

## **MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD SPECIAL MEETING HELD JANUARY 18, 2007**

**CALL THE MEETING TO ORDER:** Chairman Miller called the meeting to order at 7:40 p.m. and read the 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  
Jim Armstrong – Excused  
Robert Neubig – Excused  
William Hickerson – Present  
Robert F. Schultz – Present  
John Monell – Present  
James Homa – Excused  
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., Arnold Chait, Esq., and Anne-Marie Wilhelm, Land Use Administrator

### **APPLICATIONS:**

**PB-12-06-1, Pottersville Properties Development, L.L.C., Ridgefield Commons, Phase V, Final Subdivision and Final Site Plan, Block 67 Lot 2.01, Block 67.19, Lots 19-24; and Block 67.24, Lots 10-18:** Michelle Spencer, Esq., appeared on behalf of the Applicant. Thomas F. Graham, P.E., was sworn and accepted as an expert witness. Board members reviewed the Applicant's waiver requests regarding the scale of the plan; the illustration of setback lines for each of the lots, the provision of as-built plans, the provision of a zone data box, and the provision of the organizational documents. Mr. Guerin stated he had no problem with the requests. A motion to grant the waiver requests was made by Leslie Hamilton and seconded by Robert Schultz. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Bill Hickerson – yes, John Monell – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

Board members reviewed the attached report dated December 13, 2006, prepared by Mr. Guerin. Mr. Graham stated that revisions dated 12/21/06 were made in response to Mr. Guerin's report and that an additional nail is shown on the property corner. With reference to Sussex County Planning Board approval, Mr. Graham stated that the approval was granted on 1/10/07. He requested that the maps be signed.

Mr. Guerin stated that he requested a modification to the wording of the bond. Mr. Chait asked if the gas line easement was a matter of record. The Applicant agreed to provide a copy of the easement to the Board Secretary.

Mr. Hickerson stated there was an agreement between the Township Council and the developer regarding an interconnect water system between Carlton Village and Indian Fields. He stated a temporary fix that consisted of three water tanks placed on the hill with a connection to the Fire Department. He stated the interconnect was not yet completed.

Wendell Inhoffer, P.E., was sworn and accepted by the Board as an expert witness. Mr. Inhoffer stated the interconnection was 99% complete. He stated a valve is scheduled to be repaired. He stated everything is complete with the exception of the electric. He stated three-phase power is not readily available and the three-phase pump that was installed would be modified to operate under single-phase supply. He stated arrangements for this type of supply have been made. He

stated the interconnection was taken offline and the Fire Department was advised of this fact. Mr. Guerin explained that the interconnection actually works in one direction. He stated the power is for the pumps and meters. He stated the HTMUA did not want the emergency tanks taken out until the power was there so that they could meter the water being used in the project. Mr. Guerin stated the water could be used at this point by opening the valves.

Mr. Hickerson stated that the Fire Department has been told that the valves do not work and the hydrants are not operational. He asked that an approval be conditioned upon the completion of the interconnect and that the water is usable prior to the issuance of Certificates of Occupancy. Mr. Inhoffer stated he had no objection to this condition.

Fred Garfinkel was sworn. He stated the Applicant would like to file the plat with the understanding that CO's would be withheld pending resolution of the issues with the Fire Department.

It was noted that the general escrow account was in arrears. The Applicant agreed to replenish the account.

Chairman Miller opened the meeting to the public. There were no participants. The meeting was closed to the public.

A motion to approve the application, effective 1/18/07, subject to the condition that no Certificates of Occupancy be issued for Phase V units until the Township engineer and the Township Fire Department report in writing that the interconnect system functions as specified in the design with regard to water flow to the Wallkill Water and that the Board secretary be provided with a copy of the recorded blanket gasline easement was made by Leslie Hamilton and seconded by Robert Schultz. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Bill Hickerson – yes, John Monell – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

**PB-12-06-2, Pottersville Properties Development, L.L.C., Ridgefield Commons, Phase VI, Final Subdivision and Final Site Plan, Block 67 Lot 2.01; Block 67.19, Lots 25-38; Block 67.25, Lots 1-6.** Michelle Spencer, Esq., appeared on behalf of the Applicant. Mr. Graham was sworn. The Board reviewed the Applicant's waiver requests for the provision of the scale of the maps, the setback lines not being shown on the plat, the absence of a zone data box, the provision of as-built plans, and the provision of organizational documents. Mr. Guerin stated he had no objections to any of the waiver requests. A motion to grant the waiver requests was made by Leslie Hamilton and seconded by John Monell. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Bill Hickerson – yes, John Monell – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried.

Thomas F. Graham, P.E., reviewed the attached report dated January 10, 2007, and prepared by Mr. Guerin with the Board. He stated that the plans have been revised in accordance with the recommendations noted in Item 2a and 2b. With reference to Sussex County Planning Board approval, Mr. Graham stated the approval was received on January 10, 2007. He stated the Applicant had no problem with the posting of a performance bond prior to filing the plat.

Mr. Hickerson asked about the ability of a ladder truck to turn around on Virginia Drive and Mulberry Lane. Board members discussed the matter and the relocation of parking spaces. It was agreed that the Applicant would review the matter. Mr. Graham requested specs for both the fire truck and recycling trucks.

The Board recessed at 8:15 p.m. The meeting was called to order at 8:20 p.m.

Chairman Miller opened the meeting to the public. There were no participants. The meeting was closed to the public.

A motion to approve the application subject to the conditions noted below was made by Leslie Hamilton and seconded by Robert Schultz. Roll Call: Leslie Hamilton – yes, Robert Schultz – yes, Bill Hickerson – yes, John Monell – yes, Brian Kaminski – yes, Randy Roof – yes, Stanley Kula – yes, Carl Miller – yes. The motion carried. The conditions of approval were noted as

follows: the Applicant will file a copy of the recorded blanket gasline easement; no Certificates of Occupancy in Phase VI will be issued until a letter confirming that the fire protection water interconnect is complete and operates in both directions; and the conditions noted in Mr. Guerin's report.

**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 8:35 p.m.

Minutes respectfully submitted by:

Anne-Marie Wilhelm