

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD
APRIL 25, 2002**

CALL TO ORDER: The meeting was called to order at 7:30 p.m.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton	Present
Ken Kievit	Present
Marbeth Boffa	Excused
Randy Roof	Present – Late 7:40 p.m.
William Castiglione	Excused
Robert Neubig	Present
Carl Miller	Present
Greg Eisenecker	Present
Thomas Zygmunt	Present
Ed Zinck Alt. #1	Present
Ed Frisbie Jr. Alt. #2	Excused

OTHERS PRESENT: Thomas F. Collins, Esq., Robert P. Guerin, P.E., Marianne Smith, Planning/Community Development Director, and Anne-Marie Wilhelm, Secretary

APPROVAL OF MINUTES: A motion to approve the Minutes of the Hardyston Township Planning Board Meeting Held January 24, 2002 was made by Robert Neubig and seconded by Carl Miller. Roll Call: Leslie Hamilton – yes, Carl Miller – yes, Robert Neubig – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

A motion to approve the Minutes of the Hardyston Township Planning Board Meeting Held February 28, 2002 was made by Robert Neubig and seconded by Leslie Hamilton. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

RESOLUTIONS:

PB-11-01-2, Walden Village Upper Section, Reaffirmation of Minor Subdivision, Block 67 Lots 10 through 14: A motion to approve the application for Reaffirmation of Minor Subdivision was made by Robert Neubig and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Robert Neubig – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

Walden Village Upper Section, Extension of Statutory Protection Period, Block 69, Lot 1 and Block 67.01, Lots 1, 2, 3, 5 & 6: A motion to approve the application for a three-year extension of the statutory protection period for Walden Village Upper Section was made by Robert Neubig and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Robert Neubig – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

PB-2-02-1, Brittashan Holding Corporation, Preliminary and Final Site Plan, Block 62, Lot 18.04: A motion to approve the application for Preliminary and Final Site Plan approval was made by Robert Neubig and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

PB-11-01-1, Wild Turkey, LLC., Minor Subdivision, Block 17, Lots 12.15 and 2: A motion to approve the application for Minor Subdivision was made by Ken Kievit and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

PB-1-02-3, Wild Turkey, LLC, Amended Site Plan (Clubhouse) and Amendment to prior Clubhouse Resolutions Relating to the Wild Turkey Golf Course Clubhouse: A motion to approve the application for Amended Site Plan (Clubhouse) and Amendment to prior club house resolutions relating to the Wild Turkey Golf Course Clubhouse was made by Leslie Hamilton and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes, Carl Miller – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

Chairman Zygmunt elected to amend the Agenda and review proposed Ordinance 2002-05 placed on the Agenda under discussion. A motion to approve a recommendation of Ordinance 2002-05 to the Town Council was made by Robert Neubig and seconded by Ken Kievit. Ordinance No. 2002-05 is an ordinance of the Township Council of the Township of Hardyston approving an amendment to the conditional uses of the commercial recreation and industrial zone and the Chapter 185 entitled “Zoning” the Code of the Township of Hardyston, Section One. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Gregg Eisenecker – yes, Robert Neubig – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

APPLICATION (S):

PB-1-02-5, Wild Turkey LLC, Crystal Springs Acquisitions, Inc., Amended Preliminary and Final Site Plan Application for Realignment of Roadway (Wild Turkey Way): Joel Murphy, Esq., appeared on behalf of the Applicant. John Lehman, P.E., was sworn. Board members reviewed the attached report of Robert P. Guerin, P.E., dated April 19, 2002. Mr. Lehman presented that Wild Turkey Way is connected from Route 94 all the way through to Crystal Springs Blvd. The entrance at Route 94 has a DOT permit. He stated that the telephone pole in the exit area is pending removal by the utility company. Once the pole is removed, the exit way will be completed. Mr. Guerin requested a copy of the DOT permit.

With reference to Item 2, Mr. Lehman stated that if the grade standard had been met there would have had to have been extensive cuts and fills. Mr. Lehman requested a waiver from the design standard.

With reference to Item 3, Mr. Lehman stated that additional drainage installed at the request of Robert P. Guerin, P.E., and not shown on the plans, will be included on the revisions.

With reference to Item 4, Mr. Lehman stated that proposed pavement markings to be applied to the roadway will be submitted for Mr. Guerin’s review and approval and included on the revisions.

With reference to Item 5, Mr. Lehman stated that lighting plans will be included in the revisions. He stated that landscaping plans will be submitted for the entrance ways and the clubhouse. Mr. Guerin inquired as to the status of landscaping along the area that abuts the Van Decker tract. Mr. Lehman agreed to a field conference with Mr. Guerin and Applicant employee Richard LaBar to review buffer issues in that area.

With reference to Item 6, Mr. Lehman agreed to install guide rails due to steep slopes along the road and show same on the revised plans. Mr. Lehman requested approval for wood guide rails. Mr. Guerin stated that there was no problem with the selection of this type of guide rail.

With reference to Item 7, Mr. Lehman agreed to provide sign locations along with appropriate construction detail in the revised plans.

With reference to Item 8, Mr. Lehman acknowledged that the areas of the road bank displaying minor erosion problems requiring repair and stabilization needed to be addressed.

With reference to Item 9, Mr. Lehman stated that signs other than directional signs along the road, with appropriate construction details included, will be added to the revisions.

With reference to signs not in conformance with ordinance requirements, Mr. Lehman stated that the Applicant may submit a separate variance application for a such a sign or signs in the future.

The meeting was opened to the public for questions and/or commentary on this matter. Mr. Keith Thompson was sworn. Mr. Thompson questioned signage at the Rt. 515 entrance way. He expressed concern about this entrance way being used as a primary entrance. He questioned the stabilization of areas yet to be landscaped.

Having no other public participants, the meeting was closed to the public.

A motion to approve the application for Amended Preliminary and Final Site Plan for realignment of Wild Turkey Way subject to the conditions noted in Mr. Guerin's report of April 19, 2002, was made by Ken Kievit and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Gregg Eisenecker – yes, Robert Neubig – yes, Randy Roof – yes, Thomas Zygmunt – yes, Ed Zinck – yes. The motion carried.

Mr. Patrick Barton, Crystal Springs Project Manager, presented a progress update on the progress made on the Clubhouse at Crystal Springs. He stated that the roadway approaching the clubhouse will be completely landscaped within two weeks. The topcoat of paving will be installed upon completion of the clubhouse.

With reference to the interior clubhouse mechanicals and heating systems, Mr. Barton stated they are completed. Sprinklers have been tested. The Pro Shop, main entrance, lobby area, The Grill Room, main bathrooms, and the first kitchen are expected to be complete and functional by the end of May. He stated that it is hoped that the rotunda area will be completed by this time as well. Mr. Barton stated that upon completion of this phase, he anticipates an additional 5-6 weeks to complete the project. Mr. Barton extended an invitation for Board members to tour the facility.

DISCUSSION/CORRESPONDENCE:

Letter dated April 9, 2002, from David Gherlone, Esq., to Marianne Smith, Planning/Community Development Director, regarding Estell Manor, LLC: Mr. Gherlone appeared on behalf of the Applicant. Dominick Cagno, Developer, was present.

Mr. Gherlone explained that at the time the Board granted preliminary approval in the matter of Estell Manor, the law created an application process for septic systems, which has now been declared void. Mr. Gherlone stated that due to this change in the law, the Applicant would like to pursue an approval for individual sewage systems to be utilized by homeowners pending the Applicant's possible receipt of sewer approval. This pursuit would require a modification of condition No. 6 of their approval noted as PB-4-01-1, Memorializing Resolution of the Planning Board of the Township of Hardyston Approving the Preliminary Major Subdivision of Estell Manor, LLC Relating to Block 75, Lot 11 and located in the Midd-2 Zone. Board attorney, Thomas F. Collins, stated that as the request was an application for an amendment to a preliminary approval, the Applicant is required to formally present same and issue public notice. Marianne Smith stated that presentation of permeability test data will be necessary. Mr. Gherlone requested that his letter be considered as an application. This request was granted.

Letter from Mary Beth Harris, Controller, Yankee Propane Inc., dated April 9, 2002: Board members reviewed a letter requesting a postponement of compliance with landscaping mandates established by Preliminary and Final Site Plan approval in the matter of PB-5-99-1, Yankee Propane Inc., Preliminary and Final Site Plan, Variance, Block 75, Lot 45.03. The stated reason for the request was the desire to avoid costly plantings during drought conditions, which may hinder landscaping efforts. Robert P. Guerin, P.E., stated that the water restrictions do not apply in this case as new plantings can be watered with a watering can or hose at specific times. Mr. Guerin also stated that the issue may also be addressed by the use of a landscaper or by bringing a water truck to the site. Mr. Guerin stated that there is no well on the property and arrangements for landscaping installation and maintenance should be

addressed. Board members denied the request for a postponement of compliance with the conditions of approval sited in the resolution. Chairman Zygmunt directed the secretary to forward a letter to Yankee Propane informing them of the denial.

Memo dated April 16, 2002, from Robert P. Guerin, P.E., to the Hardyston Planning Board, regarding R-4 Development Standards: Robert P. Guerin, P.E., presented suggestions for changes and additions to the Ordinance to achieve consistency and address unforeseen issues caused by same where the end result was not intended. Board members discussed Mr. Guerin's recommendations. The Board stated that they would like the 12' side-yard requirement for zero-lot-line detached units to remain at 12' in all zones. The Board agreed with the recommendation that Footnote No. 44, which allows zero-lot-line-detached units to encroach as close to 6' to the rear lot line, be removed. They agreed that the footnote should be removed and a minimum rear yard setback of 25' be established. With regard to patios and decks, Mr. Guerin suggested that same be permitted to encroach 10' into a rear yard, that abuts green open space, which will still be 15' off the rear property line. It was noted that a definitive explanation of "green open space" should be included.

Having reviewed the suggestions and having provided commentary concerning revisions, a motion to approve the recommendations made by Mr. Guerin with revisions as noted was made by Robert Neubig and seconded by Ken Kievit. All were in favor. The motion carried.

BILLS:

A motion to approve a recommendation to the Town Council for payment of the bills listed on the attached Escrow Report was made by Ken Kievit and seconded by Randy Roof. All were in favor. The motion carried.

PUBLIC PARTICIPATION:

The meeting was opened to the public. Having no participants, the meeting was closed to the public.

ADJOURNMENT:

Having no further business, a motion to adjourn was made by Robert Neubig and seconded by Randy Roof. All were in favor. The motion carried.

Minutes prepared by:

Anne-Marie Wilhelm, Secretary

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