



Adjustment. The board discussed the Alternative Energy concept. Planner Bolan noted that John Flemming didn't want to approve any zoning permits for the outdoor wood burning furnaces when the County Board of Health could come along and shut it down and issue fines. Mr. Rich agreed stating that this has to get worked out with the county and asked if a letter had gone to the County Freeholders that was discussed at the last meeting. Mr. Schmidt was under the impression that the letter would come from the sub-committee. Planner Bolan noted that the Zoning Officer has done a lot of research on this issue. In speaking to other counties, none have taken the same approach as Hunterdon County. At the conclusion of the board's discussion, the Home Occupation Sub-Committee was discussed and they will meet on Wednesday December 3<sup>rd</sup> at 3:30 p.m. and Ms. Glashoff will also contact those Zoning Board Members to let them know of the new date.

**c. COAH – Planner Bolan**

**d. Resolution “Notice of Intent to Petition the Highlands Council”**

When the Governor approved the Highlands Plan in September he also had an Executive Order which said the Highlands and COAH should figure out what is going on and they have to do something within 60

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days. Planner Bolan stated he spoke to Eileen Swan about it and the upshot is that they are going to make our COAH conformance, extend the COAH conformance with the Highlands Plan. Rather than the board submit a Housing Plan by December 31, 2008, it will be December 9, 2009. Mr. Piazza said if we get on board with our Plan our obligation will be lowered because of being in the Preservation Area.. Planner Bolan agreed. The growth projections that we would have had to address in the Housing Plan by December 31<sup>st</sup> is completely off the wall.

Planner Bolan asked Highlands Director Eileen Swan if we have to adopt a Resolution that says we intend to comply. Mr. Weiler wanted to know what our incentive is since we don't have a choice. This came from COAH per Planner Bolan. There are many municipalities that are split between planning areas and preservation areas. Mr. Rich brought up the subject of the Pinelands since it was part of the board's discussion at a prior meeting that Planner Bolan was suggesting that we should try a play a heavier hand and get Highlands to allow the Townships to do some flexible mapping and wanted to know if that is in the works at all. Planner Bolan said nothing has happened since the last time the board discussed it. Planner Bolan stated he had a meeting with the Highlands staff early in October at Banisch Associates. It was brought up at that time and he said that they have to give some flexibility to these municipalities. Planner Bolan said he explained his whole Pinelands experience and said when he went out to negotiate with the 22 municipalities, if there hadn't been any flexibility, they would have walked away. Planner Bolan reviewed for the board how they handled everything back then with the Towns in the Pinelands.

Planner Bolan said he doesn't know how things will play out. There needs to be some flexibility. Planner Bolan went on to say that Eileen understands it, she also has a council that has some very ardent environmentalist that are very difficult to deal with in terms of what makes sense to us from a planning prospective. A couple of meetings before adopting the plan, their was a motion not to have any changes. Mr. Rich asked if there would be any action before having to opt in comes to a conclusion like letting the Townships have some flexibility to do some of their own remapping. The opting in is for the planning areas per Planner Bolan. The preservation areas are a done deal.

Chairman MacQueen referred to page 3 of the letter from the Highlands Council, “Notice of application for development” does it mean that an applicant has to prove they have demonstrated they are going to the Highlands Council before going to a board. Planner Bolan said they have to notify them they are going to a board. Planner Bolan said it is no different then when an applicant notifies the utilities and the adjoining property owners. Attorney Gallina said this needs to be added to the certified list. Planner Bolan referred to the second paragraph on page 3, “even if an applicant doesn't require notice under the MLUL, they still have to notice the Highlands. Ms. Glashoff questioned those residents going before the Zoning Board for approval of an addition. Planner Bolan said the

exemptions from the Highlands Act which are the exemptions that DEP has to follow where not incorporated into the Highlands Plan. They want to but don't know how to incorporate them

During the discussion, Mr. Rich asked if the Zoning Officer would have the authority to grant a zoning permit to someone wanting to put an addition on their house. The board discussed this issue at length. Chairman MacQueen questioned what does the board need to do regarding the Resolution. Planner Bolan stated that it is the responsibility of the Township Committee to adopt the resolution and send it on to the Highlands Council. The Resolution is just an FYI to the Planning Board.

**CORRESPONDENCE:**

Ms. Glashoff announced that the Musconetcong Watershed Association is hosting two presentations on: "Considering Highlands Plan Conformance in Your Community" Wednesday November 12<sup>th</sup> @ 7:00 pm at the Hackettstown Municipal Bldg and Tuesday November 18<sup>th</sup> at 7:00 pm at the Franklin Township Municipal Building in Warren County. This is an FYI for anyone interested in attending.

**PRESENTATION OF BILLS & REPORT:**

|                       |                    |
|-----------------------|--------------------|
| a. John Gallina, Esq. | \$ 630.00          |
| b. Bayer/Risse Engrs. | \$ 3,047.50        |
| <b>Total:</b>         | <b>\$ 3,677.50</b> |

Ms. Glashoff informed the board that she had one additional bill to add. The bill is from Attorney Gallina for **\$175.00**, Escrow on the Butters application. This will bring the total to **\$3,852.50**. Motion by Mr. Gerlich and seconded by Mr. Piazza to approve the bills as amended. Unanimously approved.

Being no further business to come before the board, nor comments from the public, motion by Ms. Bleck and seconded by Mr. Piasecki to adjourn the meeting at 8:07 p.m. Unanimously approved.

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**CHAIRMAN GARY MACQUEEN**

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