

MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD JULY 25, 2019

CALL THE MEETING TO ORDER: Chairman Hickerson called the meeting to order at 7:00 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.

FLAG SALUTE: Mr. Hickerson led the Pledge of Allegiance.

ROLL CALL:

Leslie Hamilton (Class I) – Present
Carl Miller (Class III) – Present
Bob Schultz (Class II) – Present
Jim Homa – Present
Randy Roof – Absent
Robert T. Cook – Present
Bob Neubig (Vice Chairman) – Absent
Bill Hickerson (Chairman) – Present
Sally Goodson (Alternate 1) – Present
Ed Zinck (Alternate 2) – Present

OTHERS PRESENT: Robert P. Guerin, P.E., P.P.; Thomas J. Molica, Esq.; and Carrine Piccolo-Kaufer, P.P., A.I.C.P.

APPROVAL OF MINUTES: A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held June 27, 2019* was made by Sally Goodson and seconded by Leslie Hamilton. There was no discussion. Roll Call: Leslie Hamilton – yes, Carl Miller – yes, Robert T. Cook – yes, Sally Goodson – yes, Ed Zinck – yes, Bill Hickerson – yes. The motion carried.

RESOLUTION: PB-4-19-1, Crystal Springs Resort, LLC, Preliminary and Final Site Plan, Special Events Tents, Block 14 Lot 24.01 and 24.02; Block 16 Lots 1, 1.09, 6.02, and 8.01; Block 16.31 Lot 1 — a motion to adopt the resolution as presented was made by Carl Miller and seconded by Leslie Hamilton. There was no discussion. Roll Call: Leslie Hamilton – yes, Carl Miller – yes, Bob Schultz – yes, Jim Homa – yes, Robert T. Cook – yes, Sally Goodson – yes, Bill Hickerson – yes. The motion carried.

HEARINGS:

— **Master Plan Reexamination Report July 2019:** Elena Gable, P.P., AICP, CFM, was sworn, qualified, and accepted as an expert witness. Ms. Gable presented the report and stated the goals and objectives of the 2003 Master Plan and 2014 Master Plan Reexamination remain valid. She affirmed the 2014 recommendations including a review of split-zone lots with the intention to rezone them to fall into one zone district. Ms. Gable reviewed the 2016 Land Use Plan Element Amendment, the Master Plan Element for the Highlands Preservation Area, the Housing Element and Fair Share Plan, County and State Planning Commission recommendations relative to Hardyston Township, and land use/zoning ordinances adopted by the Board since 2014. Board Planner Piccolo-Kaufer opined the *Master Plan Reexamination Report July 2019* was consistent with the *Hardyston Township Master Plan*.

Chairman Hickerson opened the meeting to the public. No members of the public addressed the Board.

A motion to find the *Township of Hardyston Master Plan Reexamination Report July 2019* consistent with the *Hardyston Township Master Plan* was made by Sally Goodson seconded by

Carl Miller. There was no discussion. Roll Call: Carl Miller – yes, Bob Schultz – yes, Leslie Hamilton – yes, Jim Homa – yes, Robert T. Cook – yes, Sally Goodson – yes, Ed Zinck – yes, Bill Hickerson – yes. The motion carried.

— ***Amendment to the Land Use Element of the Township of Hardyston Master Plan July 2019:*** Carrine Piccolo-Kaufner, P.P., A.I.C.P., presented the plan prepared in view of a potential rezoning of an existing 226-acre quarry and two adjoining parcels. She identified the study area and explained the quarry acquired the vacant adjacent lands currently zoned MIDD-5 and Commercial Recreation. She discussed the benefits of a zone change stating the rezoning would advance the goals and objectives of the master plan and preserve the view shed along the mountain ridge for the development that exists across Route 94.

Chairman Hickerson opened the meeting to the public. No members of the public addressed the Board.

A motion to find the *Amendment to the Land Use Element of the Township of Hardyston Master Plan July 2019* consistent with the *Hardyston Township Master Plan* was made by Carl Miller seconded by Leslie Hamilton. There was no discussion. Roll Call: Carl Miller – yes, Bob Schultz – yes, Leslie Hamilton – yes, Jim Homa – yes, Robert T. Cook – yes, Sally Goodson – yes, Ed Zinck – yes, Bill Hickerson – yes. The motion carried.

— **PB-1-19-1, Lam Development Group LLC, Amended Preliminary and Final Subdivision, Amended Preliminary and Final Site Plan, Block 16.31 Lot 1, Block 16.32 Lots 1 & 2, Block 16.33 Lot 1:** Bernd E. Hefe, Esq., appeared on behalf of the Applicant. Thomas J. Molica, Esq., reviewed notice and confirmed the Board had jurisdiction to hear the matter. Mr. Hefe confirmed he had no objection to Ms. Goodson, a Crystal Springs resident, hearing the matter.

Mr. Hefe stated Ryan Homes is the contract purchaser for the property, and the Applicant seeks site plan and subdivision approval to enable the development of 50 single-family homes. He stated the use is permitted and no variances are requested.

Board members reviewed an engineering report dated June 19, 2019 prepared by Robert P. Guerin, P.E., P.P. Thomas F. Graham, P.E., was sworn and accepted as an expert witness. Mr. Graham presented the Applicant's waiver requests and agreed to comply with the Board Engineer's comments. Mr. Guerin stated he had no objections to the waiver requests. A motion to grant the waivers was made by Carl Miller and seconded by Bob Schultz. There was no discussion. Roll Call: Carl Miller – yes, Bob Schultz – yes, Leslie Hamilton – yes, Jim Homa – yes, Robert T. Cook – yes, Sally Goodson – yes, Ed Zinck – yes, Bill Hickerson – yes. The motion carried.

Joseph Battaglia, Vice President of Ryan Homes, was sworn. He identified the proposed housing type as one-level living with two to three bedrooms, two bathrooms, and a two-car garage. He stated the lots are approximately 7500 sq., and the square footage of the homes ranges from 1100 sq.ft. – 1800 sq.ft. He related there are four different models to choose from and the development scheme prohibits placement of identical units next to one another. He noted some homes are on grade and some have basements with target sale prices in the low to mid-300,000 range. Mr. Battaglia stated the company would construct a model and build as they sell. Ms. Goodson commented that the housing type would offer Crystal Spring's residents an option to remain in the community should they be interested in downsizing or a one-floor layout.

Mr. Graham submitted and identified Exhibits A-1 and A-2 as follows:

- Exhibit A-1: A colored rendering titled *Approved Shotmeyer Lot Layout Exhibit, Amended Preliminary and Final Subdivision and Amended Construction Plan, Cloverdale East and Highgrove at Crystal Springs, Block 16.31 Lot 1, Block 16.32 Lots 1 & 2, Block 16.33 Lot 1, Wild Turkey Way & Devon Court, Township of Hardyston, Sussex County, New Jersey, Sheet 1 of 1, 4/25/19.*

- Exhibit A-2: A colored rendering titled *Proposed Shotmeyer Lot Layout Exhibit, Amended Preliminary and Final Subdivision and Amended Construction Plan, Cloverdale East and Highgrove at Crystal Springs, Block 16.31 Lot 1, Block 16.32 Lots 1 & 2, Block 16.33 Lot 1, Wild Turkey Way & Devon Court, Township of Hardyston, Sussex County, New Jersey, Sheet 1 of 1, 6/24/19.*

Mr. Graham explained the proposed lot layout and identified the surrounding properties including the solar facility, Boomerang Garage, Golf Hole 9, and one constructed golf villa. He confirmed that part of the property abuts the ninth hole and homes would be located along the golf course. He noted a recent ordinance change that was effectuated to permit the proposed housing type. He identified the location of proposed utilities and a green space area to be dedicated to a Homeowner's Association. He confirmed Devon Court would be constructed to maintain consistency with other roads in Crystal Springs and parking would be permitted on the street. He stated the plan meets RSIS standards. Mr. Guerin noted that other than the new intersection configuration, the alignment of the roads is the same as it was under the prior approval. Mr. Guerin explained that the Applicant has been working on roads in the development and suggested that no building permits issue until the terms of Board approval are satisfied. Mr. Graham agreed to place a light at the new intersection and add dry wells on the plot plans as requested by Mr. Guerin.

The Applicant continued the review of Mr. Guerin's report and agreed to provide information as requested. Mr. Hefele agreed a new Developer's Agreement and Master Plan update would be required. Mr. Hefele also confirmed he would provide an Affordable Housing Plan before any *Certificate of Occupancy* is issued. Carrine Piccolo-Kaufer, P.P., A.I.C.P., noted the developer owns other sections in the development. It was noted the COAH obligation would be addressed in the next section.

Chairman Hickerson opened the meeting to the public. No members of the public addressed the Board. The meeting was closed to the public.

A motion to approve the application subject to the conditions noted below was made by Carl Miller seconded by Bob Schultz. Roll Call: Carl Miller – yes, Bob Schultz – yes, Leslie Hamilton – yes, Jim Homa – yes, Robert T. Cook – yes, Sally Goodson – yes, Ed Zinck – yes, Bill Hickerson – yes. The motion carried. The special conditions noted were as follows: the Applicant will comply with the recommendations noted in Mr. Guerin's 6/19/19 report; the Applicant will address the COAH obligation in an amended Shotmeyer GDP prior to the issuance of the first *Certificate of Occupancy*; work may continue on the roads with no building permits issued until the planning Board approval is satisfied.

CORRESPONDENCE: There was no correspondence.

BILLS: A motion to pay the bills listed on the *July 25, 2019 Bill Report* was made by Carl Miller seconded by Bob Schultz. All were in favor. The motion carried.

OPEN TO THE PUBLIC: Chairman Hickerson opened the meeting to the public. No members of the public addressed the Board. The meeting was closed to the public.

ADJOURNMENT: Having no further business, a motion to adjourn was made by Carl Miller. 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