#### REGULAR MEETING

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

**April 3, 2012** 

The 854th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:04 p.m. by Chairman Gary MacQueen. Present were: Mr. Milkowski, Mr. Schmidt, Mr. Gerlich, Mr. Piasecki, Mr. Rich, Ms. Bleck, Mr. Weiler, Mr. Wunder, 1<sup>st</sup> Alternate Laul, 2<sup>nd</sup> Alternate Skidmore, Attorney Gallina, Planner Bolan and Engineer Risse.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 10, 2012, faxed 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 28, 2012.

**PRESENTATION OF MINUTES:** February 28, 2012 Regular Meeting

Motion by Mr. Gerlich and seconded by Mr. Piasecki to approve the minutes with a minor correction. Unanimously approved with Mr. Wunder abstaining.

#### **UNFINISHED BUSINESS:**

New Cingular Wireless
340 Mt. Kimble Ave
Route 513
Block #12

CONTINUATION OF A PUBLIC HEARING Conditional Use/Site Plan/Variances

Attorney Gallina announced a letter was received from Attorney Fairweather asking for an extension of time thru May 31<sup>st</sup> while there application before the Board of Adjustment continues. This application will be scheduled for the May 1<sup>st</sup> Regular Meeting of the Planning Board at 7:00 p.m. No further notice will be given. Motion by Mr. Piasecki and seconded by Ms. Bleck to grant the extension of time to New Cingular Wireless. Unanimously approved.

### **RESOLUTION:** Extension of Time

New Cingular Wireless Block #12 Lot #45.05 Conditional Use/Site Plan/Variances Route 513 B1

Motion by Mr. Rich and seconded by Mr. Gerlich to approve the Resolution for an Extension of Time to New Cingular Wireless. Unanimously approved.

## **NEW BUSINESS:**

Lebanon Township Planning Board 530 West Hill Road Glen Gardner, N.J. 08826

PUBLIC HEARING Highlands Element of the Master Plan, Re-examination Report

& the Environmental Resource Inventory Plan.

# **RESOLUTION:**

a. Amend Master Plan to include Supplement titled Highlands Master Plan Element Adopt a Supplement of Re-examination Report of the Master Plan

At this time, Chairman MacQueen turned the meeting over the Planner Bolan. Planner Bolan said the State adopted the Highlands Act in August 10, 2004 for the purpose of protecting and restoring the natural resources of the Highland Region especially the water resources that provide drinking water for over 5 million people. Planner Bolan noted that the Planning Board has conducted periodic reexaminations of the Master Plan with the most recent one being November 2005. Planner Bolan stated the Highlands Regional Master Plan was adopted by the Highlands Council on July 17, 2008 and became effective on September 8, 2008. Within the Highlands Act it requires that municipalities revise and conform their local Master Plan and Development Regulations for the portion of lands that is within the Preservation Area. Planner Bolan said on December 1, 2009 the Planning Board held a noticed public meeting for the purpose of initiating public discussion concerning conformance with the Regional Master Plan and the components of the Municipality's Petition for Plan Conformance especially the Highlands Master Plan Element for the Preservation and Planning Areas.

On December 2, 2009 and January 20, 2010 the Township Committee held noticed public meetings where they adopted Resolution 01-2010 noticing the intent to Petition the Highlands Council for Plan Conformance for the portion of the Township located within the Highlands Preservation Area and Planning Area. Planner Bolan said the Planning Board did conduct a reexamination of the Municipal Master Plan & Land Use Regulations since the Highlands Master Plan Element & model Highlands Area Land Use Ordinance was provided by the Highlands Council to identify specific changes needed to conform.

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Planner Bolan said the reexamination was completed over a period of 35 month covering May 2009 thru April 2012. The Planning Board submitted the Petition for Plan Conformance to the Highlands Council on December 8, 2011. Planner Bolan went on to say that on October 13, 2011, the Highlands Council did approve the Township's Petition for Plan Conformance and did formalize the approval through the adoption of the Highlands Council Resolution 2011-36.

Planner Bolan said the Planning Board determined that the Township Master Plan must be amended to incorporate the goals, requirements and provisions of the Highlands Regional Master Plan. Also, it was determined that the adoption and implementation of the Highlands Element of the Master Plan is in the public interest and protects public health, safety and promotes the general welfare. At the conclusion of Planner Bolan's presentation, the board had a few questions. Mr. Rich noted that back in 2009 the board voted against the Highlands with a vote of 5-2 and the Township Committee overturned the board's decision. At the conclusion of the board's discussion, motion by Mr. Piasecki and seconded by Ms. Bleck to adopt the findings of fact and all recommendations set forth in the 2012 Lebanon Township Master Plan Reexamination Report dated April 2012 and also adopt the Lebanon Township Highlands Master Plan Element dated April 2012 by Resolution.

ROLL CALL Yes: Mr. Milkowski Mr. MacQueen Mo: Mr. Schmidt Mr. Gerlich Ms. Bleck Mr. Rich Mr. Piasecki Mr. Wunder Mr. Weiler Abstain: Mr. Laul

Mr. Skidmore

Following the Highlands Master Plan Public Hearing, the board continued its discussion of the draft of the Highlands Land Use Ordinance. The discussion focused on the memo of March 6, 2012 from Planner Bolan titled "Guide to Draft Lebanon Township Highlands Area Land Use Ordinance". The Board went into great depth concerning the provisions of the draft ordinance, particularly those in Article 6 of the draft ordinance, "Highlands Area Resource Regulations". Specific suggestions to the Highlands Council concerning the resource regulations were recommended, including forest resources, steep slopes, critical habitat, carbonate rock, water conservation and deficit mitigation, prime groundwater recharge areas and agricultural resources. The Board authorized Planner Bolan to prepare a draft letter to the Highlands Council providing comments on the draft ordinance, which would be further discussed at the Planning Board Meeting in May.

# PRESENTATION OF BILLS & REPORT:

a. John Gallina, Esq. \$1,693.75 b. Gramco (3/20/12 Meeting) \$1,250.00 Total: \$2,943.75

Ms. Glashoff said she had one additional bill to add to the bills which was an escrow bill for New Cingular Wireless in the amount of \$108.75 bringing the grand total to \$3,052.50. Motion by Mr. Gerlich and seconded by Mr. Piasecki to approve the bills as amended. Unanimously approved.

**CORRESPONDENCE:** Handed out at meeting

## OPEN TO THE PUBLIC

Being no further comments nor comments from the public, motion by Ms. Bleck and seconded by Mr. Wunder to adjourn the meeting at 8:25 p.m. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK