

**WEST AMWELL TOWNSHIP
PLANNING BOARD MEETING
December 20, 2011**

The West Amwell Township Planning Board meeting was called to order at 7:30 PM by Chairman Pfeiffer followed by the salute to the flag.

The following statement of compliance with the Open Public Meetings Act as listed on the meeting agenda was read into the record by Chairman Pfeiffer: This meeting was called pursuant to the provisions of the Open Public Meetings Act. This meeting was included in a list of meetings transmitted to the Hunterdon County Democrat and Trenton Times on January 27, 2011. Notice has been posted on the bulletin board at Town Hall on December 15, 2011, and has remained continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Planning Board and Township Clerk.

The following general policy statement of the Board was read into the record by Chairman Pfeiffer: The Board's general policy is to end the presentation of testimony on applications by 10:30 PM and to conclude all Board business by 11:00 PM. When necessary, the Chair may permit a reasonable extension of those time limits.

The meeting was recorded via digital recording system and a copy of the CD is on file in the Office of the Planning Board.

Attendance – Roll Call

Present: Lonnie Baldino
George Fisher
John Haug
Tom Molnar
Sean Pfeiffer
Hal Shute
Chester Urbanski
Joan Van der Veen
Rob Tomenchok – Alt. #1
Nella Hamtil – Alt. #2 (*arrived at 7:38 PM*)
Attorney Shurts
Excused: Stephen Bergenfeld

Approval of Bill List

There was some discussion on the \$112.50 bill from Planner Hintz's Office regarding what he referenced as the Master Plan Housing Element. Chairman Pfeiffer indicated he believes the bill is really for the Economic Plan Element. The consensus of the Board was to hold this invoice and obtain clarification from Planner Hintz.

A motion by Haug, seconded by Van der Veen to approve the vouchers for payment as listed on the bill list, except for the \$112.50 invoice from Planner Hintz, was unanimously approved by roll call vote.

Resolutions of Approval

Resolution 2011-13: Minor Subdivision/Boundary Line Adjustment Extension – Amwell Valley Conservancy/Foran – Block 7 Lots 16.01, 17 & 19.01

Attorney Shurts explained the reason for the Resolution is that the subdivision was approved 5/17/11 and the applicant's time to file the deeds lapsed on 11/23/11. He noted the applicant needs additional time to file the deeds and has requested a 60 day extension.

A motion by Van der Veen, seconded by Urbanski to approve Resolution 2011-13 as revised was unanimously approved by roll call vote.

Unfinished Business

Discussion – Renewable Energy Ordinance Definitions – Recommendations from Environmental Commission – Status Update

Chairman Pfeiffer noted that the most recent recommendation from the Environmental Commission technically changes the setback requirement for accessory use solar installations. He indicated that previously it was worded that solar systems shall be situated more than 50' from the nearest property line and shall be located within the building setbacks. After discussion by the Board, the consensus was to have the language read, "...in the case of a surface level or ground mounted system, the system shall be situated more than 50' from the nearest property boundary, shall be located within the building setbacks and consist of 10 or fewer solar or photovoltaic panels." It was noted that this wording is consistent with the State's language.

A motion by Urbanski, seconded by Fisher recommending the Township Committee amend the Ordinance was unanimously approved by voice vote.

Discussion – Section 109 Schedule 3 – Schedule of Permitted Uses – Status Update

Chairman Pfeiffer explained that he, Mr. Baldino and Mr. Haug had met to discuss the permitted use schedule in an effort to establish a comprehensive up to date list. He noted that under the commercial and industrial uses there are a lot of very specific listing such as jewelry fabrication and medical instrument fabrication and he commented that they believe it may make more sense to establish categories such as wholesale/retail sales, professional and commercial services and light manufacturing fabrication etc. Mr. Tomenchok suggested it may be easier to craft an exclusionary listing. Mr. Baldino commented that from his perspective as Zoning Officer, it is easier for him to work with the newly proposed permitted use list.

Attorney Shurts remarked that the problem is the new list will quickly become the old list and he noted that the common practice is not to create an exhaustive listing but rather to have general topics followed by a specific example with language stating "included but not limited to or such as."

After some discussion, the consensus of the Board was to refine the newly revised list adding shooting ranges with conditional use standards, correcting the solar and wind facilities section and adding language clarifying that the listing is not a complete comprehensive listing.

Chairman Pfeiffer asked that the Board continue to review the list and be prepared to discuss it further at next month's meeting. He asked the Board for consensus on whether or not the listing should be forwarded to Planner Hintz for his comments since there is money still left in the 2011 budget. Mr. Fisher commented that he thought it should be sent to Planner Hintz after the Planning Board had completed their work on it.

Discussion – 109-4 Definitions – Status Update

Mr. Baldino indicated he is still working on the definitions.

Discussion – State Strategic Plan

Mr. Shute commented that he provided the document to the Planning Board so everyone would be aware of its existence. He remarked about Plan Endorsement cautioning the Board not to jump into anything with the State Strategic Plan but rather to wait awhile and let it evolve.

Chairman Pfeiffer commented that the information contained on pages 32 and 33 regarding preserved land and tax rates was interesting. He asked if Tax Assessor Gill takes preservation into consideration when assessing taxes. Mr.

Fisher indicated he did not know and remarked that a return on investment analysis would be difficult to quantify. Mr. Tomenchok noted that the school had conducted such an analysis and he stated it equated to a construction savings (*on building new schools*) of approximately \$2.00 for every \$1.00 put into preservation. He also commented on tax assessment next to preserved land saying when he appealed his taxes several years ago there was a person from the Calton development also appealing because land that was to remain open within the development didn't and they received a tax break because of it.

Chairman Pfeiffer suggested it doesn't hurt to find out if Mr. Gill uses preservation as a factor when assessing property.

New Business

Discussion – Draft Preserved Properties Map

Chairman Pfeiffer commented that there are quite a few updates that need to be made to the map and he asked the Planning Board if they want him to correct it using the Open Space trust money. He noted that the map is part of the Master Plan and was last amended in 2006 and is currently missing 1500 acres of preserved land. It was the consensus of the Board that the map should be updated at some point. Chairman Pfeiffer commented that he will contact the County to see what their time frame is for updating the map since they maintain the tax map layer that the Planners use in their Geographic Information Systems (GIS) software. Mr. Fisher indicated the Township was discussing having the tax maps updated and he suggested Chairman Pfeiffer wait since the Township maps will likely be updated next year. Chairman Pfeiffer noted that tax maps and GIS maps are different.

Mr. Fisher suggested estimates be obtained on the cost of correcting the map. Mr. Tomenchok remarked that perhaps the Board can research incorporating the corrections into the tax map with some type of GIS "hook." Chairman Pfeiffer commented that in the meantime he will talk to the County and encumber the Open Space funding for work to be continued on the map next year.

Correspondence

There was discussion on the memo from Cathy Urbanski suggesting the word "suitable" be removed from the definition of environmentally critical areas contained in the Stormwater Ordinance. It was the consensus of the Board to leave the existing language intact.

Attorney Shurts was excused from the meeting at this time, 8:43 PM.

Chairman Pfeiffer noted that bids had come back on the Board's Professional's positions and he asked if the Township Committee is looking for any input from the Planning Board or assistance with interviews. Mr. Fisher indicated the Township Committee is anticipating interviewing for the Engineer's position. Chairman Pfeiffer commented that the Planning Board is ultimately autonomous and could technically hire separate professionals but he recommends taking the lead from the Township Committee because it doesn't make sense to hire different engineers. Mr. Haug commented that maintaining continuity is important and expressed support for keeping the existing professionals.

Approval of Minutes

A motion by Fisher, seconded by Urbanski to approve the Board's minutes from 11/15/11 with no revisions noted was approved with Chairman Pfeiffer, Mr. Molner, Mr. Shute and Ms. Hamtil abstaining.

Chairman Pfeiffer wished the Board happy holidays and thanked everyone for their services over the past year.

Adjournment

A motion by Baldino, seconded by Fisher to adjourn the meeting was unanimously approved.

The meeting adjourned at 8:54 PM.