

**EAST AMWELL PLANNING BOARD MINUTES**  
**7:30 PM East Amwell Municipal Building**  
**June 12, 2019**

**Call to Order, Attendance and Pledge of Allegiance**

This meeting of East Amwell Planning Board was opened on June 12 , 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 June 5 , 2019."

**Roll Call and Agenda Review**

**Present:**

Rick Wolfe  
Roger DeLay  
Frances Gavigan  
Mark Castellano  
Chris Sobieski  
Tamara Lee  
Tim Willey  
John Buckwalter

**Also Present:**

Planner Slagle  
Attorney Norman  
Krista Parsons (Admin. Officer)

**Absent:**

Gail Glashoff- Chair  
Joe Nyce

**CLOSED EXECUTIVE SESSION: (7:03:37)**

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

Executive Session took place from 7:03 pm to 7:58 pm.

**REVIEW OF AGENDA (7:59)**

Discussion of personnel will be #4 under New Business.

Danebb LLC application will be moved after the presentation of minutes.

**PRESENTATION OF MINUTES: (7:59:29)**

Motion made by Mr. DeLay seconded by Mr. Sobieski, to approve the May 8, 2018 Regular Minutes was unanimously approved.

Motion made by Mr. Sobieski, seconded by Mr. Wolfe to approve the May 8, 2019 Executive Minutes were unanimously approved.

**CITIZENS PRIVILEGE TO SPEAK ON ITEMS NOT ON THE AGENDA (8:00:05)**

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

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

**PUBLIC HEARING- New Business:**

**Public Hearing for Danebb LLC.- Minor Subdivision: Lot Line Adjustment: (8:00:25)**

Attorney Robin Wright, with Lanza and Lanza representing Danebb LLC. Attorney Wright explained the applicant owns two adjoining lots in the Township and is requesting a lot line adjustment for Block 27.10, Lot 32, a 5.4 acre lot located on Route 31 in the Highway Office District and Lot 18, a 9.34 acre lot located on John Ringo Road in the Village District. Attorney Wright noted Lot 32 has an odd configuration which makes it hard to sell as there is a part of the boundary that is narrow and part of Lot 18 cuts into lot 32.

Attorney Wright stated the applicant is proposing to take 2.39 acres from Lot 18 and add it to Lot 32. The new proposed Lot 32.01 will be 7.8 acres and Lot 18.01 will be 6.95 acres. The applicant believes this will enhance the marketability of the properties and will give it a more conventional natural boundary that runs along the stream. The 2.39 acres being transferred from Lot 18 will not impact it and the remaining lot will still comply with the zoning requirements. The existing non-conforming conditions will not be exacerbated on Lot 32. Attorney Wright introduced two witnesses: Robert Clerico Engineer and Brooke Crosson who will testify on behalf of the applicant.

Robert Clerico from Van Cleef Engineering and Associates was sworn in and gave a brief summary of his background. Mr Clerico was accepted as an expert witness.

Mr. Clerico provided the Board with a rendered (color coded) and marked up version of the map, that was included in the application, marked into evidence as Exhibit A1. Mr. Clerico described to the Board the configuration of the parcels located on the map and the proposed lot adjustment. Mr. Clerico noted in the southern part of the property it will go from a modest small building envelope to something more useful. The northside of the property where the gas station is includes some non-conforming conditions and there is not much that can be done with that part of the property. The new subdivision will leave the western residential property as a suitable residential lot.

Mr.Clerico also addressed the wetlands issue on the property. He informed the Board the applicant has an LOI from DEP and it was submitted as part of the application.

Planner Slagle asked Mr. Clerico about the Technical Review Memo done by Engineer, Dennis O'Neal. Mr. Clerico stated the boundary survey was submitted accordingly, the signature block was added to the plans and a confirmation from the Tax Assessor regarding the lot number was completed. Mr. Clerico noted the setbacks are located on the rendered plan but were not shown on the subdivision plans. They will be added to the plans and when it comes time for the lot closures to be checked, it's contingent upon approval and the Board will need to have their Engineer check them.

Brooke Crossan testified on behalf of the applicant Danebb LLC. Mr. Crossan was sworn in and accepted as a witness. Mr. Crossan provided his name and address and explained his relationship with Danebb LLC and also explained that he is a licensed professional Engineer in New Jersey, however, is not testifying as an Engineer. Mr Crossan gave the history of the property and the reasoning why the applicants are proposing the lot line adjustment. After discussions with their Engineer and Attorney, the lot line adjustment will be a highly beneficial.

Attorney Norman asked if there were future plans for Lot 32. The members of Danebb LLC are not pursuing development of either lots and are considering selling both.

Attorney Wright commented on the concern that if existing Lot 18 sold separately or sold first it would significantly damage Lot 32.

Planner Slagle stated the applicant's testimony satisfied the issues raised in her memo and also addressed the pre-existing nonconforming conditions which pertain to Lot 32, the gas station site as mentioned in the testimony.

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

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

Motion made by Mr. DeLay, seconded by Ms. Gavigan to approve the Minor Subdivision- lot line adjustment was approved by roll call vote.

**Roll Call Vote:** Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes**, Ms. Lee- **Yes**, Mr. Willey- **Yes** and Mr. Buckwalter- **Yes**.

**RESOLUTION: (8:30:34)**

Memorialization of Resolution for Charles Waltz, Block 25.07, Lot 19 for continuation of setback variances.

The edits to the resolution submitted by Ms. Lee were accepted by the Board.

Motion made by Ms. Gavigan, seconded by Mr. Sobieski was approved by roll call vote.

**Roll Call Vote:** Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes**, Ms. Lee- **Yes**, and Mr. Buckwalter- **Yes**.

#### **NEW BUSINESS:**

##### **Public Hearing- Wojciech & Lorena Bochenek- Bulk Variance (8:31:55)**

Erica Edwards, attorney for the Bochenek application, sent an email asking if the Board would grant a continuance or ask the applicant to withdrawal their application as they applicants have an interested party in their home without the variance included.

Vice Chair Castellano noted if the Board granted continuance, the applicants would have to notice. There was discussion among the Board regarding the decision of continuing the application or not to continue it.

Motion made by Ms. Gavigan to dismiss the application without prejudice, seconded by Ms. Lee was approved by roll call vote:

**Roll Call Vote:** Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes**, Ms. Lee- **Yes**, Mr. Buckwalter- **Yes** and Mr. Willey- **Yes**.

##### **(8:34:56)- Resignation of Planning Board Engineer, Dennis O'Neal**

The Board accepts the resignation of Planning Board Engineer, Dennis O'Neal with regrets.

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

##### **(8:35:21)- Discussion of Personnel**

A proposal for a new Engineer was brought to the Board by member Tamara Lee. Discussion and decision was conducted in executive session.

Motion made by Ms. Gavigan to appoint Bill Burr with Maser Consulting, P.A. as the Planning Board Engineer until December 31, 2019, seconded by Mr. Sobieski was approved by roll call vote:

**Roll Call Vote:** Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes**, Ms. Lee- **Yes**, Mr. Buckwalter- **Yes** and Mr. Willey- **Yes**.

#### **UNFINISHED BUSINESS:**

**Consistency Review of Ordinance 19-10- (8:36:27)** Attorney Norman stated the Board is to make a determination whether or not the proposed Golf Course Ordinance is substantially consistent with the Master Plan.

Motion made by Ms. Gavigan to approve the proposed Ordinance 19-10 as consistent with the Master Plan including the Land Use Element, seconded by Mr. Sobieski, was approved by roll call vote:

**Roll Call Vote:** Mr. Wolfe- **Yes**, Mr. DeLay- **Yes**, Ms. Gavigan- **Yes**, Mr. Castellano- **Yes**, Mr. Sobieski- **Yes**, Ms. Lee- **Yes** and Mr. Willey- **Yes**.

Mr. Buckwalter recused himself from the discussion and participation of this topic.

**Farmland Preservation Plan- (8:37:56)**

Mayor Wolfe commented the Township's Farmland Preservation Plan was last revised in 2010. The SADC recently changed their rules and in order to get certain grants the Township will need to update their Preservation Plan every 10 years. The SADC has also implemented a grant program that can be applied for to cover the cost of updating the plan. The Township will be applying for this grant. It was also suggested to see how much work can be done in-house before the Plan goes to the professionals. Mayor Wolfe asked Katherine Fullerton to get an estimate if they were to use the professionals. She informed Mayor Wolfe it would be comparable to the Open Space and Recreation Plan that was done a couple years ago, which was \$7,200.00. The range for the update to be done is \$0-\$7,500.00 according to Mayor Wolfe, not knowing what would be covered by the grant.

Planner Slagle stated in 2010 East Amwell did the plan in house and she only prepared maps and soil calculations as well as created a PDF.

**Bed and Breakfast Ordinance (8:44:59)**

The Township Committee made a small change to the ordinance, which is a clarification on the signs. The Township Committee commented they would like it to say no signs identifying the Bed and Breakfasts are permitted. There was no concern from the Board regarding the proposed change and all were in agreement.

It was noted for the record that all ordinances must come back to the Planning Board between the Township Committee's first and second reading.

**ITEM FOR DISCUSSION:**

**Application Checklists- (8:47:00)-** The Ordinance Review Committee started to look at all the checklists that East Amwell currently has and is looking for an easier process. The ORC would

like to convert to a matrix checklist and the Application Review Committee also believes this is the best way to move forward.

Planner Slagle stated in 2017 the Planning Board tasked the professionals and the prior Administrative Officer, Maria Andrews to do just this. Planner Slagle stated it was almost complete and the majority of it was done and Ms. Andrews should have an Excel or Word version in her files. The ORC requested a copy of the Matrix that was done previously.

**ORAL REPORTS: (8:51:45)**

**FOSPC-** Mayor Wolfe stated there is significant overlap with the two committees. They will attempt to hold their respective meetings on the same night so that at the end of the night they can come together and coordinate their efforts. Looking to start this in August.

**EC-** Ms. Gavigan stated they are moving forward and they are working on the annual report. They are also trying to implement processes and structure as well as timelines. Ms. Gavigan commented the Commission is in desperate need of members.

**Secretary-** Asked if the Board would be amenable to having the Ordinances posted to the Website after they are adopted. The Board was in agreement.

**Vice Chair-** Asked if anyone hears of the details of the services for Ms. Glashoff's husband to circulate the information.

**CORRESPONDENCE: (8:59:33)**

No correspondence.

**OPEN TO THE PUBLIC (8:59:38)**

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

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

**(8:59:51)-**Ms. Gavigan raised a concern regarding the process of the billing and invoices are to be going to Ms. Glashoff and not Ms. Pasqua. Ms. Parsons said it has been handled and straightened out.

**PRESENTATION OF VOUCHERS: (9:01:15)**

Ms. Gavigan raised an issue with the Ferreiro Engineering invoices in regards to the routing of the incoming invoices and also questioned if the Board is being charged in the same month as the resignation, for some sort of membership. Ms. Gavigan noted NJCF but she was informed that NJCF is New Jersey Conservation Foundation which was an application also known as Higgins.

Mayor Wolfe informed Ms. Gavigan if she feels she needs back up information for any invoices that she is reviewing, she should reach out to Ms. Parsons and request that information.

Motion made by Mr. DeLay, seconded by Mr. Sobieski to approve the bills of the evening were unanimously approved.

**ADJOURN (9:03:37)**

Motion made by Mr. Sobieski, seconded by Mayor Wolfe was unanimously approved.

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Krista Parsons, Administrative Officer