

**REGULAR MEETING**

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

**March 21, 2006**

The 785<sup>th</sup> Regular Meeting of the Lebanon Township Planning Board was called to order at 7:03 p.m. by Chairman Gary MacQueen. Present were: Mr. Weeks, Mr. Gerlich, Mr. Rich, Ms. Bleck, Mr. Spatz, Ms. Schriver, 2<sup>nd</sup> Alternate Schmidt, Attorney Gallina, Planner Bolan and Engineer Risse. Mr. Piasecki arrived at 7:10 p.m.

Notice of this meeting was provided for in the "Annual Meeting Notice Schedule" adopted by this board on January 17, 2006, 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 March 15, 2006.

**SWEAR IN:** Chris Piasecki Class IV Regular Member 4 year Term  
Darryl Schmidt Class IV Regular Member 4 Year Term

Since Mr. Piasecki hasn't arrived, the board will have the swearing in later in the meeting.

**PRESENTATION OF MINUTES:** March 7, 2006 Regular Meeting

Motion by Mr. Rich and seconded by Ms. Schriver to approve the minutes as presented. Unanimously approved.

**RESOLUTION:**

a. Davara Industrial Center Block #6 Lot #1  
Amended Site Plan with conditions Route 31 B2

Motion by Ms. Schriver and seconded by Ms. Bleck to approve the resolution for an amended site plan with conditions.

**ROLL CALL** Yes: Mr. Gerlich Ms. Bleck Abstain: Mr. Weeks Absent: Mr. Piasecki  
Mr. Schmidt Ms. Schriver Mr. Rich  
Mr. MacQueen Mr. Spatz

**FYI:** NJDEP- Highlands Update

**ITEMS FOR DISCUSSION:**

a. Stormwater Ordinance – Planner Bolan

Planner Bolan reviewed the two pages that were amended in the Stormwater Ordinance. Ms. Glashoff informed the board the Ordinance will be introduced on April 5<sup>th</sup> but will not have a public hearing on April 19<sup>th</sup> because of the timing for the notices. The public hearing will be on May 3<sup>rd</sup>.

At the conclusion of the board's discussion, motion by Mr. Rich and seconded by Ms. Bleck to approve the amendments and to have Planner Bolan put the ordinance in ordinance form to send to the Township Committee for Introduction on April 5<sup>th</sup>.

**ROLL CALL** Yes: Mr. Weeks Ms. Bleck No: None  
Mr. Gerlich Mr. Spatz  
Mr. Rich Ms. Schriver  
Mr. MacQueen

The board thanked Planner Bolan for a job well done.

<b>SWEAR IN:</b>	Chris Piasecki	Class IV	4 Year Term
	Darryl Schmidt	Class IV	4 Year Term

Attorney Gallina did the honors and swore in Mr. Piasecki and Mr. Schmidt. The board congratulated our newest regular members.

**b. Amend Tree Ordinance - Memo from Zoning Officer** (copy of ordinance in packet)

Ms. Glashoff stated the reason she put the ordinance on the agenda was in speaking with Doug Diehl of the Environmental Commission he informed her that until the Mayor decides what will happen with the Commission the proposed amendments to the Tree Ordinance by the Commission is on hold and that once the Commission is up and running again it will be several months before they will be able to forward their recommendations on to the Planning Board. Ms. Glashoff also spoke with Planner Bolan and he suggested putting the memo from the Zoning Officer on the Agenda to not hold up the discussion any longer. This is why it was placed on the agenda for this evening. Mayor Schriver stated that she will be making an announcement along with appointments at the next Township Committee Meeting on April 5<sup>th</sup> regarding the Environmental Commission.

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Chairman MacQueen informed the board that in speaking with the Zoning Officer regarding his own property and because of the way the ordinance is written, the Zoning Officer has had several complaints from residents regarding their neighbors cutting down/clear cutting trees on less than 5 acres which the ordinance allows. Chairman MacQueen asked the Zoning Officer to review the ordinance and send a memo to the Planning Board with suggestions for amendments. We need to come up with a happy medium for everybody regarding the tree cutting on less than 5 acres..

Planner Bolan asked Chairman MacQueen if the reason he needed a permit was because he was on more than 5 acres. The Chairman answered yes. Planner Bolan suggested possibly increasing the acreage to 7½ acres. Chairman MacQueen stated less than 5 acres you can cut down all the trees you want without a permit. Planner Bolan stated if you are more than 5 acres but less than 5 trees you need a permit. In the ordinance if the trees are less than 10" in diameter that are being cut, you don't need a permit per what Chairman MacQueen was told by the Zoning Officer. Mr. Schmidt asked about dead or diseased trees or any tree cut for firewood, post rails or building materials if it is correct that you don't need a permit. Planner Bolan answered yes, no permit is required. Ms. Glashoff informed the board that you still fill out a permit with no fee required but this way we have it on record.

Mr. Rich noted that the original tree ordinance was drafted because we had professionals coming in and clear cutting big lots and this ordinance was designed to eliminate that abuse of our land while keeping the individual owner able to cut within reason what he wanted to do on his property. That was the philosophy at that time and he feels it is still the same today. During the discussion, Mr. Schmidt mentioned a problem he was having battling a non-native invasive tree called the Tree of Heaven. These trees grow 5-6' per year. Mr. Schmidt would like to see something in our tree ordinance to deal with these trees. He can cut them down and use the wood for firewood otherwise he would have to get a permit every time he wants cut them down. The female trees throw out seeds and when you cut them down they re-spout from the roots and they are very hard to kill. They look like sumac and they are part of the sumac family. The roots put out a poison similar to a black walnut that kills the surrounding trees. At the conclusion of the board's discussion, Planner Bolan will work on amendments based on tonight's discussion.

**c. ROSI (Recreation & Open Space Inventory) – Planner Bolan.**

The copies of the ROSI that Ms. Glashoff sent to everyone was also sent to the County Planning Board. At this time nothing has been sent to the State for 2005. Planner Bolan informed the board that within the next couple of months the ROSI will need to be sent to the State as part of the Green Acres Application for the reimbursement of funds. The two unfunded properties that are on the form are the two park properties. One is the 4.61 acre property which fronts on Bunnvale Road and the other is the 14.754 acres is behind the Municipal Building which are two

separate lots. Planner Bolan stated that a local unit which receives a loan or grant from the State of New Jersey Green Acres shall not dispose of or divert to a use other than Recreation and Conservation purposes any lands 1) acquired or development with Green Acres or Federal Land or Water Conservation Fund Assistance. Everything on the list that is funded would fall under that Category I for why they are on the ROSI. Category II held by the local unit which is the Township for Recreation and Conservation purposes, "time of receipt of Green Acres Fund". We received our first Green Acre funds in 2003 or 2002, but the first ROSI was in 2003. The definition of Recreation and Conservation purposes means the use of lands for Parks, natural areas, forests, camping, fishing, reservoirs, water reserves, wildlife reserves, hunting, boating, winter sports or similar uses for either public outdoor recreation or conservation of natural resources or both. The issue is how would we view particularly the grange lot which is Block #29 Lot #27. Planner Bolan stated by the time we received the first Green Acre funds that property had already been developed for the Park. Unfortunately there is no clear cut way to define this; it is a policy decision between the Planning Board and Township Committee. As you can see the Mayor and Planning Board Chair have to sign off on the ROSI.

Planner Bolan noted that he has not had a chance to go out with Mr. Weeks and Mr. Gerlich to look for Road Department sites. Ms. Schriver asked Planner Bolan when he put together the Open Space and Recreation Plan was the park properties included. Planner Bolan answered yes. Lot #28 on the corner was included in the Plan but we also showed an exemption area for the potential Post Office. This is also attached to the ROSI that everyone has. Mr. Weeks asked Attorney Gallina, if those properties are put on the ROSI, would they be considered funded by Green Acres. Planner Bolan interjected answering yes. Mr. Rich asked about other properties the Township owns and could be used for a Road Garage. Mr. Rich suggested a feasibility study could be done to see if a new garage is up to the specs that are needed. Per Planner Bolan this site has a lot of wasted space with a sea of asphalt that surrounds the municipal building. Chairman MacQueen stated that the Road Supervisor needs to be involved in this process noting their needs and where they would like to be located. Ms. Schriver stated in talking with Paul Jones the discussion included plans for the Fire Department and we also need to continue using the existing property where the Garage is located. The Fire Department has a problem because the fire trucks have gotten so large that they barely fit in the buildings. Paul was looking at a multi-purpose type facility. Ms. Schriver asked Mr. Spatz how much property is behind the pavilion. Mr. Spatz answered about 5 acres. Ms. Schriver stated per Paul Jones that the park land is very restrictive, not large enough to do anything with. Ms. Schriver noted we have spent a lot of time and money on the Park and why would we want to take large dump trucks and semi's in the back of the property where children and families are on the property. There are snow projects during the winter, you have children and adults sleigh riding in the Park and there is also the neighbors to consider.

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Ms. Schriver stated that it isn't very practical to have this type of activity in a portion of the Park. Chairman MacQueen said that we have a lot of planning to do and we need to see exactly what the Road Department needs are. Mr. Weeks stated that the reason why he voted many years ago to purchase the grange property was because it was to have a multi purpose use. Ms. Bleck stated that whatever the purpose was all those years ago, it is now a Park. The Park is the center and the heart of the Township. We need to recognize that and value it. Whether the plan many years ago was to use the property for multi-purpose or not, the Park is here now and it is working. Mr. Piasecki agreed with Ms. Bleck's comments and agreed that it is not just the Park but it includes the whole municipal complex. Mr. Piasecki stated it is the flavor of the whole neighbor which includes the General Store and Woodglen School. Putting a Public Works Facility in the middle of this would turn the Township on it's ear. Mr. Rich suggested having a referendum and letting the tax payers decide whether they want it on this property or if they want to spend money on purchasing property. Ms. Schriver noted that the Planning Board did approve the Site Plan for the Park and so did the Township Committee. Mr. Rich felt that something could be worked out but that we have to be somewhat flexible. Planner Bolan asked Engineer Risse if there were any exemptions under Highlands that covers what we are discussing here this evening. Engineer Risse said the 3% coverage limit is going to apply regardless of what we do. Chairman MacQueen noted how the Road Department trucks are getting much better along with the Fire Department trucks. Because of the existing Road and Fire Department building sizes, the trucks are not fitting in the buildings. Planner Bolan stated that the committee from the last meeting consisted of Art and Jay and himself. We need to have Engineer Risse involved along with the Road Supervisor

