

**MINUTES**

**TOWNSHIP OF FRELINGHUYSEN**

**Planning Board**

**May 7, 2007**

**Regularly Scheduled Meeting**

**CALL TO ORDER**

The May 2, 2007, Regularly Scheduled Meeting of the Township of Frelinghuysen Planning Board was called to order by Chairman Finn at 8:02 p.m.

**ANNOUNCEMENT OF PROPER NOTICE**

Notice of this meeting was provided by advertising in the New Jersey Herald and Star Gazette, official newspapers of the Township of Frelinghuysen Planning Board, as well as posting notice in the Township Municipal Building in Johnsonburg. As advertised, action may be taken at this Meeting.

**ATTENDANCE**

**Board Members Present**

Boynton	DeCarolis	Desiderio (8:07)	Durling – Alt #2
Finn	Marie	Pachnos – Alt #1	Randolph
Smith	Young		

**Board Members Absent**

Kleber

**Professionals**

Lavery	Golden	Madden
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**CORRESPONDENCE**

1. Michael B. Lavery – copy of letter sent to Robert Benbrook re: NW Properties Deed review.
  - ✧ Submitted revised deeds, revision dates did not match; Mr. Lavery sent a memo; not ready.
2. Planning Board Office – Copy of letter sent to Robert Benbrook re: NW Properties.
  - ✧ Mr. Lavery told that Shannon Drylie sent out a letter to Mr. Benbrook.
3. Planning Department, County of Warren re: Public Hearing for comments on the proposed revision to Warren County Development Review Regulations.
  - ✧ Moot point, needed by the 25<sup>th</sup>.

4. Planning Board Office – Copy of letter sent to Pacchia Block 902, Lot 7 and Letter requesting six month extension on application.
  - ⌘ Continual extensions requested. Mr. Lavery suggested giving a small extension or to dismiss without prejudice.
  - ⌘ Motion made by Mr. Durling and seconded by Mr. Desiderio to grant a 60 day extension. The vote is recorded as follows:

Boynton – Yes  
 DeCarolis – Yes  
 Desiderio – Yes  
 Durling - Yes  
 Finn – Yes  
 Marie – Yes  
 Pachnos – Yes  
 Randolph - Yes  
 Smith – Yes  
 Young - Yes

5. Planning Board Office – Copies of letters sent to Rogers re: Block 1501, Lot 13; Block 1401, Lot 9; Block 301, Lot 14; and Block 301, Lot 17.
  - ⌘ Escrows were replenished and letters sent out.
6. Planning Board Office – Copies of updated Application Checklists.
  - ⌘ Will discuss at the next work session meeting.
7. Joseph Pacchia re: Block 902, Lot 7 – Letter requesting six month extension on application.
  - ⌘ See number 4 above.
8. Brenda Kleber, R.M.C. – Right to Farm Ordinance
  - ⌘ Subcommittees
9. Joseph Golden, Golden & Moran – revised report for Lot(s) 17.22, Block 1201 – NW properties.
  - ⌘ Same as items 1 and 2.

**MINUTES**

1. The minutes from the March 29, 2007 Work Session Meeting were approved at the May 3, 2007 Work Session Meeting with minor changes.
2. The minutes from the April 2, 2007 Regularly Scheduled Meeting were approved with minor revisions with a motion by Ms. Smith and seconded by Ms. Randolph, all members in favor. Mr. Boynton abstained.

**DEEDS**

1. Catalano, Block 801, Lot(s) 13, 13.01 & 13.02.
  - ⌘ Received revised deeds.

- ⌘ Waiting for Mr. Sturbins.
- ⌘ 3 minor revisions were made by Mr. McConnell.
- 4. Bongiovanni/McEvoy, Block 1001, Lot 2
  - ⌘ Mr. Golden reviewed and approved.
  - ⌘ Need new corrected deeds and prints for signatures.
- 3. North Warren Properties, Block 1201, Lots 17.21, 17.21A & 17.22
  - ⌘ Mr. Golden stated that the changes have not been made and need to be revised.
- 2. Greene, Block 701, Lot 3.02
  - ⌘ Signed by Chairman Finn and Ms. Drylie.
  - ⌘ A motion to grant a 60 day extension was made by Mr. DeCarolis and seconded by Mr. Boynton. All Members were in favor.

## **RESOLUTIONS**

1. Rogers/Peaceful Valley Farms – Minor Subdivision – app. 07-02 – Block 1501, Lot 13
  - ⌘ Need to get County Planning Board approval.
  - ⌘ Mr. Lavery gave copies to all members and asked to submit any changes to him via email.
3. McEvoy/Johnsonburg Inn – Major Site Plan – app. 06-08 – Block 1001, Lot 2
  - ⌘ Mr. Finn and Mr. Desiderio stepped down from the dais and left the room.
  - ⌘ Waiting for County Planning Board Approval, satisfied with everything else.
  - ⌘ Mr. DeCarolis asked if there was a problem waiting another month for all approvals to be in.
  - ⌘ Pass a motion to speed the process so Mr. McEvoy doesn't have to wait another month. Mr. Durling motioned to give the opportunity for approval now until the County Planning Board approval, seconded by Mr. Boynton.
  - ⌘ Mr. Finn and Mr. Desiderio returned to the dais.
  - ⌘ Mr. Lavery amended the preliminary approval. They are required to submit revisions.
  - ⌘ Mr. Golden received maps but no letters.

## **FINAL HEARINGS**

1. Pacchia – Block 902, Lot(s) 7 & 7.03 – Minor Subdivision – app. #06-02 (Extension granted to Board until May 7, 2007 Regularly Scheduled Meeting).

⌘ A motion was made to grant a 60 day extension. Ms. Drylie will cover.

### **COMPLETENESS**

1. Rogers/Peaceful Valley Farms Minor Subdivision – Block 301, Lot 17
  - ⌘ This property is not “Peaceful Valley Farms”. The owner of this property should be referred to as “Richard Rogers, Jr.”.
  - ⌘ Ms. Calhoun produced Arial topo, wetlands delineation, proposed feasibility of lot to be built on and minor adjustment to keep away from wetlands (17.03).
  - ⌘ Need to show 15% variance and avoid slopes.
  - ⌘ Mr. DeCarolis asked if old county road is vacated. Ms. Calhoun is looking into this matter.
  - ⌘ Mr. Golden asked about access permits; vacant land and single house – applied for subdivision of 2 lots, not sure the number they put into permit.
  - ⌘ A motion was made by Mr. Desiderio to deem this application incomplete due to slope issues, determination of house, and determination of vacation or abandonment. The motion was seconded by Ms. Smith. The motion was carried by unanimous vote.
  
8. Rogers/Peaceful Valley Farms Minor Subdivision – Block 301, Lot 14
  - ⌘ This property is not “Peaceful Valley Farms”. The owner of this property should be referred to as “Richard Rogers, Jr.”.
  - ⌘ New plans submitted on April 26, 2007.
  - ⌘ Ms. Calhoun reviewed driveway plans and Mr. Rogers stated that the old deed shows existing access already up to where house would be – he will double check on that.
  - ⌘ Mr. Boynton suggested driveway upgrade or fixing if 3 homes will be utilizing.
  - ⌘ Restriction on Deed, if applicant needs to get driveway somewhere other than where they need, then they need to amend the previous subdivision approval and apply to get deed.
  - ⌘ A motion was made by Mr. Boynton to deem this application incomplete due to grade lines, elevation and are 2 feet apart not disturbing 25% buffers. The motion was seconded by Mr. Young. The motion was carried by unanimous vote.
  
15. Angeleri/Starr – Minor Subdivision – Block 1101, Lot 7
  - ⌘ Submitted letter today.
  - ⌘ Mr. Lavery asked to continue until public hearing at next meeting. Mr. Lavery notice will be carried until next meeting.
  - ⌘ Mr. Golden received letter from John Piel regarding wetlands. He will be getting something to show Mr. Piel is a certified wetlands scientist. All

members agree with Mr. Golden and will not accept his letter as all wetlands issues has to be certified.

- ⌘ A motion was made by Mr. Desiderio to deem this application incomplete due to the premise of wetlands delineation. The motion was seconded by Mr. Durling. The motion was carried to be deemed incomplete. The vote was as follows:

Boynton – Yes  
DeCarolis – No  
Desiderio – Yes  
Durling - Yes  
Finn – Yes  
Marie – Yes  
Pachnos – Yes  
Randolph - Yes  
Smith – Yes  
Young - Yes

## **HIGHLANDS**

- ⌘ Mr. Madden and Mr. Golden both drafted letters to the Highlands. Need to combine for RMP. Copies were handed to all members present.
- ⌘ Ms. Marie suggested having in the letter how we are doing instead of negativity.
- ⌘ Mr. Madden proposed to use everything in his letter and insert Mr. Golden's letter at the end.
- ⌘ Mr. Durling suggested that someone fine tune both letters and combine removing double information. Take a stand or go with Highlands.
- ⌘ Mr. Finn proposed considering preservation vs. conservation. Mr. Finn asked what would be done if they chose to ignore this.
- ⌘ Mr. Lavery stated that a complaint would be filed.
- ⌘ Mr. Finn and Mr. Young stated a lot of wording not liked.
- ⌘ Mr. Desiderio suggested we let them know what we've done and we've done it voluntarily. We've gotten the compensation on our own.
- ⌘ Mr. Boynton stated that the state doesn't have time or money to handle preservation.
- ⌘ Mr. Finn noted that compensation issues need to be added.
- ⌘ Mr. Durling disagrees with them and suggests combining both letters.
- ⌘ Mr. Boynton made a motion to reject Mr. Golden's letter as too warm and fuzzy, seconded by Mr. Desiderio.
- ⌘ Mr. DeCarolis suggested adding setting up a meeting with them.

- ⌘ Copy should be on Township letterhead and given to Brenda Kleber in morning with changes. Mr. Finn will sign in morning.
- ⌘ Mr. Boynton made a motion to approve Mr. Madden's letter with revisions, seconded by Mr. DeCarolis.

### **SUBCOMMITTEES**

1. Right to Farm
  - ⌘ Ms. Randolph discussed that at next planning workshop the board focuses on section "E".
  - ⌘ Mr. Lavery is not sure when the state will approve and will check to see if they can write it in if you want to be more restrictive.
  - ⌘ Everyone will look at for next workshop meeting.
4. FAA Tower
  - ⌘ Mr. Lavery has not found anything yet. Nancy Predale will get that to him.
6. Hiring Committee
  - ⌘ 3 applicants for secretary job. Looking to interview candidate's end of next week.

### **MASTER PLAN**

- ⌘ Mr. Madden handed copies of revisions to all members present and identified all changes.
- ⌘ Re-examination report – nitrates and land use policies, edited changes on Snyder and have been incorporated into the Master Plan.
- ⌘ Housing Plan – can not do until we know third round`1 rules.
- ⌘ Mr. Boynton pointed out page 102 need to change 4 acre minimum lot size to a 6 acre minimum lot size.
- ⌘ Mr. Finn noted that on page 109 changes were made and is compliant. Also on page 105 asked if prices are accurate.
- ⌘ Mr. DeCarolis noted page 108 – conservation easement/public access and on page 110 growth density is 1.25.
- ⌘ Mr. Durling noted that he has never received a Master Plan and needs one. Temporary secretary Ms. Zilberfarb will get a copy for Mr. Durling.
- ⌘ Mr. Lavery will get a notice out to Ms. Drylie and do what is needed.
- ⌘ Ms. Randolph will have official name of trust fund at the next meeting.'

### **EXECUTIVE SESSION**

- ⌘ Ms. Marie made a motion to go into Executive Session to discuss personnel matters, Mr. Young seconded.
- ⌘ Discussion made about personnel matters. No official action taken.

☿ Ms. Pachnos made a motion to adjourn the Executive Session, seconded by Mr. Durling. The motion carried and the personnel session ended at 11:35 p.m.

***ADJOURNMENT***

As there was no further business, a motion was made by Mr. Desiderio, seconded by Ms. Pachnos, to adjourn the May 7, 2007, Regularly Scheduled Meeting of the Township of Frelinghuysen Planning Board at 11:38 p.m.

All members present in favor of adjournment.

Respectfully Submitted,

Donna Zilberfarb  
Temporary Secretary