

**WEST AMWELL TOWNSHIP
PLANNING BOARD MEETING
November 19, 2013**

The West Amwell Township Planning Board meeting was called to order at 7:30 PM by Chairman Tomenchok 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 Tomenchok: 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 24, 2013. Notice has been posted on the bulletin board at Town Hall on November 14, 2013 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 Tomenchok: 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: John Haug
George Fisher
Art Neufeld
Zach Rich
Hal Shute
Rob Tomenchok
Chester Urbanski
Attorney William Shurts

Excused: Stephen Bergenfeld
Nella Hamtil – Alt. #1

Approval of Bill List

A motion by Urbanski, seconded by Neufeld to approve the vouchers for payment as listed on the 11/19/13 bill list was approved by roll call vote with Mr. Fisher abstaining.

Resolutions of Approval

Resolution PB#2013-13: BDNJ Limited, LLC – Denial of Variances – Block 5 Lot 15.01 – Holcombe Grove Road

Attorney Shurts informed the Board that he sent a draft of the resolution late this afternoon and stated that it has not yet been sent to the applicant's attorney because he wanted to make sure that it adequately reflected the Board's sentiments regarding the denial before he distributed it.

Mr. Urbanski expressed that he believed the resolution was very well written. He asked if the applicant can come back to the Planning Board and request approval on a “lot by lot” basis. Attorney Shurts explained that the applicant had come to the Planning Board seeking a blanket variance approval to preserve the original subdivision approved by the Board. He clarified that if the applicant now seeks approval on a lot by lot basis, the Board of Adjustment would have jurisdiction over that type of variance application.

A motion by Rich, seconded by Urbanski to carry the memorialization of Resolution PB#2013-13 to the Planning Board’s 12/17/13 meeting in order to provide everyone with enough time to thoroughly review the document was unanimously approved by voice vote.

Unfinished Business

Discussion – South Hunterdon Regional Energy Co-op (SHREC) – Update

It was noted for the record that Attorney Shurts did not believe that Mr. Fisher or Chairman Tomenchok needed to recuse themselves from the discussion because it was merely an update on a pending project.

Present for the discussion was Bradley Campbell and Rob Jetty. Mr. Campbell informed the Board that the solar project inter-connection with South Hunterdon High School was just approved. He indicated the next step will be to secure building and construction permits and then begin installation of the solar panels.

Mr. Fisher asked about the line going up to the High School. He commented that he believed the connection was going to be via the line that comes up the High School driveway rather than connecting directly to the school. Mr. Campbell indicated there will be a line to the High School and another line to the grass strip. Mr. Campbell explained that Jersey Central Power & Light (JCP&L) would not allow them the “net meter” at the County site.

Mr. Shute asked what the size of the solar array will be. Mr. Jetty indicated the solar panels will take up approximately 3 acres of land. He stated they will be fenced in by a 6’ to 8’ chain link black vinyl fence. It was noted the area outside of the fence will remain farmed. The Board requested that Mr. Jetty work with the farmer on the details to continue the farming activities. Mr. Jetty agreed to do so. Mr. Shute asked if the solar array complies with the Township’s ordinance. Mr. Campbell indicated he will go back a re-read the ordinance to confirm compliance.

Mr. Rich asked how large the area is. Mr. Jetty said the fence is approximately 2000 sq. ft. It was noted that the solar array will take up about 3 acres or about 125,000 sq. ft.

There was some discussion regarding the 15’ wide gravel access strip shown on the plans provided this evening. It was noted that due to wetlands along the existing hedgerow the Board requested access to the solar panel array be pursued via the county road (*Mt. Airy-Harbourton Road*) side of the property.

Mr. Haug inquired about the construction time frame for the solar installation. Mr. Jetty stated they may start before the end of the year but construction will likely begin the first quarter of 2014. He indicated once they begin installation the whole project should take about 3 months to complete. Mr. Rich commented that there is a maintenance bond requirement in the Township’s ordinance. Mr. Jetty agreed to look into the requirement.

West Amwell Township Planning Board Minutes – 11/19/13

Chairman Tomenchok asked if another public hearing was necessary for this project. Attorney Shurts indicated that the public has had sufficient opportunity to provide input and since the panels will be relocated to accommodate the concerns expressed by a neighboring property owner there is no need for an additional public hearing.

Discussion – Woodlands Ordinance – Status Update

Mr. Shute commented that the subcommittee had met last week and indicated that the draft of the Woodlands Ordinance provided this evening is the most recent revision. He stated they will be adding additional language to the exemption section because they inadvertently omitted too much, but he believes the whole ordinance is still too complicated.

Mr. Urbanski commented that he believes the revised Woodlands Ordinance is great and he thanked the subcommittee for all of their work.

After some brief discussion by the board members, there will be further revision to the environmental resource inventory language, the requirements regarding the inventory of trees on large parcels and clarification on woodlands vs. priority woodlands.

Mr. Urbanski also noted that major site plans should be defined. He indicated that there is no definition in the Municipal Land Use Law (MLUL) and suggested major site plans be defined as, “any site plan not classified as a minor site plan.”

Mr. Shute noted the subcommittee will continue to work on revising the Woodlands Ordinance and provide the Planning Board with a new draft when they have one for review.

New Business –Other

Mr. Shute noted that the Open Space Committee is thinking about preservation of the Kiriluk property which is about 125 acres located in the Light Industrial Zone and wanted to seek the Planning Board’s input on the idea. Chairman Tomenchok commented that the parcel has a creek running through it and questioned its development potential. Mr. Rich remarked that it is located next to the Texas Eastern property and suggested they may be the only potential buyers. Since there was no objection expressed regarding pursuing the preservation of the Kiriluk parcel, Mr. Shute stated he would add the property to the list of targeted farms.

Open to the Public

Chairman Tomenchok opened the floor to public comment. Seeing no members of the public come forward, a motion by Urbanski, seconded by Fisher to close to the public was unanimously approved.

Approval of Minutes

A motion by Urbanski, seconded by Rich to approve the Board’s minutes from 10/15/13 as revised was approved by voice vote with Mr. Fisher abstaining.

Adjournment

A motion by Fisher, seconded by Haug to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 8:40 PM.

Maria Andrews, Planning Board Secretary