

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD
MAY 26, 2011**

CALL THE MEETING TO ORDER: Chairman Kaminski called the meeting to order at 7:30 p.m. and read the following Statement of Compliance.

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 also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton – Present
Carl Miller – Excused
Robert Neubig – Excused
Robert F. Schultz – Present
William Hickerson – Present
James Homa – Present
Randy Roof (Alternate No. 1) – Excused
Donald Trien (Alternate No. 2) – Present
Brian Kaminski – Present

OTHERS PRESENT: Robert P. Guerin, P.E., P.P.; Thomas F. Collins, Esq.;
Carrine Piccolo-Kaufer, P.P.

Thomas F. Collins, Esq., administered the Oath of Allegiance to new Board member Donald Trien.

APPROVAL OF MINUTES: A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held April 28, 2011* was made by Leslie Hamilton seconded by William Hickerson. Roll Call: Leslie Hamilton – yes; William Hickerson – yes; Brian Kaminski – yes. The motion carried.

RESOLUTIONS: There were no resolutions scheduled.

APPLICATIONS: PB-12-06-4D, Rosemary Leidenfrost aka Rosemary Leiden, Extension Request, Minor Subdivision, C Variance, Block 72 Lot 3.12: The service of notice was found to be defective. The matter was rescheduled to the meeting of June 23, 2011 with notice required.

PB-1-09-2, Crystal Springs Construction, LLC, Preliminary Major Subdivision, “C” Variances, Horse Valley, Block 14, Lots 30.01, 30.03, 31, and 22.01: Bernd E. Hefle, Esq., appeared on behalf of the Applicant. He provided a review of the matter noting that Vernon Township granted a jurisdictional waiver.

Michael J. O’Krepky, P.E., acknowledged that he was previously sworn. He provided a synopsis of the layout noting there are 23 lots, two of which are COAH units. He stated that modifications to the road layout and the new design were driven by the topography and the desire to limit the number of walls. He stated ten lots require disturbance variances. He confirmed that the subdivision design is the best design he can produce from a planning perspective. Mr. O’Krepky explained that several iterations of the design have been made in an effort to work with the topography and to limit the disturbance. He discussed the storm water management plan and its impact on disturbance. He explained that the water must be collected and treated, which resulted in an increase in the number of basins.

Board members reviewed Mr. Guerin’s engineering report dated April 21, 2011. Mr. Hefele presented that the Applicant has or would comply with the comments made in the report. Mr. Hefele confirmed that Orts Road would not be used for construction vehicles or traffic. Mr. Guerin related that a condition of Crystal Springs North approval mandates the utilization of Harvest Court for access. He recommended that any approval of the subject application include a provision that prohibits the utilization of Ort’s Road as an access.

With reference to the walls presented on the final plan set, Mr. O’Krepky noted that the walls are tiered wherever possible. He identified the location of walls. He explained that during construction it is likely they will encounter stone that can be cut at a 1:1 slope. He stated a lot of the walls may be stone cut at a 45-degree angle. He stated there are many trees proposed that would mitigate the way it looks. Mr. O’Krepky noted that the walls would have to meet all the requirements of soil stabilization, which mandate a 3:1 slope. He explained that a wall along Equestrian Drive varies in height and is 12 ft. high in an area. Mr. Collins inquired that if rock was encountered, blasted, and cut instead to a 45-degree slope, would a chain link fence be installed at the top of the slope. Mr. O’Krepky agreed that a fence would be installed. Mr. Collins noted the disturbance would increase in this circumstance.

Mr. Schultz asked about the transition area between the wall and the rock face. Mr. O’Krepky stated the specification of the walls were not included in the plans. Mr. Hefle stated it would be some type of keystone wall. Mr. O’Krepky identified where he expected to find rock.

Mr. Hefele noted that the subdivision is a balancing act between limiting walls and disturbance. He stated that he believed that the balance has been accomplished between the engineers. He stated the design was created to look and function the best. He stated the design would be a mix of rock faces and stepped-back walls. Mr. O’Krepky reviewed the highest walls with the Board as well as a series of walls adjacent to the right-of-way. Mr. Guerin suggested that a note be added to the plan that guiderail would be added as determined by the township engineer. Mr. Guerin stated that he follows DOT standards. Mr. Hefele stated the Applicant would agree to add the note to the plans. Mr. Guerin also noted that a building permit is required for any wall over four foot high.

Mr. O’Krepky reviewed the roadway and explained where the walls would be located. He identified a location where the walls would be located on both sides of the roadway, with one side having four ten foot tiers with nine feet from top of wall to face inbetween and one side with two tiers. He stated the walls could be achieved with significant grading but that would increase the area of disturbance. He explained that the 14ft. grade could not be reduced without increasing the area of disturbance massively.

Mr. Hefele noted that a Homeowner’s Association would take care of the roads, fences, and detention basin. He stated he did not know if the subdivision’s association would be part of the Crystal Springs Master Association.

Mr. Collins asked about walls in the vicinity of the access to the water tank. Mr. O’Krepky explained that the walls were tiered in an attempt to keep the height of the walls at a ten foot maximum. Mr. O’Krepky confirmed that the water system design is not part of the proposed subdivision. Mr. Collins noted that the wells in the Crystal Springs development would be used for this development. Board members discussed the water tower. Mr. Hefele suggested that the design be subject to engineering review. Mr. Guerin suggested that the final water system design be submitted to the Board for review prior to construction.

There was no further discussion.

Chairman Kaminski opened to the public. There were no comments. The meeting was closed to the public.

A motion to approve the preliminary subdivision subject to the following: the normal conditions; the conditions discussed; Mr. Guerin’s report and comments; the fence and guiderail being installed as per the recommendations of the township engineer and a note to that effect being placed on the plan; the walls will be constructed of decorative block with materials approved by the township engineer; the fences, walls, detention basins will be maintained by the Homeowner’s Association and coordinated with the Master Association of Crystal Springs North; the Homeowner’s Association documents shall be reviewed and approved by the Board Attorney and Board Engineer; the Applicant of Crystal Springs North shall coordinate their water system design and submit it with the final design and height of the water tank for review and approval by the Board prior to construction; a note being added to the plan indicating that guiderail will be installed in any location on the road as determined by the township engineer; a breakaway gate shall be placed along Harvest Court; and Orts Road not being used as an access for construction or resident vehicles was made by Leslie Hamilton and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Robert Schultz – yes; William Hickerson – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

DISCUSSION: Mr. Collins provided the Board with an update on COAH matters.

CORRESPONDENCE: The Board received the correspondence noted below. There were no comments.

**Hardyston Township Planning Board
Correspondence List May 26, 2011**

1. Antoinette Wasiewicz, Senior Planning Aide, Sussex County Dept. of Engineering and Planning, Division of Planning
Re: Preliminary Site Plan, SCPB# 4B (PS) 08/09: St. Jude the Apostle Parish - Application "Approved Subject to Conditions", in accordance with attached County Engineering Department Report; CR 661 & CR 673 Block 68 Lot 14 (April 19, 2011)

2. Robert Pollock, Manager, Transmission Permitting, PSE&G
Re: Application for Highlands Applicability Exemption Determination: Right-of-Way Vegetation Maintenance - Passaic, Somerset, Hunterdon, Morris & Sussex Counties (May 3, 2011)

BILLS: A motion to recommend that the Hardyston Township Council pay the bills listed below was made by William Hickerson and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Robert Schultz – yes; William Hickerson – yes; James Homa – yes; Donald Trien – yes, Brian Kaminski – yes. The motion carried.

**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
MAY 26, 2011**

New Jersey Herald

Invoice 3701731	Legal Notice	\$38.30
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Vogel, Chait, Collins and Schneider

Invoice 59373	Planning OE	510.00
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Invoice 59374	PB-12-06-4, Leidenfrost, R.	165.00
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Invoice 59375	PB-1-09-2, Crystal Springs Construction, L.L.C.,	360.00
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**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
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ADDENDUM**

Guerin and Vreeland Engineering, Inc.

Invoice WO854D	Planning OE	\$ 840.00
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Invoice WO778R	PB-1-09-2, Crystal Springs Construction, LLC	1680.00
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Invoice WO604HH	PB-8-05-1, Crystal Springs Resort Development	105.00
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Invoice WO665N	PB-5-10-1, Greco Landscaping & Lawn Maintenance Service, LLC	315.00
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PUBLIC PARTICIPATION: The meeting was opened to the public. There were no participants. The meeting was closed to the public.

ADJOURNMENT: Having no further business, a motion to adjourn was made by James Homa. All were in favor. The motion carried. The meeting was adjourned at 8:55 p.m.

Minutes respectfully submitted by:
/s/ Anne-Marie Wilhelm
Anne-Marie Wilhelm
Land Use Administrator