

QUINTON TOWNSHIP PLANNING BOARD

NOVEMBER 9TH, 2010

MINUTES

Meeting was called to order by Chairwoman Margaret Maxwell-Mood at 7:00 p.m.

Flag Salute was held and it was determined that the meeting was posted in a public place and advertised in the two official newspapers.

Open Public Meeting Statement was read by Margaret Maxwell-Mood.

Roll Call: Amy Bradway, James Kates, Margaret Maxwell-Mood and Marjorie Sperry

Absent: Christopher Donelson, Zach Patterson, and Doug Tzaden

Leave of Absence: Donna Bradway

Late arrivals: Carl Schrier and Joanne Nacucchio and new member Robin Harmon

Also present: Lawrence DiVietro, PE and Bonita Bell, Secretary

Adam I. Telsey, Solicitor arrived at 7:15 p.m. (automobile trouble prevented Mr. Telsey from arriving on time)

Approval of October 12th, 2010 Minutes - Minutes were reviewed and Amy Bradway made a motion to accept the Minutes and Joanne Nacucchio seconded the motion.

Application 10-10 - Kevin and Jennifer Ladner

Block 28, Lots 33 & 43 -Cross Road and Hogate Road

Minor Subdivision Approval and Lot Line Adjustment

The professional involved in the Ladners' Application and Checklists:

Lawrence J. Maltman, President of Land Engineering, LLC of 84 East Grant Street, Suite 1, Woodstown, NJ 08098, 856.769.9460 telephone and 856.769.2052 fax

Lawrence M. DiVietro Jr. gave an explanation of the findings of the application. Completeness Review and Application Review were both done.

The four waivers requested:

- i. **Spot Elevations at Lot Corners and Topography;**
 - a. Spot Elevations and Topography are not applicable to the specifics of the lot line adjustment.
- ii. **Waiver of Sidewalk, Curbs and Gutters**
 - a. No walks or curbs are proposed with this application.

- b. Board may feel it appropriate to waive the requirement or require a separate application for driveway/dwelling/development on the site subject to the plot plan and building permit submission at the time of request for construction permit.
- iii. **Preliminary Environmental Impact Statement;**
 - a. Board may feel it appropriate to waive the requirement of an Environmental Impact Statement.
- iv. **Concept Landscape Plan**
 - a. No new lots are being created with minimal clearing for the proposed future development of a dwelling.

This property is located in the P-BR District. The current preexisting Lot 43 consists of 20.29 acres and Lot 33 consists of 64.12 acres. The lot line adjustment will convey a portion of Lot 33 (a total of 1.33 acres) over to Lot 43. The resulting acreage of lots:

- Lot 43 would be 21.62 acres following the subdivision
- Lot 33 would be 62.79 acres

Mr. DiVietro also points out that this application is for the subdivision of land only and construction of the proposed dwelling would be subject to NJDEP wetlands permitting, county board of health, county planning board, and building permit submissions to the Township.

Mayor Kates swore in Kevin Ladner of 63 Money Island Road, Elsinboro, NJ

Mr. DiVietro points out that the application will need to be deemed complete first, grant waivers and then approve it. Chairwoman Maxwell-Mood indicated that this is our new procedure. The Board adopted to move the applications along more quickly. Chairwoman Maxwell-Mood pointed out from the application that Mr. Ladner is really just moving a property line slightly, not even a lot. The one lot will still be 21.62 acres and the other one would be 62.79 acres – well within that 3 acre construction code of ours. The waiver of the landscaping plan is requested because it is a completely wooded area.

Mr. Ladner is slightly moving a property line. The dimensions are well within that three acre requirement of the Construction Code of Quinton Township. The property is completely wooded. Chairwoman Maxwell-Mood questioned Mr. Ladner regarding the PERC test. Mr. Ladner confirmed that the PERC test had been completed.

Environmental Impact Waiver – Mr. Ladner just needs an access onto the road. The house will be located approximately 250' back from the road. The land used to be farm land.

Sidewalk, curbs and gutters waiver – there are no sidewalks or curbs in the area – it is a rural area.

Joanne Nacucchio wanted clarification that this is for 1 house and not a development. Mr. Ladner confirmed that it will only be for 1 house. Mr. DiVietro confirmed single family homes are exempt for those requirements. Engineers will lay out a house and set a grade – he will have to go to the code enforcement for the construction and layout of the house.

Mr. DiVietro went on to explain the application PBR Zone which requires a minimum of 3 acres to build on. He well exceeds the requirements. No variances - not creating a new lot just adjusting the line. Re-divide the land - record new deeds for the new lots.

The application is compliant with all the criteria and requirements of the PBR Zone.

Mr. Ladner will need to file with Salem County Planning Board and then you come back to the Board with the deeds and they will have to be signed by the Chairwoman.

Mr. Ladner said that he had not applied to the Salem County Planning Board as of this date but he will apply after this meeting.

Chairwoman Maxwell-Mood asked for a motion to deem the application complete -- Amy Bradway made the motion and Joanne Nacucchio seconded the motion. All were in favor. Motion carried.

Chairwoman Maxwell-Mood asked for a motion to grant the waivers for this application - James Kates made the motion and Amy Bradway seconded the motion. All were in favor. Motion carried.

Once the deeds are completed Mr. Ladner will come back to the Board.

Solicitor Telsey came in at 7:15 and apologized for coming in late. Adam's battery would not start the car.

The minor subdivision can be heard tonight. No notice is required for a minor subdivision. Solicitor Telsey asked if there was a wetland issue. Is there a problem? The lot line adjustment is so you can fit the house on to the lot? Mr. Ladner confirmed. Why do you have to do a lot line adjustment versus putting the house further into the existing lot? Mr. Ladner explained that it would hit the 50' buffer, wetlands. Chairwoman Maxwell-Mood questioned that by just moving it very slightly it would not touch the wetlands.

Motion to approve Ladner Application 10-10 was made by Amy Bradway and seconded by Joanne Nacucchio. Motion carried and the Application was approved.

James Kates introduced Robin Harmon.

New Member: Solicitor Telsey swore in Robin Y. Harmon at 7:23 pm.

Solicitor Telsey explained the alternate position to Mrs. Harmon and the Planning Board members. Ms. Harmon can participate in all discussions and all applications, but cannot vote unless there are not enough voting members present at the meeting.

Resolutions: None

Old Business: None

New Business: Litigation with Township Chairwoman Maxwell-Mood explained that we are a new Board and most of the members have been together since January and did not see the litigation coming. Please keep an open mind and open heart with what we are hearing as applicants come forward - maintain objectivity with how we talk to people and with moving forward with the Planning Board and what we intend to do.

Litigation is in the hands of the well experienced attorneys. Do not let what is going on there sway us.

Mayor Kates said we should not be discussing that lawsuit with anyone. Adam agreed - you never want to discuss anything about it. If you have any insight - it is confidential.

Does not want any of those members who have not been named, to be named. Do not comment. You may jeopardize yourself and the Township.

Chairwoman Maxwell-Mood wants to review the escrow fees so that they are in line with current fees. Escrows need to be raised to cover the fees/costs so everyone will have a better idea of what it is going to cost them for the application process. It was determined that the application fees were raised 4 years ago.

After we review the professional fees we can look at the fees again. We will appoint a subcommittee to review last year's subdivisions and variances.

Tape needed to be turned over at approximately 7:30 p.m. and would not restart right away - resumed at 7:33 p.m.

Mayor Kates said that if you have one particular variance all the time, technically you would need to change the Ordinance so that you do not have to do the same variance all the time - that is a State law. That is the duty of the Board - every two years you have to sit down and review the variances and if a particular variance is coming up all the time then the Board needs to recommend a change the Ordinance. Mayor Kates was not aware of the last time a review had been performed by the Board. It has not been done since he has been a member.

Master Plan review is to be done every 6 years.

Escrow fees - we can do a survey of other towns and see what they are charging to compare.

Put a copy of the fee schedule in the package next month so they can look at it. The Board should not introduce an Ordinance at the end of the year. The Board will perform a review and have an Ordinance ready to adopt after the first of the year.

Public Portion:

Kevin Ladner - Regard the escrow - what seems to be the history? Do we have a past history?

Chairwoman Maxwell-Mood indicated that we need to determine if there is a trend with increased costs. We do not want to have any back charges.

Mr. Ladner said if invoices can be provided - he does not see what the issue is.

Vice-Chairwoman Amy Bradway said that there were a couple of applicants that were surprised; they were not expecting any additional fees.

Mr. DiVietro explained that the Ladner application is compliant. Asking to build is consistent with the Ordinance with some minor waivers.

If there are variances you are varying the detail of care for the Board and they have to understand are there circumstances, it is more complicated.

You cannot cover every circumstance if there is an application that is more complex.

Ladner - adjustment of the fees - are you talking about adjusting the fees of all applicants?

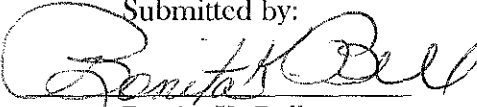
Chairwoman Maxwell-Mood said we are going to review the fees, see what fees were charged, and see if they were in alignment of what was actually charged in the last year, maybe the last two years. We cannot really answer that until we do an analysis to see where we are.

Last month we created a memo to go on the face of the application to better point out that the applicants are responsible for the Board's professionals' fees. We are trying to make sure that what we are doing is fair and reasonable.

Amy Bradway made a motion to adjourn and Marjorie Sperry seconded the motion. All were in favor.

Meeting was adjourned at 7:43 p.m.

Approved: December 14, 2010

Submitted by:

Bonita K. Bell