

**WEST AMWELL TOWNSHIP  
PLANNING BOARD MEETING  
September 16, 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 September 11, 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  
Art Neufeld  
Rob Tomenchok  
Chester Urbanski  
Bob Balaam – Alt. #1

**Excused:** Zach Rich  
Hal Shute  
Jim Cally – Alt. #2

It was noted for the record that the agenda was re-ordered to discuss the amendments to the Woodlands Ordinance so that Ms. Urbanski and Mr. Dale would not have to sit through the Planning Board meeting.

**Unfinished Business**

**Discussion – Amendment to the Woodlands Ordinance**

Present for the discussion was Environmental Commission Chair Cathy Urbanski and resident John Dale. The following language clarification amendments were noted:

*(b) For conventional subdivision, the permitted maximum area of existing woodlands removed in the RR4, RR5, RR6 and SRPD zoning districts shall be no more than 50,000 square feet.*

*(c) In the case of cluster and mini-cluster development, the maximum area of existing woodlands removed shall be 50% of the individual lot size.*

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A motion was made by Mr. Neufeld and seconded by Mr. Fisher recommending that the amended Woodlands Ordinance be forwarded to the Township Committee for their review and approval. The motion was approved with Mr. Bergenfeld opposing.

It was noted for the record that Ms. Urbanski will forward a clean copy of the ordinance to Planner McManus for final review and Planner McManus will then send it to Clerk Olsen.

**Approval of Bill List – 9/16/14**

Ms. Hamtil questioned the “age of receivables” referenced on Planner McManus’s invoice noting that the figures don’t match the amount of the invoice. Planner McManus explained that the age of receivables refers to different projects and other past invoices. A motion by Mr. Haug, seconded by Mr. Bergenfeld to approve the vouchers for payment as listed on the 9/16/14 bill list was approved by roll call vote with Mr. Urbanski abstaining.

**Resolutions of Approval**

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

**Applications**

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

**Unfinished Business**

**Discussion – Permitted Uses – Status Update**

Mr. Urbanski reported that he and Mr. Haug are working on establishing a list of permitted uses and should have something ready for the Board to review next month.

**New Business**

**Planning Board Endorsement of Letter of Support for South Hunterdon Regional High School Track and Turf Field**

Mr. Urbanski asked for an explanation on why the Planning Board needed to provide a letter of support. Mr. Fisher clarified that the High School is applying for a grant to pay for the track and turf field. He stated that if they don’t receive the grant they will not be moving forward with the project. Chairman Tomenchok expressed that the Planning Board’s role is to determine whether or not the proposed track and turf field makes sense for the community. He indicated he is not supportive of it but stated it would make the athletic facility more appealing.

After some brief discussion it was the consensus of the Board that the letter of support was simply a formality and a motion was made by Mr. Haug, seconded by Mr. Bergenfeld to endorse the letter of support for the South Hunterdon Regional High School track and turf field. The motion was approved by roll call vote with Ms. Hamtil, Mr. Tomenchok and Mr. Urbanski opposing and Mr. Neufeld abstaining.

**Discussion – Sign Ordinance Modifications**

It was noted for the record that Attorney Shurts advised Chairman Tomenchok that he could participate in the discussion and did not need to recuse himself because the discussion is about the Township’s sign ordinance and not about QuickChek specifically.

Planner McManus explained that QuickChek is located on State Route 31 and currently has an externally illuminated sign. She stated they went before the Zoning Board of Adjustment (Zoning Board) seeking approval for internally lit Light-Emitting Diode (LED) signage which the Zoning Board denied.

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QuickChek subsequently re-worked their application and returned to the Zoning Board who denied them again because they believed they had already heard the matter and denied it. QuickChek then went to the Township Committee asking them to recommend the Planning Board look into amending the existing sign ordinance to allow LED signage. QuickChek ultimately came to the Planning Board and presented their case for the Board to consider amending the sign ordinance. Planner McManus commented that it is up to the Planning Board to read through the policies of the Master Plan and make a determination whether or not LED signs are appropriate within the Township and if so, decide whether or not they should be limited to certain businesses, certain zones or to specific roadways.

Mr. Urbanski read the following statement into the record, “I spoke with West Amwell Township Patrolman Jonathan Sellner regarding the proposed LED sign at QuickChek. The conversation took place on Tuesday, September 2, 2014 at around 5:00 PM. I didn’t even have to explain the situation to Patrolman Sellner. He was already aware of the proposed sign. He is absolutely and totally against an internally illuminated sign at that location. He said that there are already too many accidents occurring at that intersection. He feels that an internally illuminated sign would just be a further distraction to motorists and would be an increased safety issue, resulting in even more accidents. I asked Patrolman Sellner if it would be OK if I mentioned his name. He had no problem with that and even offered to attend our meeting. I thanked him for his offer, but said that I did not want to impose on his time.”

Mr. Urbanski expressed that he is opposed to the LED signage because of safety concerns as well.

Planner McManus commented that QuickChek had based a lot of their presentation around the need for LED signage at the site in order to increase safety. She expressed that she didn’t believe safety was the issue, but rather profitability and marketability. She stated that the Board must consider whether or not LED signs fit the character of the Township.

Chairman Tomenchok commented that the only reason an LED sign is needed is to increase QuickChek’s profit margin. He explained that the electronic LED signs allow for gas prices to be changed faster than if someone had to manually adjust the pricing.

Present in the public was Zoning Board Vice Chairman John Cronce who Mr. Urbanski asked to comment on the matter. Mr. Cronce explained that he supports business but expressed that at this particular location, with the elevation and curves in the roadway the QuickChek sign can be distracting under certain weather conditions. He suggested that a solution may be to lower the sign but indicated he believes it’s best to keep West Amwell rural and leave the sign alone. Mr. Cronce remarked that an LED sign won’t make any difference in the amount of gas currently being sold at the site and added that he hopes it would take more than just one person’s request to make such a significant change to the Township’s ordinance.

Mr. Cronce noted that there is a sign on County Route 604 in Montgomery Township that has amber colored LED’s which he commented is very country looking but remarked that he really doesn’t want to see any corridors in West Amwell with blinking and flashing LED’s.

Mr. Haug expressed concern for the Board recently allowing drive-throughs within the Township.

Mr. Bergenfeld expressed that he has no issue with allowing LED signage along certain corridors in the Township.

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Mr. Fisher commented that he believes the proposed new LED sign looks better than the existing signage and has no issue if these types of signs are limited to certain corridors.

Planner McManus stated that LED signs could be permitted as conditional uses and noted the Board would need to establish size parameters, height limits and location restrictions. Attorney Shurts commented that at this point the Planning Board is only making a recommendation to the Township Committee for consideration to amend the sign ordinance. He clarified that if the Township Committee agrees then the Planning Board will have to amend the Master Plan. It was noted that the Planning Board would have to hold a public hearing to adopt the amended Master Plan and then the Township Committee would have to move forward with the ordinance change allowing LED signage.

Planner McManus recommended that LED signage be limited to certain zones, rather than to specific businesses.

A poll of the Board to determine whether or not there was a consensus to proceed with this matter revealed:

- Mr. Balaam – Yes
- Mr. Bergenfeld – Yes
- Mr. Urbanski – No
- Ms. Hamtil – Yes
- Mr. Tomenchok – Yes
- Mr. Neufeld – No
- Mr. Fisher – Yes
- Mr. Haug - Yes

**Discussion – Solar and Wind Energy Ordinance Recommendations**

Mr. Urbanski suggested a subcommittee be formed to work on solar and wind energy ordinance recommendations. Mr. Haug suggested this matter be tabled until after the work on the permitted uses has been completed. It was noted for the record that the Board was in agreement with Mr. Haug’s suggestion.

**Open to the Public**

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

It was noted for the record that Planner McManus and Attorney Shurts were excused from the meeting at this time, 9:17 PM.

**Approval of Minutes – 8/19/14 (Open Session)**

A motion by Mr. Bergenfeld, seconded by Mr. Fisher to approve the Board’s 8/19/14 open session minutes as revised was approved by voice vote with Ms. Hamtil abstaining.

**Approval of Minutes – 8/19/14 (Executive Session)**

A motion by Mr. Haug, seconded by Mr. Fisher to approve the Board’s 8/19/14 executive session minutes as revised was approved by voice vote with Ms. Hamtil abstaining.

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**Adjournment**

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

The meeting adjourned at 9:21 PM.

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Maria Andrews, Planning Board Secretary