

REGULAR MEETING

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

September 2, 2014

The 884th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:02 p.m. by Vice Chair Doreen Bleck. Present were: Mr. Milkowski, Mr. Laul, Mr. Schmidt, Mr. Weiler, Mr. McKee, 1st Alternate Gerlich, 2nd Alternate Skidmore, Attorney Gallina, Planner Bolan and Engineer Risse. Mr. Piasecki arrived at 7:13 p.m. **Excused:** Mr. MacQueen & Mr. Rich

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 14, 2014, 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 August 27, 2014.

PRESENTATION OF MINUTES: July 1, 2014 Regular Meeting

Motion by Mr. McKee and seconded by Mr. Laul to approve the minutes as presented. Unanimously approved.

INFORMAL:

Christopher & Erin Csernica
36 Mt. Lebanon Road
Port Murray, N.J. 07865

Block #51 Lot #4
Mt. Lebanon Road RC

Discussion on a Home Occupation

Chris & Erin Csernica were both present and made a presentation to the board. Ms. Csernica said her husband is a Chemical Engineer and she is a Massage Therapist. They have two children. Their daughter has down syndrome and they started this as a hobby and have now turned it into a business. All the proceeds go to their daughter's Special Needs Trust Account. Ms. Csernica said they brought with them this evening items to show how they make their soap and samples of the soap which she handed out to the board.

Attorney Gallina asked if everyone has had a chance to review their submission. The answer was yes. Attorney Gallina said in reviewing the checklist for Home Occupations and it looks like all the questions were answered. Attorney Gallina asked why the Zoning Officer denied their application for the Home Occupation. Mr. Csernica said Mr. Flemming did not feel it was within his element or understand and didn't feel comfortable signing off so he wanted to forward this on to the Planning Board for an informal review. Mr. Csernica referred to the letter he included with his submission. Ms. Csernica introduced her mother who is Mary Moody a Planner by profession. Attorney Gallina noted that this is an informal discussion and under the MLUL nothing that is said is binding. Planner Moody made a few comments on behalf of Chris & Eric Csernica. Ms. Csernica stated the name of the business is the Mt. Lebanon Soap Company. Attorney Gallina asked if they have a big vat of chemicals. Ms. Csernica said they get 1 shipment per month and they buy in bulk. The main ingredient they use is olive oil. They do not use any commercial vehicles and when they ship they use the USPS. Attorney Gallina asked if they use any hazardous materials. Mr. Csernica said the one hazardous material they use is Lye. Ms. Csernica describe for the board how they make the soap. Attorney Gallina asked about the Sodium Hydroxide that is used. Mr. Csernica said they use 9 ounces of the Sodium Hydroxide per batch and they make 2 batches per week. Attorney Gallina said that is about 72 ounces a month. Mr. Csernica said the Sodium Hydroxide comes in a powder form in closed containers. Mr. Csernica described for the board how he prepares the Sodium Hydroxide. Mr. Csernica said the soap processing is a half hour procedure plus 24 hour overnight cooling plus 4-6 weeks curing process. For this process he wears eye goggles, neoprene gloves and a full face respirator with P100 cartridges.

Mr. Csernica said that modern handcrafted soap, though made with lye to get true soap, has no lye in the final product. It has all been reacted with the oils to form soap and glycerin. Modern day soap that is found in grocery stores are made in mass-produced factories does have a small amount of excess alkali in it. It has had all of its naturally-occurring glycerin removed so it can be sold as a separate commodity, this is for a greater profit. The difference between most commercial soap and real handmade soap is that the glycerin is left in real handmade soap and it retains its natural moisturizing property.

Vice Chairwoman Bleck complimented the applicants on doing a thorough job with their presentation and asked if the board had any questions of the applicants. Mr. Skidmore stated that the applicants started out as a hobby and are now a business and wanted to know what changed. Ms. Csernica said it all started when their daughter was born. They have their soap at the Hackettstown market and in some shops. Mr. Skidmore went over the process with the applicant noting that the hazardous exposure is a max of 12 hours for just the two of you. Ms. Csernica said yes. Chairwoman Bleck asked Attorney Gallina how to proceed with this application. Attorney Gallina said that it appears under the ordinance that they have answered all the questions appropriately which is questions 1-9. It states in the ordinance that Home Occupations are exempt from Planning Board and can be approved by the Zoning Officer. Attorney Gallina said the Board can say that this is exempt from Planning Board review and their operation is fine. Ms. Glashoff asked if the applicant should go back to the Zoning Officer for an approval. The board discussed this and decided to have Attorney Gallina write a letter to the Zoning Officer with their findings and recommendation. At the conclusion of the board's discussion, they wished the applicant success with their Soap business.

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ITEMS FOR DISCUSSION:

a. Letter to COAH – Planner Bolan

Planner Bolan informed the board that he had attended a Webinar sponsored by the NJLM & NJPO. Planner Bolan said he had added one item to the letter that wasn't discussed with the board and it was the item at the bottom of page two of the letter. 5:99-11.17(d)2. In order for funds to be considered expended or committed for expenditure an executed contract or legally enforceable agreement should be sufficient. Regarding the requirement for a Policy & Procedure Manual, this should be eliminated. Municipalities rely on contracts and agreements because the recipient of the program funds is better positioned to know how to efficiently expend funds. Planner Bolan said in the Purpose Section of Subchapter 11, Affordable Housing Trust Funds states, "Affordable Housing Trust Funds are intended to better enable municipalities to meet the low-moderate-income housing needs in their municipality and region within the timeframes established by the Legislature", any requirements that may hinder the expenditure of these funds in a timely fashion should be removed. Planner Bolan briefly went through the other items that were in the letter for COAH regarding the comment period to respond. He finished the letter stating that the Planning Board hopes that COAH will revise the proposed rules so that workable affordable housing programs can be developed and implemented. Planner Bolan informed the board that comments were due by August 1st.

The board asked Planner Bolan if he has heard anything yet. Planner Bolan said no and that it has been very quiet down at COAH. Ms. Glashoff asked what are we suppose to do at this point. Planner Bolan said we just have to wait. Ms. Glashoff asked if she can still do rehabs or are we done with them. Planner Bolan not to do anything because we may need to use that money for something else. Planner Bolan said October 17th is when the rules are to be adopted. They would then go into effect sometime in November.

b. Letter to T.C. from NJ Natural Lands Trust

The board briefly discussed the letter from the NJ Natural Lands Trust that was received by the Township Committee. Mr. Skidmore said in reading the letter the Land Trust is not interested in the proposal by U.S. Concrete.

PRESENTATION OF BILLS & REPORT:

a. John Gallina, Esq.	\$ 580.00
b. Michael Bolan, PP	\$1,878.80
c. Bayer/Risse Engrs.	\$ 892.50
d. H.C. Planning & Zoning	\$ 30.00 – Luncheon/Seminar
Total:	\$3,381.30

Ms. Glashoff said there is an Agenda Addendum item which is a bill for Attorney Gallina in the amount of **\$145.00** escrow for Muller Toyota. Mr. Gerlich reviewed the bills and adding the additional bill brings the new total to **\$3,526.30**. Motion by Mr. Gerlich and seconded by Mr. McKee to approve the bills as amended. Unanimously approved.

CORRESPONDENCE:

- a. H.C. Planning Board: Ltr to COAH
- b. Letter to T.C. from Atty Cushing
- c. Law of Land Articles

OPEN TO THE PUBLIC -

Being no further business to come before the board, nor comments from the public, motion by Mr. McKee and seconded by Mr. Milkowski to adjourn the meeting at 7:33 p.m. Unanimously approved.

VICE CHAIRWOMAN DOREEN BLECK

GAIL W. GLASHOFF, PLANNING BOARD CLERK