

GREEN TOWNSHIP LAND USE BOARD MINUTES

REGULAR MEETING, March 8, 2018

CALL TO ORDER: The March 8, 2018 Regular meeting of the Land Use Board was called to order by Mr. Holzhauser, Chairman, at 7:01pm. He then led everyone in the PLEDGE OF ALLIGIANCE.

Recitation of the OPEN PUBLIC MEETING STATEMENT by Mr. Scott Holzhauser.

ROLL CALL: Present: Ms. Rosa Alves, Mr. Joe Cercone, Mr. Conkling, Mr. Jim DeYoung, Mr. Lynch, Mrs. Sharon Mullen, Mr. Michael Muller, Mr. Walker, Mr. Jeff Wilson, Mr. Rick Wilson and Mr. Scott Holzhauser.

Also present: Ms. Jessica Caldwell, Township Planner, Mr. David Brady, Board Attorney and Mr. Cory Stoner, Board Engineer.

Members Absent: Mr. Jim Chirip and Mr. Watson Perigo

Motion was made to excuse the absent members by Mr. Conkling and seconded by Mr. J. Wilson.

No Discussion. All in Favor. Motion Carried.

OATH OF OFFICE: Given to newly appointed members of the Board. The following members were given the oath: Ms. Alves and Mr. DeYoung

MOTION TO APPROVE MINUTES:

Land Use Board Minutes of February 8, 2018.

Mr. R. Wilson motioned to approve minutes and was seconded by Mr. Muller.

All Ayes. Abstentions: None

RESOLUTIONS: None

Mr. Conkling explained the Township Committee would like to make a more substantive change and Mrs. Leo, Township Attorney, was uncomfortable with the introduction of the revised ordinance for conditional uses.

OLD BUSINESS: None

NEW BUSINESS:

Application: LU#1702

Owner/Applicant: Mr. Russel Pittenger

Block 19 Lots 10 &13 – Creek Road, Andover, NJ 07821

Mr. Russell Pittenger began by giving a brief background of the property. There are two parcels of land within his concept plan, one is 20 acres and one is 97 acres.

Mr. Pittenger presented his concept plan:

- He would like to create 3 lots on the 20 acre parcel, each over 6 acres. Two would be flag lots and one would have road frontage. Lots would not be further sub dividable, there are no wetlands on lots 1 or 2, as they are basically cornfields. The wetlands that are present in the back are associated with the Pequest River.

- On the other 97 acre parcel he would like break down to more manageable lots that can allow for future sub division if possible.

- Lot 4 is cedar lot that is hilly and rocky with field and then a steep slope down to the river.
- Lot 6 had no wetlands, it is fields and mixed fields with woods.
- Lot 5 would be the remainder with wetlands that run through the center of it and also wetlands associated with the river.
- Mr. Pittenger is looking to create 3 lots for sale and to offer the other lots for sale to use for someone who wants to farm or possibly develop.

Mr. Stoner's concern is how much of lot 3 is buildable with the wetland buffers in the back and the steep slope. Mr. Pittenger believes it is about 4 acres. Mr. Stoner thinks it is less and Mr. Pittenger was agreeable to finding out. Mr. Stoner also questioned the driveways in the stems of the flag lots and whether there was enough area due to the slope of the land.

Minimum unconstrained buildable lot size needs to be looked into for a flag lot.

There are potential issues that may require a variance with the frontage on Creek Road that will have to be looked into further. This will also have an impact on the driveway for lot 6. Mr. Pittenger intends to create permanent easement for a driveway that would serve multiple homes. This easement would go through lot 5 to get to lot 6. Although Mr. Pittenger stated he understands the Board can require the LOI, he feels given the size of the lots and the distance of the wetlands from any of the proposed improvements it isn't necessary.

Mr. Pittenger has hired a firm to flag all the wetlands. Lot 5 has an existing house on it and no anticipated construction. There are no wetlands on lots 1, 2, 3 and 6. Lot 4's wetlands are associated with the river. Mr. Stoner stated he would be ok with report done by a professional that show the buffer lines and anticipated associated buffers with the wetlands.

Mr. Pittenger showed the reserved stub off of Summit Road but he is not intending to use it now.

Mr. Muller asked if Mr. Pittenger assumed 150 foot buffers on all the wetlands and he stated that he had although he did not assume the riparian buffer for the Pequest. Mr. Muller feels the report should indicate what riparian buffer should be shown off the Pequest and map it. Mr. Muller does not feel there is any reason for an LOI if there is a report from a professional.

Mr. Pittenger will provide the documentation of the non-regulated surface water conveyance that runs through lot 5.

Mr. Holzhauser asked Mr. Brady about a "creeping subdivision" and if this would qualify. As of right now, this doesn't appear to be one. This is a major subdivision not a minor.

Mr. Holzhauser suggested thinking about a shared driveway for lots 2 and 3 and Mr. Pittenger agreed to look into it.

Mr. Muller requested Mr. Pittenger's surveyors identify the Top of Bank for the Pequest River and the DEP's opinion on that small section of "stream".

Mr. Holzhauser explained if Mr. Pittenger came back with a formal plan it would go to a TRC meeting.

Mr. Pittenger left at 7:33pm

PUBLIC COMMENT: None

• **ATTORNEY'S REPORT** – Mr. Brady spoke about the discussion in regards to the Bonds that are requested. He is looking into it but, ultimately, it will have to go to the Township Committee to be revised. Mr. Stoner will make a list of items that need to be bonded which will require a couple sections of the code to be updated.

• **CHAIRMAN'S REPORT** – None

• **CORRESPONDENCE** – None

- **SECRETARY'S REPORT** – Kim explained the Mandatory Class for Land Use Board members. Mr. Lynch and Ms. Alves both need to take that class within the next 18 months.
- **PROFESSIONALS REPORT** – Ms. Caldwell explained the Master Plan ReExam is coming up which, fortunately, involves updating ordinances. All of what has been talked about can be included and then sent up to the Township Committee for their review. She will send out an email to set up the first meeting. It will be done by the end of the year.

Mr. Conkling explained the Township Committee discussed the Right to Farm ordinance and that if anything came in there wouldn't be enough time to hold a subcommittee meeting so the responsibility of review would fall on Mr. Stoner. If a meeting can be held that would be fine but it couldn't hold up the process. Mr. Holzhauser stated he would like to be part of that subcommittee with Mr. Muller and could meet at Mr. Stoner's office if needed.

Mr. Conkling stated it might be a good idea for the Land Use Board to have some say, no matter what it is, on larger buildings that go up in town even if they are zoned to the property.

Mr. Walker asked about financial disclosure statements. Kim explained she had heard nothing about it as of that date.

A Motion was made by Mr. Walker to adjourn the meeting at 7:47pm and seconded by Mr. Conkling.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Respectfully Submitted:



Kim Mantz, Land Use Board Secretary

Date approved: 6.14.18