

**REGULAR MEETING**

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

**June 21, 2022**

The 946<sup>th</sup> Regular Meeting of the Lebanon Township Planning Board was called to order at 7:00 p.m. by Chairman Gary MacQueen. Present were: Mr. Laul, Mr. Schmidt, Mr. Piasecki, Mr. Rich, Mr. Weiler, Mr. Abuchowski, Attorney Gallina and Engr. Bayer. **Excused:** Ms. Bleck, Ms. Koehler, Mr. Duckworth, Mr. Skidmore.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 18, 2022, emailed to the Hunterdon Review & Courier News, faxed to the Hunterdon County Democrat, Express Times & Star Ledger. Posted on the Lebanon Township Website & bulletin board in the Municipal Building on June 15, 2022.

**PRESENTATION OF MINUTES:** May 3, 2022 Regular Meeting

Motion by Mr. Abuchowski and seconded by Mr. Laul to approve the minutes with a minor amendment. Unanimously approved.

**FYI**

- a. Article from the June issue of N.J. League of Municipalities - Municipalities and Marijuana **(article is two sided)**

Chairman MacQueen announced that the Planning Board will go into Closed Executive Session to discuss a property down on Route 31. Chairman MacQueen asked for a motion to go into Closed Executive Session. Motion by Mr. Piasecki and seconded by Mr. Schmidt to go into Closed Executive Session at this time. Unanimously approved.

**THE LEBANON TOWNSHIP PLANNING BOARD WILL GO INTO CLOSED EXECUTIVE SESSION AT THIS TIME.**

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

**WHEREAS,** the Planning Board finds it necessary to conduct an executive session closed to the public as permitted by the N.J.S.A. 40:4-123; and

**WHEREAS,** the Planning Board will reconvene in public session at the conclusion of the executive session;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic as permitted by N.J.A.S. 40:4-12;

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   **x** **Matters** falling within Attorney-Client privilege, to the extent that confidentiality is required in order for the Attorney to exercise his or her ethical duties as a lawyer or the public disclosure of such information at this time would have potentially negative impact on the municipality's position with respect to the matter being discussed; therefore, this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exist.

**BE IT FURTHER RESOLVED**, that the Planning Board hereby declare that their discussion of the subject identified above may be made public at a time when the Planning Board Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

**BE IT FURTHER RESOLVED**, that the Planning Board for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place along with any other matters deemed necessary.

Chairman MacQueen asked for a motion to close the Executive Session and return to the public portion of the meeting. Motion Mr. Rich and seconded by Mr. Abuchowski to close the Executive Session and return the public portion of the meeting. Unanimously approved.

**ITEM FOR DISCUSSION:** a. Update on Stinger Towing – Memo from Zoning Officer Flemming

Several of the board members have driven by the property and are concerned that the owner is running a junkyard. The property sits between three roads, Anthony Road, Polt Place and Hollow Road with many residential homes in the area. The board addressed the memo from the Zoning Officer regarding Stinger Towing. Chairman MacQueen asked Ms. Glashoff for an update. Ms. Glashoff said she spoke to the Zoning Officer after the meeting on April 5<sup>th</sup> as directed by the board. The Zoning Officer went out to the site around 9:00 am later that week in hopes of speaking to the owner and no one was on site. Ms. Glashoff said she asked the Zoning Officer on several occasions for an update. It wasn't until May 25<sup>th</sup> that a certified letter was sent to the owner regarding the conditions on the property. The email update is the response from the letter sent.

Chairman MacQueen asked about the Zoning Officers days and hours since they have changed. Ms. Glashoff said he will only be here on Thursdays 8:00 am to 8:00 pm. Chairman MacQueen asked what the board wants to do and that we need support from the Township Committee for the Zoning Officer to follow through regarding this issue. Mr. Piasecki said it's been 12 days since the email was written and asked when the next Planning Board meeting will be. Ms. Glashoff said the next meeting is on July 19<sup>th</sup>. Mr. Schmidt wanted to know what do we do next. The board continued with their discussion. Mr. Abuchowski asked what are the responsibilities of the Zoning Officer. The response to the question was, the Zoning Officer is to enforce the ordinances. Attorney Gallina said he can issue summons and take you to court in the event the issues are not resolved. Mr. Laul said if the Zoning Officer isn't following

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up, then the Planning Board can make a formal request to the Township Committee regarding the conditions in the Resolution and Ordinances that aren't being followed. Mr. Laul said the Township Committee can put pressure on the Zoning Officer to follow thru with either writing a summons for ordinances and/or the Resolution not being adhered too. Mr. Laul recommended sending a memo to the Township Committee for their next meeting. Mr. Schmidt noted that many of the neighbors were at the public hearing for this application with their concerns.

At this time, Mr. Schmidt read the email from the Zoning Officer into the record and noted that the email is dated June 9<sup>th</sup> and it has been 12 days and wanted to know what if anything has happened since the email. Ms. Glashoff said that the Zoning Officer when he talked with the owner was informed that Stinger Towing is no longer in business. The Zoning Officer informed the owner that the property needs to be cleaned up, that the current conditions are unacceptable and are in violation of the Resolution. The Zoning Officer asked for a timeline to remove the vehicles. The Zoning Officer will give the board another update once the property is cleaned up. Attorney Gallina informed the board that the owner can be taken to court and the court can make the owner take care of the cleanup of the property. At the conclusion of the board's discussion, it was decided to have Ms. Glashoff send a memo to the Township Committee for their next meeting.

**PRESENTATION OF BILLS:** John Gallina, Esq. \$825.00 – Attend 5/3/22 & Legal Research, Letter to PB

Motion by Mr. Schmidt and seconded by Mr. Abuchowski to approve the bill for payment as presented. Unanimously approved.

**CORRESPONDENCE:** a. NJPO Newsletter

At this time, Chairman MacQueen open the meeting to the public. Mr. Manglani of the NAR Group at 62 Anthony Road asked to address the board. Mr. Manglani said if the board has any concerns or questions regarding the application he would be happy to answer any questions. Attorney Gallina informed Mr. Manglani that since this is an application pending before the board and has not yet been scheduled, the board can't entertain any dialogue with the applicant until the application is before the board and represented by Council.

Being no further business to come before the board, nor comments from the public, motion by Mr. Piasecki and seconded by Mr. Rich to adjourn the meeting at 7:30 p.m. Unanimously approved.

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**CHAIRMAN GARY MACQUEEN**

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