### **REGULAR MEETING**

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

May 3, 2022

The 945th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:00 p.m. by Chairman Gary MacQueen. Present were: Mr. Laul, Mr. Duckworth, Mr. Schmidt, Ms. Koehler, Mr. Piasecki, Mr. Rich, Mr. Weiler, Mr. Skidmore & Mr. Abuchowski. **Excused:** Ms. Bleck.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 18, 2022, emailed to the Hunterdon Review & Courier News, faxed to the Hunterdon County Democrat, Express Times and Star Ledger. Posted on the Lebanon Township Website and Bulletin Board in the Municipal Building on April 26, 2022.

Chairman MacQueen announced that the Planning Board will go into Closed Executive Session to discuss a property down on Route 31. Chairman MacQueen asked for a motion to go into Closed Executive Session. Motion by Ms. Koehler and seconded by Mr. Skidmore to go into closed executive session at this time.

ROLL Call Yes: Mr. Laul Mr. MacQueen Absent: Ms. Bleck

Mr. Rich Mr. Weiler
Mr. Piasecki Mr. Schmidt
Ms. Koehler Mr. Duckworth
Mr. Skidmore Mr. Abuchowski

# THE LEBANON TOWNSHIP PLANNING BOARD WILL GO INTO CLOSED EXECUTIVE SESSION AT THIS TIME.

**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

**WHEREAS**, the Planning Board finds it necessary to conduct an executive session closed to the Public as permitted by the N.J.S.A. 40: 4-12; and

**WHEREAS,** the Planning Board will reconvene in public session at the conclusion of the executive session;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic as permitted by N.J.S.A. 40:4-12:

X Matters falling within Attorney- Client privilege, to the extent that confidentiality is required in order for the Attorney to exercise his or her ethical duties as a lawyer or the public disclosure information at this time would have potentially negative impact on the municipality's position with respect to the matter being discussed; therefore, this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.

**BE IT FURTHER RESOLVED,** that the Planning Board hereby declare that their discussion of the subject identified above may be made public at a time when the Planning Board Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

**BE IT FURTHER RESOLVED**, that the Planning Board for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

# Lebanon Township Planning Board May 3, 2022 Page 2

Chairman MacQueen asked for a motion to close the Executive Session and return to the public portion of the meeting. Motion by Ms. Koehler and seconded by Mr. Rich to close the executive session and return to the public portion of the meeting.

ROLL CALL Yes: Mr. Laul Mr. MacQueen Absent: Ms. Bleck

Mr. Rich Mr. Weiler
Mr. Piasecki Mr. Schmidt
Ms. Koehler Mr. Duckworth
Mr. Skidmore Mr. Abuchowski

**PRESENTATION OF MINUTES:** April 5, 2022 Regular Meeting

Motion by Ms. Koehler and seconded by Mr. Piasecki to approve the minutes with a minor amendment. Unanimously approved by those eligible to vote.

#### **RESOLUTION:**

Darryl Pennisi Block #61 Lot #34

2<sup>nd</sup> Extension of Time Mt. Airy Road & Anthony Road R5

After a brief discussion, motion by Mr. Abuchowski and seconded by Mr. Piasecki to adopt the Resolution for Darryl Pennisi for an 2<sup>nd</sup> Extension of Time for a 1 Lot Minor/Variance with conditions.

ROLL CALL Yes: Ms. Koehler Mr. Weiler Abstain: Mr. Rich Mr. Laul Absent: Ms. Bleck

Mr. MacQueen Mr. Schmidt
Mr. Abuchowski Mr. Skidmore
Mr. Piasecki Mr. Duckworth

## **PRESENTATION OF BILLS:**

a. John Gallina, Esq. \$ 300.00 – Attend April 5, 2022 PB Meeting

\$ 150.00 - Review Corres. from Attorney Apgar, prepare Resolution, send email

w/attachment to Board Clerk. Escrow - (Pennisi)

b. Bayer/Risse Engrs. \$1,300.00 Attend 5 PB Meetings

Total: \$1,750.00

Motion by Mr. Schmidt and seconded by Mr. Abuchowski to approve the bills as presented. Unanimously approved.

## **BOARD ITEMS & COMMENTS:**

Mr. Duckworth, Chair of the Environmental Commission asked to address the board. Mr. Duckworth said there are two projects going on now with the E.C. The first one, is the development of a Spruce Run Watershed Authority Restoration Plan thru the N.J. Watershed Authority which have grants for municipalities. Mr. Duckworth said about 1/3 of the Spruce Run Watershed is in Lebanon Township which makes us a big contributor to the Spruce Run Reservoir. This project will take about 3 years. There might be a restoration plan that the Lebanon Township as a co-owner will be involved with.

Mr. Duckworth said the second project that the E.C. is working with the Highlands Council is to develop a Municipal Forest Stewardship Restoration Plan. The Township has preserved a lot of land directly and is a co-owner of 250 acres with the N.J. Watershed Authority. Mr. Duckworth said this is a grant we are going after from the Highlands Council to develop a Stewardship Plan with the Township. Lebanon Township Environment Commission has a state approved Forrester that will prepare a statement of work. Once the E.C. receives the cost of work, they will go to the Township Committee for approval

# Lebanon Township Planning Board May 3, 2022 Page 3

which is part of the grant application. Mr. Duckworth wanted the board to be aware of all that is going on. Mr. Duckworth wanted to see if Planner Kyle would have any input and would like him to review the plan. Chairman MacQueen said it would be good to have input from the Planner regarding the proposal and scope of the work purposed. Chairman MacQueen asked Mr. Duckworth to keep the board informed on how everything goes and thanked him for all the input on these purposed projects.

Attorney Gallina informed the board that he had talked with Planner Kyle about a B & B Ordinance for Lebanon Township and at this time Planner Kyle is working on an Ordinance for Hopatcong Township for a B&B. Planner Kyle is aware that our Planning Board is looking into the possibility an Ordinance.

#### **CORRESPONDENCE:**

a. Resolution 85-2021 - Regarding Application on Medical Cannabis Cultivation Facility

This Resolution is from the Township Committee and is an FYI for the board.

#### **OPEN TO THE PUBLIC:**

Chairman MacQueen opened the meeting to the public. Mr. David Tullo asked to address the Planning Board. Mr. Tullo resides at 10 Stillwater Way and is a next door neighbor to the owners of the former Diamond property which is now owned by NAR Group. Mr. Tullo said he is a shareholder. Attorney Gallina informed Mr. Tullo that the board is not at liberty to discuss the NAR Group application since they may be coming to the Planning Board and that Mr. Tullo would have to wait until such time that a public hearing is held to make any comments or statements. Mr. Tullo started to make another comment and Chairman MacQueen said at this time the application is under review and can't be discussed.

Being no further business to come before the board and no further comments from the public, motion by Mr. Skidmore and seconded by Ms. Koehler to adjourn the meeting at 7:53 p.m. Unanimously approved.

	CHAIRMAN GARY MACQUEEN	
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GAIL W. GLASHOFF. PLANNING BOARD CLERK		