

**WEST AMWELL TOWNSHIP
PLANNING BOARD MEETING
May 20, 2014**

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. Notice has been posted on the bulletin board at Town Hall on May 15, 2014 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: Steve Bergenfeld
George Fisher
Nella Hamtil
John Haug
Zach Rich
Hal Shute
Rob Tomenchok
Chester Urbanski
Bob Balaam – Alt. #1
Attorney Shurts
Planner McManus

Excused: Art Neufeld
Jim Cally – Alt. #2

Approval of Bill List

Planner McManus clarified that she had sent a revised invoice #58817 reflecting no mileage charges per the discussion at last month's meeting. Mr. Urbanski noted that he had received clarification from Engineer Burr on his invoice #228294 that reflected charges for "review work." It was noted that in the future, he will provide the Board with a follow up email or a memo outlining his comments on any review work he performs.

Mr. Urbanski also commented on the claimant's certification shown on Attorney Shurts's invoices. He remarked that he would like to see this on all of the professional's invoices. Attorney Shurts explained that the claimant's certification was part of the Township's old voucher forms that he still uses.

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A motion by Urbanski, seconded by Bergenfeld to approve the vouchers for payment as listed on the 5/20/14 bill list was unanimously approved by roll call vote.

Resolutions of Approval

It was noted for the record that there were no resolutions listed on the agenda for approval.

Applications

It was noted for the record that there were no applications listed on the agenda for action.

Unfinished Business

Discussion – Woodlands Ordinance – Final Review

Planner McManus provided an overview of her latest revised draft noting that at the last meeting she was asked to try and establish a percentage for the maximum area of woodlands that could be removed from any property within the Township. Planner McManus indicated that due to the varying degree of lot sizes throughout the Township she recommends using the original language in the ordinance. She clarified that a single percentage would create an unfair situation for property owners with small lots and would be burdensome to the Township when dealing with large parcels. It was the consensus of the Board to leave the chart in the ordinance that depicts lot sizes with a specific square footage of allowed clearing.

Mr. Rich asked if the intent of the ordinance is to protect trees or limit housing. Chairman Tomenchok commented that when the original ordinance was established the mindset was to limit development. He remarked that the intent of the revised ordinance should be made very clear. With regard to clearing, it was the consensus of the Board to leave the language in which states, “Only those trees necessary to permit the construction of buildings, structures, streets, driveways, infrastructure and other authorized improvements may be removed.”

It was noted that Planner McManus will provide a final clean copy of the proposed amended woodlands ordinance to Secretary Andrews so it can then be forwarded to the Environmental Commission for their review and comments.

Discussion – Permitted Uses/Drive-throughs – Status Update

Planner McManus noted that the latest version of the drive-through ordinance only allows drive-throughs in the LHC (Limited Highway Commercial) district. The Planning Board recommended the ordinance be forwarded to the Township Committee for their consideration.

With regard to the permitted use ordinance, Planner McManus explained that the revisions were being done for clarification, to make it easier for the Zoning Officer to interpret the ordinance and to create consistency within the land use ordinance and zoning district regulations.

Planner McManus stated that Schedule 3, a list of prohibited uses has been eliminated because the Municipal Land Use Law (MLUL) states that if a use is not expressly permitted, it is prohibited.

There was some discussion on defining a church as an “assembly” which Planner McManus explained puts the Township in a stronger defensible position than simply using the word church.

Chairman Tomenchok asked if there could be a section addressing all districts within the Township. Planner McManus commented that she didn't recommend using the all district language, noting that when people refer to permitted uses in an ordinance they look for information on a specific zone. Chairman Tomenchok suggested that all of the residential zones be combined to simplify the permitted uses for these districts. It was noted the Board will review the ordinance again next month.

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

Mr. Fisher commented that there was a meeting last Thursday with the Attorney to discuss the Power Purchase Agreement (PPA). He noted once the PPA gets signed, the lease agreement will be signed and then the project can proceed.

New Business

Correspondence – Financial Disclosure Information

Secretary Andrews reminded the Board that their financial disclosure forms must be done on-line this year and that the deadline is 6/13/14 to submit the information to the State.

Open to the Public

It was noted for the record that there were no members of the public present at the meeting at this time.

Planner McManus was excused from the meeting at this time, 8:38 PM.

Activity Report

Chairman Tomenchok referred to the activity report provided in the Board Member's packets. He commented that he intends to continue to provide these reports to the Township Committee in an effort to facilitate better communication and awareness of what the Planning Board is reviewing and working on.

Attorney Shurts was excused from the meeting at this time, 8:40 PM.

Approval of Minutes

A motion by Urbanski, seconded by Haug to approve the Board's 4/15/14 minutes as revised was approved by voice vote with Mr. Bergenfeld abstaining.

Adjournment

A motion by Urbanski, seconded by Hamtil to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 8:42 PM.

Maria Andrews, Planning Board Secretary