

## REGULAR MEETING

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

**April 19, 2016**

The 897<sup>th</sup> Regular Meeting of the Lebanon Township Planning Board was called to order at 7:04 p.m. by Vice Chair Doreen Bleck. Present were: Mr. Milkowski, Mr. Duckworth, Mr. Schmidt, Mr. Piasecki, Mr. Rich, Mr. Weiler, Mr. McKee, 1<sup>st</sup> Alternate Gerlich, 2<sup>nd</sup> Alternate Skidmore, Attorney Gallina, Planner Bolan and Engineer Risse. Also, present: Attorney St. Angelo and Committeeman Schmidt. **Excused:** Mr. MacQueen.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Planning Board will have a Regular Business Meeting & Joint Meeting with Township Committee on April 19, 2016. At the conclusion of the Regular Business portion of the meeting the board will go into Closed Executive Session with the Township Committee to discuss possible litigation. Notice of this Joint Session was published in the April 13, 2016 issue of the Hunterdon Review. Notice of this meeting was faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board on April 12, 2016 in the Municipal Building.

**PRESENTATION OF MINUTES:** February 2, 2016 Reorganization/Business/Joint Meeting w/Township Committee

Motion by Mr. Piasecki and seconded by Mr. Gerlich to approve the Regular Minutes as presented. Unanimously approved.

February 2, 2016 Closed Executive Session

Motion by Mr. Rich and seconded by Mr. Weiler to approve the Executive Minutes as presented. Unanimously approved.

### **FYI:**

Home Occupation: Jess Symonds, Engr. Block #59 Lot #31 R3  
Move business to home 139 Mountain Top Road Glen Gardner, N.J.

Ms. Glashoff reviewed for the board an application for a Home Occupation in accordance with Section 400-10/11(6)a. Ms. Glashoff will inform the Zoning Officer that the Board did not have an issue with the application.

### **INFORMAL DISCUSSION REGARDING COMPLETENESS:**

Ryann Westphalen Block #49 Lot #1  
Conditional Use & Site Plan Woodglen Road & Anthony Road RC zone  
**(Engr. Risse Report Enclosed)**

Ms. Westphalen stated that 5 of the horses belong to her and her mother and 8 horses are boarders. Ms. Westphalen said she gives occasional riding lessons. This is the reason why we want to build a horse barn with an attached indoor riding arena. At present, they have horses that are living outside and would like to bring them inside during inclement weather and if we can bring them inside it will give us the opportunity to rest the fields. Ms. Westphalen said the reason why they want the indoor riding arena is because the weather in New Jersey is not conducive to riding all year round and we want to keep the horses in shape and by having the indoor arena we can do that.

Vice Chair Bleck asked if there are any questions from the board. Vice Chair Bleck asked Ms. Westphalen if she was the only one to give riding lessons. Ms. Westphalen said yes but one of her clients who boards their horse has someone who comes to the property to help the owner of the horse and gives them riding lessons. Engineer Risse said he spoke to Attorney Gallina about Animal Farms which are a permitted use as long as you meet the definition of a farm. Planner Bolan informed the board that the reason why they need to come to the Board is because they exceed the ¼ of an acre of impervious coverage and exceed the 1 acre of disturbance which makes it a Major Highlands Development. Planner Bolan said there are no exemptions that would apply to this application. Planner Bolan said this application has been around for a very long time, going from the Township, to the Highlands and then the Department of Agriculture. At one point Planner Bolan thought that the Department of Agriculture would have jurisdiction and they would be the ones to approve it. Planner Bolan informed the board that this is a permitted agricultural use, but because it exceeds the ¼ acre of impervious coverage and the 1 acre of disturbance it needs Site Plan approval and that's why they are coming to the Board. Planner Bolan went on to say in order for the Zoning Officer to issue a zoning permit, the applicant needs to get Site Plan approval. Planner Bolan said this is a permitted agricultural/horticultural use but because it exceeds the threshold a site plan approval is needed. Planner Bolan informed the board that the Zoning Officer didn't have a problem with the use. Engineer Nusser said then this is governed by the Highlands Act. Planner Bolan said everything is governed by the Highlands Act. Engineer Nusser asked if they need an exemption from the Highlands Act for the impervious surface coverage. Planner Bolan said no. Planner Bolan said what they need from the Planning Board is Site Plan approval. Mr. Schmidt asked how many acres does this entail. Ms. Westphalen said around 14 acres. Mr. Piasecki asked what does the applicant need in order to come back to the board. Engineer Risse said the applicant needs to address the incompleteness items in order to be deemed complete.

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There are several items that need to be addressed that are missing from the plan which are itemized in the report. Engineer Risse went over the missing items. Engineer Risse said we need to look at the conditions for Animal Farms. Planner Bolan noted that Mr. Rich knows the history of the Animal Farm Ordinance and this does not fall under that ordinance.

Engineer Nusser introduced himself and stated he is here this evening representing the applicant. Engineer Nusser said they will take care of all the items that are incomplete. Engineer Nusser referred to Item #37 on the checklist and was requesting a partial waiver. Planner Bolan informed Engineer Nusser that buildings housing animals have to be 100' off all property lines and 200' from any adjoining residence. Planner Bolan said the plans show 100' off property lines but not the 200' for any residence. Mr. Schmidt asked what the maximum number of horses would be on the property. Ms. Westphalen said at present they have 5 horse stalls and they are looking to have an additional 8 stalls with a total of 13 horses. Mr. Schmidt asked if they would be willing to agree to just 13 horses. Mr. Schmidt expressed concern of having too many horses for the land to handle. Ms. Westphalen said she would try to keep the number of horses to 13. Engineer Nusser said they will provide the 200' from any residence. Mr. Weiler asked about parking and if there were any standards. Planner Bolan said no not for this type of use. Mr. Weiler said he would not want to see any parking along Anthony Road. Planner Bolan asked if they could show a concept where the parking will be on the plan. Engineer Nusser said it is shown just north of the existing cinderblock barn. Mr. McKee noted on the plan the parking is shown but not how many parking spaces. Mr. McKee asked about the lighting. Engineer Nusser said there is lighting on the cinderblock building. Mr. McKee asked if the light would be on at all times or would there be times when it is off. Ms. Westphalen said there is a very small light on the existing barn near the parking area and went on to say the light is only on when she goes out to check the horses in the evening. Mr. McKee asked about the drainage and where does the water runoff go. Engineer Nusser said there is a small basin which is a stormwater basin. Mr. McKee asked about waste management plan and how was that going to be handled. Ms. Westphalen said she has already put together a Self-Certified Plan which she will be filing tomorrow. Ms. Westphalen said she will have someone to come and haul the manure away. Engineer Nusser addressed the lighting. The question was asked if there would be lighting for the outside riding arena. Ms. Westphalen said they do have some lights around the riding arena but for any night time riding it will be done inside the indoor riding arena.

Engineer Nusser stated the last item he wanted to address was Item #46 Fire Protection System. Engineer Nusser said this applies to a commercial building. Also, a fire tank is an expensive item for someone to undertake. Mr. Schmidt asked if the swimming pool on the property is full of water. The answer was no. Engineer Risse noted that since this is an accessory use on a residential property then the Fire Protection System would not apply. Planner Bolan said they can apply for a waiver of exception. Engineer Nusser said they will get all the items addressed and resubmit. At the conclusion of the discussion, Ms. Glashoff informed Engineer Nusser that once the plans are revised just send one copy to Engineer Risse for review and once the plan is deemed complete, then she will need 15 complete sets.

**PRESENTATION OF BILLS & REPORT:**

a. John Gallina, Esq.	\$ 652.50
b. Michael Bolan, PP	\$ 695.80
c. Bayer/Risse Engrs.	\$1,976.25
<b>Total:</b>	<b>\$3,324.55</b>

Mr. Gerlich informed the board that all the bills are in order. Motion by Mr. Piasecki and seconded by Mr. Rich to approve the bills as presented. Unanimously approved.

**CORRESPONDENCE:** a. NJPO Newsletter – Jan/Feb 2016    b. Law of Land Article

**ITEM FOR DISCUSSION:**

- a. Affordable Housing – Attorney St. Angelo & Planner Bolan
- b. Quarry Property – next meeting

At 7:37 p.m. Engineer Risse left the meeting. Vice Chair Doreen Bleck announced that the board will go into Executive Session and asked for a motion. Motion by Mr. Milkowski and seconded by Mr. Weiler to go into Closed Executive Session. Unanimously approved.

**Resolution: 02-2016**

**WHEREAS**, section 7(b) of the Open Public Meetings Act 1.1975 c. 231NJS 10:4-12(b)(8) permits the exclusion of the public from Planning Board Meetings where certain matters are to be discussed; and

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**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of Such meetings; and

**WHEREAS**, the Lebanon Township Planning Board is desirous to meet to discuss potential litigation; and

**WHEREAS**, the Lebanon Township Planning Board will reconvene in public session at the conclusion of the Executive Session;

**NOW, THEREFORE BE IT RESOLVED**, by the Lebanon Township Planning Board of the Township of Lebanon, Hunterdon County, New Jersey, that this Board met in Executive Session.

**The Planning Board will return to the Public Portion of the Regular Meeting at this time.**

**OPEN TO THE PUBLIC** – no public present.

Being no further business to come before the board, nor comments from the public, motion by Mr. Milkowski and seconded by Mr. Weiler to adjourn the meeting at 8:10 p.m. Unanimously approved.

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**VICE CHAIR DOREEN BLECK**

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**GAIL W. GLASHOFF, PLANNING BOARD CLERK**