

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD  
MAY 23, 2002**

**CALL TO ORDER:** The meeting was called to order at 7:30 p.m.

**STATEMENT OF COMPLIANCE:** Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is posted on the bulletin board at the Hardyston Township Municipal Building.

**ROLL CALL:**

Leslie Hamilton	Present
Ken Kievit	Present
Marbeth Boffa	Present
Randy Roof	Present
William Castiglione	Excused
Robert Neubig	Present
Carl Miller	Present
Greg Eisenecker	Present
Thomas Zygmunt	Late – 8:00 p.m.
Ed Zinck Alt. #1	Late – 7:40 p.m.
Ed Frisbie Jr. Alt. #2	Excused

**OTHERS PRESENT:** Thomas F. Collins, Esq., Robert P. Guerin, P.E, and Anne-Marie Wilhelm, Secretary.

Vice Chairman Neubig noted that William Castiglione had resigned. Mr. Neubig directed the secretary to forward an acknowledgement to Mr. Castiglione.

**APPROVAL OF MINUTES:** A motion to approve the Minutes of the Hardyston Township Planning Board Meeting Held April 25, 2002, was made by Ken Kievit and seconded by Marbeth Boffa. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Gregg Eisenecker – yes, Robert Neubig – yes, Randy Roof – yes. The motion carried.

**RESOLUTIONS:**

**PB-11-01-2, Walden Village Upper Section, Reaffirmation of Minor Subdivision, Block 67 Lots 10 through 14:** A motion to reapprove and adopt the memorializing resolution for Reaffirmation of Minor Subdivision was made by Ken Kievit and was seconded by Carl Miller. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Robert Neubig – yes. The motion carried.

**Walden Village Upper Section, Extension of Statutory Protection Period, Block 69, Lot 1 and Block 67.01, Lots 1, 2, 3, 5 & 6:** A motion to reapprove and adopt the memorializing resolution for a three-year extension of the statutory protection period for Walden Village Upper Section was made by Ken Kievit and was seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Robert Neubig – yes. The motion carried.

**PB-1-02-5, Wild Turkey LLC, Crystal Springs Acquisitions, Inc., Amended Preliminary and Final Site Plan Application for Realignment of Roadway (Wild Turkey Way):** A motion to adopt the resolution approving the Amended Preliminary and Final Site Plan Application for Realignment of Roadway (Wild Turkey Way) was made by Ken Kievit and was seconded by Carl Miller. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Gregg Eisenecker – yes, Robert Neubig – yes, Randy Roof – yes. The motion carried.

**DISCUSSION:** Mr. Neubig amended the Agenda to hear a presentation from School Board representatives Hugh Dolan, Alma Carlson, Wendy Soulepouchin, and USA Architecture, Inc., representative, Pete Campisanno. Photographs and a drawing of the new middle school were presented. Mr. Campisanno informed the Board that the footings for the gymnasium portion of the building were installed, the block work is almost up to grade, and underground utility installation would be completed next. He stated curb work along Wheatsworth Road has commenced along with grading. The detention basin is near completion and the head wall was installed. The detention basin will be fenced in. The site is graded and work, despite a late start, is on schedule. Mr. Campisanno stated that he expects the site to be complete within one year. A chain link fence will separate the school from the playing fields. He stated that the two-story building is 80,000 sq.ft. with a roof that is sloped in areas.

Marbeth Boffa questioned bus access. It was noted that the driveway will enter the school area and then separate into entrance/exit driveways. The access driveway is positioned at the top of the hill to provide maximum site distance. Buses will not be permitted to exit to the right onto Gingerbread Castle Road. It was noted that school buses will not access the school off of Route 23. Buses will utilize Route 94. Thomas Collins, Esq., stated that signage should be part of the plan, particularly the “no right turn” sign. It was noted that the parking lot adjacent to the playing fields would not be paved due to drainage issues.

Mr. Campisanno stated that a 30' fire lane circles the school. A fire tank and fire hydrants are shown on the plans. It was noted that the school design allows for expansion.

A motion to improve the Capital Improvement Plan was made by Ken Kievit and seconded by Randy Roof. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Marbeth Boffa – yes, Gregg Eisenecker – yes, Robert Neubig – yes, Randy Roof – yes, Ed Zinck – yes. The motion carried.

**APPLICATION: PB-5-02-2, Smith, Kenneth W. Sr., d/b/a PJ SMITH ELECTRIC, Preliminary and Final Site Plan, Block 64 Lot 9** — Thomas Collins, Esq., informed the Board that the matter requires legal discussion to determine completeness. He stated that Mr. Smith proposes to build an accessory building to the rear of the existing commercial office space and has conveyed his understanding that in order for the Planning Board to retain jurisdiction, the structure must be subordinate to the business in the main building and used for storage/parking accessory to the business in the main building only. Mr. Collins stated that the Board retains jurisdiction of this permitted use of the storage/garage accessory building and that a front-yard parking variance is required due to the Applicant's moving of parking from the side of the building to the front. Mr. Smith was advised that the Planning Board has jurisdiction over this type of variance, that he must file an application for a variance, and that he must notice for Preliminary/Final Site Plan and Variance. Mr. Collins recommended that the Applicant retain an attorney.

Board members reviewed the attached report dated May 17, 2002, prepared by Robert P. Guerin, P.E. Mr. Guerin stated that during his site inspection, he observed constructed items on the west side of the building, including a concrete patio, a dumpster pad, and several walls. Mr. Guerin stated that these items do not appear on the site plan and requested that they be included in the revisions. Mr. Guerin stated that these items appear to encroach on the adjoining property and that the adjoining property owner's consent and/or an easement may be required. He further stated that he recommended that the application be deemed incomplete until the information is included on the site plan. Mr. Guerin noted that lighting should also be shown on the revised plan. Mr. Smith stated that the items constructed were installed utilizing an old survey and that this was a mistake. He stated that if there is any problem with obtaining the adjoining property owner's consent, he would remove the items. Mr. Collins stated that should Mr. Smith obtain the owner's consent, notice would have to be given for 200' from that lot as well.

A motion to deem the matter incomplete was made by Ken Kievit and seconded by Marbeth Boffa. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Carl Miller – yes, Marbeth Boffa – yes, Gregg Eisenecker – yes, Robert Neubig – yes, Randy Roof – yes, Ed Zinck – yes.

It was noted that Thomas Zygmunt arrived at 8:00 p.m. The Agenda was amended to allow Mr. Barton to present the monthly Crystal Springs Update.

**DISCUSSION:** Crystal Springs Clubhouse Update — Mr. Pat Barton reported that final inspections on the first floor of the clubhouse should take place next week. He stated that a grand opening date has been scheduled for June 29, 2002. Mr. Guerin noted that guardrail along Wild Turkey Way should be installed prior to opening.

**APPLICATION: PB-4-01-1a, Estell Manor, LLC, Amended Preliminary Major Subdivision, Block 75, Lot 11** — David J. Gherlone, Jr., appeared on behalf of Applicant Estell Manor, LLC. Mr. Gherlone presented a request for modification of conditions five and six of the preliminary approval dated August 23, 2001. Referencing condition six, Mr. Gherlone stated that the Applicant would like to service all the lots with septic service rather than sewer. He stated that a change in legislation allows the Applicant to move forward with a septic design. Mr. Guerin stated that Health Department approvals should be obtained prior to the recording of the final plat. With reference to Condition 5, Mr. Guerin stated that if the Applicant installs septic systems, there may not be a need for an inter-municipal agreement; however, a Developer's Agreement with Hardyston Township should be included as a condition of approval.

Mr. Gherlone stated that the Applicant would agree with this condition. Mr. Collins noted that the inter-municipal agreement condition could remain should the Council determine that such an agreement is necessary.

Mr. Gherlone stated that the Franklin Borough Council would like to meet with the Hardyston Township Council to discuss the matter. Ken Kievit stated that the matter will be discussed at the next Hardyston Township Council workshop meeting.

Chairman Zygmunt opened the meeting to the public for questions and/or commentary on this matter. There were no participants. The meeting was closed to the public.

A motion to approve the amendment to the Estell Manor, LLC, Preliminary Major Subdivision resolution dated August 23, 2001, was made by Robert Neubig and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes, Ken Kievit –yes, Carl Miller – yes, Marbeth Boffa – yes, Gregg Eisenecker –yes, Robert Neubig – yes, Randy Roof – yes, Thomas Zygmunt –yes, Ed Zinck –yes. The motion carried.

**BILLS:** A motion to approve a recommendation to the Town Council that the bills cited below be submitted for payment (with a correction) was made by Marbeth Boffa and seconded by Robert Neubig. All were in favor. The motion carried.

Guerin Engineering, Inc.	Crystal Springs	\$ 977.50
Guerin Engineering, Inc.	Crystal Springs — MCS-01	332.50
Guerin Engineering, Inc.	Crystal Springs — MCS-01	1402.50
Guerin Engineering, Inc.	Walden-Rizzo — RWV-01	425.00
Guerin Engineering, Inc.	PB-10-98-1, Stonehedge	510.00
Guerin Engineering, Inc.	Planning OE	297.50
Guerin Engineering, Inc.	PB-5-01-1, HFH Dev.	572.50
Guerin Engineering, Inc.	Sussex Nat. Dev. — SND-01	1017.50
Guerin Engineering, Inc.	Sussex Nat. Dev. — SND-01	332.50
Guerin Engineering, Inc.	PB-2-02-1, Brittashan	382.50
Vogel, Chait, Collins & Schneider, P.C.	Sussex Nat. Dev. — SND-01	37.50
Vogel, Chait, Collins & Schneider, P.C.	Planning OE	537.50

Vogel, Chait, Collins & Schneider, P.C.	PB-2-02-1, Brittashan	250.00
Vogel, Chait, Collins & Schneider, P.C.	Sussex Nat. Dev. — SND-01	475.00

An omission of the name of an account charged on a 5/23/02 bill submitted by Robert P. Guerin, P.E., was noted for correction.

**CORRESPONDENCE:** Board members reviewed correspondence relating to the Sussex county Planning Awards. Chairman Zygmunt directed the secretary to request Marianne Smith, Planning/Community Development Director, to forward two nominations. A suggestion was made to nominate the flag pole project at Victoria's Mountain Inn.

**PUBLIC PARTICIPATION:**

The meeting was opened to the public. Having no participants, the meeting was closed to the public.

Chairman Zygmunt acknowledged students from Mr. Harris's history class at Wallkill Valley High School. Board members explained the hearing process, jurisdictional issues, and answered questions about land use.

**ADJOURNMENT:**

Having no further business, a motion to adjourn was made by Robert Neubig and seconded by Randy Roof. All were in favor. The motion carried.

Minutes prepared by:

Anne-Marie Wilhelm

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