

**REORGANIZATION/REGULAR MEETING**

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

**March 2, 2021**

The 933<sup>rd</sup> Regular Meeting of the Lebanon Township Planning Board was called to order at 7:00 p.m. by Board Clerk Ms. Glashoff. Present were: Mr. MacQueen, Mr. Rich, Mr. Piasecki, Ms. Koehler, Mr. Abuchowski, Mr. Schmidt, Mr. Duckworth, Mr. Weiler, Mr. Skidmore, Attorney Gallina, Engr. Bayer and Engr. Kozoh. **Excused:** Ms. Bleck.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Planning Board will hold their Reorganization/Business Meeting on March 2, 2021 at 7:00 p.m. In the event of inclement weather the Board will hold their Reorganization/Regular Meeting on Tuesday March 16, 2021 at 7:00 p.m. Notice of this meeting was published in the Hunterdon Review on December 30, 2020 & updated in the February 10, 2021 issue of the Hunterdon Review. Copies of the Agenda were faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Star Ledger and posted on the Lebanon Township Website and Bulletin Board in the Municipal Building on February 22, 2021.

<b>SWEAR IN:</b>	Abe Abuchowski	Class I	Mayor Designee	1 Year Term
	Adam Duckworth	Class II	Liaison-OSEC	3 Year Term
	Beverly Koehler	Class III	Committeewoman	1 Year Term
	Gary MacQueen	Class IV	Regular Member	4 Year Term
	Chris Piasecki	Class IV	Regular Member	4 Year Term
	E.J. Skidmore	Class IV	Alternate I	2 Year Term

Ms. Glashoff had Attorney Gallina swear in the above 6 board members. Congratulations to all.

**NOMINATIONS FOR CHAIRMAN:**

Ms. Glashoff asked for a nomination for Chairman. Motion by Mr. Rich and seconded by Ms. Koehler to appoint Mr. MacQueen as Chairman. Being no further nominations, nominations are closed. Unanimously approved. Congratulations to Mr. MacQueen. At this time, Chairman MacQueen took over the meeting.

**NOMINATIONS FOR VICE CHAIRMAN:**

Chairman MacQueen for a nomination for Vice Chair. Motion by Mr. Schmidt and seconded by Mr. Rich to nominate Ms. Bleck for Vice Chair. Being no further nominations, nominations are closed. Unanimously approved.

**NOMINATIONS FOR BOARD SECRETARY:**

Motion by Mr. Rich and seconded by Ms. Koehler to appoint Mr. Schmidt as Board Secretary.

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*Being no further nominations, nominations are closed. Unanimously approved.*

**NOMINATIONS FOR ASSISTANT SECRETARY:**

*Motion by Mr. Rich and seconded by Mr. Skidmore to appoint Mr. Weiler as Assistant Secretary. Being no further nominations, nominations are closed. Unanimously approved.*

**APPOINTMENTS:**

- a. John Gallina, Esq.*
- b. James Kyle, PP/Beth McManus, PP*
- c. Bayer/Risse Engineering – Ted Bayer/Casey Kozoh, Engrs.*
- d. Gail W. Glashoff, Planning Board Clerk*
- e. Mark Blount, Esq. (Alternate Attorney)*

*Ms. Glashoff informed the board that she received a letter from Attorney Blount agreeing to be the Alternate Attorney for 2021. Chairman MacQueen asked for a motion to appoint all of the above. Motion by Mr. Rich and seconded by Mr. Piasecki. Unanimously approved.*

**ADOPT RESOLUTIONS:**

- a. Authorizing Agreement for Professionals Services*
- b. Annual Notice Schedule 2021*

*Ms. Glashoff reviewed for the Board the Authorizing Agreement for Professional Services and Notice Schedule for 2021. Ms. Glashoff said the actual schedule of dates is what will be in the newspaper. Motion by Mr. Rich and seconded by Mr. Duckworth to adopt both Resolutions. Unanimously approved.*

**ADOPT RESOLUTION FOR PROFESSIONALS ON PAY TO PLAY:**

*Ms. Glashoff briefing reviewed the Pay to Play Resolution. Motion Mr. Rich and seconded by Ms. Koehler to adopt the Resolution for Pay to Play. Unanimously approved.*

**ADOPT PROFESSIONAL CONTRACTS:**

- a. John Gallina, Esq.*
- b. James Kyle, PP – Kyle/McManus Associates, LLC*
- c. Ted Bayer, Bayer-Risse Engineering*
- d. Mark Blount, Esq. (Alternate Attorney)*

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*Ms. Glashoff informed the board she received the letter from Attorney Blount agreeing to continue as the Alternate Attorney when needed and in reviewing the contracts, all the hourly rates have not increased and have stayed the same for the past 2 years. Motion by Mr. Rich and seconded by Mr. Piasecki to adopt all the Professional Contracts as presented. Unanimously approved.*

**APPOINT APPLICATION REVIEW COMMITTEE:**

*After a brief discussion, motion by Mr. Rich and seconded by Ms. Koehler to appoint the following board members to the application review committee: Mr. Piasecki, Mr. Weiler, Mr. Skidmore with Mr. Rich as the Alternate. Unanimously approved.*

**PRESENTATION OF MINUTES:**                      December 15, 2020      Regular Meeting

*Motion by Mr. Skidmore and seconded by Mr. Schmidt to approve the minutes as presented. Unanimously approved.*

**APPLICATION FOR COMPLETENESS/WAIVERS, SET PUBLIC HEARING DATE:**

Brookside Farms                      Block #7    Lot #3  
c/o Greg DeStefano                      2027 Route 31    B2

**Minor Site Plan**

*Attorney Robin Wright and the applicant Greg DeStefano were present to discuss completeness and waivers. Engineer Bayer reviewed for the board his report dated January 8, 2021 and updated on February 25, 2021 from the applicant sending in revised plans for completeness purposes. Engineer Bayer went over the Waiver Items that were being requested. Engineer Bayer informed the board he did not have a problem and recommended the waivers that were being requested. Attorney Gallina stated that the waivers being requested are for completeness only. Things can change during the public hearing. Engineer Bayer recommended to the board they can move forward with a public hearing. Motion by Mr. Piasecki and seconded by Mr. Rich to deem the application complete and the waivers for completeness only and set a public hearing date.*

<b>ROLL CALL</b>	<b>Yes:</b> Mr. Rich	Mr. MacQueen	<b>Absent:</b> Ms. Bleck
	Ms. Koehler	Mr. Weiler	
	Mr. Duckworth	Mr. Abuchowski	
	Mr. Piasecki	Mr. Skidmore	
	Mr. Schmidt		

*Ms. Glashoff offered the April 6, 2021 date for the Public Hearing. This was acceptable to the applicant.*

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**STORMWATER ORDINANCE UPDATE:** Review for approval for introduction & public hearing at T.C.

Engineer Bayer reviewed at length for the board the Stormwater Ordinance Update. This is based on a model from the DEP and the Green Infrastructure Act which went into effect today March 2<sup>nd</sup>. This was to create a framework that will fill the gap between the Soil Sediment Control Regulations and the Stormwater Regulations. Engineer Bayer said the way it has been if a project is greater than 5000 square feet you have to get a Soil Sediment Control Permit from your local Soil Conservation District. If you became a major project of 10,900 square feet of ¼ acre of impervious coverage. That gap has been filled by defining a minor project as not being a major project.

Engineer Bayer went over the definitions that are found in the updated ordinance. In referring to environmentally constrained area that means areas where physical alteration of land is in some way restricted. This refers to wetlands, floodplains, threatened and endangered species sites or designated habitats, parks and preserves. Environmentally critical area means refers to stream corridors, natural heritage priority sites, habitats, steep slopes and well head protection and groundwater recharge areas. Green Infrastructure means the detachment and movement of soil or rock fragments by water, wind, ice or gravity. Engineer Bayer referred to a Motor Vehicle Surface which means any pervious or impervious surface that is intended to be use by motor vehicles and/or aircraft and is directly exposed to precipitation including but not limited to driveways, parking areas, parking garages, roads, racetracks and runways. The board members asked about the different definitions.

Engineer Bayer continued going over the sections: Section III, the Design and Performance Standards for Stormwater management Measures for the board. In Section IV the Stormwater Management Requirements for Major Development which has a list of Tables and Standards, Section V are the Stormwater Runoff and Groundwater Recharge. Section VI refers to Sources for Technical Guidance. In section VII is Solids and Floatable materials Control Standards. In Section VIII are Safety Standards for Stormwater Management Basins. Section XI are the Requirements for a Site Development Stormwater Plan, Section X is the Maintenance and Repair. In the last three sections are the following: XI Penalties, XII Severability and XIII Effective Date. There are two Exhibits A: Net Water Availability and B Lebanon Township Groundwater Recharge Areas. The board discussed the ordinance at length with Engineer Bayer. In conclusion, with a minor correction, motion by Mr. Piasecki and seconded by Mr. Duckworth to forward the Stormwater Ordinance to the Township Committee for Introduction at their next meeting on March 17, 2021.

<b>ROLL CALL</b>	<b>Yes:</b> Ms. Koehler	Mr. MacQueen	<b>Abstain:</b> Mr. Rich
	Mr. Duckworth	Mr. Weiler	Mr. Skidmore
	Mr. Schmidt	Mr. Abuchowski	<b>Absent:</b> Ms. Bleck
	Mr. Piasecki		

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**ITEMS FOR DISCUSSION:**

**a. 2021 Budget**

*Ms. Glashoff explained that in reviewing the latest print out from Finance there were no charges on it for the Planner for the Board of Adjustment and the Planner did attend meetings and reviewing the print out for the Planning Board it also showed no charges. Ms. Glashoff said she just wanted to let the board know why there are zeros. At the conclusion of the board's discussion, motion by Mr. Rich and seconded by Mr. Schmidt to approve the budget as presented. Unanimously approved.*

**b. Lighting Ordinance**

*Chairman MacQueen said he has gotten several complaints regarding night time lighting from residents. People have been aiming them up in trees. Engineer Bayer said he discussed the ordinance with Engineer Risse. Engineer Bayer said that Engineer Risse got the ordinances from Chester Township and Lacey Township. Engineer Bayer said you don't want the lighting going passed the property line using a 10<sup>th</sup> of a foot candle. Mr. Schmidt stated that it should be dark at the property line. Engineer Bayer said point one of a foot candle. The lighting needs to be directed downward. It needs to be recessed and/or enclosed so that the light fixture doesn't shine up and have sky glare or glow. Engineer Bayer said that for commercial lights have to be off a half hour after closing per the current ordinance and for residential lights off by 11:00 pm. Chairman MacQueen stated that Engineer Risse in working on this ordinance found that sections in the ordinance referred to lighting regarding Commercial and Residential. Engineer Risse informed the board last December that he would have all the information from the different areas in the Ordinance Book put in one section in order to have it all together.*

*Mr. Schmidt said the residents that have complaints should go to the Township Committee and if they feel it needs to be addressed then ask the Planning Board to address at that time. The board discussed this issue at length. Mr. Skidmore said the Board needs guidance on this issue and suggested that the two committee people on the board should take this issue to the Township Committee for their opinion on whether the Board should spend more time on this or drop it. Chairman MacQueen stated that the Mayor has also gotten calls on this issue of lighting. Mr. Rich would like to make a motion to have Mr. Abuchowski to include all the approvals by the Planning Board as a first step for guidance only and to include on the first page towards the bottom A1B (bottom of page 1)-design standards for light fixtures properly installed and maintained and directed so there is no direct glare source visible to adjacent property owners. This would be for guidance only and recommendations. Attorney Gallina made a couple of comments stating guidance can't be a part of it and at the conclusion, motion was never seconded.*

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**PRESENTATION OF BILLS & REPORT:**

- a. John Gallina, Esq. \$412.50
- b. Bayer/Risse Engrs. \$845.00
- Total: \$1,257.50**

*Motion by Mr. Schmidt and seconded by Ms. Koehler to approve the bills as presented. Unanimously approved.*

**CORRESPONDENCE:**

- 1. NJPO Newsletter – November/December 2020
- 2. NJ League Municipalities Publications:
  - a. Environmental Justice Concerns
  - b. Legal Ques. Informal Concept Plan Review
  - c. Land Use Approval Extensions

*Being no further business to come before the board, nor comments from the public, motion by Mr. Schmidt and seconded by Mr. Skidmore to adjourn the meeting at 8:20 p.m. Unanimously approved.*

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**CHAIRMAN GARY MACQUEEN**

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