

MINUTES OF THE
SANDYSTON TOWNSHIP PLANNING BOARD MEETING
January 7, 2013

Mr. Utter called the meeting to order.

This meeting has been duly advertised and meets all requirements of the Open Public Meetings Act.

Amanda F. Lobban, RMC administered oaths to five reappointed members: Fred MacDonald, George B. Harper, Jr., John deJager, Joe Pinzone and Raj Sinha.

Present: Fred MacDonald
John deJager
George B. Harper, Jr.
Joe Pinzone
Marc Cunico
Ron Green
Raj Sinha
Wes Powers
Keith Utter

Absent: Mike Milligan

Also present: Glenn Gavan, Esq.; Dave Simmons Jr., P.E., L.S., C.M.E.; Mr. & Mrs. Robert Green; Mr. Scott Smith.

REORGANIZATION:

Election of Chairperson:

A motion was made by Mr. Cunico and seconded by Mr. Green to appoint Keith Utter as Chairman of the Planning Board for the year 2013.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; Mr. Utter, abstain. The Motion was carried.

Keith Utter is the Planning Board Chairman for the year 2013.

Election of Vice Chairperson:

A motion was made by Mr. Green and seconded by Mr. deJager to appoint Marc Cunico as Vice Chairman of the Planning Board for the year 2013.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, abstain; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; Mr. Utter, yes. The Motion was carried.

Marc Cunico is the Planning Board Vice Chairman for the year 2013.

Designation of Time, Date and Place of Meetings:

A motion was made by Mr. Cunico and seconded by Mr. Pinzone to approve the following dates for the Planning Board Regular Meetings for 2013:

REORGANIZATION CONTINUED:

Designation of Time, Date and Place of Meetings:

The Board will meet at 7:00pm on the first Monday of every month at the Sandyston Township Municipal Building, 133 Route 645, Sandyston, New Jersey.

January 7, 2013 Reorganization & Regular Meetings
February 4, 2013
March 4, 2013
April 1, 2013
May 6, 2013
June 3, 2013
July 1, 2013
August 5, 2013
September 9, 2013 (Second Monday due to Holiday)
October 7, 2013
November 4, 2013
December 2, 2013

The reorganization meeting for 2014 will be held on January 6, 2014 at 7:00 pm. The regular meeting of the Sandyston Township Planning Board to be held on January 6, 2014 at 7:00 pm will immediately follow the reorganization meeting.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; Mr. Utter, yes. The Motion was carried.

Designation of Primary and Secondary Newspapers:

A Motion was made by Mr. Pinzone and seconded by Mr. Powers to designate the New Jersey Herald as the Primary Newspaper and the New Jersey Sunday Herald as the Secondary Newspaper for Sandyston Township Planning Board for the year 2013.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; Mr. Utter, yes. The Motion was carried.

Designation of Board Attorney:

A Motion was made by Mr. Cunico and seconded by Mr. Powers to appoint Glenn Gavan of the firm McGivney & Kluger as the Sandyston Township Planning Board Attorney for the year 2013.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; and Mr. Utter, yes. The Motion was carried.

Mr. Gavan of the firm McGivney & Kluger is the Planning Board Attorney for the year 2013.

Designation of Board Engineer:

A Motion was made by Mr. Powers and seconded by Mr. Cunico to appoint Dave Simmons of the firm Harold Pellow & Associates, Inc. as the Sandyston Township Planning Board Engineer for the year 2013.

REORGANIZATION CONTINUED:

Designation of Board Engineer:

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; and Mr. Utter, yes. The Motion was carried.

Mr. Simmons of the firm Harold Pellow & Associates, Inc. is the Planning Board Engineer for the year 2013.

Designation of Board Secretary:

A Motion was made by Mr. Cunico and seconded by Mr. deJager to appoint Elizabeth 'Betsy' Pinzone as the Sandyston Township Planning Board Secretary for the year 2013.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, abstain; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; and Mr. Utter, yes. The Motion was carried.

Elizabeth Pinzone is the Planning Board Secretary for the year 2013.

REGULAR MEETING

APPROVAL OF MINUTES:

A Motion was made by Mr. Cunico and seconded by Mr. Pinzone to approve the December 3, 2012 Regular Meeting Minutes.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; Mr. Utter, yes. The Motion was carried.

APPROVAL OF VOUCHERS:

A Motion was made by Mr. Pinzone and seconded by Mr. Cunico to approve the following vouchers for payment:

HAROLD E. PELLOW & ASSOCIATES, INC.

<u>Escrow:</u>	
#05/2005 Shi Site Plan – Invoice #56204	\$ 290.00
#09/2002 Ariben (Apple Pit) – Invoice #56206	\$ 30.00
#02-2012 YMCA Cabin Replacement – Invoice #56207	\$ 210.00
<u>General:</u>	
Professional Services 11/2/2012 – 11/29/2012 - Invoice #56205	\$1,120.00

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, yes; Mr. Sinha, yes; Mr. Powers, yes; Mr. Utter, yes. The Motion was carried.

REGULAR MEETING CONTINUED:

CORRESPONDENCE:

The following correspondence was reviewed and no formal action was taken:

Letter dated December 3, 2012 from Glenn T. Gavan, Esq.
re: Interest in Remaining Board Attorney for 2013

Letter dated December 12, 2012 from Sussex County Department of Engineering & Planning
re: Lot Line Relocation from Robert & Kathleen Green

Memo dated December 18, 2012 from David B. Simmons, Jr., P.E., L.S., C.M.E.
re: Application #03-2012 Minor Subdivision for Robert & Kathleen Green

Letter dated December 18, 2012 from Sussex County Department of Engineering & Planning
re: Lot Line Relocation from Robert & Kathleen Green

Rutgers Planning & Zoning Program – Spring 2013 Schedule

APPLICATIONS:

Mr. & Mrs. Robert Green #03-2012 Minor Subdivision: Block 903, Lots 38.06 & 38.02

Mr. Green stepped down from the meeting for the presentation of this application.

Mr. Robert Green, Mrs. Kathleen Green & Mr. Ron Green, who are presenting testimony on this application, were sworn in by Mr. Gavan.

Mr. Simmons presented his report on the application as follows with additional comments and responses:

"The Applicant is proposing to subdivide 4.459 acres off of existing tax Lot 38.06 and annex it to Tax Lot 38.02. The new enlarged area of Lot 38.02 will be 7.712 acres, and the remainder Lot 38.06 will be 9.507 acres. No new lots are proposed.

Both lots are located in Residential Zone A.

Based on a review of the plan submitted and an on-site inspection, I have the following comments:

1. Proposed Lot 38.02
 - a. The proposed lot meets the bulk requirements of Zone A.
 - b. The zone table to be revised to show 260.00 feet of frontage for Lot 38.02, not 300.7 feet.
 - c. The plat shows a building lot area of 89,690 square feet in the northwestern portion of the lot, with a building envelope area limited to the northwestern area of the lot.
I note that there is no information to confirm that there is at least 20,000 square feet of unconstrained land within the proposed building envelope area.
 - d. Based on the NJDEP iMap documentation, it appears that the stream from the ponds is a Category 1 stream, and there may be some wetlands associated with the stream and surrounding area. This information has not been documented on the plat. I believe the Applicant will have to obtain permits from NJDEP for any proposed driveway crossing in this area in order to reach the proposed building envelope in the rear of the lot.
 - e. I note that there are existing access easements on adjacent Block 903, Tax Lots 38.11 and 38.12. If a driveway is proposed to be constructed in these two easements, a NJDEP permit may still be required, since the easement areas are within 300 feet of the Category 1 stream.
 - f. If a driveway is constructed out to the frontage of Lot 38.02, on Ayers Road the access point should be positioned to maximize the available sight distance, taking into consideration the two existing horizontal curves located on Ayers Road.
 - g. The right of way width of Ayers Road is shown as 33 feet. If the township has any plans in the future to widen Ayers Road, the Board may want the Applicant to dedicate an additional 8.5 feet of right-of-way on the westerly side of Ayers Road, along with slope and drainage easements.
2. Remainder Lot 38.06
 - a. Remainder Lot 38.06 meets all the requirements of Zone A, with the exception of lot width. Two hundred sixty feet (260') is required, and only 13.46 feet is provided. However, there is an existing condition, which is not changed by the proposed subdivision.

REGULAR MEETING CONTINUED:

- b. There is no building envelope or area shown as unconstrained area of at least 20,000 square feet on the remainder of Lot 38.06. The Applicant to address this.
 - c. There is an existing "bridge" shown between the two ponds that is located partially on the remainder lot. If a new driveway is ever constructed on this lot in the future, I believe an NJDEP permit will be required due to the Category 1 stream and any wetlands that may be present in the adjacent area.
 - d. The right-of-way width of Ayers Road is shown as 33 feet. If the township has any plans in the future to widen Ayers Road, the Board may want the Applicant to dedicate an additional 8.5 feet of right of way on the westerly side of Ayers Road, along with slope and drainage easements.
3. Section 141-4 – Tree Removal Ordinance requires a tree removal proposal for a minor subdivision that proposes or requires the removal of trees. The Applicant to address this section of the Ordinance, in particular as it pertains to any proposed driveway crossing through any wooded areas.
 4. The plat shows test hole locations on Lot 38.02 and references a subdivision plan prepared by Jack E. Decker, P.L.S., dated August 17, 1987. Data has not been provided on these test holes on the current plat. I note that with the change in septic system code in 1990 and the buffer from the Category 1 stream, new test holes may have to be performed for any proposed septic system on this lot.
 5. Sussex County Planning Board approval (or waiver) is needed for the subdivision."

Questions from the Board: Mr. Cunico questioned access to newly delineated lots. Mr. Green stated there is an easement from Strong Lane to access Lot 38.06 and an easement from an existing driveway to Lot 38.02. Mr. Gavan confirmed there is already an easement from Strong Lane to Lot 38.06.

The meeting was opened to the public for questions regarding the application. As there were none, the meeting was closed.

Mr. Green returned to the meeting.

A motion was made by Mr. Cunico and seconded by Mr. deJager to approve the application as presented waiving certification of the 20,000 sq. ft. requirement pertaining to the unconstrained building area and waiving of the tree removal ordinance requirement.

Roll Call: Mr. MacDonald, yes; Mr. deJager, yes; Mr. Harper, yes; Mr. Pinzone, yes; Mr. Cunico, yes; Mr. Green, abstain; Mr. Sinha, yes; Mr. Powers, yes; Mr. Utter, yes. The Motion was carried.

RESOLUTIONS:

There were no resolutions.

OTHER BUSINESS

A brief discussion of the status of the Renewable Energy and Viewshed ordinances took place. Copies of the ordinances were distributed for review. Maps provided by Mr. Simmons regarding the Viewshed elevations are available in the office and will be displayed during a work session at the February 4, 2013 Planning Board Meeting.

The Mayor will make an appointment for Alternate #2 at the Sandyston Township Committee Meeting on Jan. 8, 2013. Mr. Scott Smith, who submitted comments to the Committee regarding these ordinances, was introduced to Board members.

NEW BUSINESS

There was no new business.

REGULAR MEETING CONTINUED:

PUBLIC PARTICIPATION:

The meeting was opened to the public.
As there was no public participation, the meeting was closed to the public.

ADJOURNMENT:

As there was no further business before the Board, a Motion was made by Mr. Pinzone and seconded by Mr. Powers to adjourn the meeting. All were in favor. The meeting was adjourned.

Respectfully submitted,

Elizabeth Pinzone
Secretary