

Chairman MacQueen asked Engineer Risse to give his report and recommendations. Engineer Risse reviewed all the waivers being requested by the applicant. The following waivers are being requested:
Checklist Items: 16,, 25,42, 43, 44, 45, 50,, 56, 59 & 60. There was a question regarding any deed restrictions/easements. Attorney Selvaggi stated there are no restrictions on the property. In the future they are looking to have one dwelling unit. Mr. Piazza asked for the size of the entire tract. Attorney Selvaggi stated that the tract is 90 acres and they are subdividing of approximately 28 acres as an Agricultural subdivision. When they decide to make it a building lot, they are aware of filing an application with the Highlands Council. Engineer Risse informed the board that he does not have a problem with the board granting the waivers requested. At the conclusion of the board's discussion, motion by Mr. Rich and seconded by Mr. Piasecki to deem the application complete and grant the waivers requested.

ROLL CALL

| | | | | |
|-------------|--------------|------------|----------------|-------------|
| Yes: | Mr. Schmidt | Ms. Bleck | Absent: | Mr. Weeks |
| | Mr. Piasecki | Mr. Piazza | | Mr. Gerlich |
| | Mr. Rich | Mr. Weiler | | |
| | Mr. MacQueen | | | |

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Ms. Glashoff offered the meeting of December 11th to the applicant. Attorney Selvaggi agreed but wanted to check with the applicant's engineer and would confirm the next day.

ITEMS FOR DISCUSSION:

a. Budget 2008 December 11, 2007 Agenda

Ms. Glashoff informed the board that she did not receive the paperwork on the board's budget until the last minute and needed to prepare the Board of Adjustment's budget since they do not meet during December and will have the Planning Board budget for the December meeting.

b. Set Date for Reorganization Meeting – January 2008 7:00 p.m.

Mr. Rich asked if the board would consider having the reorganization meeting on January 8th because he would not be available for the 15th. The board did not have a problem with the January 8th meeting date. Chairman MacQueen announced that the board will hold their Reorganization Meeting on January 8, 2008 at 7:00 p.m.

Ms. Glashoff informed the board of the board terms that will expire on December 31st. Ms. Bleck stated she would like to be reappointed. Mr. Rich suggested having Ms. Glashoff write a memo to the Township Committee recommending having Ms. Bleck, Mr. Gerlich and Mr. Weeks reappointed to the Planning Board for 2008 and since we do not know who will be Mayor since this is left up to the Township Committee at their Reorganization Meeting.

c. Cul-de-sacs

Ms. Glashoff stated it was referred to in the October 16th minutes. This item was listed under correspondence regarding cul-de-sacs and Planner Bolan asked to have it on the next agenda. Planner Bolan stated it was a legal issue under the RSIS and deferred comment to Attorney Gallina. The subject of cul-de-sacs was discussed in the minutes of the meeting of the NJ Site Improvement Advisory Board from May 31, 2007. There had been discussion on whether or not you could ban cul-de-sacs. After a brief discussion, the board agreed that we a fine just the way we are.

d. Fire Protection Ordinance

Planner Bolan stated that the amendment was not clear as to what was being done. Planner Bolan felt that it was extremely technical. Engineer Risse concurred stating there was a lot of detail regarding fittings. Engineer Risse thought the reason this issue came up now was because of a subdivision that took place recently, the fire tank was installed and with the construction, a construction truck ran over the man-hole cover of the tank and since the fire department had taken over responsibility they were responsible for fixing the damages.

Mr. Piazza stated that the Fire Chief Warren Gabriel had a problem and came before the Township Committee and everyone went over the ordinance. The Planner, Engineer and Mr. Gabriel were to get together which they did. Then the Township Attorney was to rewrite everything which he did and the Committee then presented it at the October 17th meeting for Introduction. At the Planning Board Meeting on October 16th Planner Bolan and Mr. MacQueen asked to see a copy of the amended ordinance before it went to a public hearing. Mr. Rich felt this could have been handled with a lot smoother coordination. The Planning Board spent a lot of time on this ordinance. There were two major issues the board discussed at length and voted to have Ms. Glashoff send a memo to the Township Committee; when does having the tank installed kick in and the board decided it would be with the 3rd lot with remaining lands and secondly was that the size of the tank should not be increased because of the undue expense. Mr. Piazza stated that the Committee didn't change anything, the attorney hands us an ordinance we looked it over, Mr. Gabriel was present and informed the committee that it looked good. Mr. Piazza stated he informed the Township Committee that the Planning Board would like to look at the ordinance. Mr. Rich asked who got the memo from the Planning Board. Ms. Glashoff stated that everyone on the Committee got a copy of the Planning Board's memo. Mr. Piazza said that it was turned over to the Township Attorney. Mr. Piazza asked Engineer Risse if he has had any discussions with the Township Committee. Engineer Risse stated no. Mr. Rich said he would like the Planning Board's deliberations, expressing their concerns and recommendations to be considered by the 5 members of the Township Committee.

Chairman MacQueen remembered Mr. Gabriel coming to the Planning Board to discuss the Fire Protection Ordinance and the board discussed his recommendations/changes/amendments and the board stated they would work on it and expedite quickly. Then the next night at the Township Committee meeting the ordinance was discussed and the changes were given to the Township Attorney who stated that the ordinance does not have to go back to the Planning Board. Planner Bolan questioned why the board would not have the opportunity to review the changes. No one knew why. Mr. Piazza said that the problem is the Committee wanted to get this done and done correctly. Chairman MacQueen said with Planner Bolan concurring that once the ordinance is introduced then legally it is to come back to the Planning Board and it doesn't matter who writes the ordinance. It was noted that the ordinance is now scheduled for a public

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hearing on December 5th. The Township Committee has one more meeting in December which is the 19th. Mr. Piazza stated that when the Planner and Chairman at the last meeting wanted to see a copy of the ordinance, he asked the Committee to postpone the hearing so they could review the ordinance. Chairman MacQueen said in speaking to Mr. Piazza, if the Township overrides us on this ordinance, the concern is if down the road if something happens, it was important that it be reviewed by the board. Planner Bolan stated that the ordinance now reads 2 lots and remaining lands. During the discussion, Planner Bolan noted that the section of the ordinance that is noted on the ordinance is incorrect. It quotes the section from the old ordinance book not the new one.

Chairman MacQueen suggested taking this ordinance off the agenda for the public hearing and sending it back to the planning board to fix and make it correct, then send it back to the Township Committee. Mr. Piazza agreed along with the board. Mr. Rich suggested having Ms. Glashoff retrieve the minutes from the meeting where the board discussed this ordinance and the recommendations that were sent to the Township Committee. Mr. Piazza informed the board that the Committee didn't change anything they went with the recommendations from the Fire Chief

Warren Gabriel. Ms. Glashoff stated that the copies of the ordinance had just gone out after she returned from medical leave to the Planner and the Chairman, she also sent a copy to the Engineer. Mr. Piazza said that he will contact the Mayor tomorrow and let him know what is happening. Planner Bolan stated the way the ordinance is written now, changes the applicability of the ordinance which is substantial. Chairman MacQueen stated from the comments from the board that Planner Bolan needs to go over everything and make it work within our ordinances the correct way and wait until next year to reintroduce it. The board continued to discuss this issue at length, in conclusion, the board asked Planner Bolan to prepare a letter to the Township Committee using the minutes, the memo and tonight's discussion to the Township Committee for their meeting on December 5th. Ms. Glashoff said she will get everything to Planner Bolan first thing tomorrow morning.

PRESENTATION OF BILLS & REPORT:

| | |
|-----------------------------|-------------------|
| a. John Gallina, Esq. | \$1,085.00 |
| b. Banisch Associates | \$ 1,793.60 |
| c. Bayer/Risse Engrs. | \$ 945.00 |
| d. Planning/Zoning Luncheon | \$ 13.50 |
| e. NJPO Dues 2008 | \$ 170.00 |
| Total: | \$4,007.10 |

Ms. Glashoff had one additional bill to add from Banisch Associates for **\$326.50** and reviewed it for the board. Motion by Mr. Gerlich and seconded by Ms. Bleck to approve the bills as amended bringing the total to **\$4,333.60**. Unanimously approved.

CORRESPONDENCE:

UPDATE ON HIGHLANDS:

Chairman MacQueen asked Planner Bolan for an update on the Highlands. The Highlands started putting out technical reports on October 10th. The Highlands had received over 3000 public comments. On the map, they showed 9 acre zoning in the community areas which are in purple on the map, 10 acre zoning in the brown areas and 26 acre zoning in the green areas. There are cluster provisions. Mr. Schmidt asked if there was a difference between forested land which is 88 acres and agricultural land of 25 acres. Planner Bolan said no, but there is a difference in what you might have to do to develop a forested parcel versus an agricultural parcel. That was part of the discussion at the public hearing on the Master Plan which was held on November 19th. Planner Bolan had testified at the hearing on his past experience with the Pinelands Commission. In the Master Plan was a good provision which allows municipalities the flexibility to change those boundaries, but it didn't mean that you would be able to increase the level of development in the municipality. If the Highlands were to take over the zoning of a municipality because they didn't come into compliance then the Plan is a failure. If a municipality chose not to comply, the Highlands Council doesn't have the staff or the ability to take over a town. The Council decided to have a 60 day comment period from the day the Plan was released. In order to review the Plan you have to order a copy which is about 300 pages. The 60 day comment period would have expired on January 18th and with all the holidays and reorganizations, the Council decided to change it to 90 days which brings it to February 17th.

At the meeting Eileen Swan did a presentation followed by a resolution. There were 10 amendments that were sponsored by 2 members which were very extreme and fortunately they were all defeated. Planner Bolan noted that the Master Plan was a lot better and more understandable since the original didn't comply with the Highlands Act. Planner Bolan also stated that Eileen Swan had done a really good job. We need to make our comments during this comment period. Mr. Weiler asked if the Highlands Master Plan was here to stay. Planner Bolan said the plan would be adopted sometime between February and May of 2008, whether it is here to stay depends on what occurs. There has to be some incentive for us to even go through the process amending our Master Plan and everything else that is entailed. The Council informed us that they have 12 million dollars to help municipalities thru the process. Once the Plan is adopted, the municipalities will be required within 9-15 months to conform. Planner Bolan stated again we need to comment and try to keep it simple. Mr. Piasecki said we need to concentrate

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and focus on the things that are really important in our comments. Planner Bolan agreed. Planner Bolan will come up with an outline for the board to review in making our comments. Mr. Schmidt asked for confirmation regarding the 88 acres that it was eliminated. Planner Bolan noted that once the Plan is adopted the 88 acres will be no longer and it will be 26 acre zoning. This is based on the water quality best streams and if your water quality is even better than that your lot size could be larger. This is what we need to look for. Planner Bolan stated there were 51 factors in the first plan and now there are 21 factors. Planner Bolan said these maps are simply a representation of information.

At the conclusion of Planner Bolan's update on the Highlands Public Hearing, Chairman MacQueen and the board members thanked him for a very informative update.

OPEN TO THE PUBLIC: No comments or questions

Mr. Piazza informed the board the interviews for the Zoning Officer will take place next Tuesday December 4th. They are interviewing 3 candidates. Chairman MacQueen and Mr. Rich will be attending the interviews.

Being no further business to come before the board, nor comments from the public, motion by Ms. Bleck and seconded by Mr. Rich to adjourn the meeting at 8:40 p.m. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK