

MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD JANUARY 24, 2008

CALL THE MEETING TO ORDER: Chairman Miller called the meeting to order at 7:35 p.m. and read the following Statement of Compliance.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 23 1, 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 also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton – Present
Ken Kievit – Excused
Robert Neubig – Present
William Hickerson – Excused
Robert F. Schultz – Present
John Monell – Present
James Homa – Present Brian Kaminski – Present
Randy Roof (Alternate No. 1) – Present
Stanley Kula (Alternate No. 2) – Present
Carl Miller – Present

OTHERS PRESENT: Robert P. Guerin, P.E., P.P., Thomas F. Collins, Jr., Esq., and Anne-Marie Wilhelm, Land Use Administrator

APPROVAL OF MINUTES:

Minutes of the Hardyston Township Planning Board Meeting Held November 29, 2007: A motion to approve was made by Robert Neubig and seconded by Leslie Hamilton. Roll Call: Leslie Hamilton – yes, Robert Neubig – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Carl Miller – yes. The motion carried.

RESOLUTIONS:

PBCAP-11-07-1, NJDOT Park and Ride @ St. John Vianney, Rt. 23, Stockholm, Block 60 Lot 16: A motion to adopt the memorializing resolution was made by Leslie Hamilton and seconded by James Homa. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Carl Miller – yes. The motion carried.

APPLICATIONS:

PB-9-07-1, Crystal Springs Builders, L.L.C., Preliminary and Final Site Plan, Golf Training Building, Block 16 Lots 1, 1.09, & 6.02: Request to modify approval - previously carried to 12/27/07 from 11/29/07: Board members reviewed an extension request forwarded by Dale E. Pierson, Administrator of Development, Crystal Springs Builders, L.L.C., dated October 26, 2007. M. Richard Valenti, Esq., explained the request for extension of a 2008 deadline to remove the temporary golf training facility and construct the permanent golf training building to the 2010 golf season is driven by the economy. He stated the Applicant has not experienced significant parking issues with respect to the clubhouse or Grand Cascades Lodge. Mr. Guerin stated there is no history of parking requirement issues to date and suggested that the extension be granted for a period of one year with the option for an additional one-year extension provided there are no zoning issues. Mr. Valenti stated that would be fine with the Applicant. The Board requested a review by and report from the Zoning Officer in one year.

A motion to grant the request conditioned upon the above stated condition was made by James Homa and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Robert Neubig – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

PB-11-05-5a: Crystal Springs Builders, L.L.C., Preliminary and Final Major Subdivision, Shotmeyer- Extension Request – Block 16, Lots 1,1.02, 6.01, 6.02: M. Richard Valenti, Esq., appeared on behalf of the Applicant. He withdrew the request stating the Applicant filed the plat.

PB-1-06-2a, Crystal Springs Builders, L.L.C., Final Subdivision, Balmoral Estates III, 1-yr. Extension Request, Block 17, Lots 6.01 and 10: M. Richard Valenti, Esq., appeared on behalf of the Applicant. He stated there are ten lots in the phase. Ms. Pierson confirmed that the performance bond has not been posted. Mr. Collins noted that the Housing Trust Fund fee at the time the building permit fee is pulled would apply. He stated that the fees are likely to increase. Mr. Valenti confirmed that the Applicant understood and acknowledged that the applicant must abide by the fee in place at the time the building permit is pulled.

A motion to grant the request for a one-year extension subject to the normal conditions and subject to a condition that the Housing Trust Fund fee in effect at the time of the building permit and CO shall apply to the subdivision was made by Leslie Hamilton and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Robert Neubig – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

PB-10-05-1b, Richter, Tillman A & Gisela, Extension Request - Minor Subdivision, Block 67, Lot 25.02: Francis J. McGovern, Esq., appeared on behalf of the Applicant with Chris Richter, son of the Applicant. Mr. McGovern stated the Applicant has a problem with the widening of the driveway, which triggers a DEP approval requirement. Board members reviewed a report that details the steps and potential costs to get the approval. He stated the DEP requires a major span on the property estimated at a cost of \$175,000 to \$200,000. He noted the Richter's have spent close to \$12,000 in engineering costs addressing this one issue. Mr.

McGovern stated the Board retained jurisdiction over the issue. Mr. McGovern asked for a review of the condition requiring the widening of the driveway. Mr. Guerin confirmed that an amended application would be required. Mr. Collins requested that the matter be noticed.

A motion to reapprove the Minor Subdivision for six months was made by Leslie Hamilton and seconded by James Homa. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Robert Neubig – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

PB-8-06-1a, Mogavero, Gerard; Florence Mogavero; and Frank Mogavero, Minor Subdivision, C Variances, Block 67 Lot 25.01 - Request to carry: Board members reviewed a request to carry forwarded by William T. Haggerty, Esq. A motion to carry the matter to the meeting of February 28, 2008, with notice required was made by Leslie Hamilton and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Robert Neubig – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

PB-9-07-2, Petar Bubalo & Andrea Zeibekis, Preliminary Subdivision, *Forest Knoll*, Block 72 Lots 5.01 and 21: Louis Cruiscoli, Esq., appeared on behalf of the Applicant. He stated discussion at the previous hearing included the entrance to Franek Road and improvements that may be necessary. He stated the Board asked to adjourn at that time to have an opportunity to review the area.

Mr. Challoner, previously sworn, stated that he walked Franek Road to review proposed road widening improvements. He submitted Exhibit A-3, *Franeks Road – Plan View*, Forest Knoll for Lots 5.01 & 21, Block 72, Situated in Township of Hardyston, Sussex County, New Jersey, sheet 1 of 1, prepared by Stuart Challoner, P.P., dated January 23, 2008. He stated the map shows the topography of Franek Road. He noted areas to be widened, guard rail placements, cross-drains, and stated a full overlay of the road would be done in lieu of sidewalks. Chairman Miller stated that he, Mr. Guerin, Robert Schultz, and Mr. Challoner walked the road. Mr. Guerin confirmed that the Applicant agreed to construct off-site improvements. He stated that based on the RSIS standards, the development would require sidewalks. He stated the sidewalks inside the development would not serve any purpose and the 28' foot wide roadway within the development would allow people to walk in the roadway. He recommended the overlay of the roadway. Mr. Challoner stated that the Bunn Road intersection is off-site and not to be addressed. Mr. Homa asked if the Applicant would address the intersection at Bunn Road stating the Applicant would be responsible for traffic going that way. Mr. Monell stated the additional traffic would be bad. He stated Big Spring Road is terrible. He stated improving Franek Road is not going to help Bunn or Big Spring Road. Mr. Miller noted that the Applicant has been reasonable with the Township engineer and road department. He explained the limits of the Board's authority.

Mr. Challoner confirmed that the Applicant would maintain a full 20' after the widening. He stated 20' would be maintained along the full length of the property's frontage and for the small section that extends beyond the property. Mr. Guerin confirmed that the road issues were addressed and the 20' is the RSIS standard.

With reference to grading on the side of the road to minimize drop-off, Mr. Challoner provided an overview of grading solutions and proposed guard rails in areas that are very steep and adjacent to the road. He stated the widening will take place in the Township right-of-way and on the opposite side of the road. He stated the objective is to get the road somewhat straight. He confirmed that the Applicant is not proposing to relocate any utility poles.

Mr. Collins asked about a curve in the road that the public asked about last meeting.

Mr. Challoner confirmed that the site inspection concentrated on the Applicant's entrance and frontage out to Big Spring Road. Mr. Guerin stated he did inspect the area along Bunn Road near the intersection of Franek Road where there is a sight distance issue. Mr. Guerin stated the problem with the area is that there is an existing house there and an existing driveway. He noted the house is relatively close to the road. He stated this area is beyond the Applicant's property. He noted that improvements they have agreed to are beyond their property. He stated that the Applicant's proposal is a fair and equitable arrangement and provides the Township with an asphalt surface course on the only road in the municipality that does not have one now.

Chairman Miller opened the meeting to the public.

Ms. Mary Ann Cottle stated her concern is not doing adjustments to the opening of Bunn Road, the worst part of that road, and it is where the fire trucks had trouble getting to the fire. She stated that from Bunn Road turning onto Franek Road is the problem area. Mr. Challoner stated the widening of the road stops at the limit of the subject property. He stated that section of Franek Road is very close to being 20' wide today and it is a distance beyond the subject property till it gets to Bunn Road. Mr. Guerin stated there is a sight distance issue very close to the intersection of Franek and Bunn Road and he stated improving the situation there would adversely affect the home located there. He stated he wanted this developer to make improvements that would not adversely affect a homeowner. Ms. Cottle explained the difficulty of passing cars due to the width of the road, wetlands, ditches, and boulders along side of same. She expressed concern about emergency access.

Mr. Anthony Seglia, still under oath, stated he was concerned about the widening of the road on both ends. He stated he thought the Board would walk the whole road and make recommendations for both sides of road. Mr. Miller stated they walked Franek Road. Mr. Guerin confirmed that Bunn Road was beyond the Applicant's property. Mr. Seglia stated that they were trying to address the safety concerns at Bunn Road and Franek for this development and that he did not believe it was addressed. He stated he would like to see if the Board could address the safety concerns on both sides of the road as requested at the previous meeting. He presented safety concerns. Chairman Miller stated the Applicant has proposed to bring the road to RSIS standard and that is reasonable. He stated that the Board appreciated the comments. Mr. Seglia asked the Applicant why the other side of Franek was not considered for widening.

Mr. Challoner stated the Board asked for a review of Franek from the subject property out to Big Spring and the Applicant did that. He stated the Applicant is not obligated to resolve the whole road infrastructure in the surrounding neighborhood. He stated the Township has indicated that they have looked at the intersection several times and they have indicated that the intersection is not feasible even for the Township to do. He stated that it is unreasonable for an Applicant that

does not front on that, to undertake that endeavor. He stated the Applicant did go the extra mile. Mr. Seglia asked the Board to reconsider.

Mr. Kiyosha Hamada, previously sworn, presented safety concerns and stated he had difficulty in icy conditions and could not make the hill on Franek. He asked about reconsidering access to Route 94. Mr. Challoner stated that in view of the issues presented by accessing Route 94, particularly drainage and sight distance, he felt the Franek Road access was safer. Mr. Guerin stated the proposed location is a safer location than trying to come in from Route 94.

Mr. Challoner added that the DOT discourages additional access onto the state highway.

Mr. Jeffrey VanAcker was sworn. He stated he believed the builder was doing the right thing and maybe it is the town's problem. He asked where to go with the problem. Chairman Miller stated it would be the Town Council's jurisdiction.

Mrs. Kiyosha Hamada was sworn. She stated she was concerned with all the people and life and activity within Bunn and Franek Road going to Route 23 and Route 94. She asked the development to access Route 94 directly. She stated at Franek Road and Bunn, where the "y" comes together, there have been accidents and a stop sign is necessary and perhaps a highway mirror. She expressed a concern about the development's traffic and safety concerns. She asked for a highway mirror and stop sign at the intersection. Chairman Miller defined and explained jurisdictional issues noting the Board's limitations in the matter of off-site improvements. He referred Mrs. Hamada to the Township Council. She stated she would like to prevent possible deaths and expressed concern about the curve at the entrance to the development. Mr. Guerin noted that the Applicant would submit plan revisions that include the improvements to Franek Road and the relocated intersection of the new road with Franek Road. Mrs. Hamada noted that the farm atmosphere is still there and stated the cobblestone fence walls go back to 1774. She presented that she would like them to remain as part of the scenery and history.

Having no other members of the public wishing to address the Board, Chairman Miller closed the meeting to the public.

A motion to carry the matter to the meeting of February 28, 2008, without further notice was made by Leslie Hamilton and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes, Robert Neubig – yes, Robert Schultz – yes, John Monell – yes, James Homa – yes, Brian Kaminski - yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

The Board recessed from 9:00 p.m. to 9:10 p.m.

PB-8-07-3, West Essex Management, Preliminary and Final Site Plan, Block 62 Lot 18.12:

Christopher J. Quinn, Esq., appeared on behalf of the Applicant. Board members reviewed completeness issues. Mr. Quinn stated that the Applicant would enter into a Developer's Agreement prior to the issuance of a building permit. Mr. Collins recommended that the Board waive the requirement for completeness only. With regard to the EIS waiver request, Mr. Guerin recommended that the Board defer making a determination until the Applicant presents testimony. With regard to waiver requests for final site plan, Mr. Guerin recommended granting

same for completeness only. Board members reviewed the attached engineering report prepared by Robert P. Guerin, P.E., P.P., dated January 16, 2008.

A motion to deem the application complete subject to the condition of the Applicant entering into a Developer's Agreement to address affordable housing obligations and conditioned upon the Applicant's provision of any additional information regarding environmental impacts was made by Leslie Hamilton and seconded by James Homa. Roll Call: Leslie Hamilton – yes, Robert Schultz- yes, Robert Neubig – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

Douwe Dykstra, P.E., L.S., was sworn and accepted by the Board as an expert. He stated the use is going to be a clean use.

Mr. Andrew Leaman was sworn. He identified himself as the Assistant Property Manager for West Essex Management Corporation, the owner of the property. He stated presently there is a prelease for 12,000 sq.ft., 5,000 sq.ft. of which is office located on the mezzanine level of the building and 7,000 sq.ft. of warehouse located on the first level of the building. He stated the company is World Wide Supply, a telecom and switch gear company. He stated other potential tenants will be light manufacturing, mostly storage and distribution type uses. He stated his company does not permit the usage or storage of hazardous materials. He stated standard size tractor trailers would make deliveries and would not be permitted to park for more than a 24-hour period. He confirmed that no outside storage is permitted.

Mr. Jim Smith was sworn. He stated that World Wide Supply presently has between 15 and 20 employees. He stated the company is currently located in Franklin, New Jersey. He stated the primary business is selling previously owned data networking and telecommunications equipment. He stated the company buys an existing service provider's network, takes it apart to refurbish it, and sells it to another service provider. He stated there is no outside storage and deliveries are made via FedEx, UPS, and DHL on a daily basis. He stated two or three weekly tractor trailer deliveries, based on large packages of equipment coming in, would be made. Mr. Smith stated it is a clean business and the business does not handle anything hazardous. He stated the routers that carry internet traffic is what is being sold. He stated the objective is to reuse as much as possible. He stated the business does not produce anything that goes to the landfill. Mr. Guerin stated that based on the Applicant's testimony and based on the prior testimony, he believed there is enough information to proceed without additional information.

Mr. Neubig was excused at 9:30 p.m. and Chairman Miller confirmed that the Board had a quorum.

Douwe Dykstra, P.E., presented an overview of the matter. Mr. Dykstra submitted the following Exhibits:

A-1, a colored rendering titled West Essex, Tax Lot 18.12, Block 62, Tax Map Seheet 25, Hardyston Township, Sussex County, N.J., *Landscape & Lighting Plan*, revision date 1/9/08;

A-2, architectural drawing titled *New Commercial Building for Hardyston Industrial II, Park Drive, Hardyston, N.J., sheet 3 of 3*, prepared by Stephen N. Bias, Architect, dated

October 5, 2007; and

A-3, architectural drawings, titled *New Commercial Building for Hardyston Industrial II, Park Drive, Hardyston, N.J., sheets 1 of 3 and 2 of 3*, prepared by Stephen N. Bias, Architect, dated October 5, 2007.

Mr. Dykstra stated the area of the building is 22,188 sq.ft., and the mezzanine area totals 8,521 sq.ft., for a total area of 30,709 sq.ft. He explained that this is broken down as follows: 7,440 sq.ft. for office, and 7440 sq.ft. for industrial, and 15829 sq.ft. for warehouse. He stated these numbers were used to calculate the number of parking spaces required. He stated the total number of parking spaces required equals 69. Mr. Dykstra noted that most of the parking spaces are located in front of the building with 13 being situated at the rear of the building. Mr. Dykstra stated there is ample room for truck traffic to come in at the lower entrance, back into the loading docks and back out, rather than coming around to the parking lot. Mr. Dykstra noted that basically all of the trucks would come in and out of the lower entrance.

With reference to drainage, Mr. Dykstra stated three drainage basins are proposed. He provided an overview of the system. He noted that impervious coverage totals 59.58%. He stated the Applicant proposed to relocate the dumpsters to the rear of the building. He also identified the lighting and landscaping schemes. With reference to the recommended fencing on top of the retaining wall, Mr. Dykstra stated he agreed with the recommendation. The Applicant requested that the permitted fence be a four foot steel fence on top of the retaining wall as opposed to anything larger.

Mr. Dykstra reviewed the architect's plans. Ms. Hamilton asked for renderings of the buildings. With reference to the building's construction, Mr. Leaman stated the rear and right side of the building would be constructed different than from the front and left side. He stated the rear and right would be precast block for durability and truck loading. The front and left of the building would be metal frame panelized construction covered with stucco. He stated the front and sides will have windows. He noted the colors would be earthtones. Mr. Miller stated the Board is concerned with the aesthetics of the buildings and would like to see more details including waste management and landscaping plans. Board members stated they would like to see the information prior to making a decision.

Mr. Quinn reviewed Mr. Guerin's report at the request of the Chairman. The Applicant agreed to comply with the comments made in same. Mr. Guerin asked what the balance of the mezzanine would be used for. Mr. Quinn stated that the balance would be used for office/storage. He noted that changes in the plan based on what future tenants may require would prompt a return to the Board.

With reference to the retaining wall and screening, the Applicant agreed to use evergreens along the top of the wall at the southern boundary. Mr. Guerin confirmed that the wall would be 8' high at the highest point.

Chairman Miller opened the meeting to the public. Ms. Gail Venvenek was sworn. She identified herself as an adjoining property owner. She stated she has a fence around her detention pond, and five parcels are responsible for the pond and its maintenance. She asked if

the Applicant's detention pond be fenced. She stated she would like the property to be safe as she did not want a child running over by the trucks. Mr. Guerin confirmed that the trucks are on the Westy's side. She asked if it could be switched. Mr. Guerin noted that based on the testimony, two to three trucks would be coming per week and on the other side of the building there is a 56-car parking lot that will generate a lot more traffic than eight loading docks. Ms. Venvenek commented on the size of the building. Mr. Miller stated it was within the ordinance. Mr. Miller stated that the Applicant has been requested to provide screening and landscaping.

Having no other members of the public wishing to address the Board on the matter, Chairman Miller closed the meeting to the public.

The matter was carried to the February 28, 2008 meeting without further notice.

PB-11-07-1, Crystal Springs Builders, L.L.C., Preliminary and Final Major Subdivision, Preliminary Construction Plan and Final Site Plan, Office Building, Block 14, Lots 24.01 and 24.02: M. Richard Valenti, Esq., appeared on behalf of the Applicant. Mr. Collins confirmed that notice was sufficient. Board members reviewed completeness issues. A motion to deem the application complete was made by Leslie Hamilton and seconded by John Monell. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Robert Neubig – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

Mr. Ted Wunschuh was sworn. Thomas F. Graham, P.E., was sworn and accepted as an expert. Mr. Graham provided an overview of the proposal. He stated the office building would be located on a new lot to be created. He stated the building was identified on the village center plans as Building 26 and it is located in the northeast corner of the village center. Mr. Graham explained that the office will share parking with the winery. He explained that he tried to keep the parking near the office building in accordance with the ordinance. He stated the excess parking makes sense. Mr. Valenti stated the well and septic are temporary and would be removed when the sewer lines are put in. Mr. Wunschuh stated the sewer line is located across Route 94. He stated water is further away. He confirmed that it is the intent to tie it into the force main that SCMUA is building that is not in place yet. Mr. Guerin noted that the line is expected to come on in 2009.

Board members reviewed the attached planning report prepared by Heyer, Gruel & Associates, dated January 15, 2008, and the attached engineering report prepared by Robert P. Guerin, P.E., P.P., dated January 15, 2008. With reference to Mr. Guerin's comments, Mr. Graham presented that the Applicant will provide the information requested and comply with recommendations. Specifically addressing Item 7, Mr. Graham stated the building will be demolished before filing the final plat.

With reference to the intent of the building, Mr. Wunschuh explained that the building is set up for the executive and golf operations offices. Chairman Miller expressed concern about residents' complaints about the sales center presently located on Sugar Maple Lane. He stated he has heard promises that the sales operation would be moved. He asked for an idea as to when

relief would be given to the residents of Sugar Maple Lane. Mr. Wunschuh stated it was the Applicant's intent to bring that building in next in the next six months. He identified the location of the future sales office. The Applicant agreed to a condition of having the plans in within a year. Mr. Guerin suggested that the condition include a stipulation that the sales operation be moved within a year.

The following exhibits were submitted by the Applicant.

Exhibit A-1: colored rendering of *Site Layout Plan, Office Building Plan, Block 14, Lot 24.02, NJ State Highway Route 94, Township of Hardyston, Sussex County, New Jersey*, sheet 5 of 9, revision dated 1/3/08, prepared by Thomas F. Graham, P.E.;

Exhibit A-2: *Dumpster Enclosure Plan for Crystal Springs Builders, Route 94, Hardyston, New Jersey* dated 1/23/08, prepared by James P. Cutillo Associates; and

Exhibit A-3: Lighting Details –

- PSE&G, Hadco, a Genlyte Company, *Bergenfield*, dated 8/24/06;
- PSE&G, Hadco, a Genlyte Company, *PSE&G – Small Teardrop*, dated 10/24/02;
- PSE&G, Hadco, a Genlyte Company, *Hudson Short Arm*, dated 7/18/02; and
- PSE&G, Hadco, a Genlyte Company, *PSE&G- Contempo*, dated 12/22/99.

With reference to the dumpster enclosure, Robert Schultz inquired about provisions for recycling. Mr. Graham agreed to provide information on the revisions.

With reference to stormwater management and the impact of the development on adjoining properties, Mr. Graham stated that the Applicant will be sending less water to the adjoining properties following development. He noted that the entire roof area would be taken into drywells. He stated more soil testing is left to do and noted the soils on site are excellent.

Board members reviewed the lighting proposal and requested a photometric plan. Mr. Wunschuh noted that the fixture would be dark green or a patina. Mr. Wunschuh requested that the Applicant be permitted to wait to install the lights until the road goes in, which will cause a reconfiguration of the parking area. He confirmed that the lights in the village center will match. Mr. Graham agreed to provide an updated General Development Plan plan. Chairman Miller opened the meeting to the public. There were no participants. The meeting was closed to the public.

With reference to the Heyer, Gruel & Associates report, Mr. Graham stated the Applicant would comply with the requests for information. He noted that the Applicant would move the proposed trees away from the septic system; he stated he would come up with a better location and screening for the dumpster; and he stated the Applicant would provide a bike rack.

With reference to the building's architecture and colors, Mr. Wunschuh stated the colors are similar to the clubhouse and the roofing is the same as the hotel and the clubhouse. He stated that the building will be interesting and in style with the development. Chairman Miller stated that the Board wants to make sure that the building will fit in. Mr. Wunschuh agreed to dress the sides of the building up.

Mr. Collins presented the motion as a motion to approve the preliminary and final site plan, the preliminary and final major subdivision including any variance, including the variance to allow relief from the requirement for sewer and water in the town center to temporarily allow the proposed arrangement; subject to the condition that the Applicant connect to the water and sewer as soon as is reasonably possible when this section of the Crystal Springs Master Plan is sewered and provided with water; the Applicant will submit an application for a sales office within one year and if the Applicant does not file within a year, the Sugar Maple sales office will be pulled; the Applicant will adjust the dumpster location to address recycling subject to the review and approval of Mr. Guerin; and comply with Mr. Guerin's report and Heyer, Gruel & Associates report. Mr. Collins noted specific exceptions to the Heyer, Gruel & Associates report stating the Board approves keeping the extra parking and the Board leaves the site lighting subject to the review and approval of the Township engineer, and they do not have to add the landscaping to the building elevations. The motion was made by Leslie Hamilton and seconded by Brian Kaminski. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

BILLS: Board members reviewed the following escrow reports.

**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
JANUARY 24, 2008**

Vogel, Chait, Collins AND Schneider

Invoice 46239	PB-7-07-1, Sussex National Development Corp. [General Development Plan]	\$ 2510.00
Invoice 46238	PB-9-07-2, Bubalo, P. & A. Zeibekis [Forest Knoll]	75.00
Invoice 46237	PB-8-07-1, Riccio d/b/a CAVA Winery and Vineyard, Inc.	75.00
Invoice 46235	PB-3-05-1, CJS Investments, Inc. [Emerald Estates]	375.00
Invoice 46230	Planning OE	495.00
Invoice 46294	Planning OE	255.00

New Jersey Herald

Invoice 1482897	Legal Notice	23.25
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Heyer, Gruel & Associates

Invoice 27476	PB-7-07-1, Sussex National Development, [General Development Plan]	1880.00
Invoice 27475	PB-11-07-1, Crystal Springs Builders, L.L.C., [Office Building]	975.00
Invoice 27474	Planning OE	19.22

**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
JANUARY 24, 2008
ADDENDUM I**

Vogel, Chait, Collins AND Schneider

Invoice 46433	PB-12-06-4, Leidenfrost, Rosemary	\$ 75.00
Invoice 46434	PB-3-05-1C, CJS Investments, [Emerald Estates]	840.00
Invoice 46650	Planning OE	330.00
Invoice 46435	PB-7-07-1, Sussex National Development, [General Development Plan]	75.00
Invoice 46437	PB-1-03-2, Toll Bros., Briar Crest,	75.00
Invoice 46432	VOIDED BILL	240.00

**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
JANUARY 24, 2008
ADDENDUM II**

Vogel, Chait, Collins AND Schneider

Invoice 46652	Planning OE	\$ 150.00
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Guerin & Vreeland Engineering, Inc.

Invoice WO525BB	PB-1-03-2, Toll Bros., Inc., The Briars	142.50
Invoice WO745C	PB-8-07-1, Cava Winery and Vineyard, Inc.,	190.00
*VOID -Invoice WO705I	PB-8-06-2, Mogavero, F.	522.50
Invoice WO748B	PB-11-07-1, Crystal Springs Builders, L.L.C., [Office Building]	1710.00

Invoice 623I	PB-9-06-1, Crystal Springs Builders, L.L.C., [The Shotmeyer]	522.50
Invoice WO717D	PB-9-07-2, Bubalo, P. [Forest Knoll]	1425.00
Invoice WO723J	Planning OE	902.50
Invoice WO750A	PBC-12-07-1, Patel, Pravin	237.50
Invoice 703H	PB-7-06-1, Geis Construction	1187.50
Invoice 742F	SND-01-General Account [General Development Plan]	2612.50

A motion to approve and recommend payment of the bills was made by James Homa and seconded by James Homa. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, John Monell – yes, James Homa – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

DISCUSSION: Memo – *Resolution Compliance – Hardyston Township Zoning Board of Adjustment Referral:* The Board had no comments.

CORRESPONDENCE: Board members received the following correspondence.

**Hardyston Township Planning Board
Correspondence List – January 24, 2008**

1. Memo from Richard Briigliodoro, Esq., and Julia O. Donohue, Esq.
Re: Resolution Compliance (October 22, 2007)
2. Antoinette Wasiewicz, Senior Planning Aide, Sussex County Dept. of Engineering & Planning
Re: Combined Subdivision Site Plan, SCPB# 78(CSS)07, Crystal Springs Builders, Block 14, Lots 24.01, 24.02; Confirmation of Submitted Application (November 8, 2007)
3. Antoinette Wasiewicz, Senior Planning Aide, Sussex County Dept. of Engineering & Planning
Re: Final Major Subdivision, SCPB# 21(FMS)05/7, CJS Investments, Inc., Block 63, Lots 26, 27, Wheatsworth Road; Incomplete Application (December 3, 2007)
4. Brian P. Cramer, Environmental Scientist, NJ Department of Environmental Protection
Re: Application for Freshwater Wetlands General Permit No. 10A & Transition Area Waiver-Averaging Plan, Applicant: Xavier Romano, Block 60, Lot 5.15

(December 5, 2007)

5. Winnie Straub, District Manager, Sussex County Soil Conservation District, Newton, NJ
Re: Soil Erosion & Sediment Control Plan #HY211, Submitted by North Church Acquisitions, LLC (Formerly Four Winds Plaza – Grading Only), Block 62 Lot 18.05 (December 11, 2007)
6. Antoinette Wasiewicz, Senior Planning Aide, Sussex County Dept. of Engineering & Planning
Re: Final Major Subdivision, SCPB# 21(FMS)05/07, CJS Investments, Inc., Block 63, Lots 26, 27, Wheatsworth Road; Confirmation of Submitted Application Deemed Complete (December 12, 2007)
7. Lucy Voorhoeve, Executive Director, State of New Jersey, Council on Affordable Housing
Re: COAH's Revised Third Round Rules (December 24, 2007)
8. Barry Fisher, Senior Planner, Sussex County Dept. of Engineering & Planning
Re: Preliminary Major Subdivision (Revised by Applicant), SCPB# 21B(PMS)05/07, Applicant: CJS Investments, Inc., Block 63 Lots 26, 27 Application "Reviewed With Comments (December 26, 2007 with attachments for Reports Dated December 17, 2007, December 20, 2007)
9. Wini Straub, District Manager, Sussex County Soil Conservation District
Re: Soil Erosion & Sediment Control Plan #HY206, Applicant: David Hook, "Brecia Farms," Grumm Road, Block 68 Lot 16 (December 27, 2007)
10. Wini Straub, District Manager, Sussex County Soil Conservation District
Re: Soil Erosion & Sediment Control Plan #HY167, Applicant: Pottersville Properties, "Ridgefield Commons", Block 67 Lot 2.01, 2.08 (January 2, 2008)
11. Memo from Marianne Smith, Township Manager
Re: Rising Municipal Costs & the Future for Building & Housing in NJ (January 4, 2008)
12. State of New Jersey Highlands Council
Re: Notice of Meeting Schedule for 2008 NJ Highlands Council (January 2, 2008)
13. New Jersey Planning Officials
Re: Registration for 2008 NJPO January Mandatory Training Programs (for Planning & Zoning Board Members Who Must Qualify Immediately)
14. Brian Laubstein
Re: Freshwater Wetlands Application: Letter of Interpretation, 11 Lasinski Road Block 75 Lot 50.05 (Erect Single Family Home) (December 31, 2007)

PUBLIC PARTICIPATION: No members of the public addressed the Board.

ADJOURNMENT: A motion to adjourn was made by Leslie Hamilton. All were in favor. The meeting was adjourned at 11:15 p.m.

Minutes respectfully submitted by:

Anne-Marie Wilhelm
Land Use Administrator