

**QUINTON TOWNSHIP PLANNING BOARD
MARCH 8TH, 2011 MEETING
MINUTES**

The regular meeting of the Planning Board was called to order at 7:02 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: Amy Bradway, Edward Counsellor, James Kates, Joanne Nacucchio, Carl Schrier, Marjorie Sperry, Doug Tzaden

Absent: Christopher Donelson, Robin Harmon, and Zach Patterson

Also present: Gary M. Salber, Esq., Lawrence M. DiVietro, Jr., PLS PP AICP and Andrew Hogg, P.E. and Bonita Bell.

APPROVAL OF FEBRUARY 8TH, 2011 MEETING MINUTES: Motion was made by Amy Bradway to approve the Minutes and Doug Tzaden seconded the Motion. All were in favor. Minutes were approved.

APPLICATIONS: None. This meeting is going to be used as an Administration meeting.

RESOLUTIONS:

**RESOLUTION 2011-08 THOMAS AND BETH SEDEYN
USE AND BULK VARIANCES – 570 SALEM-QUINTON ROAD
BLOCK 5, LOT 3 RESIDENTIAL APARTMENT IN EXISTING AIRPLANE HANGER**

Chairwoman Margaret Maxwell-Mood briefly outlined the Resolution.

Motion was made by Joanne Nacucchio and seconded by Marjorie Sperry to approve Resolution 2011-08.

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Roll call vote:

Amy Bradway – Abstained;

Edward Counsellor – Yes;

James Kates – Abstained;

Margaret Maxwell Mood – Abstained;

Joanne Nacucchio – Yes;

Carl Schrier – Abstained;

Marjorie Sperry – Yes

Doug Tzaden – Yes

OLD BUSINESS: A discussion was held on Escrow Fees and the possibility of increasing them due to the shortages experienced. Chairwoman, Margaret Maxwell-Mood checked with a couple surrounding Townships and their fee schedule. Chairwoman Margaret Maxwell-Mood circulated a copy of her research notes for everyone to review.

Chairwoman, Margaret Maxwell-Mood has been working on various form letters to outline the procedures for replenishing escrow accounts, return of escrow funds, and the process to follow when there is a dispute.

Chairwoman, Margaret Maxwell-Mood inquired as to the normal procedure that the professionals follow on notification to Applicants.

It was pointed out that the previous Solicitor's firm did notify the applicants at the same time the invoices were sent out to the Township for processing.

Solicitor Salber explained the proper procedure. Invoices would be sent to the CFO for processing along with a copy to the Board Secretary and Applicant.

It was determined that the professionals would have the invoices submitted within one week after the meeting. This would cut down on the delay in processing the payments to the professionals and returning the escrows to the Applicant. The Board is trying to expedite the process on making payments and return of escrow funds to the Applicants.

Turn around on reports – Reports from the professionals will be due the last Tuesday prior to the first Wednesday of the month so they can be included in the packages to the Board members.

Solicitor Salber pointed out that if the professionals did not receive their information in a timely fashion they would not be able to properly evaluate the situation and make

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their determination in time for the deadline to get the information in the Board member packages.

The Application states that the Applications are to be filed 15 days prior to meeting.

The Board members need to be able to review the letters and submissions from the professionals, along with the Applications, so that they can make a proper determination.

Minor subdivision – no variances – the Board should be able to confirm completeness and have the hearing in one meeting.

Land Use Law states clearly that the Board has 45 days, from the date the Application is received, to deem the Application complete and 120 days to act on it. Technically, a review can be performed and if there is missing information the Applicant will be notified that we need more information. The Applicants have to be notified within 45 days of receipt that the Application is complete or incomplete.

Amy Bradway said that the Board used to have two meetings – completeness and then the hearing. Not to say that the Board should go back to that, just stating that it was that way in the past.

We need to address on an individual basis, if simple and straight forward we can hear everything in one meeting. If it is more complex, then it will be in two meetings.

James Kates explained that we rely on the professionals to give us their expert advice and that if the Engineer or Planner needs more data, then call them to get that information. If the Applicants have paid their fees then call them and just notify the Board Secretary that you are requesting the information as they are incomplete.

Marjorie Sperry questioned if it would be an addition to the bill to the Applicants if the Engineer and/or Planner takes the time to call them. It was explained that it is a courtesy to make the Application process flow more smoothly for everyone.

The Engineer states that the Application is incomplete because of the missing items. The Applicants will need to know so they can be informed in time to advertise at least 10 days prior to the meeting.

Central communication through Board Secretary – Engineer or Planner will notify the Applicants and email Board Secretary so the process will move forward more quickly.

The Engineers will just be getting missing pieces of information.

One month hearings are for the applications that are straight forward – no variances.

After receiving information from the Planner and Engineer how advanced they are and if they are complete to be on the next month's Agenda or not.

Cut, dry, minor subdivision – one meeting. If you require a variance you will need two meetings. If the Applicant needs a variance it is going to be a two-step process. We cannot address that in one meeting.

If it is cut and dry – one meeting. If you have a variance it will need to be a two-step process.

Quinton Township passed a Resolution that we are an independent type of Board, independent from the Township.

A series of correspondence is being put together so we can expedite the total process.

The Board members responsible for reviewing escrow shortages with Applicants to resolve deficiencies of escrow will be the Chairperson, Vice-Chairperson and Secretary.

At this time there are 4 Applicants that need to be contacted to get their escrow funds replenished.

The appeal process is getting perfected and the Applicants will be contacted regarding their bills. James Kates explained that cannot make a determination based on a conversation with an Applicant without having the facts and speaking to the professionals.

Chairwoman, Margaret Maxwell-Mood, Vice-Chairwoman, Marjorie Sperry and Secretary, Bonita Bell will meet with these Applicants. Once the facts are obtained and a consultation with the professionals has been made, if an agreement has not been reached, the Applicants will be directed to the County Construction Board of Appeals.

Increasing the escrow fees – Amy Bradway does not believe that we should increase them.

Professional rates have increased.

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Summary of Escrows – the reports were asked for but not received until last month, February. They were received a week and a half after the administrative meeting.

James Kates said that the Board is going to be involved now. If you are not getting information that you have requested to notify the Committee.

Margaret Maxwell-Mood will email the escrow shortages to Joanne Nacucchio who will compile a spreadsheet.

Joanne Nacucchio, Marjorie Sperry and Amy Bradway will take over the task of researching the escrow fee increases.

Amy Bradway said that there was a disconnect on her escrow refund process. Amy explained the process she experienced through the return of her escrow, which took way too long.

The Township Committee meets twice a month – the checks should not take that long to get back to the Applicants. James Kates is going to take care of the time involved.

A chart is needed to compare escrow shortages. The volume of hours and rate per hour needs to be checked to make a proper determination.

There has been a major change with the Board and we are working toward clarity. The Board members can go online to check the fees from other municipalities to compare.

From the professional standpoint – Larry DiVietro offered someone has to check the Application and the Board members understand that they go out and check the site, and check the applicable statutes. There is a due process that has to be followed.

More complicated - the cell towers, solar fields are variances. They look at the intent of what you want to do. Gather as much information as supplied by the Applicants, go out and look at the site and go through the checks and balances. When there are sensitive issues they have to spend a little more time.

The professionals present a Contract which outlines the cost per hour. The Contracts have not been finalized as of yet because the Board is requiring an Addendum regarding the turnaround time. Marjorie Sperry praised the professionals as they can say they did these checklists and they are doing their job. They are doing the leg work that the Board is not capable of doing.

James Kates said that when he asks a question and the answer has been given he knows that the behind the answer is the research.

Margaret Maxwell-Mood indicated that she would like to get all of the Boards on line to get a collaborative effort and have a more uniform manner on processing.

Margaret Maxwell-Mood wants a check off list for everyone so that a permit is not given out when an Applicant still owes money and needs to pay an invoice.

Attendance by the Board – there is an issue. Some members have consistently been absent from planning board meetings. Mayor Kates will speak to a couple of them. There are guidelines, Solicitor Salber will check it out for us. James Kates will check out the situation and if there is a problem will appoint a new member.

All Boards – Resolution – all departments will work together – Mayor Kates will have a memo sent out on the matter.

Training – Margaret Maxwell-Mood and Bonita Bell will be going to the March 26th class in Cape May – Doug Tzaden will also go for his training. Margaret Maxwell-Mood told them about the upcoming locations and dates.

Lou Joyce mentioned to Margaret Maxwell-Mood that we passed in one motion a variance and site plan approval – each need to be voted on separately – the variance and its approval require separate motions. This will avoid any un-necessary deficiencies in the process.

Tuesday nights – Margaret Maxwell-Mood is looking to change the day of the meeting to Wednesday. Some Board members would not be able to attend if you change the day. The meetings will stay on the second Tuesday of the month.

Discussion was held regarding how the packages are received. The Board is now going to require the Applicants to provide the Planning Board Solicitor, Planner and Engineer with an individual complete Application package at the same time of the submission to the Planning Board Secretary. The Secretary will receive the packages for the Board members and the file. This will cut down on delay time for the professionals so they can start the review process as soon as possible.

Motion – Doug, Second Marjorie Sperry; All in favor. Motion so carried.

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Public portion –

Mr. Kevin Ladner

63 Money Island Road, Elsinboro, NJ

Mr. Ladner gave an update on his matter. Solicitor Salber stated that the matter before the Court is holding up signing the Deeds. Mr. Ladner will be going to see his attorney and stated that the Prerogative Writ is going too squashed. Mr. Ladner needs the Deeds to be filed, it is holding him up.

Mr. Ladner said that he has done everything that the Board has asked him to do.

Mr. Ladner asked if a letter can simply be sent from his attorney stating that the Prerogative Writ will be squashed on March 18th, 2011 so that the Deeds can be signed?

Solicitor Salber stated that only upon receipt of the Order signed by the Court will the Deeds be released for signing.

Chairwoman, Margaret Maxwell-Mood stated that as soon as Solicitor Salber contacts the Secretary she will be there to sign the Deeds.

Solicitor Salber indicated that the Deeds can be signed, but will be held until the Court Order is received. Only at that time will they be released.

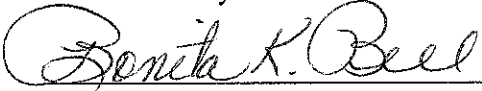
Mr. Ladner or Mrs. Ladner will call to set up a time with the Board's Secretary to deliver the originals, as the Planning Board secretary is in possession of copies.

At this time there were not any other public comments.

Chairwoman, Margaret Maxwell-Mood requested a motion to adjourn the meeting. Doug Tzaden made a motion, Marjorie Sperry seconded the motion. All were in favor. Motion carried.

Meeting adjourned at 8:20 p.m.

Approved: April 12th, 2011

Submitted by,

Bonita K. Bell, Secretary