

**EAST AMWELL TOWNSHIP PLANNING BOARD
MEETING AGENDA**

East Amwell Township Municipal Building

1070 Route 202, Ringoes, NJ 08551

August 21, 2023 @ 7:00pm

I. CALL TO ORDER

II. FLAG SALUTE

III. STATEMENT OF COMPLIANCE/ATTENDANCE

In compliance with the Open Public Meetings Act, this is a regularly scheduled meeting, pursuant to the resolution adopted on January 11, 2023, with a meeting notice sent to the Hunterdon County Democrat on January 18, 2023. A copy of the agenda for this meeting was posted to the Township website on August 17, 2023, posted on the bulletin board, and filed in the Clerk's Office on August 17, 2023.

In attendance : Nathalie Nelson, Vice Chair Marnie Stetson, Chairman Al Nardi, Emily Deadwyler, Town Committee Member Dante DiPirro, and Richard Catenacci.

Excused : Mayor Jenna Casper-Bloom, Michael Mills, Jamal Kadri, Breona Pirrone.

Also Excused : Attorney Alexis Smith, Planner Megan Stanley, and Engineer Paul Ferriero.

IV. REVIEW OF AGENDA

V. CITIZENS PRIVILEGE TO SPEAK ON ITEMS NOT ON THE AGENDA

Ms. Nelson made a motion to open to the public for items not on the agenda. Vice Chair Stetson seconded the motion.

Linda Ranft, East Amwell resident, asked for clarification regarding how the recently approved Master Plan reexamination report effects the Township's ordinances.

Francis Gavigan, East Amwell resident, asked about the availability of the Farmland Preservation Plan on the website. She expressed her concern regarding cars sharing the roads with bicycle riders and also the potential of trees falling during storms.

Ms. Deadwyler made a motion to close the meeting to the public comment for items not on the agenda Vice Chair Stetson seconded the motion.

VI. PRESENTATION OF MINUTES

1. July 17, 2023 Regular Meeting Minutes
2. June 8, 2022 Regular Meeting Minutes – carry
3. July 13, 2022 Regular Meeting Minutes – carry

4. August 10, 2022 Regular Meeting Minutes – carry
5. September 14, 2022 Regular Meeting Minutes – carry
6. September 29, 2022 Special Meeting Minutes– carry
7. October 12, 2022 Regular Meeting Minutes- carry

Ms. Deadwyler made a motion to approve the July 17, 2023 Meeting Minutes. Vice Chair Stetson seconded the motion. All were in favor.

VII. RESOLUTIONS FOR APPROVAL -

None

VIII. NEW BUSINESS -

None

IX. UNFINISHED BUSINESS

1. Subcommittee Reports-

A. Review of local ordinances related to warehousing and resolve inconsistencies

Ms. Deadwyler presented her findings on whether the ordinances were written in such a way that would prohibit warehousing. The conclusion was that warehouses are not permitted within our ordinance; but she had noticed that there are two areas, regarding either minimum off-street parking or loading, where warehousing is mentioned. One way to strengthen the policy to prevent warehousing in the township would be to strike that mention out of the ordinance.

She continued that under Land Use Chapter 92-86, the section titled, “Prohibited Uses,” states all uses not listed are prohibited, but that the prohibited portion only applies to the Amwell Valley district. She recommended that all uses not listed are strictly prohibited throughout the town, instead of the district, and then list allowable uses in each district.

Ms. Deadwyler reviewed the schedule of permitted uses in each district, and warehouses are expressly not allowed. Warehouses have traditionally been called storage facilities or drop shipment facilities, but applications now are proposing facilities under different titles, such as flexible use spaces and light industrial spaces. She provided examples of current proposals, and explained that while there is literature about how to plan better, there is not necessarily literature on how to ensure that warehousing would not be permitted. Further discussion was held amongst the Board.

Ms. Deadwyler confirmed the next steps with Township Committee Member DiPirro. TC Member DiPirro recommended that Ms. Deadwyler send her suggestions to the Township Committee Attorney. Attorney Frank Whittlesey could take a look at the ordinance and provide feedback as to how the suggestions might apply to the ordinance.

OPEN TO THE PUBLIC

Ms. Deadwyler made a motion to open the discussion regarding warehousing to the public. Ms. Nelson seconded the motion. All were in favor.

Francis Gavigan, East Amwell resident, recommended that the Board look at the size and scope of the warehouse industry, as well as factories.

Further discussion was held between the Board and the Public.

A motion was made by TC Member DiPirro to close the discussion with the public. The motion was seconded by Ms. Nelson. All were in favor.

B. Review of dark sky ordinance standards

Vice Chair Stetson presented the PB Subcommittee's review of the dark sky ordinance. They reviewed East Amwell's Dark Sky Ordinance, as well as other towns' dark sky ordinances. East Amwell's Dark Sky Ordinance does incorporate some of the best practices that are suggested by the International Society of Lighting Engineers. The ordinance was rewritten to try and make it understandable to a layperson.

The PB Subcommittee for the Dark Sky Ordinance review determined the ordinance is pretty good, but the enforcement does not fall within the Planning Board's jurisdiction. Ms. Stetson concluded there is a gap in regards to greenhouses, or 24-hour illuminated hoop houses. She suggested on behalf of the Subcommittee that greenhouses could be added where the ordinance limits barn lights, permitting dusk to dawn lighting only when fully shielded and properly aligned. Another suggestion was to add greenhouses in the Ordinance where it states dusk to dawn lighting is prohibited for commercial sports and recreational facilities. Another place where the greenhouses could be addressed includes where the Ordinance speaks about allowable outdoor light fixtures.

Ms. Deadwyler asked if the primary focus to review the dark sky ordinance had been solely in relation to greenhouses. Vice Chair Stetson confirmed that greenhouses were a focus during the review.

Town Committee member DiPirro stated that he is aware some residents have issues with their neighbors having lights that shine across property lines. Vice Chair Stetson explained that there is also an interesting component of the research she had done in regards to short wave-length cold lights and long wave-length warm light. The research had been conducted in the years since the East Amwell Dark Sky Ordinance had been adopted. The research showed that the warm light interferes less with wildlife. Ms. Stetson recommended that it could be added in the ordinance that when it is permissible, residents should opt to use the long wave-length light. She further addressed Town Committee member DiPirro's concerns, as the ordinance already states how far the light can go from its source, lights should be downward facing, lights should not go over a property line. They also should be turned off.

The Board held further discussion about opportunities to raise awareness through education to the public.

OPEN TO THE PUBLIC

A motion was made by Ms. Nelson to open the discussion on Dark Skies to the public. The motion was seconded by Town Committee Member DiPirro. All were in favor.

Francis Gavigan, East Amwell resident, asked the Board to work on an inventory of the primary East Amwell viewsheds. She recommended solutions such as barrier arborvitae for stricter enforcement of the allowable light within the designated inventoried viewsheds.

For clarification purposes, Vice Chair Stetson explained how the ordinance is not there to hinder the public from utilizing light needed to navigate their property, rather to eliminate hindrance on others' property. The ordinance is geared to protect the public's right to view the night sky.

C. Review of Farmland Preservation Plan update

No one was present to discuss the Farmland Preservation Plan updates.

OPEN TO THE PUBLIC

The review of the farmland preservation plan had been pushed to the September meeting.

D. Review of Historical Preservation Committee

Mr. Catenacci explained that a 38 page report had been provided to him by his contact John Alan through the County's Cultural and Heritage Commission. A further discussion was held and it was clarified that the task to develop a historic resource inventory is the first step of the process.

OPEN TO THE PUBLIC

Ms. Nelson motioned to open the discussion of the Historical Preservation Element to the public. Town Committee Member DiPirro seconded the motion. All were in favor.

Francis Gavigan, East Amwell resident, spoke about the rules regarding preservation of farmland according to the SADC. She continued to ask if the Township would prefer a Historic Preservation Committee or Commission, and if the Township has a demolition ordinance.

Town Committee Member DiPirro motioned to close the discussion regarding the Historic Preservation Element with the public. Ms. Nelson seconded the motion. All were in favor.

X. ITEMS FOR DISCUSSION

1. Invoices - Chairman Nardi asked for a motion to approve all invoices aside from the Parker McCay invoices. Town Committee Member DiPirro made a motion to approve all invoices except for Parker McCay invoices. Ms. Deadwyler seconded the motion. All were in favor.

XI. ORAL REPORTS

1. FOSPC- Mr. Mills was not present at the meeting. The report is carried to the September meeting.
2. ENVIRONMENTAL COMMISSION - Ms. Stetson stated that there was nothing new to report this month.
3. AGRICULTURAL ADVISORY COMMITTEE - Mr. Mills was not present at the meeting. The report is carried to the September meeting.

4. HISTORIC PRESERVATION COMMITTEE - Mr. Catenacci did not have anything further to report.
5. TOWNSHIP COMMITTEE - Town Committee Member DiPirro reported that the Township Committee had passed a Stormwater Ordinance Resolution with new requirements from the State.
6. PB SECRETARY - Ms. Panos asked everyone to please respond to emails regarding attendance.
7. PB CHAIR - Chairman Nardi thanked the subcommittees for their hard work.

XII. OPEN TO THE PUBLIC

Linda Ranft, East Amwell resident, stated she really liked being allowed to participate in the discussions with the Board tonight.

Francis Gavigan, East Amwell resident, also liked the new format of the PB meetings. She felt that the meeting was productive. She further added that there is a foundation at the corner of Wertsville and Rileyville Road that used to be a tavern, and she again asked whether there was a demolition ordinance.

A motion to close to the public was made by Ms. Nelson and seconded by Town Committee Member DiPirro. All were in favor.

XIII. CORRESPONDENCE

None

XIV. ADJOURN

Ms. Deadwyler motioned to adjourn the meeting. Mr. Catenacci seconded the motion. All were in favor.

Meeting was adjourned at 8:22 p.m.