

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING  
HELD APRIL 28, 2016**

**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 – Absent  
Carl Miller – Absent  
Bob Neubig – Present  
Robert Schultz – Present  
William Hickerson – Present  
James Homa – Present  
Brian Kaminski – Present

**OTHERS PRESENT:** Robert P. Guerin, P.E., P.P.; Thomas F. Collins, Esq., P.P., and Carrine Piccolo-Kaufer, P.P., A.I.C.P., were present.

**FLAG SALUTE:** Chairman Kaminski led the *Pledge of Allegiance*.

**APPROVAL OF MINUTES:** A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held March 24, 2016* was made by Bob Neubig and seconded by James Homa. There was no discussion. Roll Call: Bob Neubig – yes; Robert Schultz – yes; James Homa – yes; Brian Kaminski – abstain. The motion carried.

**RESOLUTIONS:** There were no resolutions scheduled for review.

**HEARINGS: PB-3-16-1, Kurlander, J. Minor Subdivision. Block 14 Lots 24.04, 25, and 26.** Having a lack of a quorum to hear the matter, the Board carried the matter to the May 26, 2016 meeting with no further notice required.

**PB-3-16-2, Smith, James W. Minor Subdivision, “C” Variances, Block 16 Lots 12 and 13.02:** William T. Haggerty, Esq., appeared on behalf of the Applicant. James W. Smith was sworn. Mr. Haggerty presented the matter is a lot line adjustment with no new lots and an increase of nonconformity relative to the setback of an existing pool. He stated the property borders Hamburg, and the municipal boundary line between Hardyston and Hamburg is not agreed upon between the two municipalities. He acknowledged an approval from Hamburg would also be necessary. He stated the proposed configuration would establish a new lot line between the parcels and remove a gore. Mr. Haggerty submitted a document, marked as Exhibit A – 1, titled *ACTS of the One Hundred and Forty-fourth Legislature of the State of New Jersey and Seventy-Sixth Under the New Constitution, Trenton, N.J., 1920*. He stated markers noted in the document are no longer there and to solve inconsistencies between the municipal boundary lines would be beyond an individual homeowner.

Mr. Smith noted he has paid taxes to Hardyston Township since 1986 and his children attended Hardyston Township schools. He confirmed there was a discrepancy between Bob Smith’s property line and his. He stated the proposed subdivision would resolve the discrepancy and set Hardyston’s boundary line as the property line. Mr. Collins clarified that the tax assessors can make agreements about taxes. He explained the Board’s jurisdiction noting the Board does not make determinations about municipal boundary lines or tax agreements. Mr. J. Smith confirmed that water and septic would not be affected by the subdivision.

Board members reviewed Mr. Guerin’s report dated April 1, 2016. A “C” Variance for the existing above-ground pool was noted. Mr. Guerin noted the Hardyston Township Ordinance requires dedication of a right-of-way in Hardyston Township 25’ from the centerline of the physical road to establish a right-of-way line. The Applicant agreed to

dedicate that portion of land required by the Hardyston Township Ordinance. The Applicant also agreed to write the deeds noting the part of each lot that overlaps the municipal boundary would be held in common ownership in perpetuity. Messrs. Collins and Guerin confirmed they had no problems with the subdivision. Mr. Haggerty confirmed the Applicant would also be applying to Hamburg Borough.

The matter was opened to the public. No members of the public formerly addressed the Board. The meeting was closed to the public.

A motion to approve the minor subdivision and "C" Variance for the pool conditioned upon the items noted in Mr. Guerin's report, the standard conditions, review of the deeds by the Board Engineer and Board Attorney, and a submission of a deed of dedication for the additional right-of-way was made by James Homa and seconded by Bob Neubig. Roll Call: Bob Neubig – yes; Robert Schultz – yes; William Hickerson – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

**CORRESPONDENCE:** There was no discussion.

**BILLS:** A motion to approve a recommendation that the Township Council pay the bills listed on the April 28, 2016 Bill List was made by Jim Homa and seconded by Robert Schultz. All were in favor. The motion carried.

**DISCUSSION:** There was no discussion.

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

**ADJOURNMENT:** Having no further business, a motion to adjourn was made by Bob Neubig. All were in favor. The motion carried. The meeting concluded at 8:00 p.m.

Minutes respectfully submitted by,

Anne-Marie Wilhelm  
Land Use Administrator