

**WEST AMWELL TOWNSHIP
PLANNING BOARD MEETING
June 17, 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 June 12, 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
Nella Hamtil
John Haug
Art Neufeld
Hal Shute
Rob Tomenchok
Chester Urbanski
Jim Cally – Alt. #2

Excused: George Fisher
Zach Rich
Bob Balaam – Alt. #1

It was noted for the record that the agenda was re-ordered to accommodate Shirley Bishop's update on the recent Council on Affordable Housing (COAH) regulations. Ms. Bishop explained that COAH's proposed new regulations gave West Amwell a zero rehabilitation obligation, a 37 unit prospective need obligation and an unanswered prior round obligation of 31 units. She noted that only half of the 31 units (16 units) must be established by 2024. With a 68 unit combined obligation for the prospective and unanswered prior obligation to be implemented by 2034.

Ms. Bishop clarified that for the prospective need obligation COAH only offers municipalities 4 housing options:

1. Inclusionary zoning - 10% set aside
2. Community residences for the developmentally disabled
3. 100% municipal construction
4. Redevelopment

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Ms. Bishop commented that Fair Share Housing has already filed a lawsuit against COAH in the Supreme Court challenging the new rules and she stated that all comments are due to COAH by 8/1/14 with the new rules to take effect on 11/17/14.

It was noted that Ms. Bishop will put together a proposal for the Planning Board regarding anticipated costs to provide comments to COAH and to produce a new township plan based on the new rules.

Approval of Bill List

A motion by Urbanski, seconded by Neufeld to approve the vouchers for payment as listed on the 6/17/14 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.

Unfinished Business

Discussion – Recommendation to Township Committee to Adopt Ordinance 6, 2014 – An Ordinance to Amend Chapter 109 of the Code of the Township of West Amwell (*to allow drive-throughs*)

Mr. Neufeld asked for some clarification on the revisions. Planner McManus explained that the only changes made to the ordinance was the addition of drive-throughs being permitted.

A motion by Bergenfeld, seconded by Hamtil finding Ordinance 6, 2014 consistent with the Master Plan and zoning regulations and recommending adoption by the Township Committee was approved by roll call vote with Mr. Neufeld abstaining.

Discussion – Permitted Uses – Status Update

Planner McManus explained that the intention is for the Planning Board to review and evaluate the permitted uses within each zone. She clarified that the draft is not ready for adoption yet and suggested the Board review the definitions and make sure that the conditional uses actually have conditions/criteria associated with them.

Mr. Urbanski questioned the prohibited uses listed in the Light Industrial (LI) zone. Planner McManus explained it is a common concern that where LI uses are allowed townships need to be specific. After some discussion, it was suggested to poll the Board on whether or not to leave the prohibited uses in or out. The results were as follows:

- Mr. Bergenfeld – out
- Mr. Haug – out
- Mr. Urbanski – out
- Ms. Hamtil – out
- Mr. Neufeld – out
- Mr. Cally – out
- Mr. Shute – out

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Mr. Urbanski commented that the suggested regulations shown on page 14 regarding bulk requirements for individual lots with septic and well or community sewer and water were established prior to the Music Mountain Development. Planner McManus commented that this is a good opportunity to revise the regulations according to this zoning district.

There was some discussion on forming a subcommittee to review the permitted uses within each zone. Mr. Urbanski remarked that he would be interested in being on the subcommittee after one more draft provided by Planner McManus. Mr. Haug indicated he will help if needed. It was noted that Mr. Fisher was appointed to help if necessary. Planner McManus stated she will be away for the Board's July meeting. It was then noted that this matter will be listed on the Board's August agenda for continued discussion.

Discussion – SHREC Project – Status Update

In the absence of Mr. Fisher, it was noted that this matter will be carried to the Board's July agenda for discussion.

Discussion – Woodlands Ordinance – Comments from the Environmental Commission

Mr. Neufeld reviewed the comments received from the Environmental Commission which consisted of a few minor edits, clarification of the lot acreage table, some language changes and the correct sequential number of the ordinance sections.

The Planning Board requested that Planner McManus make the few final revisions noted and put the ordinance in the right place within the development regulations. Chairman Tomenchok thanked everyone on the Board as well as the Environmental Commission for all of the work they did on revising the Woodlands Ordinance.

New Business

It was noted that there were no new business items listed on the agenda for discussion.

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 Bergenfeld to close to the public was unanimously approved.

It was noted for the record that Planner McManus was excused from the meeting at this time, 8:51 PM.

Executive Session

Chairman Tomenchok read Resolution PB#2014-08 authorizing an executive session for the purpose of discussing pending litigation into the record. A motion by Urbanski, seconded by Haug to enter into executive session was unanimously approved by voice vote.

The Board was in executive session from 8:52 PM to 9:22 PM.

A motion by Bergenfeld, seconded by Hamtil to return to open session was unanimously approved by voice vote.

It was noted for the record that Attorney Shurts was excused from the meeting at this time, 9:23 PM.

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Approval of Minutes

A motion by Urbanski, seconded by Bergenfeld to approve the Board's 5/20/14 minutes as revised was approved with Mr. Neufeld and Mr. Cally abstaining.

Adjournment

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

The meeting adjourned at 9:29 PM.

Maria Andrews, Planning Board Secretary