

**WEST AMWELL TOWNSHIP
PLANNING BOARD MEETING
January 19, 2010**

The West Amwell Township Planning Board reorganization meeting was called to order at 7:30 PM by Attorney Shurts 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 Attorney Shurts: 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 29, 2009. Notice has been posted on the bulletin board at Town Hall on January 14, 2010, 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 Attorney Shurts: 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
Stephen Bergenfeld
George Fisher
John Haug
Tom Molnar
Sean Pfeiffer
Hal Shute
Chester Urbanski
Joan Van der Veen
Zach Rich – Alt. #1
Rich Storcella – Alt. #2
Attorney Shurts
Engineer Clerico
Planner Hintz

Absent: No one

Oaths of Office – Appointed/Reappointed Members

Attorney Shurts administered the following oaths of office:

Class I – Tom Molnar – 1 yr. term (exp. 12/31/10)

Class II – Lonnie Baldino – 1 yr. term (exp. 12/31/10)

Class III – George Fisher – 1 yr. term (exp. 12/31/10)

Class IV – Hal Shute – 4 yr. term (exp. 12/31/13)

Class IV – Steve Bergenfeld – 4 year term (12/31/13)

Class IV – Sean Pfeiffer – 2 year unexpired term (12/31/11)

Alternate #1 – Zach Rich – 2 year term (12/31/11)

Nominations/Appointments

Attorney Shurts asked for nominations for the Board Chairperson. A motion by Van der Veen, seconded by Urbanski to nominate Sean Pfeiffer as the Board Chair was made. No other nominations were made. A motion by Urbanski, seconded by Baldino to close the nominations was unanimously approved. The motion was approved by voice vote.

Attorney Shurts congratulated Mr. Pfeiffer on his position as Board Chair and Mr. Pfeiffer took over the meeting.

Chairman Pfeiffer asked for nominations for the Board's Vice Chair position. A motion by Urbanski, seconded by Baldino to nominate Joan Van der Veen as the Vice Chair was made. No other nominations were made. The motion was unanimously approved by roll call vote. Chairman Pfeiffer congratulated Ms. Van der Veen.

A motion by Urbanski, seconded by Van der Veen to appoint Maria Andrews as the Board Secretary was unanimously approved by roll call vote.

A motion by Baldino, seconded by Van der Veen to appoint Donna Griffiths as the Deputy Board Secretary was unanimously approved by roll call vote.

Chairman Pfeiffer appointed the following subcommittees:

By-Laws: George Fisher
Chester Urbanski
Rich Storcella

Subdivision: Lonnie Baldino
John Haug
Tom Molnar

Approval of Minutes

The Board reviewed the minutes from their 12/15/09 meeting. The following revisions were noted:
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Page 2, Paragraph 4: *A motion by Shapella, seconded by Urbanski to close to the public was unanimously approved.*

The sentence will be changed to: A motion by Shapella, seconded by Urbanski to close the public hearing was unanimously approved.

Page 2, Paragraph 6: All references to Brian and Catherine **Mudhank** will be changed to the correct spelling of Mudhenk.

Page 3, Paragraph 1: *It was noted that the remaining lands lot 11 will have a **2.5** acre floating exception area...*

2.5 will be changed to 3.0.

Page 4, Paragraph 3: *Mr. Rupnarain noted that any construction will be confined to the **2.5** acre exception area.*

2.5 will be changed to 3.0.

Page 9: Just before Approval of Minutes, a line will be added indicating that Planner Hintz and Engineer Clerico left the meeting at this time.

A motion by Haug, seconded by Baldino to approve the Board's 12/15/09 minutes with the above noted revisions was approved by roll call vote.

Approval of Bill List

A motion by Urbanski, seconded by Baldino to approve the vouchers for payment as listed on the 1/19/10 bill list was unanimously approved by roll call vote.

Reorganization Resolutions

Chairman Pfeiffer noted Resolution PB#2010-07 – Appointment of Special Planner Linda Weber will not be acted upon because Ms. Weber's 2009 contract covers the work that will be done this year to finalize the Farmland Preservation Plan. It was noted that she will not be paid any additional funds beyond those which have already been encumbered because her contract was for a lump sum.

A motion by Baldino, seconded by Van der Veen to approve the following reorganization resolutions was unanimously approved by roll call vote:

PB#2010-01 – Consent Agenda

PB#2010-02 – Meeting Schedule

PB#2010-03 – Designation of Official Newspaper

PB#2010-04 – Appointment of Board Attorney

PB#2010-05 – Appointment of Board Engineer

PB#2010-06 – Appointment of Board Planner

Resolutions of Approval

Resolution PB#2010-09 – Boan/Gross – Block 13 Lots 4 & 5 – Minor Subdivision Extension

Chairman Pfeiffer explained this resolution was to memorialize the Board's decision made at last month's meeting to grant Mr. Boan an extension of time to file his subdivision.

A motion by Urbanski, seconded by Van der Veen to approve Resolution PB#2010-09 was approved by roll call vote.

Applications

Kaluzny – Block 19 Lot 11 – Minor Subdivision/Variance Application – Continuation of Public Hearing and Approval of Resolution PB#2010-08

Attorney Shurts explained the public hearing was held at the Board's 12/15/09 meeting where the Board approved the subdivision application and granted all of the requested variance relief. He noted the Board decided to keep the meeting open to the public and carry it to this month's agenda in case there were any unresolved issues regarding the form of the deed, the instruments, or with the remaining lands preservation and floating exception area. Attorney Shurts noted that he had prepared a resolution of approval for memorialization this evening.

It was noted that the instruments prepared to effectuate the necessary deed transfers still need to be reviewed by the applicant's attorney.

Chairman Pfeiffer opened the floor to any additional public comment on the Kaluzny application. Seeing no one come forward, a motion by Haug, seconded by Urbanski to close the floor to public comment on this matter was unanimously approved by roll call vote.

The Board discussed the Kaluzny Resolution PB#2010-08 noting some revisions. A motion by Urbanski, seconded by Baldino to approve Resolution PB#2010-08 as revised was approved by roll call vote.

Public Hearing: Lucarini – Block 32 Lot 4 – Minor Subdivision /Variance Application

Attorney Shurts verified that the noticing requirements under the Municipal Land Use Law (MLUL) have been met and indicated the Board had jurisdiction to hear the application. The following exhibits were marked for the record: **Exhibit: A-1** – The application and **Exhibit: A-2** – Documentation showing proof of noticing. Attorney Shurts stated that the Affidavit of Service was not included in Exhibit: A-2 but there was sufficient documentation to prove that the required noticing was provided. He noted that any approvals will be conditioned upon the applicant providing an Affidavit of Service.

Attorney Shurts explained that since a discrepancy was discovered between the Township's tax map and the subdivision map regarding the adjoining property owners, the 5 neighboring properties not included on the Tax Assessor's certified list of property owners were noticed by Attorney Shurts on behalf of the Planning Board. Notice was provided to land owners: Lettieri, Pietras, Gross, Carnevale and Hastings-Kimball on 1/7/10. Documentation showing proof of noticing to these 5 property owners was marked as **Exhibit PB-1**.

Mr. Lucarini, the applicant and property owner, came forward and was sworn in. He explained that he is seeking a minor subdivision of his primary property which is 20 acres. He is proposing to subdivide a 6 acre lot. The proposal will require two variances: Minimum buildable area – The ordinance requires that the new lot and remaining parcel provide a three acre buildable area in this zone. Mr. Lucarini is proposing a 2.15 acre area for proposed lot 4.02. He indicated the justification for his request is because of the required wetland buffers. He stated he believes there is sufficient area to locate a

dwelling, driveway and septic on the proposed lot. Mr. Lucarini noted the State can grant a "Buffer Averaging Plan" which is something he is willing to discuss with a wetlands consultant if necessary. Minimum lot width/lot frontage – The ordinance requires a 300 foot minimum standard. Mr. Lucarini is proposing a lot width of 278 feet at the setback line. He indicated the request for this variance is to expedite his application and commented the justification is that the current lot configuration of proposed lot 4.02 technically has 300 feet of road frontage. Engineer Clerico noted that the proposed lot does not conform at the setback line which is where the ordinance requires the width to be measured.

Mr. Lucarini listed the following waiver requests:

Checklist item 22 Woodlands – In order to expedite the application. Mr. Lucarini stated the justification for the request is that there will be no disturbance of any trees on either the remaining land or the proposed lot 4.02. Mr. Lucarini stated he would agree to a conservation easement if necessary.

Checklist item 22 Wetlands – In order to expedite the application. Mr. Lucarini stated the justification for the request is that there will be no disturbance of any wetlands on proposed lot 4.02. On the remaining land Mr. Lucarini noted the existing wetlands were delineated and he stated he has provided a Letter of Interpretation (LOI) from the State. He commented that he would agree to a conservation easement along the rear of remaining land lot 4 if necessary, to encompass any/all wetlands south of the 150 foot rear setback.

Checklist item 30 Reserve soil testing – Mr. Lucarini noted this has been taken care of because he has received a waiver from this requirement from the Township Board of Health.

Mr. Lucarini had no additional testimony.

Engineer Clerico suggested the Board deal with the variance aspect of this application first, noting that if the variances are not granted there would be no need to continue with the subdivision aspect of the application since the subdivision relies on the variance relief. He referred to his memo dated 11/13/09 and remarked that it appears the applicant has the ability to comply with the ordinance. He stated in his opinion it would be difficult, if not impossible, for Mr. Lucarini to justify the requested variance relief under the MLUL criteria. Engineer Clerico explained that since Mr. Lucarini has the ability to conform to the ordinance standards, he has essentially created a self imposed hardship.

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Engineer Clerico commented that if the Board does grant the variances the following issues would need to be discussed as part of the subdivision:

Issues related to disturbance on the property regarding stormwater management regulations. He noted that if the development of proposed lot 4.02 requires disturbance of an acre of land or the construction of more than a quarter acre of impervious surface, the Board is legally bound to see an

enhanced stormwater assessment as part of the ability to document that the property can in fact be developed.

Issues related to any future driveway access regarding drainage. Engineer Clerico indicated Mr. Lucarini would need to supply plan and profile documentation of the driveway and drainage calculations for any crossings over water courses. It was noted that the current plan shows two proposed crossings.

Issues related to wetlands and transition areas. Engineer Clerico noted there is an LOI but any approvals would be conditioned upon conservation easements on the remaining portion of proposed lot 4.02, and the retained wetland area since Mr. Lucarini does not currently have permission to disturb this portion of the land. He also noted a conservation easement would need to be defined along the southerly property line of both proposed lots 4.02 and remaining land lot 4. Engineer Clerico commented that the applicant has agreed/offered to impose a conservation easement in these areas rather than delineating the woodland area and the classification of the woodlands.

With regard to any concessions Mr. Lucarini offered regarding his proposal, Engineer Clerico noted that ultimately they would have to be incorporated onto the plan. He indicated they would include the conservation easement for the woodland area, the restriction against further development on the property and the waiver from the Board of Health regarding the reserve septic area.

Chairman Pfeiffer directed discussion to take place on the variance aspect of the application. Planner Hintz commented that the applicant should provide testimony indicating why the additional lot width can't be satisfied. Attorney Shurts indicated that he had drafted a memo to the Board for the benefit of providing the new Board members with some guidance in dealing with "C" variances. He explained that there are two types of "C" variances: C-1 or hardship variances – The applicant must demonstrate that (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of a particular zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, then the Board may grant a variance from such strict application of the regulation to relieve the difficulty or hardship; and C-2 or planning variances – Where an applicant presents an appeal related to a specific piece of property, and demonstrates

that the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirement(s) and that the benefits of that deviation will substantially outweigh any detriment, then the Board may grant a variance to allow a departure from the zoning regulation.

Attorney Shurts also indicated that in addition to the positive criteria stated, an applicant must also demonstrate compliance with the negative criteria. He explained the statute also provides in pertinent part that no variance or other relief may be granted without showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. Attorney Shurts emphasized that

the burden of proof is on the applicant to demonstrate that the positive and negative criteria have been met.

Chairman Pfeiffer read the following paragraph from Engineer Clerico's 11/13/09 memo: "It appears that the applicant can comply with the lot width, frontage and minimum buildable area requirement if the proposed division line creating new lot 4.02 from the remaining land lot 4 were moved to the west. I also stated that it may be difficult (if not impossible) for the applicant to justify the requested variance relief under the MLUL criteria. In essence the applicant has the ability to create a lot conforming to the ordinance standards and the requested relief is in fact a self created hardship. Bill Shurts and Carl Hintz will need to advise the Board on the criteria, testimony and justifications that the applicant would need to put on the record in order for the Board to consider this variance relief. If the variances are not granted then the minor subdivision plan as currently proposed could not be approved by the Board. Accordingly, this is one of the threshold questions that would need to be addressed by the Board after hearing testimony from the applicant or his representatives and noting any comments from the public after they have been notified of the intended variance relief."

Mr. Urbanski asked if the lot line was moved to the west a certain distance, would Mr. Lucarini need variance relief? Engineer Clerico remarked that the applicant could present some exhibits or something demonstrating why he can't meet the ordinance standards and then the Board may have justification to grant the variance relief. Planner Hintz asked Mr. Lucarini if there is something preventing him from being able to move the lot line to the west. He specifically asked if moving the line would impact a building, a septic system or a well? Planner Hintz noted that if the line doesn't impact anything then it likely could be moved to meet the 300 foot setback for proposed lot 4.02 and at the same time the problem of the minimum 3 acre buildable area may be cured. Mr. Lucarini commented that he has horse fencing in that area and if the line was moved to the west, the lot would become irregularly shaped. Planner Hintz remarked that the plans appear to show at least 60 feet of space before coming close to the horse fence. Engineer Clerico reminded Mr. Lucarini that the 6 acres is a minimum standard and he could have more than that and more than 300 feet lot width and more than 3 acres buildable area.

Mr. Lucarini indicated he relied on his Engineer to lay out the site plan and stated none of this was in question until now. Mr. Lucarini commented that he was court ordered by Judge Derman of Somerset County Superior Court to subdivide the property and expressed frustration over his application taking three years to get to this point. He said Engineer Clerico has reviewed the plan several times and never mentioned this issue. Engineer Clerico took objection with Mr. Lucarini's comments and pointed out that this matter has been the subject of his review memos dating back to 9/6/07.

Chairman Pfeiffer referred to Attorney Shurts's memo regarding the justification to grant variances, specifically noting the hardship vs. the planning criteria. Attorney Shurts added that unless there is something requiring the lot line to be located where it is, the Board is in a tough spot to justify the variance relief. Chairman Pfeiffer polled the Board for their thoughts on the statutory requirements regarding the variances. The following comments were made:

Mr. Urbanski: No additional comments.

Mr. Haug: Indicated he hadn't heard anything that would allow the Board to justify

the variance relief.

Mr. Shute: Commented he sympathizes with Mr. Lucarini and stated this appears to be a situation where the Board's hands are tied.

Mr. Fisher: Commented that the law indicates the Board can't grant the variances because there is a way to rectify the situation.

Mr. Storcella: He asked Engineer Clerico to give an estimated cost of what Mr. Lucarini may have to spend to revise his plans. Engineer Clerico commented the question is unfair because cost to an applicant is not a basis to grant or deny variances. He also commented that Mr. Lucarini would need a new survey and the deeds would have to be revised as well. Mr. Storcella asked if Mr. Lucarini moves the lot line and still requires a variance, would the Board be inclined to grant the relief. No one responded definitively.

Mr. Bergenfeld: Commented he understood Mr. Lucarini's frustration and said the Board's hands are tied.

Mr. Molnar: Commented the lot line is located where it is in order to create a 6 acre lot. He said proposed lot 4.02 meets the 6 acre minimum requirement.

Ms. Van der Veen: Questioned how the lot line came to be. Mr. Lucarini remarked that his Engineer/Surveyor created the site plan and they thought they were meeting the ordinance criteria.

Mr. Baldino: Commented that the advantages don't outweigh the detriments.

Mr. Rich: Commented that the Board is not going to get anywhere this evening on the application and suggested a list of exactly what needs to be done should be created.

Chairman Pfeiffer opened to the public for comments on only the variance issues regarding this application.

Herb Gross of 7 Wilson Road came forward and expressed confusion with the public hearing. Chairman Pfeiffer explained that when the Board receives an application, it must first be deemed complete and then a public hearing is held to discuss the merits of the application. He noted that currently the Board is asking for any public comment regarding the variance aspect of Mr. Lucarini's application. Mr. Gross indicated he had issues with other aspects of the application and noted he will hold off on any comment now, but will likely have more to say later.

No other members of the public came forward. Chairman Pfeiffer noted that the floor will remain open for any additional comments on this application.

Mr. Lucarini had no additional comments or testimony.

Chairman Pfeiffer suggested that if there was no additional discussion on the matter, perhaps it was time to make a motion. Attorney Shurts interjected that if Mr. Lucarini was considering revising his application, then the Board may wish to continue discussing the matter because if the application is denied, Mr. Lucarini will have to start the process all over again from the beginning.

Chairman Pfeiffer commented that he would like to provide Mr. Lucarini with some clear direction on how to proceed if he chooses to revise his application. He referred to Engineer Clerico's memo dated 11/13/09 saying all of the issues raised in this review memo would need to be addressed. The Board continued discussing the memo specifically noting the stormwater issue, the driveway design, the conservation/agricultural development rights easement, the woodland issue and showing the deed restrictions on the site plan.

Chairman Pfeiffer opened to the public again. Herb and Cathy Gross of 7 Wilson Road came forward. They were sworn in and Mrs. Gross provided the Board with a photo album consisting of several pages of 3" x 5" color photos depicting the drainage issues on the neighboring property. The pages from the photo album were marked as **Exhibit O-1**. Mr. Gross commented that upon his review of the Township files, he found a drawing showing improvements to Mr. Lucarini's property regarding a driveway, septic and dwelling. Engineer Clerico explained that Mr. Lucarini's application is for a subdivision and he is simply demonstrating the viability of his proposal on his site plan.

Mr. Gross then questioned where the driveway is proposed and commented that the driveway will have to intersect a drainage ditch. He expressed concern over potential flooding and asked why Mr. Lucarini couldn't access the lot from County Route 518 instead of Wilson Road.

Mr. Lucarini commented that the Gross's have lived on their property for 18 years while he has only been their neighbor for 14 years. He noted the drainage problems they currently have are the Townships responsibility not his and he remarked that the Gross's routinely cut a portion of the grass that is actually his property and they have created ruts with their lawnmower which hinders water runoff from draining properly.

Chairman Pfeiffer polled the Board again for additional comments:

Mr. Haug: Commented that he is inclined to see the lot line moved over.

Mr. Urbanski: Commented he agrees with Mr. Haug.

Chairman Pfeiffer: Commented that he believes if Mr. Lucarini addresses all of the points in Engineer Clerico's 11/13/09 memo, the Board would be happy.

Mr. Shute: Suggested Mr. Lucarini carefully review all of the stormwater regulations and cautioned him to stay under the threshold due to the State's complicated requirements.

Mr. Fisher: Commented he agrees with everything that has been said.

Mr. Storcella: Commented he agrees with what has been said and suggested Mr. Lucarini get someone (a planner/surveyor/engineer) to assist him. He also suggested he consider relocating the proposed driveway.

Mr. Rich: Commented he agreed with what has been said.

Mr. Baldino: Commented he would like to see the lot line relocated. He also cautioned Mr. Lucarini that any approved driveway permit would only be good for 5 years from the date of approval.

Ms. Van der Veen: Suggested Mr. Lucarini approach his Engineer to fix his original plans and/or find a new professional to assist him.

Mr. Molnar: Commented that the distance the lot line would have to move is only about

20 feet and he pondered whether or not the distance was truly significant.

Mr. Bergenfeld: Commented he was in agreement with seeing the lot line moved.

Chairman Pfeiffer: Commented that there is a statutory requirement that doesn't appear to have been met. He suggested Mr. Lucarini review Engineer Clerico's memo dated 11/13/09 and requested that in addition to the issues raised in the memo, he would like Mr. Lucarini to get a definitive answer from the County as to whether or not it is an option to have the proposed driveway access County Route 518.

Mr. Lucarini requested the Board send him a letter outlining exactly what he needs to do. Chairman Pfeiffer asked Ms. Andrews to send Mr. Lucarini a letter requesting clarification on the driveway access from the County and to attach a copy of Engineer Clerico's 11/13/09 memo.

Attorney Shurts suggested the Board carry Mr. Lucarini's application to their 3/16/10 meeting for continuation of the public hearing. Mr. Lucarini expressed that he did not know whether or not that would be sufficient time for him to revise his plans. Chairman Pfeiffer suggested the matter be carried to the Board's 2/16/10 meeting in the event Mr. Lucarini was able to get his plans revised quickly. He noted the matter could always be carried again to the Board's 3/16/10 meeting. Mr. Lucarini indicated he did not think he would be ready to proceed in February and agreed to carry the public hearing to the Board's 3/16/10 meeting and granted the Board an extension of time to hear his application until 3/16/10. It was noted that no additional public notice will be given for this application.

Discussion: Burgess – Block 19 Lot 7.03 – Requested Waivers

Present for the discussion was property owner Gail Burgess and her Engineer Alex Mikos of Goldenbaum Baill Associates, Inc. Engineer Mikos explained that the property is a 6.5 acre parcel known as Block 19 Lot 7.03. He said the conservation easement was created during the process of a minor subdivision in 1991. It was noted that the wetlands LOI for the subdivision expired in 1995 and Ms. Burgess purchased the property in 1997. Engineer Mikos commented that Ms. Burgess was not aware that the LOI had expired at the time she purchased the property and subsequently applied to the New Jersey Department of Environmental Protection (NJDEP) for a new LOI based upon the original wetlands delineation. The application was denied by the NJDEP.

The new LOI revealed that the wetlands area was modified, increasing the total delineated area. Engineer Mikos commented that Ms. Burgess has obtained approval from the West Amwell Township Board of Health to install a septic system and has applied to NJDEP for wetlands general permits. He noted, however, that NJDEP will not approve the permits until the conservation easement is modified and until the Township grants permission for the construction of the driveway and the dwelling.

Attorney Shurts commented that he had spoken with Kevin Appelget regarding the required approvals from the NJDEP Green Acres Program and he indicated modifying the existing conservation easement is a lengthy and complicated process. Attorney Shurts noted there may be jurisdictional issues as well and suggested he speak with the Board of Adjustment attorney, Stewart Palilonis, for his input prior to continuing with this discussion so the applicant doesn't waste their time before the wrong Board.

It was the consensus of the Board that more information is required before this matter can proceed. The jurisdictional issue needs to be worked out since Ms. Burgess will be requesting variance relief for the dwelling construction along with modification of the conservation easement. Attorney Shurts will work out whether Ms. Burgess should go to the Board of Adjustment or proceed before the Planning Board and report back to the Board.

It was noted that a new plan will need to be submitted showing the existing lot conditions including the current conservation easement and the new wetlands delineation area. The proposed driveway, dwelling, grading, septic system, well, drainage and utility improvements will also need to be shown on the plan. Engineer Clerico commented that the following checklist items will need to be addressed: Signed and sealed plans, zoning setback criteria, topographical details in proposed areas of disturbance, identification of the building envelope, sight easement, drainage grading, tree disturbance and utility connections.

Engineer Mikos indicated he will wait to hear from the Board with directions on how to proceed once Attorney Shurts speaks to the Board of Adjustment Attorney.

Unfinished Business

Status of Plan Endorsement

Chairman Pfeiffer commented there was no update on this matter and noted it will be moved to the Board's February agenda.

Master Plan Amendment – Farmland Preservation Plan

Chairman Pfeiffer noted that comments had been received from the State Agriculture Development Committee (SADC) and Planner Linda Weber is working on addressing them.

New Business

Discussion – Master Plan Revisions

Chairman Pfeiffer commented that he will be appointing the new Board members to the various subcommittees that were formed last year for the purpose of reviewing the Master Plan. He encouraged everyone to continue working on their review of the Master Plan for any necessary revisions. Chairman Pfeiffer asked Ms. Andrews to provide each new Board member with a copy of the Master Plan along with the November 2006 amendment, November 2009 Reexamination Report and December 2009 amendment.

Discussion – Machinga Minor Subdivision: Block 23 Lot 10 – Extension

Attorney Shurts explained that Mr. Machinga's attorney Neal Solomon has requested the Board grant an additional 90 day extension of time to file and perfect the subdivision. It was noted that the subdivision was approved on 1/20/09 and on 8/18/09 the Board granted a 90 day extension of time through 1/29/10. The applicant is now requesting another extension because they are waiting for final approval from Hunterdon County Board of Health on the installation of the septic system. There is concern they will not meet the 1/29/10 deadline.

A motion by Van der Veen, seconded by Urbanski to grant another 90 day extension of time for the Machinga Minor Subdivision was unanimously approved by roll call vote.

Correspondence

It was noted that Ms. Andrews will register Mr. Storcella, Mr. Baldino, Mr. Rich, Mr. Shute, Mr. Bergenfeld and Mr. Fisher for the mandatory training class being offered at the County Complex on 3/20/10.

Adjournment

A motion by Urbanski, seconded by Van der Veen to adjourn was unanimously approved by voice vote.

The meeting adjourned at 11:20 PM.

Maria Andrews, Planning Board Secretary