

QUINTON TOWNSHIP PLANNING BOARD

AUGUST 22nd, 2011 SPECIAL MEETING

MINUTES

The special meeting of the Planning Board was called to order at 7:00 p.m. at the Quinton Township Municipal Building by Chairwoman, Margaret Maxwell-Mood.

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

ROLL CALL: Edward Counsellor, Christopher Donelson, James Kates, Margaret Maxwell-Mood, Joanne Nacucchio, Zachary Patterson, Carl Schrier and Marjorie Sperry

Absent: Amy Bradway and Robin Harmon

Leave of Absence: Doug Tjaden

Also present: Gary M. Salber, Esq., Andrew Hogg, P.E., Carl Gaskill, PE, Randall E. Scheule, PP/AICP and Bonita Bell.

APPROVAL OF AUGUST 9th, 2011 SPECIAL MEETING MINUTES: Motion was made by Zachary Patterson to approve the Minutes and Edward Counsellor seconded the Motion. All were in favor and the Special Meeting Minutes were approved.

APPLICATION

2011-06 – ERDNER REAL ESTATE HOLDINGS, LLC SITE PLAN
BLOCK 3, LOTS 17.01 AND 18 – 583 SALEM-QUINTON ROAD
ATTORNEY: JOHN FORD EVANS, JR., ESQ.
APPLICANT'S ENGINEER: LAND ENGINEERING, LLC
COMPLETENESS REVIEW

Gary M. Salber, Esq. swore in the applicant, Martin Erdner, Jr. of Erdner Real Estate Holdings, LLC and their engineers, James Clancy, PE and Larry Maltman, PE

John Ford Evans, Jr. Esq. gave a summary of the Hitchner Furniture Store move to Quinton Township. Discussion was held regarding property and the location of the 24,200 sq. ft. retail furniture store. The issue of parking in the front of the building with

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setbacks on rear, side and front of building with delivery trucks being able to easily deliver the furniture were also discussed. There will be an asphalt parking and driveway area which will make the property 95% capped, with the remaining portion to be landscaped.

Through discussion it was determined that a use variance is not required. The L-shaped portion of land that wraps around the Bobbitt property is 50x140 and is being acquired for drainage purposes.

Environmental Impact – the prior owner had a Phase I Environmental Study performed. The results were that there were no contaminants. The DEP has also given a clean bill of health, copy of which was sent to Andrew Hogg, PE.

Discussion was held regarding the roof and run off of water. The property is in an open space so there will not be any fire hazard.

The property has 300' frontage and is 51' from the road.

Since this is a retail business it is important to have parking in front of the building. The public needs to see that the business is open and operating so they will stop in.

Andrew Hogg, PE gave his review on completeness regarding the Erdner application. Mr. Hogg has a copy of the floor plans and Phase I report. For the storm water basin we will need the full design.

Gary M. Salber, Esq. inquired if construction would start prior to the acquisition of the additional property and Mr. Erdner stated no. This application is conditioned upon the minor subdivision. An agreement with the adjoining property owner would be signed wherein they would swap land.

Motion was made to deem completeness by Marjorie Sperry and seconded by Zachary Patterson. All were in favor. Motion so carried.

MASTER PLAN RE-EXAMINATION

Randal E. Scheule, Director of Planning, PP/AICE, New Jersey Professional Planner License No. L100003666, presented his findings on the amendments to the Master Plan. These amendments were only relative to the Land Use Code of the Township of Quinton Master Plan, regarding the wet mining section. Mr. Scheule was hired to review and make recommendations, this is not a full review, or a full analysis. His review is specific

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to wet mining and that is what his report details. The purpose of the review is to find the sections that are not conforming in the Land Use section of the Master Plan (see full report attached to these Minutes).

Board members asked questions regarding the PBR requirements and permitted uses. Discussion was held regarding ground water testing wells in the area, the drinking water would be safe. Testing would have to be done periodically. We are trying for less invasive processes.

Carl Gaskill, PE gave a short summary of his involvement which is to assist a qualified planner to evaluate the findings.

Elkington Pond – is land mining site. If you look at Google Earth and zoom in you will see some of the brightest color water around. You can click on previous years and look at the photos and see the water is clear and clean. The water treatment plant is actually larger than the sewer plant.

Mr. Scheule found inconsistencies in our Ordinance. Contamination cannot go into the current aquifer. Water testing's would occur periodically.

Board members offered that there are inconsistencies in our Ordinance and that our goal is to get the Ordinance in line. We need to look into the future and our environmental resources. The Ordinances need to protect our Township so we need to start at the beginning and make sure everything is in line and that there are not any inconsistencies within the Township Ordinances.

It was stated that Farmers are allowed to dig irrigation ponds on their properties.

There will be a fixed limit. These ponds have to be deep enough to allow wildlife to flourish, cannot be shallow. There will be periodic testing with vertical limits established.

Randy Scheule stated he did not put anything in the amendments other than general environmental statements that were missing from the Master Plan.

RESOLUTIONS:

RESOLUTION NO. 2011-15 – RESOLUTION MEMORIALIZING AMENDMENT TO MASTER PLAN

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James Kates made a motion to adopt the Resolution and Marjorie Sperry seconded the motion.

Roll Call:

Edward Counsellor – yes

Christopher Donelson – yes

James Kates – yes

Margaret Maxwell-Mood – yes

Joanne Nacucchio – no

Zachary Patterson – yes

Carl Schrier – yes

Marjorie Sperry – yes

7 – Yes, 1- No

Motion so carried. Resolution adopted.

OLD BUSINESS

None

NEW BUSINESS

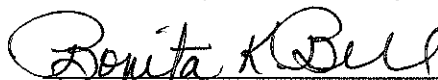
None

At 8:36 p.m. the meeting was opened to the public.

With no questions from the public the meeting was again closed to the public at 8:37 p.m.

James Kates made a motion to adjourn the meeting. Marjorie Sperry seconded the motion. The meeting adjourned at 8:41 p.m.

Respectfully submitted by:



Bonita K. Bell

Approved: September 13th, 2011

Township of Quinton
Salem County, New Jersey

'Comprehensive Plan' Amendments

Quinton Township Planning Board

August 22, 2011

Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI00003666

The original of this master plan amendment
has been signed and sealed as required by NJSA 13:41

Township of Quinton

'Comprehensive Plan' Amendments

Introduction –

On or about July 5, 2011, Quinton Township entered into a memorandum of understanding (MOU) with Continental Aggregates Corp., LLC to resolve concerns regarding soil removal. The MOU indicates a conflict exists between regulations governing *soil removal* (§170-55) that prohibit mining below the seasonal high water table (SHWT), and those applicable to the *P-BR zone* (§170-23) that allow for creation of a water reservoir. The MOU expresses interest by the Township and Continental to resolve the ordinance conflict and permit wet mining.

Pursuant to this MOU, the Township authorized a Professional Planner to review the master plan and development regulations and prepare a report of his findings. The Planner's Report provides a determination regarding consistency of wet mining within the context of the master plan, and recommendations for revisions to the master plan and zoning ordinance regarding wet mining. This review and report does not constitute a *master plan reexamination* as contemplated by NJSA 40:55D-89.

The Planner's Report provides a detailed analysis of the Township master plan and relevant sections of the Land Use Code. This Report contains several citations from the master plan that describe the importance of natural resources and the need to protect groundwater. Resource extraction is recognized by the master plan as an existing land use with the potential to adversely impact these resources if not carefully regulated. The master plan does not specifically address mining below the seasonal high water table.

Within the context of this review, the Planner's Report concludes that the land use code, specifically §170-23 and §170-55 are consistent with the master plan. This Report also recommends amendments to the master plan and land use code should the Township determine that wet mining is a land use to be permitted.

The attached master plan amendments are intended to enhance/strengthen the consistency between the master plan and the land use code. Code revisions as recommended in the Planner's Report will provide additional protection for natural resources and resolve ordinance conflicts and consistencies.

Future Land Use Plan – The '1990 Comprehensive Plan' contains a Future Land Use Plan element. This plan provides long-range policies for land use development. It also

indicates the Township's future vision via the inclusion a series of ten goal statements. These goal statements serve as broad guidelines to guide development and specifically address the following community aspirations:

1. Rural character and environment
2. Preservation of prime farmland and agriculture
3. Appropriate sites for industrial and commercial development
4. Adequate and diversified housing
5. Minimize opportunities for incompatible uses, and preserve natural beauty
6. Identify and preserve historic and scenic resources
7. Revitalize the Village area as a compact commercial center
8. Provide adequate community facilities
9. Develop an efficient, safe, convenient circulation system coordinated with land use
10. Provide adequate open space

The land use plan does not specifically address the need to protect natural resources, or resource extraction. In anticipation of revisions to the Township's Land Use Code to permit extraction of resources below the seasonal high water table, and as a means to strengthen existing and proposed environmental protection ordinances, the Future Land Use Plan should be amended by adding the following goal statements. The need for these goal statements was recommended in the *2007 Master Plan Reexamination Report*.

- To protect sensitive environmental resources from destruction or degradation, including but not limited to steep slopes, ridgelines, wetlands, stream corridors, potable water supplies, watersheds, aquifers, rivers, viewsheds, forests and other vegetation, soils, habitats of threatened and endangered species and unique natural systems.
- To relate the intensity of development, in areas relying on groundwater supplies and on-site sewage disposal, to conservative estimates of available water resources and the ability of the soil and ground water to sustain on-lot disposal systems without degrading or impairing the water quality.
- To identify and manage stream corridor buffer areas by maintaining undisturbed vegetation in order to protect and improve water quality, and provide wildlife corridors and opportunities for passive and active recreation.

- To protect groundwater supply and quality through the adoption of a resource extraction ordinance that strictly regulates mining below the seasonal high water table to protect groundwater quality, groundwater recharge areas and their associated hydrologic functions.
- To preserve the cultural and economic value of natural resource lands.
- To promote sustainable management of natural resources including compatible economic uses on private lands, and the creation of surface water impoundments and reservoirs via wet mining that enhance wildlife habitat, provide open space and recreation amenities.

The above amendments to the *Quinton Township Comprehensive Plan* are in accord with the requirements of the Municipal Land Use Law (NJSA 40:55D-28.b(1)).
