

Holland Township Land Use Board
Minutes of the Reorganization Meeting

January 8, 2024 (reorganization)

(Notice-The Chairman reserves the right to change or revise the order of the agenda as needed. Formal action may or may not be taken)

Land Use Administrator: “I call to order the January 8, 2024 Reorganization Meeting of the Holland Township Land Use Board. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Land Use Administrator by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Publishing the notice in the December 21, 2023 edition of the Hunterdon County Democrat
3. And faxing to the Express-Times for informational purposes only.

Land Use Administrator Kozak asked all to recite the Pledge of Allegiance

Appointments

Land Use Administrator: We have appointments and re-appointments to swear in:
(Determined January 2, 2024 at the Township Committee Reorganization meeting)

2024 JOINT LAND USE BOARD

	CLASS	TERM EXPIRES
Dan Bush	I	12/31/2024
Mike Keady	II	12/31/2024
Scott Wilhelm	III	12/31/2024
William Martin	IV	12/31/2027
Bill Ethem	IV	12/31/2027

ALTERNATE CLASS IV #1 (2 year term):

Ryan Preston		12/31/2025
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ALTERNATE CLASS IV #2 (2 year term):

Joe Cinquemani		12/31/2025
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Secretary Kozak – Township Committeeman Wilhelm will swear in Class I Dan Bush
Township Committee Mayor Bush will swear in Class III Scott Wilhelm
Township Committee Mayor Bush will swear in Class II and Class IV reg/alt.

Congratulations to our Land Use Board members.

Nominations:

Land Use Administrator Kozak requested nominations for Chairman:

A motion was made by Dan Bush and seconded by Joe Cinquemani to nominate William Martin as Chairman. William Martin accepted the nomination as chairman. All present were in favor. Motion carried. William Martin is the 2024 Land Use Board Chairman.

Land Use Administrator requested nominations for Vice-Chairman:

A motion was made by Dan Bush and seconded by Joe Cinquemani to nominate Mike Miller as Vice-Chairman. Mike Miller accepted the nomination as Vice-Chairman. All present were in favor. Motion carried. Mike Miller is the 2024 Land Use Board Vice-Chairman.

Land Use Administrator Kozak turned the meeting over to the Chairman:

Chairman Martin read the resolution to be adopted authorizing the award of a contract to the appointed professionals not utilizing the process defined in the third definition under N.J.S.A. 19:4A-20.7. These contracts are awarded without competitive bidding as a “Professional Service” in accordance with 40A:11-5-(1) (a) of the Local Public Contracts Law. This resolution shall be printed once in the Hunterdon County Democrat.

Dan Bush explained that Holland Township went out to bid for the professional services for the Land Use Board. In regards to the Engineer, the township recommends that the board accept the lower bid which was prepared by Van Cleef Engineering as Colliers Engineering did not bid for the Land Use Board has, they do not have enough engineers to attend scheduled evening meetings but have the engineers available in house to do the work. In regards to the attorney, the township recommends Eric Bernstein. The QPA reviewed all supplied materials and there were some items missing from the submittal. Dan Bush discussed this with Attorney Gallina. Planner Green with Colliers Engineering will remain as the planner and planner for Highlands Council projects. More discussion took place about keeping Colliers Engineering as the conflict engineer for the Huntington Knolls project. After some additional conversations regarding the need for a conflict/special project for the solar project, all agreed that Finelli Engineering (a division of UTRS) will remain in the position.

Appointments:

A motion was made by Scott Wilhelm and seconded by Mike Miller to appoint John Gallina as 2023 board attorney. With no further discussion, all present were in favor of the motion. Motion carried.

Chairman: Resolution to be adopted authorizing the award of a contract to Attorney John Gallina, Esq. not utilizing the process defined in the third definition under N.J.S.A 19:4A-20.7.

A motion was made by Dan Bush and Seconded by Mike Keady to appoint the following:

- 2024 Attorney Eric Bernstein
- 2024 Engineer Van Cleef Engineering
- 2024 Conflict Engineer Colliers Engineering
- 2024 Conflict Special Project Engineer Finelli Engineering (a Division of UTRS)
- 2024 Professional Planner Darlene Green of Colliers Engineering
- 2024 Highlands Council Subcommittee Professional Planner Darlene Green of Colliers Engineering
- 2024 Official News Paper to be the Hunterdon County Democrat

With no further discussion or questions, all present were in favor of the motion. Motion carried.

A motion was made by Dan Bush and seconded by Ken Grisewood to appoint Kendra Lelie of Kyle & McManus Associates as Conflict Planner. At a roll call vote, all present were in favor of the motion. Motion carried.

A motion was made by Dan Bush and seconded by Mike Keady to appoint Maria Elena Jennette Kozak as Land Use Board Administrator/Secretary. At a roll call vote, all present were in favor of the motion. Motion carried.

The Land Use Board meeting schedule was already approved and published in the December 21, 2023 edition of the Hunterdon County Democrat as required. It appeared as such:

Township of Holland
Land Use Board

2024 Meetings

PLEASE TAKE NOTICE that the Land Use Board, Township of Holland, County of Hunterdon, New Jersey, will meet to discuss or act upon public business on each of the dates set forth below, at the Municipal Building, 61 Church Road, Milford, NJ. Meetings are open to the public.

Time: If necessary, a Work Session will begin at 6:30 P.M. to discuss the Agenda of the evening.

Public participation during the work session will be prohibited.

The regular meetings begin at 7:00 P.M.

The cut-off time for meetings is 11:00 P.M.

Meeting Dates

January 8, 2024
February 12, 2024
March 11, 2024
April 8, 2024
May 13, 2024
June 10, 2024
July 8, 2024
August 12, 2024
September 9, 2024
October 14, 2024
November 11, 2024
December 9, 2024
January 13, 2025

Agenda Deadline

December 18, 2023
January 22, 2024
February 19, 2024
March 18, 2024
April 22, 2024
May 20, 2024
June 17, 2024
July 22, 2024
August 19, 2024
September 23, 2024
October 21, 2024
November 18, 2024
December 23, 2024

By ordinance the meetings of the Holland Township Land Use Board are held the second Monday of the month, with the agenda deadline three weeks prior to the meeting.

Identification of those at the podium

Present: Dan Bush, Jerry Bowers, Joe Cinquemani, Ken Grisewood, Dave Grossmueller, Michael Keady, William Martin, Mike Miller, Nickolas Moustakas, Kelley O'Such, Ryan Preston, Scott Wilhelm, and Maria Elena Jennette Kozak, Land Use Administrator.

Absent: Bill Ethem, Peter Kanakaris, and no 2023 board professionals. The Court Reporter positions also does not exist anymore and the recording is the record along with minutes.

Let the record show there is a quorum.

Minutes

The approval of the December 11, 2023 was tabled.

2023 Report of the Land Use Board prepared by Board Attorney

This was submitted by Attorney Gallina.

January 5, 2024

Maria Elena Kozak Secretary
Holland Township Land Use Board
61 Church Road
Milford, New Jersey 08848

**Re: 2023 Annual Report
N.J.S.A. 40:55d-70.1**

Dear Maria Elena:

Under the Municipal Land Use Law, N.J.S.A 40:55D-70.1, the board of adjustment (Land Use Board) shall at least once a year review its decisions on applications and adopt by resolution a report on its findings on zoning ordinances which were the subject of variance requests, and its recommendations for amendments to zoning ordinances, if any. Copies shall be sent to the governing body and the planning board.

The purpose of this provision is to encourage and enable the Board to bring to the attention of the planning board and governing body particular provisions of the zoning ordinance which created problems for the board during the preceding year.

The annual report is similar to the re-examination of the Master Plan, which reflects a legislative policy to ensure that the zoning ordinances reflect contemporary needs and conditions and that the governing body is kept informed of the ordinance provisions that generate variance requests. Cox, Zoning and Land Use Administration, Section 15-2.3.

The “board of adjustment” type of variance applications heard before the Land Use Board in 2023 involved bulk variance relief pursuant to N.J.S.A. 40:55D-70c(2) as follows:

1. Variance relief under N.J.S.A. 40:55D-70c(2) was granted, with conditions, in the application of Chris and Sharon Karcher on property located at Block 20, Lot 12, at 231 Riegelsville Road. The application involved bulk variance relief pursuant to N.J.S.A.

40:55D-70c (2) from the requirements of Land Use Ordinance Section 1000-10A and 100-45A , concerning the construction of a garage. Relief from the required setback of 75 feet was granted, permitting a setback of 39.52 feet. along with a variance for the number of garage structures on the site and use of the garage by someone who does not reside on the property.

2. Variance relief under N.J.S.AA. 40:55D-70c(2), with conditions, was granted in the application of Jonathan and Lynnan Vukusich on property located at Block 11, Lot 13, located at 239 Rummel Road. The application involved bulk variance relief in order to add an attached one story two car garage to an existing single family home. The Applicants were granted bulk relief from the requirements of Ordinance 100-109 to permit a front yard setback of 23.3 feet, where 25 feet is required.

Please advise if you have any questions.

Very truly yours, *John P.*

Gallina JOHN P. GALLINA

A motion was made by Dan Bush and seconded by Mike Miller to accepted the report prepared by Attorney Gallina and to submit this to the Township Committee once the resolution is memorialized. All present were in favor of the motion with the exception of Scott Wilhelm who abstained. Motion carried.

Old Business:

There was no Old Business scheduled at this time on the agenda.

New Business:

There was no New Business scheduled at this time on the agenda.

Completeness Review

Block 2 Lot 1.02 – 10 Mill Road – Holland Solar Farm LLC – Amended Final Site Plan – Received into the office November 15, 2023. The 45-day deadline is December 30, 2023. Deemed incomplete December 11, 2023. To resubmit and completeness review February 12, 2024. If deemed complete February 12, 2024 then public hearing February 12, 2024.

Resolution

There was no Resolution scheduled at this time on the agenda.

Public Hearings

Block 26 Lot 27 – 105 Riegelsville Rd – Davina Lapczynski – Variance. Received into our office June 22, 2022 – The 45-day completeness deadline is July 11, 2022. Deemed Complete July 11, 2022. Public Hearing scheduled for August 8, 2022. Applicant granted an extension to the September 12, 2022 meeting (email 071822), then to October 10, 2022 (email 082622), then to November 14, 2022. (email 092122), then to December 12, 2022 (email 102822), then to January 9, 2023 (email 120622) then to February 13, 2023 (email 010323) then to March 13, 2023 (email 020723), to April 10, 2023 (email 030623), to May 8, 2023 (email 040523), to June 12, 2023 (email 050323),to July 10, 2023 (email 052223), to August 14, 2023 (email 070523) to September 11, 2023 (email 080423,) ,October 9, 2023 (email 090723) , November 13, 2023 (email 10/06/23), December 11, 2023 (email 11/08/23), to January 8, 2024 (email 12/01/23) and to February 12, 2024 (email 01/03/24). Board Action needed February 12, 2024

Block 2 Lot 1.02 – 10 Mill Road – Holland Solar Farm LLC – Amended Final Site Plan – Received into the office November 15, 2023. The 45-day deadline is December 30, 2023. Deemed incomplete December 11, 2023. To resubmit and completeness review February 12, 2024. If deemed complete February 12, 2024 then public hearing February 12, 2024.

Sub-Committee Status and Updates:

Holland Township Highlands Council Subcommittee –update – Mike Keady did not have an update but mentioned that the 20th Anniversary of the passage of the legislation of the Highlands. The focus currently is how to do the best job to have affordable housing making sense and in the Highland’s region to keep the water pure so there is harmony for all. Amendments to the Highlands Regional Master Plan are to follow. One amendment is regarding warehouse standards in an effort to avoid adverse impact. Modifying maps are needed

to show land use capabilities. The DEP wants to keep the responsibility with conversations about not logging on state lands.

Home Occupation subcommittee – Ken Grisewood – this was on a hiatus because of the holidays and the stormwater reassignment of Tier B to Tier A. Another draft had been prepared but not reviewed. Dan Bush is hopeful that the subcommittee can start working on this project between first and second quarter of 2024.

Public Comment

Davina Lapczynski – 105 Riegelsville Rd – spoke with the township committee regarding ordinances and was told to come to the Land use Board for follow up on the solar ordinance. The suggestions is to review the ordinance to include structures such as parking garages or shelters. The ordinance as written limits the ground structure to be 10’ with screening. The ordinance that allows for carports is limited to recreational vehicles. More conversations took place with both Dan Bush and Scott Wilhelm mentioning that someone could appear before the Land Use Board with a variance application. Discussions took place about the possibility of putting ground solar in a free standing structure at the fire house or the Riegel Ridge Community Center. Additional conversations took place about the RRCC being historic with restrictions. More conversations were starting to take place about screening and Holland seeking grants to do a solar project when Joe Cinquemani, Mike Miller and Bill Martin had to leave because of a fire call.

Executive Session

There was no Executive Session scheduled at this time.

Housekeeping:

There was no housekeeping scheduled at this time on the agenda.

Adjournment

Scott Wilhelm made a motion to adjourn. Motion approved. The meeting ended at 7:35 p.m.

Respectfully submitted,

Maria Elena Jennette Kozak

Maria Elena Jennette Kozak

Land Use Administrator