

**WEST AMWELL TOWNSHIP
PLANNING BOARD MEETING
AUGUST 20, 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 August 15, 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: Stephen Bergenfeld
John Haug
Tom Molnar
Art Neufeld
Rob Tomenchok
Chester Urbanski
Nella Hamtil – Alt. #1
Ted Hills – Alt. #2
Attorney William Shurts
Engineer William Burr
Planner Beth McManus

Excused: Zach Rich
Hal Shute

Approval of Bill List

A motion by Urbanski, seconded by Hamtil to approve the vouchers for payment as listed on the 8/20/13 bill list was unanimously approved by roll call vote.

Resolutions of Approval

Resolution PB#2013-11: Ryan & Robin Kerr: Block 23 Lot 5 – 394 Route 31 North – Approval of Preliminary & Final Major Site Plan with Variance(s)

There was some discussion on the resolution with a few minor revisions noted. A motion by Urbanski, seconded by Bergenfeld to approve Resolution PB#2013-11 as revised was approved by roll call vote.

Applications

**Public Hearing Continuation – Spectra Energy (Texas Eastern) – Block 5 Lot 6 – 20 Queens Road:
Amended Site Plan to Allow Existing Gravel Area to Remain**

Present for the application was Attorney Edwin Landis, Project Manager Gene Muhlherr, Engineer John Cilo, Jr. and Environmental Construction Permitting Specialist Sabrina Hepburn.

Attorney Landis noted that the public hearing on this application is a continuation of the testimony that was provided at the Board's 7/16/13 meeting. He indicated that the applicant has removed .29 acres of the gravel area in an effort to reduce the total impervious coverage on the site to under an acre. Additionally they intend to plant 140 trees along Queens Road and County Route 179 to provide better screening along the roadways and to the surrounding property owners.

Mr. Urbanski commented on the large portion of the gravel area that appears to be within the 300' buffer zone. Engineer Burr noted that the New Jersey Department of Environmental Protection (NJDEP) has provided correspondence indicating they have no issue with the gravel in this area of the site. Engineer Burr also remarked that there seems to be two additional gravel work spaces located on the center of the site. Ms. Hepburn clarified that there was never any gravel in this location of the site and stated that this area was disturbed during the construction phase and has since been restored.

Both Planner McManus and Engineer Burr asked if the gravel to be removed could be extended approximately another 100' to the west in order to complete the natural line/contour on the site. Ms. Hepburn explained that they removed enough gravel to get under 1 acre of impervious coverage and indicated that they have no intention of removing anymore. Engineer Burr then suggested that they plant additional trees to extend the buffer in this area. Ms. Hepburn noted that they have agreed to provide screening on the site for the neighboring property owners by planting 140 trees and that they do not intend to plant anymore. Mr. Muhlherr suggested they could space out the proposed 140 trees in such a way as to screen a larger portion of the site. Chairman Tomenchok commented that spacing the trees out would defeat the purpose of providing additional screening and suggested a poll of the Board Members be taken:

- Mr. Hill – wanted additional trees to be planted
- Mr. Haug – wanted additional trees to be planted
- Ms. Hamtil – wanted additional trees to be planted
- Mr. Urbanski – wanted additional trees to be planted
- Mr. Tomenchok – did not think additional trees were necessary
- Mr. Neufeld – wanted additional trees to be planted
- Mr. Bergenfeld – wanted additional trees to be planted
- Mr. Molnar – wanted additional trees to be planted

Mr. Muhlherr agreed to plant an additional 30 trees in order to extend the buffer approximately another 100 feet.

Mr. Urbanski referred to item number 4 on page 2 of Engineer Burr's 8/14/13 review memo regarding obtaining confirmation from the applicant that all improvements that were proposed as part of the site plan approval from 2011 have in fact been completed and are reflected as such on the most recent as-built plans. Engineer Burr confirmed that the prior approved improvements had been completed and he indicated a new as-built plan will need to be provided upon completion of the most recently approved field work.

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Attorney Landis agreed to supply an updated as-built plan.

A motion by Haug, seconded by Hills to approve the amended site plan allowing the existing gravel area to remain on site was approved by roll call vote with Mr. Bergenfeld abstaining.

Unfinished Business

Discussion – Woodlands Ordinance (109-264) –Update

Mr. Haug commented that he, Mr. Shute and Mr. Bergenfeld had met and revised the Woodlands Ordinance to reflect the comments made at last month's meeting.

Mr. Urbanski noted a few minor edits and both he and Chairman Tomenchok thanked the gentlemen for a terrific job revising the ordinance.

Mr. Bergenfeld remarked that they are still working on additional revisions but wanted to make sure the Planning Board agreed with the changes made so far.

Mr. Neufeld commented on the Township Engineer being the designated Woodlands Advisor. Mr. Molnar clarified that they are researching this to determine whether or not the Township is mandated to have an official Woodlands Advisor. He noted that to hire one requires a \$5000 annual retainer and he indicated that if the Township Engineer can hold the title they would prefer not having to spend the \$5000 on a retainer. Engineer Burr commented that his firm has a Landscape Architect on staff who can assist with any woodland issues.

Mr. Neufeld suggested removing the Township Engineer from having to do the Environmental Resource Inventory (ERI). Planner McManus and Engineer Burr both disagreed with the suggestion saying that they have both done ERI's in the past for other Townships.

Mr. Neufeld asked for clarification on the language regarding maintenance agreements. Engineer Burr commented that the standard language for maintenance agreements usually indicates they are in effect for a 2 year period.

It was noted that Mr. Haug, Mr. Shute and Mr. Bergenfeld will continue to work on revisions to the Woodlands Ordinance and provide an updated draft to the Planning Board for continued discussion at the October meeting.

New Business

Chairman Tomenchok noted that there is a dinner scheduled for 9/6/13 at 6:30 PM to benefit the West Amwell Fire Company Auxiliary and the 2014 West Amwell Country Fair. Mr. Molnar added that there will also be a silent auction and he noted any items anyone wishes to donate for the auction can be dropped off at the Municipal Building.

Mr. Molnar provided an update on the Zoning Officer's position saying they are still in the process of reviewing candidates. He stated the Police Secretary position has been filled by Krista Foran who used to work for Lambertville.

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Open to the Public

Chairman Tomenchok opened the floor to public comment. Seeing no members of the public in attendance a motion by Urbanski, seconded by Molnar to close to the public was unanimously approved.

Mr. Neufeld noted that the South Hunterdon Regional Energy Co-op (SHREC) has provided a conceptual layout of the solar sites to be constructed at South Hunterdon High School and the Municipal Building. He indicated he had the plans if anyone was interested in seeing them. Mr. Urbanski asked Mr. Neufeld how he is affiliated with the project. Mr. Neufeld stated he is a Technical Advisor for the project. He also added that Jersey Central Power & Light (JCP&L) has provided interconnection approval to the High School for their solar panels. It was noted that the Elementary School has not re-signed on with SHREC at this time.

It was noted for the record that Attorney Shurts, Engineer Burr and Planner McManus were all excused from the meeting at this time, 8:52 PM.

Approval of Minutes

A motion by Urbanski, seconded by Bergenfeld to approve the Board's minutes from 7/16/13 with no revisions noted was approved by voice vote with Mr. Molnar and Mr. Hills abstaining.

Adjournment

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

The meeting adjourned at 8:55 PM.

Maria Andrews, Planning Board Secretary