

**REORGANIZATION & REGULAR MEETING**

**Lebanon Township Planning Board  
Municipal Bldg 530 West Hill Road Glen Gardner, N.J.**

**January 11, 2011**

The 834<sup>th</sup> Regular Meeting of the Lebanon Township Planning Board was called to order at 7:02 p.m. by Planning Board Clerk Gail Glashoff. Present were: Mr. Milkowski, Mr. Schmidt, Mr. Gerlich, Mr. Rich, Mr. MacQueen, Ms. Bleck, Mr. Weiler, Mr. Piazza, Attorney Gallina, Planner Bolan and Engineer Risse. **Excused:** Mr. Piasecki.

In compliance with the "Open Public Meetings Act: notice is hereby given that the Lebanon Township Planning Board scheduled their Reorganization and Business Meeting for Tuesday January 11, 2011 at 7:00 p.m. prevailing time in the Main Meeting Room in the Municipal Building. Notice of this meeting was published in the Hunterdon Review on December 29, 2010 and in the Hunterdon County Democrat on December 30, 2010. Copies of the agenda were mailed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on January 4, 2011.

Ms. Glashoff asked Attorney Gallina to swear in the following board members:

<b>Swear In:</b>	George Piazza, Mayor	Class I	1 Year Term
	Art Gerlich	Class II	1 Year Term
	Ron Milkowski, Committeeman	Class III	1 Year Term
	Joshua Rich	Class IV	4 Year Term

Congratulations to all appointees.

**NOMINATIONS FOR CHAIRMAN:**

Ms. Glashoff asked for nominations for Chairman. Motion by Mr. Rich and seconded by Ms. Bleck to nominate Mr. MacQueen for Chairman. Being no further nominations, motion by Ms. Bleck and seconded by Mr. Piazza to close the nominations.

**ROLL CALL** Yes: Mr. Milkowski, Mr. Schmidt, Mr. Gerlich, Mr. Rich, Ms. Bleck, Mr. Weiler, Mr. Piazza  
Abstain: Mr. MacQueen Absent: Mr. Piasecki

Congratulations to Mr. MacQueen. Chairman MacQueen took over the meeting at this time.

**NOMINATIONS FOR VICE CHAIR:**

Motion by Mr. Rich and seconded by Mr. Schmidt to nominate Ms. Bleck as Vice Chair. Chairman MacQueen announced nominations are closed.

**ROLL CALL** Yes: Mr. Milkowski, Mr. Schmidt, Mr. Gerlich, Mr. Rich, Mr. MacQueen, Mr. Weiler, Mr. Piazza  
Abstain: Ms. Bleck Absent: Mr. Piasecki

**NOMINATIONS FOR SECRETARY:**

Motion by Mr. Weiler and seconded by Mr. Schmidt to appoint Mr. Gerlich as board secretary. Chairman MacQueen announced nominations are closed. Unanimously approved.

**NOMINATIONS FOR ASSISTANT SECRETARY:**

Motion by Ms. Bleck and seconded by Mr. Rich to appoint Mr. Weiler as Assistant Secretary. Chairman MacQueen announced nominations are closed. Unanimously approved.

**APPOINTMENTS:**

- a. John Gallina, Esq.
- b. Michael Bolan, PP
- c. Bayer/Risse Engrs. (Stephen Risse, Engr.)
- d. Gail W. Glashoff, Planning Board Clerk
- e. Mark Blount, Esq. (Alternative Attorney)
- f. James Kyle, PP (Alternative Planner)
- g. Jess Symonds, Engr. (Alternate Engineer)

Motion by Mr. Gerlich and seconded by Mr. Rich to appoint all of the above. Unanimously approved.

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**ADOPT RESOLUTIONS:**

**a. Authorizing Agreement for Professional Services**

*Motion by Mr. Gerlich and seconded by Mr. Schmidt to adopt the Agreement for Professional Services. Unanimously approved.*

**b. Annual Notice Schedule 2011**

*Ms. Glashoff reviewed for the board the dates for meetings in November & December 2011. Motion by Ms. Bleck and seconded by Mr. Weiler to adopt the Annual Notice Schedule. Unanimously approved.*

**ADOPT RESOLUTION FOR PROFESSIONALS ON PAY TO PLAY:**

*Motion by Ms. Bleck and seconded by Mr. Gerlich to adopt the Resolution for Professionals on Pay to Play. Unanimously approved.*

**ADOPT RESOLUTION FOR PROFESSIONAL CONTRACTS:**

- a. John Gallina, Esq.
- b. Michael Bolan, PP
- c. Bayer/Risse Engrs. (Stephen Risse, Engr.)
- d. Mark Blount, Esq. (Alternate)
- e. James Kyle, PP (Alternate)
- f. Jess Symonds, Engr. (Alternate)

*Ms. Glashoff informed the board that in reviewing the contracts for Attorney, Planner & Engineer all the rates are the same as last year. Ms. Glashoff said she is still waiting on contracts from Planner Kyle and Engineer Symonds, they are listed on the agenda for next week. Motion by Ms. Bleck and seconded by Mr. Rich to adopt a-d under contracts. Unanimously approved.*

**APPOINT REVIEW COMMITTEE:**

*Motion by Mr. Gerlich and seconded by Mr. Rich to keep the same board members on the committee as last year with anyone else being available if needed. Unanimously approved.*

**PRESENTATION OF MINUTES:**                      December 14, 2010    Regular Meeting

*Motion by Mr. Rich and seconded by Mr. Gerlich to approve the minutes as presented. Unanimously approved.*

**ANNOUCEMENT:**

*The Planning Board will hold a Special Meeting on Tuesday January 18, 2011 @ 7:00 p.m. to discuss the Alternative Energy Ordinance. Ms. Glashoff said she will be calling all the people who asked to be notified of the meeting. Mr. Schmidt asked if John Flemming the Zoning Officer would be attending. Ms. Glashoff said he is available if the board wants him at the meeting. The board briefly discussed this issue regarding the wood burning furnaces. Ms. Bleck asked if the board was going to setup how the meeting would be run. Chairman MacQueen said that the board will discuss this later in the meeting.*

**UNFINISHED BUSINESS:**

Douglas Stryker	Block #8	Lot #7
38 Bonetown Road	Route 31	B2
Flemington, N.J. 08822		

**CONTINUATION OF A PUBLIC HEARING**                      Minor Site Plan with Variances

*Since Chairman MacQueen was not present for the Public Hearing on December 14, 2010, he stepped down from the proceedings. Vice Chair Doreen Bleck to over the meeting. We have a quorum to continue with the public hearing. Attorney Gallina said there were to be additional charges to the parking area. The area would be widen for cars to be able to turn around. Attorney Orr asked for a minute to confer with his client since there were only 5 members present. Attorney Orr said they will continue this evening with the public hearing. Engineer Folk stated after the last meeting with the recommendations from Engineer Risse and Planner Bolan the plans have been revised to reflect those changes which include, landscaping, handicap ramp has been added to the easterly side of the building and adjacent to the parking lot, the parking lot was enlarged to allow for cars to turn around, attic storage area has been added. Regarding the flood plain elevations, there was a question about the elevations being higher on the westerly, northwesterly end of the property. The flood plain maps show a cross section approximately 50-60' to the north of the access drive to the residential property. The cross section elevation is 328'. 600' to the north*

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of this cross section is an elevation of 333'. By linear approximation, this is roughly about 100', one foot increase in elevation for every 100' because there is a 6' change in elevation for over 600'. At the end of Engineer Folk's testimony, Attorney Orr asked to have the following items marked into evidence: **A13-** Revised Site Plan dated December 28, 2010 prepared by Engineer Folk, **A14-** Letter from Engineer Folk dated December 23, 2010.

Vice Chair Bleck asked Engineer Risse for his comments. Engineer Risse said the landscaping along Route 31 has been added, additional gravel will be added to the parking area to level out since there was a bird bath dip in the parking area, the parking area was moved to provide a turn around area, the handicap access ramp is now shown on the plan and meets ADA requirements. Vice Chair Bleck asked Engineer Risse for his comment on Warren Newman's letter. Engineer Risse said that Mr. Newman brought up a point as part of any building permits, since they are doing renovation work in a flood plain area they would need to comply with the flood plain ordinance. This compliance is part of a pre-requisite in getting building permits. Engineer Risse reviewed the requirements that need to be addressed and complied with. Mr. Newman will need to review the plans. Engineer Risse suggested this be a condition of any approval.

Vice Chair Bleck asked for comments from the board and Planner Bolan. Planner Bolan said that everything has been covered by Engineer Risse and Engineer Folk. Attorney Gallina asked Engineer Risse if he was satisfied with the testing that was done regarding the septic system. Engineer Risse said they got a sign off from the County Board of Health. It is operational until such time it malfunctions. Attorney Gallina asked if they have obtained a sign off from the County Board of Health. Attorney Orr said no and then referred to the revised floor plan. Attorney Gallina had the following marked into evidence: **A15-** Revised Floor Plan dated December 29, 2010, prepared by Mark Zgoda, AIA. Mr. Stryker said there is no record in the Archives at the County Board of Health. Mr. Stryker said in the building packet he received there is an application for the County Board of Health they have to approve. Mr. Stryker said he got County Board of Health approval. Ms. Glashoff interjected saying the County Board of Health form is to show that you are not building anything over or near the well or septic system. That is what the form is for. Mr. Stryker said he got a letter from Debby Vaccarella back last August. It was noted that getting County Board of Health approval will be a condition of any approval.

The septic system concerns continued to be discussed. Mr. Rich said how do we know the system works since he hasn't been used for many years. Mr. Rich asked Engineer Risse to convince him that what the board is doing is appropriate. Engineer Risse said you can not simulate in one day that a septic system is functional after many years. You have to start using it again to see how it is going to work. Mr. Rich asked if Engineer Risse knows where the septic system is located. Mr. Schmidt asked how close is it to the river. Engineer Risse referred to the site plan for the location of the septic. Engineer Risse said it is at the end of the parking area. Mr. Rich said we really don't know when the septic is actually located. Engineer Risse said the septic system is under the County Health Department jurisdiction. Attorney Gallina noted that if the septic goes bad then it is the applicant's obligation to replace it. The applicant's engineer has certified that the test has passed and the applicant needs to get something in writing from the County Board of Health that the system is operational and the change in use won't alter the original design per Attorney Gallina. Attorney Gallina asked Engineer Risse what would be acceptable. Engineer Risse stated there is no plumbing in the building right now. You really can't test anything without digging up the entire system. Engineer Risse said you would have to use a sewer line camera. You would be able to locate a distribution box and if there are laterals coming off of that. Then you could run the camera off of those laterals. Then you would run water through the system to see if it is distributed evenly. Vice Chair Bleck asked if the County would do that. Engineer Risse said no, they would wait until something malfunction before getting involved.

Mr. Schmidt asked about the pruning of the shrubbery along Route 31 because it could block your line of site coming out of the driveway. Holly bushes get very big per Mr. Schmidt. Mr. Weiler asked about the crawl space and the flood plain and how does that get mitigated. Engineer Risse said according to Mr. Newman who spoke to someone at the DEP, the way the ordinance is written the definition of the basement or lowest floor level is different than the building code definition. You can either fill in the basement level to the outside grade level, you can drop the outside grade level to the first crawl space level or you can put in special flood gates as part of the windows in the crawl space. These are three ways of handling this. Mr. Weiler wanted to know who makes the final determination for that. Engineer Risse said that Mr. Newman is the Flood Plain Administrator and is responsible for Townships FEMA and Flood Ordinance and the Building Dept handles it from there. Attorney Gallina said if the applicant is not happy with the findings of Mr. Newman they can appeal it to the Planning Board for variance relief. Attorney Gallina said there is a whole section in the ordinance regarding appeals etc.

Vice Chair Bleck said there are two things, one is the septic system and the water on the property. Ms. Bleck asked about running a camera through and checking the septic system in 6 months after it is in operation. Engineer Risse said having the system checked in about 6 months to see if it is operational and without problems. Vice Chair Bleck asked Attorney Gallina if we can have it retested after 6 months of the system functioning.

