

AMENDED AGENDA
East Amwell Township Planning Board
June 12, 2019
7:00 p.m.

Unfinished Business:

1. Bed and Breakfast Ordinance