

TOWNSHIP OF FRELINGHUYSEN
PLANNING BOARD
MINUTES
DECEMBER 3, 2007
REGULARLY SCHEDULED MEETING

CALL TO ORDER: The meeting was called to order at 8:00 p.m. by Chairman Thomas J. Finn.

SALUTE TO THE FLAG & ROLL CALL:

Board Members Present:

David Boynton Alan DeCarolis Frank Desiderio
Donna Marie Robin Randolph (8:20 p.m.) Robert Young
Thomas J. Finn, Chair

Alternates Present:

Lisa Pachnos Alt #1 Dale Durling Alt #2

Alternates Present:

Richard Kleber Emily Smith

Professionals Present:

Joseph Golden John Madden Michael Lavery
Engineer Planner Attorney
Rosalie Murray
Board Secretary

ANNOUNCEMENT OF PROPER NOTICE

Announcement of Proper Notice was read.

MINUTES:

Approval of minutes of November 29, 2007 Work Session Meeting.

Action: Minutes of November 29, 2007 Meeting: Motion was duly made by David Boynton, seconded by Alan DeCarolis, to approve the minutes of the November 29, 2007 Meeting with amendments. David Boynton, Alan DeCarolis, Frank Desiderio, Donna Marie, Robert Young, Dale Durling, Thomas Finn - yes. Lisa Pachnos - abstain

DEEDS:

APPLICATION #07-02 - Rogers/Peaceful Valley Farms, Block 1501, Lot 13

Resolution signed 10-1-07. Mr Golden reported he had received a request for action from the Applicant's attorney, Mr. Kolbert, as time was running out and a reply was sent that the Board is awaiting escrow replenishment. The Board is also awaiting deed corrections.

APPLICATION #07-03 - Richard Rogers, Jr., Block 301, Lot 17, Minor Subdivision.
Resolution signed 9-12-07. Awaiting Deed corrections and escrow replenishment.

APPLICATION #07-04 - Richard Rogers, Jr., Block 301, Lot 14 - Minor Subdivision.
Resolution signed 9-12-07. Awaiting deed corrections and escrow replenishment. Driveway Maintenance Agreement requested of Mr. Kolbert by Mr. Lavery.

RESOLUTIONS:

APPLICATION #07-07 - James Alexander Corportion, Block 1101, Lot 12.02 Minor Site Plan.

The Board reviewed Resolution #07-08. The Board approved the Resolution changing explosive to flammable in two places, and with the attachment of a memo dated 9-5-07 listing the hazardous materials which will be stored at the new facility.

FINAL (PUBLIC) HEARING:

APPLICATION #07-05 - Angeleri/Starr, Block 1101, Lot 7, Minor Subdivision.

Mr. Golden reported that Mr. Angeleri had indicated he was considering a complete change. There was discussion as to the lack of action, the length of time the application had been carried, and the number of outstanding items.

Action: A motion was duly made by David Boynton, seconded by Alan DeCarolis, to administratively dismiss the Application for lack of action. David Boynton, Alan DeCarolis, Frank Desiderio, Donna Marie, Robert Young, Lisa Pachnos, Dale Durling, Thomas Finn - yes. Robin Randolph - abstain.

It was decided the Secretary would send a letter notifying the Applicant of the action taken.

COMPLETENESS:

APPLICATION #07-08 - Ronald Darling, Block 602, Lot 4, Minor Subdivision.

Mr. Berry, Surveyor, appearing with the Applicant, reviewed the design with the Board. After lengthy discussion, it was resolved that the issue before the Board was a common driveway, which would be shared by three residences, on an improved road, which would require a variance. There was also lengthy discussion as to driveway requirements including storm water provisions and drainage easements. Notice would also be required. It was decided that, at the discretion of the Board, the Application could be deemed complete and a final hearing at the next meeting.

Action: A motion was duly made by Robin Randolph, seconded by David Boynton, to deem the Application incomplete. David Boynton, Alan DeCarolis, Frank Desiderio, Donna Marie, Robin Randolph, Robert Young, Lisa Pachnos, Dale Durling, Thomas Finn - yes.

ORDINANCES:

SOLAR PHOTOVOLTAIC OR SOLAR THERMALS

Mr. Lavery requested that this be put on the next agenda.

BUDGET:

2008 Budget Requests

Mr. Golden:

Site Grading Ordinance. Mr. Golden requested that the Board consider funds for a site plan review ordinance which would provide escrow monies to review the overall plan, not just the driveway which simply requires a \$400 escrow, but would include grades, storm water management rules, and options such as rain water/vegetative gardens. It was recommended that such an ordinance be titled a *Site Grading Ordinance*. This ordinance would protect the Township from any non-compliance. \$2,000.00 was agreed for inclusion in the budget for this item.

Mr. Madden:

Highlands: Mr. Madden suggested that funds be included for a review of the latest Highlands plan prior to public comment hearings expected in February 2008. It was Mr. Madden's opinion that the new submission would be an editing or clarification of the existing plan. It was decided that \$1,000.00 be included in the budget to cover this.

Master Plan: Mr. Madden did not recommend any funds for Master Plan changes or ordinances in response to the Highlands be requested.

COAH: Mr. Madden reported that COAH is going to release their new rules on 12/17/07, giving towns more specific direction, assign a number, increase the obligation, and change the manner in which RCAs (Regional Contribution Agreement) are financed. The State would receive any monies for desired transfer of obligations which had previously been sent to the receiving communities which would now be sent to a fund administered by the State, thus eliminating the necessity of negotiating agreements between/among communities. It is anticipated that the cost would increase from \$35,000.00 to \$100,000 per unit. Mr. Madden suggested that \$8,000.00 be budgeted for the third round plan.

Johnsonburg Rehabilitation Plan: Robin Randolph reported that First Energy had grant monies available for just such plans which might provide an avenue to gather some funding to help pay for the development plan. Mr. Madden pointed out the cost for making Johnsonburg as designation to be able to be eligible is relatively inexpensive. The cost is in the development of a plan as to what should be done. Mr. Finn requested that Mr. Madden research his notes to determine fees which had been submitted previously, find out what the cost for the two stages would be, one for designation, and one for a more complete plan and that the figures be given to him in the next week or so.

Board:

Section 900: There was discussion regarding the rewriting/editing of Section 900 (Fee Schedule) and the fact that there are missing sections in some books. It was agreed that the distribution of responsibility with regard to follow through with construction on major subdivision, also be

addressed. It was agreed \$2500.00 be budgeted.

Review of Land Use Ordinance: It was recognized that there have been issues which have surfaced regarding Ordinances and it was agreed that a letter be sent to the Township Committee requesting that they consider budgeting for a re-codification of existing Ordinances.

Action: A motion was duly made by Mr. DeCarolis, seconded by Frank Desiderio, to send a recommendation to the Township Committee that they consider a re-codification of the Land Use Ordinances. The motion was passed unanimously.

Website: In relation to the re-codification request it was unanimously agreed that it would be desirable that the entire corrected copy of the Ordinance Book be put on the web site.

Well Testing Ordinance: This possible ordinance would address development projects, the draw down of which might impact existing and proposed use. The budget amount suggested was \$1,000/\$1,500.

Solar Ordinance: No figure determined.

Town Wide Survey: \$1300.

DISCUSSION: OTHER BUSINESS

Sub-Committee Reports:

Site Committee - no report

Rural Character - no report

COAH - no report

Frelinghuysen Township Town Wide Survey - It was agreed that the cover letter be enhanced a bit.

Application Forms:

1.) New Application Forms - Subdivision and Site Plan:

Hard copy submission requirements for Completeness, Preliminary, and Final. Size and number of application maps were discussed. It was decided that:

Maps - 12 reduced size (11" x 17") be supplied and five (5) full size.

Environmental Impact Statements - It was agreed that two (2) drainage reports be provided.

Drainage Reports - It was agreed that two (2) drainage reports be provided. **2.)**

Application Fees

3.) Application Checklists

Revision to the above to be made by Mr. Golden by the next meeting with a view to approval and recommendation for adoption by Township Committee.

Escrow Accounts

Mr. Golden reviewed the new suggested Escrow Fees and Replenishment levels for recommendation to, and adoption by, the Township Committee. There was a very lengthy

discussion as to replenishment levels, etc., without conclusions. Parts of Section 900 were not available for reference. Mr. Golden requested that the Board members review the numbers. Mr. Lavery will also review the proposed recommended changes.

CORRESPONDENCE FOR INFORMATION AND/OR POSSIBLE ACTION:

There was no correspondence for review.

PUBLIC FORUM:

There were no members of the public in attendance.

ADJOURNMENT:

There being no further business, a motion was duly made by Frank Desiderio, seconded by David Boynton, to adjourn at 10:17 p.m. Motion was unanimously passed.

Respectfully submitted,

Rosalie Murray
Planning Board Secretary