

# Holland Township Planning Board

## Minutes of the Regular Meeting

September 8, 2014

The meeting was called to order by Chairman Rader:

"I call to order the September 8, 2014 Meeting of the Holland Township Planning Board. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Planning Board Secretary on December 12, 2013 by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Published in the December 12, 2013 issue of the Hunterdon County Democrat
3. Faxed to the Express Times for informational purposes only.

### **Flag Salute**

Chairman Rader asked all to stand for the Pledge of Allegiance

### **Identification of those at the podium**

Present: Dan Bush, Ken Grisewood (arrived 7:47 pm), Dave Grossmueller, Michael Keady, Michael Miller, Casey Muench, Dan Rader, Thomas Scheibener, Melissa Tigar, Duane Young, Tara St. Angelo for Don Morrow, Esq., Attorney, Bill Burr for Richard Roseberry, P.E., Elizabeth McKenzie, Planner (arrived 7:45 pm), Lucille Grozinski, CSR, and Maria Elena Jennette Kozak, Secretary.

Excused Absent: Carl Molter.

Let the record show there is a quorum.

### **Minutes**

A motion was made by Dan Bush and seconded by Tom Scheibener to dispense with the reading of the minutes of the August 11, 2014 meeting and to approve the minutes as recorded with the exception of Dan Bush and Melissa Tigar who abstained. All present were in favor of the motion. Motion carried.

### **Old Business:**

Block 24 Lot 3 & 13 – Huntington Knolls LLC – Attorney Caldwell discussion of the recently approved condition compliance resolution. All information is on file. Resolutions distributed. For the record, Ken Grisewood and Mike Keady left the meeting room and the building after the completeness review. They are not present.

Applicant's professionals present – Attorney Caldwell and Mr. Zederbaum. Attorney Caldwell wants the first order of business to be the discussion of the farmette. Planner McKenzie stated that the farmette is phase 2 is one resolution and the other resolution is the overall and that in her opinion the overall resolution needs to be addressed before the farmette. The discussion of notification came up. Planner McKenzie states in her memo that on page 2...dully noticed, August 11, 2014....applicant presented testimony and the public had the opportunity to comment. Attorney Caldwell declared that the board took official action and the board needs to memorialize the resolution. Secretary Kozak was asked to get the notice out for review. After a 5 minute break, Attorney Morrow declared that the notice of November 2013 does mention the farmette but he believes the farmette mentioned is NOT the farmette that is being discussed now. He also believes that the notice is on the border line and that the language and such other relief may cover but the applicant should have advertised better. The board can deem the present farmette is included and the applicant can assume the risk. Attorney Caldwell stated the applicant is in favor of assuming the risk and does not think someone will challenge it as no one has yet. The board discussed if moving forward would have a negative impact and was told that if an appeal took place that there is a cost and it would be the applicant plans that suffers. Both Planner McKenzie and Attorney Morrow feel that it's adequate to proceed but that it should be opened to the public for comment and then the resolution for the farmette can be changed to include the date of this evening but the board would be able to adopt the proposed resolution with the amendment. Planner McKenzie emphasized that she still believes the overall resolution should be adopted first. An attorney discussion took place about the public hearing taking place and not being halted, interpretations, etc. Attorney Caldwell stated they take objection and wants the farmette resolution to be approved and then moved on. Chairman Rader stated that they would open the public hearing for public comment only for the farmette. A motion was made by Dan Rader and seconded by Duane Young to open the public comment portion only for the Huntington Kolls LLC project for the farmette only. All present were in favor. Motion carried.

#### Public Comment:

Joan Booth – Fox Hill stated that she never received a letter and asked for a brief description of what was being proposed. Attorney Caldwell stated that notice was given off the 200' list and not everyone in Fox Hill would receive the notice. Mr. Zederbaum stated that sheet 7 of the 44 sheet plans submitted identified the farmette. The applicant's farm hay.

Jane Rowell – Fox Hill – asked for the location of the farmette and was told the back line of the property south easterly.

Barbara McClaren – Swift Drive – had concerns with the tree line and how it will be affected. This will be discussed at the public hearing but Chairman Rader did remind everyone that screening is a requirement. Ms. McClaren was also told that the proposed farmette is far from Fox Hill.

Chairman Rader asked if there was any other public comment. No one else stepped up. A motion was made by Tom Scheibener and seconded by Mike Miller to close this portion of the public hearing. All present were in favor. Motion carried.

Planner McKenzie stated that the board can take action but again she thinks the second resolution (the overall resolution) should be the first resolution the board addresses. The board moved forward with the proposed resolution.

RESOLUTION OF THE TOWNSHIP OF HOLLAND PLANNING BOARD  
APPROVING THE REQUEST OF APPLICANT FOR A MODIFIED SET OF CONDITIONS OF ALL PRIOR APPROVALS FOR HUNTINGTON  
KNOLLS, LLC, PLANNED RESIDENTIAL DEVELOPMENT

Block 24, Lots 3, 13 and 13.01

WHEREAS, the Planning Board of the Township of Holland in the County of Hunterdon (Planning Board) did, on May 12, 2003,

grant preliminary overall planned development approval, preliminary major subdivision approval, and Phase I preliminary site plan approval to Huntington Knolls, LLC, ("Applicant") for a comprehensive age-restricted planned development known as Huntington Knolls, subject to the satisfaction of the conditions set forth in the Resolution granting said approval that will occupy Lots 3 and 13 in Block 24, adjacent to County Route 519, Milford-Warren Glen Road; and,

WHEREAS, the Planning Board did, on June 12, 2006, grant final site plan approval to the Applicant for the initial phase of the age restricted portion of the development and minor subdivision approval to create Lot 13.01, Block 24, subject to the satisfaction of the conditions set forth in the Resolution granting said approval; and,

WHEREAS, the Planning Board did, on September 12, 2011, approve the conversion of the Huntington Knolls project from the previously approved development of age-restricted housing units to a development of non-age-restricted housing units pursuant to P.L. 2009, c.82, previously Senate Bill No. 2577, which authorizes the conversion of an age-restricted development to a non-age-restricted development as an amendment to a previously approved plan for an age-restricted development provided certain statutory criteria are satisfied; and,

WHEREAS, the Applicant has appeared before the Planning Board to request the clarification, modification and/or removal of certain conditions of the foregoing prior approvals in order to assist in the preparation of a compliant final site plan for Phases II and III of the development; and,

WHEREAS, the Planning Board is desirous of simplifying the effect of the previous resolutions by memorializing in one resolution the conditions of all prior approvals that currently apply to this development; and,

WHEREAS, a public hearing was conducted on November 11, 2013, and December 9, 2013; and,

WHEREAS, the Applicant offered the testimony of Robert Zederbaum, the Applicant's Engineer, as to the relevance of each of the prior conditions of approval; and,

WHEREAS, interested members of the public were afforded the opportunity to cross-examine Mr. Zederbaum as well as to testify regarding Applicant's request; and,

WHEREAS, the Planning Board, after considering the testimony of Mr. Zederbaum, together with the comments of its own professional advisors and the public, amended the resolutions adopted on May 12, 2003, June 12, 2006 and September 12, 2011, by adopting the a new resolution dated May 12, 2014, containing a revised list of applicable conditions of all prior approvals, which conditions are to be interpreted to embody all of the conditions of the prior approvals that the Board has determined are applicable to the development and to supersede the conditions listed in each of the prior resolutions of approval; and

WHEREAS, at the July 14, 2014, and August 11, 2014, hearings, the Applicant requested and the Planning Board consented to additional changes and modifications to the resolution adopted on May 12, 2014, so that the currently applicable conditions of all prior approvals are now limited to the following, which shall supersede the conditions listed in each of the prior resolutions of approval, but may be supplemented by the addition of such further conditions as may be imposed by the Board in connection with future approvals sought by the applicant in connection with this development:

1. The 2003 preliminary approval of the comprehensive planned development plan, which was schematic as to the details and specifications of the development, did not, in and of itself, grant any vested rights to the Applicant with respect to the details and specifications of the development. That approval was and is subject to and shall be modified by the details and specifications approved as part of the subsequent preliminary and final site plan approvals for the various phases of the development, except that any phase of the development involving the construction of a single-family dwelling (and its appurtenances) on a separate lot is not subject to site plan review as to the development of that separate lot. The 2003 approval of the comprehensive planned development plan specifically did not exempt the Applicant from complying with, nor did it exempt the Township from enforcing, any development requirements relating to the NJDEP's adoption of stormwater management and water quality regulations unless such regulations themselves provide for such exemption as to any phase of the development that may have already received a preliminary and/or final site plan approval.
2. The 2003 preliminary approval of the comprehensive planned development plan was a general plan approval of the approximate locations of the various elements of the planned development, but preliminary and final site plan review and approval shall be required to be granted for each phase of the development before the construction of any element of that phase of the planned development.
3. No variances other than the two variances specifically approved as part of the 2003 preliminary approval of the comprehensive planned development plan are to be considered approved even if other deviations may have appeared on the schematic plan submitted with the application for preliminary approval of the comprehensive planned development plan.
4. In the event of any changes to the approved comprehensive planned development plan or to any approved preliminary site plan for any phase of the development resulting from NJDEP requirements or permit reviews, the modified plan is required to be resubmitted to the Planning Board. If the required changes to the plan are substantial, or if the Planning Board determines that the plan should be substantially revised as a result of modifications required by the NJDEP, the Planning Board may require a new site plan to be

submitted by the Applicant.

5. The Township of Holland has proposed and will continue to advocate with the Hunterdon County Planning Board and the Highlands Council to have the entire Huntington Knolls development included within the Township's sewer service area as shown in the amended Areawide Wastewater Management Plan that is currently being prepared for submission to the NJDEP, consistent with the Township's adopted Housing Element and Fair Share Plan. To the extent amendment(s) may be required to the previously issued TWA for this development to accommodate changes in the uses and number of bedrooms proposed, the Township of Holland shall also support such amendment(s).
6. The Applicant is now proposing a total of up to 133 residential units on Lots 3 and 13, and, pursuant to the approval of the Conversion Plan in 2011, none of these units is required to be age-restricted.

The development is now comprised of the following five (5) phases:

- a. Phase I consisted of Lot 13.01, a 20.0 acre lot, which was previously subdivided from the balance of the tract and is now developed with a single-family dwelling. It has been represented by the Applicant that this lot is now owned by a group home provider who may be operating a group home on the premises. This lot is no longer considered part of the planned development tract, although conservation easements were required to be placed on portions of the lot as a condition of subdivision approval.
  - b. Phase II consists of open space associated with the development on the remaining 67.16 acres encompassed by the balance of Lot 13 together with Lot 3 as well as a proposed farmette (one dwelling unit with appurtenant outbuildings), to be served by a well and septic system and to be accessed off the existing driveway into the tract, which also serves Lot 13.01. The farmette and its curtilage have not been approved for subdivision from the balance of the tract.
  - c. Phase III consists of the development of 44 townhouse units and a minimum of 11 apartment units (minimum of 55 units) located in the north end of the tract. Phase III also encompasses the construction of all of Claremont Drive, all of the proposed recreational facilities and areas serving the development, and the required perimeter buffering and stormwater detention facilities.
  - d. Phase IV consists of up to 15 additional apartment units also located in the north end of the tract as well as 62 additional townhouse units, the latter to be accessed via a driveway system off Claremont Road and located in the southwestern corner of the tract.
  - e. Phase V consists of a 12.63 acre commercial portion of the development that is largely constrained by wetlands and required wetlands transition areas but that includes an existing brick tavern and an existing barn. These structures are permitted to be restored and adaptively reused for any of the types of commercial uses allowed in the district, subject to site plan approval.
7. Pursuant to the 2011 Conversion Plan approval (and as required by law), 20 percent, or 26.6 units out of the total of 133 units approved for this development by the Planning Board, are required to be affordable to low and moderate income households in full compliance with all of COAH's requirements and the UHAC. The Applicant proposes to address the affordable housing set-aside requirement with 26 rental apartments available to the general public, to be constructed in Phases III and IV of the development, unless the Applicant can demonstrate that the six (6) bedrooms in the group home on Lot 13.01, created as Phase I of the development, satisfy all of the applicable requirements for crediting against Holland Township's fair share obligation as set forth at N.J.A.C. 5:97-1, et seq. (or any subsequent rules and regulations in effect at the time the creditworthiness of the group home is demonstrated), N.J.A.C. 5:80-26.1, et seq., and the Fair Housing Act, as amended. If this is the case, the Applicant need only construct 20 low and moderate income rental units, with no change in the number of market units permitted to be constructed. The 0.6 fraction of an affordable unit that is required based on a 20% set-aside within a 133 unit development may either be satisfied with one additional affordable unit (and one fewer market unit) being provided within the development or with a pro-rated in lieu payment into the Township's affordable housing trust fund.

The plan for providing the affordable units shall include an identification of the locations of the units, sizes (number of bedrooms), utility systems, provisions for accessibility and compliance with all other applicable COAH and UHAC requirements, including COAH's phasing requirements for the construction of the affordable units. The COAH phasing requirements shall be separately and independently met within each of Phases III and IV of the development, and the Developer's Agreement(s) with Holland Township shall include a schedule for the construction and occupancy of the affordable units versus the market units within each phase that is both fair to the applicant considering the specifics of the project and also reflects COAH's intentions with respect to the timing of the completion of the affordable units.

All of the affordable units shall comply with all requirements set forth at N.J.A.C. 5:97-1, et seq., N.J.A.C. 5:80-26.1, et seq., and the Fair Housing Act, as may be amended or superseded through the date of the issuance of Construction Permits for the affordable units.

8. The proposed development is a planned development. No final site plan approval shall be granted for any phase of the planned development unless the Board finds that such phase will comply with N.J.S.A. 40:55D-45e. and with all of the requirements of Holland Township's Land Use Code and the Residential Site Improvement Standards (N.J.A.C. 5:21 et seq.). Prior to final site plan approval for each phase, the improvements required for that phase shall either be installed, inspected and approved by the Township Engineer or a performance bond shall be issued to cover the cost of such improvements pursuant to N.J.S.A. 40:55D-53, and no Certificate of Occupancy shall be issued for any dwelling unit in any phase until all improvements associated with that phase have been substantially completed as defined and regulated at N.J.S.A. 40:55D-53 (which specifically excludes the top or surface course of street pavement), provided that the installation of landscaping, may, in the discretion of the Township Engineer, be deferred to an appropriate planting season, if all other required improvements have been substantially completed. Notwithstanding any other provision of this Resolution, upon the grant of preliminary site plan approval for Phase III of the development, the

Applicant may obtain a Construction Permit for and may construct one townhouse building to be used and occupied as an office and model for sales or leasing promotions, but no part of such building shall be permitted to be sold or rented or otherwise occupied for residential purposes until all required improvements associated with Phase III have been substantially completed.

9. The issuance of a Certificate of Occupancy for the farmette in Phase II of the development shall not require the construction of any portion of Claremont Drive. A maintenance easement and agreement for the existing driveway shall be submitted to the Board for review and approval and shall be recorded prior to the issuance of a Certificate of Occupancy for the farmette in Phase II of the development. Should the development of Phase II occur prior to the construction of the stormwater management facilities that are proposed as part of Phase III of the development, then an appropriate stormwater management plan shall be prepared and implemented for Phase II, as a condition of the grant of a Construction Permit for Phase II and based on the approval of the Phase II stormwater management plan by the Township Engineer.
10. The required commercial portion of the development shall be deemed satisfied by the creation of a 12.63 acre commercial portion of the development tract encompassing the existing brick tavern and the existing barn. These structures may be restored and adaptively reused for any of the non-residential uses permitted within the district, subject to site plan approval. The front yard setback variance related to the placement of the existing tavern building was approved on the condition that the existing building be retained, restored and adaptively reused. If the existing building cannot be converted to a permitted use and is to be demolished, then such demolition would be deemed an abandonment of the previously granted front yard setback variance.
11. Since 2003, the amount of open space to be provided within the development has been reduced from 34.55 acres or 42.36 percent of the original 87 acre tract, to 27.26 acres or 41 percent of the now 67 acre tract, due to the approval of the subdivision of Lot 13.01 from the tract. The new open space figure is acknowledged to be in excess of the minimum open space requirement of 35 percent of the tract, and the Planning Board recognizes that the areas currently designated as open space may need to be modified as future phases of the development are refined and approved by the Planning Board, provided that under no circumstances shall the designated open space comprise less than 35 percent of the tract area. All currently proposed open space areas, regardless of their future ownership, are to be as shown on all approved site plans, with calculations. Documents addressing the reliability of the provisions for the ownership, maintenance and conservation of the open space in the development shall be submitted to the Planning Board and Township Committee for review prior to final approval for Phase II of the development. These documents may include, at the discretion of the Applicant and with the formal agreement of the Township Committee, documents indicating an intention to convey all or a portion of the open space to the Township of Holland. Any subdivision or conveyance of land within the area encompassed by the planned development prior to the approval and filing of such documents shall be accompanied by an appropriate deed restriction ensuring that the future owner of such land is subject to and bound by all terms and conditions of approval of the planned development, including the imposition of conservation easements and/or permanent deed restrictions, as needed.  
  
Open space areas shall be subject to such conservation easements or permanent deed restrictions as may be required to effectuate the preservation of such open space, and such conservation easements or deed restrictions shall reflect that no other use shall be permitted thereon except for those open space and recreational uses as may be expressly permitted pursuant to the preliminary and/or final site plan approval(s) granted by the Planning Board. The conservation easements or deed restrictions shall run in favor of and be enforceable by Holland Township as well as any open space organization established (or Homeowners' Association that may be established) to own and maintain such open space.  
  
Certain areas of Lot 13.01 were required to be and shall remain permanently protected by a conservation/tree protection easement in favor of both the owner of (or any Homeowners' Association established for) the Huntington Knolls development and the Township of Holland.
12. The Applicant shall provide the Board with records of water usage for all completed and occupied units in Phase III within six (6) months of occupancy. Such records shall be obtained from Aqua New Jersey or its successor utility based upon monthly metering data. The Planning Board reserves the right to require the applicant to make any modifications needed and appropriate to reduce water usage in Phase IV, if water usage in Phase III is found to exceed the projections of water usage, in order to maintain consistency with NJDEP permits and requirements.
13. The Applicant shall prepare and submit a revised landscaping plan for each phase of the development. The revised landscaping plan for Phase III shall include the proposed tract perimeter buffer plantings for all phases of the development which tract perimeter buffer plantings shall be designed to supplement rather than replace existing vegetation. Such tract perimeter buffer plantings shall be installed and inspected for compliance with the approved landscaping plan prior to the grant of any Certificates of Occupancy for Phase III of the development. A previous condition requiring landscaped berms to be provided in all perimeter buffer areas is hereby stricken in favor of preserving and supplementing existing hedgerow vegetation wherever possible.

All species of landscape plantings used shall be deer resistant, non-invasive and viable where proposed to be planted.

To the extent permitted by the NJDEP, detention basins shall be landscaped to screen and soften the impact of the land disturbance involved in creating them.

All areas disturbed for construction shall, upon completion of that portion of the development, be graded and stabilized and planted as open lawn with an approved turf mix or sod over an appropriate layer of topsoil and shall be maintained in this condition until these areas are ready for the installation of the landscaping approved for the applicable phase of the development.

14. A set of proposed Homeowners' Association documents shall be submitted for review and approval by the Planning Board and Township Committee prior to the grant of a Certificate of Occupancy for any unit to be occupied as a dwelling in Phase III of the development (i.e., not including the units in the model building) unless the applicant has previously declared his intention to rent the market units within the development instead of selling them. These documents shall include, but shall not necessarily be limited to, the proposed By-Laws and Declarations of Covenants and Restrictions. These documents (or in the event the units are rented) any residential leases issued by the owner shall include a prohibition against the use of garage space in any manner that precludes the storage and garaging of the number of passenger vehicles each garage is designed to accommodate, including a prohibition against the conversion of garage space to living space; shall prohibit the storage of boats and recreational vehicles within any portion of the development; and shall limit fireplaces, if provided within the dwelling units, to non-wood-burning, non-coal-burning or non-charcoal-burning models.
15. The Applicant has represented to the Board that all roads in the development will be privately owned and maintained, and the Board accepts and includes this representation as part of its approval of any phase of the development. Consequently, all plans and all Homeowners Association documents for Phases III and IV of the development, if applicable, shall reflect that the owner and/or Homeowners' Association will be responsible for the maintenance of all of the on-site improvements proposed in Phases III and IV, including the proposed stormwater collection and detention system, the sanitary sewage collection system, street and area lighting, and all landscaping and buffer areas. All plans for Phase V and any documents related to the ownership or occupancy of the commercial development in Phase V shall reflect that the owner(s) of Phase V shall own and maintain all improvements associated with Phase V, including the stormwater management and sanitary sewer systems, located therein. Any other provisions for maintenance of common and proprietary facilities within the development shall be subject to review and approval by the Planning Board and Township Committee.
16. The lighting fixtures to be used along the streets within the development shall be the Sternberg Old Town, Model A850, with Augusta, Model 4200, poles, or their approved equivalent, and that the Old Town lighting fixtures shall be furnished with Sternberg "NightSky" optical systems to reduce the potential for sky glow and glare. Plan notes shall indicate: 1) that the wattage of the lighting fixtures shall be reduced by Applicant upon request of the Planning Board based upon the Board's finding that the lighting given off by such fixtures is unnecessarily bright or causes glare or skyglow at any time after the fixtures are installed and operational; and 2) that none of the proposed outdoor recreational areas or facilities shall be lighted for night play.
17. The proposed water system shall be looped in accordance with RSIS standards (N.J.A.C. 5:21-1, et seq.) and to have adequate water storage for fire fighting purposes. The looped portion of the water main shall be constructed in Phase III of the development.
18. The appearance of buildings in the development shall reflect the approved architectural plans for the development. Any substantial architectural changes to the exterior appearance of any of the various buildings from the architectural elevations approved by the Planning Board must be submitted to the Planning Board for approval, with the term "substantial" referring to changes in roofline, fenestration placement or style, building materials and colors. Otherwise the buildings shall be required to maintain the general appearance reflected on the architectural elevations approved by the Board in June of 2006 for the townhouse buildings. Architectural elevations and floor plans shall be submitted to and approved by the Board for the apartment buildings prior to approval of the Phase III revised final site plan and both the townhouse and apartment architectural plans shall be fully dimensioned as to the height, width and depth of the buildings.
19. To the extent feasible, given the tract's topography, townhouse units shall be designed so that each dwelling has direct access from the living space within the unit to a private side or rear outdoor area. The site plan for Phases III and IV of the development shall show how this will be accommodated and for which units.
20. Sufficient recreational facilities shall be provided and shall be shown on the final site plan for Phases II and III to meet the needs of a non-age-restricted community. The outdoor recreational areas and facilities that had been shown on the plans for the age-restricted development shall be at least doubled to meet this requirement and shall be subject to approval by the Board as part of its approval of the final site plan for Phases II and III. Any preliminary site plan approval granted for Phase II shall be subject to modification at the time of final approval to accommodate such additional recreational facilities and any associated parking or access improvements as may be approved by the Planning Board.
21. To the extent that the approvals encompassed in this Resolution include any de minimus exceptions from, or agreements to exceed, any of the standards set forth in the Residential Site Improvement Standards (N.J.A.C. 5:21, et seq.), the Applicant shall have the obligation to notify the Commissioner of the Department of Community Affairs of such exceptions or agreements pursuant to N.J.A.C. 5:21-3.1 and 5:21-3.6, respectively.
22. Any reasonable conditions attached to the technical review and Planning Board's approval of the final site plan(s) for Phases II through V of the development shall be in addition to the conditions set forth herein pertaining to all prior approvals as modified herein.
23. The following outside agency approvals are required to be granted, if they have not already been received, as a condition of any subdivision or site plan approval granted by the Township of Holland for any phase of the development requiring subdivision or site plan approval, and prior to the issuance of any Construction Permit for the applicable phase except as specifically provided herein or in any subsequent resolution(s) approved by the Planning Board:

- a. Hunterdon County Planning Board approval.
  - b. Hunterdon County Soil Conservation District approval.
  - c. All applicable New Jersey Department of Environmental Protection permits and approvals, including, but not necessarily limited to:
    - 1) Wetlands Disturbance.
    - 2) Flood Hazard Area Disturbance.
    - 3) Dam Safety.
    - 4) TWA for Sanitary Sewer Extension.
    - 5) Amended TWA for additional units in Phase III.
    - 6) RFA General Permit for Construction Activities.
    - 7) Water Extension.
  - d. Approval of the proposed water supply, storage, and distribution system design and details by Aqua New Jersey, Inc., the NJDEP and the Holland Township Fire Chief.
24. No lot or dwelling unit in the development shall be conveyed unless and until all applicable deed restrictions, easements and covenants required by this Resolution have been duly recorded or, in the alternative, that the lot or dwelling unit in question has been suitably deed restricted in recognition of its being part of a planned development and thereby subject to any such deed restrictions, easements and covenants that might be required by the Planning Board to ensure compliance with N.J.S.A. 40:55D-45.
25. Prior to receiving any final approval, a cost estimate shall be provided by the Applicant's Engineer for review and approval by the Township Engineer. A performance guarantee in the amount of one hundred twenty (120) percent of the approved cost estimate shall be posted with the Township, of which ten (10) percent shall be in cash. The Applicant shall also post a municipal inspection fee deposit in the amount of five (5) percent of the approved cost estimate.
26. As a condition of approval for any phase(s) of the development, the Applicant shall confirm with the Planning Board Secretary that all required property tax payments, application and escrow fees are current. All review and inspection escrow accounts shall be maintained with a positive balance by the developer. Upon a finding that the property taxes are overdue or upon depletion of the escrow account, no further reviews will be undertaken and no further inspections will be made until the account is brought up to a positive balance, and, if the site is under construction, a stop work order may be issued by the Township until the escrow account is brought up to a positive balance and all overdue property taxes have been paid.
27. This Resolution shall not take effect unless and until all outstanding professional review fees, escrow fees and taxes are paid up and Applicant's accounts are current.
28. Prior to the grant of final approval for any phase of the development, the applicant shall have complied with all of the technical comments and recommendations of the Board's professionals with respect to the design of such phase(s), and the Resolution approving such phase shall include not only reasonable conditions pertaining to the development of such phase(s) but also compliance with all of the foregoing conditions set forth in this Resolution, to the extent that such conditions have not yet been met and therefore remain applicable.
29. As a condition of final approval for any phase of the development, the Applicant shall enter into a Developer's Agreement with the Township of Holland addressing how all of the conditions of such final approval and of this Resolution will be met with respect to that phase.

ROLL CALL VOTE:

For: \_\_\_\_\_

Against: \_\_\_\_\_

Abstain: \_\_\_\_\_

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Planning Board of the Township of Holland at its meeting held on May 12, 2014 as amended by the Planning Board on September 8, 2014.

\_\_\_\_\_  
 Maria Elena Kozak, Planning Board Secretary

Some corrections needed include: A date change, page 2 syntax, modification of May 12 and other changes added, page 3 how we got there, as it sets the stage, page 5 added the township continues to advocate for the entire Huntington Knolls project to be part of the plan to the DEP, the affordable units question was discussed, an editorial change on page 5, group

homes may be as but no proof given yet, one dwelling plus farm outbuildings, Phase 3 spells out the location of the buffering, Phase 4 shows more affordable and townhouse units (numbers to be straightened out), Page 7 credit worthiness of group home, bottom of 7 is the plan and added the COAH phasing requirement explanation, developers agreement to be with the township committee to be worked on in the future to tie together (allowed to remove integration and TWA for phase 4 so it does not matter the exact phase – if they meet the obligation then it is good and that is what matters – it keeps it whole with COAH – the TWA – Treatment Works Approval Permit – is the approval to extend sewer lines and deliver sewer treatment to the development – this is granted by the DEP but endorsed by the Township along with Milford Borough), other rules are to be satisfied at the time of construction permit being sought, page 8 item 8 announces proposed development is a planned development, a construction permit can be done for a model but not for a residence (it allows them to start selling units), the Certificate of Occupancy will be for the proposed farmette, sewerage treatment for site, 2003 open space reduced because tract site is reduced, planning board to recommend open space can be modified as future discussions take place, some grammar changes need to be addressed, rate of sewer usage to be provided, phase 3 landscaping , buffer plantings and inspections, preserve existing vegetation resulted from the public comment and Engineer Zederbaum input, page 15 outdoor private space the language needed needs a change per the board to be townhouses units may be offered with an option of direct access from living space of unit to private space to the rear or side if topography allows all at the applicant’s discretion, page 20 subject to modification at time of final at approval of planning board (all want to see the farmette but some of phase 2 might be part of recreational use in that area), outside agency approvals (the board is on record that should zoning and construction feel a permit can be issued for the farmette then the board has no objection to them issuing the permit), page 23 covers the construction of the model (Betsy said phase 3 final approval). Attorney Caldwell asked for a break to talk with his clients.

The meeting resumed and Attorney Caldwell said they are in favor of what has been discussed. A motion was made by Mike Miller and seconded by Duane Young to approve the resolution discussed above with the changes as agreed upon. At a roll call vote, all present were in favor with the exception of Melissa Tigar who abstained. Motion carried. Planner McKenzie to make corrections and send a revised copy to Secretary Kozak for processing.

The second resolution was distributed as such:

Resolution No. \_\_\_-2014

**RESOLUTION OF THE HOLLAND TOWNSHIP PLANNING BOARD**

In the Matter of: Huntington Knolls at Holland Township, Preliminary Site Plan Approval for Revised Phase II

Applicant: Huntington Knolls, LLC (Vincent Jiovino)

Address: Milford-Warren Glen Road (County Route 519)

Tax Lot and Block: Lots 3 and 13, Block 24, Holland Twp., Hunterdon Co.

WHEREAS, the Planning Board of the Township of Holland in Hunterdon County, New Jersey ("Planning Board"), did on May 12, 2003, grant preliminary overall planned development approval, preliminary major subdivision approval, and Phase I (now Phases II and III) preliminary site plan approval to Huntington Knolls, LLC ("Applicant"), for a comprehensive age-restricted planned development known as Huntington Knolls that will occupy Lots 3 and 13 in Block 24, adjacent to County Route 519 (Milford-Warren Glen Road), which approvals included the approval of two bulk variances; and

WHEREAS, the said Planning Board did on June 12, 2006, grant final approval for the initial stage of the age-restricted portion of the development along with minor subdivision approval to create Lot 13.01 in Block 24; and

WHEREAS, the said Planning Board did on September 12, 2011, approve the conversion of the Huntington Knolls project from the previously approved development of age-restricted housing units to a development of non-age-restricted housing units pursuant to P.L. 2009, c.82, previously Senate Bill No. 2577, which authorizes the conversion of an age-restricted development to a non-age-restricted development provided certain statutory criteria are satisfied;

WHEREAS, the Applicant appeared before the Planning Board in 2013 and 2014 seeking modifications of the conditions of the foregoing approvals; and

WHEREAS, the Planning Board did adopt on May 12, 2014, a new resolution setting forth one set of conditions modifying all of the conditions of all prior approvals and superseding the conditions set forth in the prior resolutions memorializing the foregoing approvals; and

WHEREAS, at the Applicant’s request the Planning Board did on September 8, 2014, adopt an amended resolution with further modifications to the conditions set forth in the resolution adopted on May 12, 2014; and

WHEREAS, the Applicant is now seeking preliminary approval of what is now Phase II of the development to construct a farmette on a portion of the tract in lieu of a group home (special needs home); and

WHEREAS, the plan for Phase II is generally consistent with the latest set of plans for the balance of the development that have been submitted by the Applicant but that have not yet been approved by the Planning Board; and

WHEREAS, the Applicant wishes to proceed with construction of the farmette dwelling in Phase II in advance of obtaining Planning Board approval of the plans for the balance of the development even though such plans may involve modifications to Phase II as part of that approval process; and

WHEREAS, the Planning Board wishes to facilitate the Applicant’s request to start construction on the farmette dwelling and is prepared at this time to approve the location of the proposed farmette dwelling as shown on the plans prepared by RBZ Enterprises in March, 2014, as amended through July, 2014; and

WHEREAS, the Planning Board held and conducted a **duly noticed public hearing** on the applicant’s request for Phase II preliminary site plan **on August 11, 2014**, at which time the Applicant presented the testimony of a civil engineer (Robert Zederbaum, P.E.), who was questioned by the members of the Planning Board **with the members of the public who were in**

attendance having been given an opportunity to ask questions and comment on the matter; and

(NOTE: not sure if the statements in red are entirely true and, if not, they will have to be made true on September 8<sup>th</sup> before this resolution is adopted)

WHEREAS, the Planning Board, after considering the testimony at the public hearing and after having deliberated on this matter, does hereby grant preliminary approval of Phase II for the purposes of facilitating the construction of the farmette dwelling unit in Phase II, subject to all conditions of the adopted May 12, 2014, resolution, as amended by the resolution adopted on September 8, 2014, and the following:

1. The grant of preliminary approval for Phase II of the development is limited to the locations of the proposed farmette dwelling and the well and septic system needed to serve the dwelling but does not include approval at this time of the curtilage of the farmette or the locations of any outbuildings, and the Board reserves the right to require modifications to the Phase II portion of the plans following the grant of this preliminary approval based upon the Board's ongoing review and eventual approval of the revised plans for the development as a whole, including but not limited to the possible inclusion in Phase II of additional open space areas, recreational areas and uses, parking to serve such recreational areas and uses, and stormwater management and drainage improvements, and to include any modifications or changes that may be required by outside agencies having jurisdiction over the application.

2. The following outside agency approvals are required to be granted, if they have not already been received, as a condition of preliminary approval of Phase II:

- a. Hunterdon County Planning Board approval.
- b. Hunterdon County Health Department and Holland Township Board of Health approval of the well and septic system.
- c. Hunterdon County Soil Conservation District approval.
- d. All applicable New Jersey Department of Environmental Protection permits and approvals, including, but not necessarily limited to:
  - 1) Wetlands Disturbance.
  - 2) Flood Hazard Area Disturbance.
  - 3) RFA General Permit for Construction Activities.

3. The Planning Board has no objection to the issuance of a Zoning Permit and a Construction Permit *for the farmette dwelling only* prior to the Applicant's having obtained all of the above-listed outside agency approvals required for Phase II, if the issuance of such permit(s) is deemed appropriate by the Zoning Officer and by the Construction Official, in the individual and sole discretion of each, *and is at the Applicant's own risk*, provided, however, that no Certificate of Occupancy shall be issued for the farmette dwelling and no final approval shall be granted for Phase II unless and until all Township and outside agency approvals pertaining to Phase II have been obtained.

4. If the permits/approvals issued by the NJDEP or by the Hunterdon County Planning Board required modifications to the driveway and/or to the construction of a portion of Claremont Road or County Route 519, the Applicant shall post bonds and inspection fees consistent with conditions #7 and #24 of the Planning Board's Resolution adopted May 12, 2014, as amended by the Resolution adopted by the Planning Board on September 8, 2014, which now includes such conditions as conditions#8 and #25.

5. This resolution and the approval it embodies shall not take effect unless and until all outstanding professional review fees, escrow fees and taxes are paid up and Applicant's accounts are current.

6. Prior to the grant of final approval for Phase II of the development, the applicant shall have complied with all of the technical comments and recommendations of the Board's professionals with respect to the design of such phase(s), including additional reasonable conditions pertaining to the development of Phase II as well as compliance with all conditions of approval set forth in this resolution and in the resolution adopted by the Planning Board on May 12, 2014, as amended by the resolution adopted by the Planning Board on September 8, 2014 pertaining to the conditions of all prior approvals.

7. As a condition of final approval for Phase II of the development, the Applicant shall enter into a Developer's Agreement with the Township of Holland covering Phase II and addressing how all of the conditions of such final approval will be met.

8. The Applicant shall also comply with all of the following conditions precedent to obtaining final approval for Phase II:

- a. The proposed development is a planned development. No final site plan approval shall be granted for any phase of the planned development unless the Board finds that such phase will comply with N.J.S.A. 40:55D-45e. and with all of the requirements of Holland Township's Land Use Code and the Residential Site Improvement Standards (N.J.A.C. 5:21 et seq.). Prior to final site plan approval for each phase, the improvements required for that phase shall either be installed, inspected and approved by the Township Engineer or a performance bond shall be issued to cover the cost of such improvements pursuant to N.J.S.A. 40:55D-53, and no Certificate of Occupancy shall be issued for any dwelling unit in any phase until all improvements

associated with that phase have been substantially completed as defined and regulated at N.J.S.A. 40:55D-53 (which specifically excludes the top or surface course of street pavement), provided that the installation of any required landscaping, may, in the discretion of the Township Engineer, be deferred to an appropriate planting season, if all other required improvements have been substantially completed.

b. The issuance of a Certificate of Occupancy for the farmette in Phase II of the development shall not require the construction of any portion of Claremont Drive. A maintenance easement and agreement for the existing driveway shall be submitted to the Board for review and approval and shall be recorded prior to the issuance of a Certificate of Occupancy for the farmette in Phase II of the development. Should the development of Phase II occur prior to the construction of the stormwater management facilities that are proposed as part of Phase III of the development, then an appropriate stormwater management plan shall be prepared and implemented for Phase II, as a condition of the grant of a Construction Permit for Phase II and based on the approval of the Phase II stormwater management plan by the Township Engineer.

c. Documents addressing the reliability of the provisions for the ownership, maintenance and conservation of the open space in the development shall be submitted to the Planning Board and Township Committee for review prior to final approval for Phase II of the development. These documents may include, at the discretion of the Applicant and with the formal agreement of the Township Committee, documents indicating an intention to convey all or a portion of the open space to the Township of Holland. Any subdivision or conveyance of land from the tract encompassing the planned development prior to the approval and filing of such documents shall be accompanied by an appropriate deed restriction ensuring that the future owner of such land is subject to and bound by all terms and conditions of approval of the planned development, including the imposition of conservation easements and/or permanent deed restrictions, as needed.

Open space areas shall be subject to such conservation easements or permanent deed restrictions as may be required to effectuate the preservation of such open space, and such conservation easements or deed restrictions shall reflect that no other use shall be permitted thereon except for those open space and recreational uses as may be expressly permitted pursuant to the preliminary and/or final site plan approval(s) granted by the Planning Board. The conservation easements or deed restrictions shall run in favor of and be enforceable by Holland Township as well as any open space organization established (or Homeowners' Association that may be established) to own and maintain such open space.

ROLL CALL VOTE:

For: \_\_\_\_\_

\_\_\_\_\_

Against: \_\_\_\_\_

Abstain: \_\_\_\_\_

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Planning Board of the Township of Holland at its meeting held on September 8, 2014.

\_\_\_\_\_  
Maria Elena Kozak, Planning Board Secretary

Planner McKenzie discussed the changes. The hearing dates to be changed and will state August 11 and September 8. Testimony was presented. The note on page 4 will be removed, Attorney Caldwell asked that on page 2 the word testify is inserted. All the professionals have reviewed the resolutions. The board has reviewed as well. Another comment was that on page three Betsy McKenzie will add pertinent agricultural outbuildings to the southwest of the driveway as shown on Exhibit A1. Discussion of Phase 2 needing final approval which will Phase 3 can also be discussed. Attorney Caldwell was not in favor of the wording in the resolution but Attorney Morrow said the board will keep it in. Attorney Caldwell requested that page 5 #8a has to be like the other resolution and Planner McKenzie said she would make the changes. Everyone is satisfied. A motion was made by Mike Miller and seconded by Duane Young to accept the proposed resolution with the changes discussed. At a roll call vote, all present with the exception of Tom Scheibener, Dave Grossmueller, Melissa Tigar and Dan Bush who abstained were in favor. Motion carried. Planner McKenzie to make changes and send to Secretary Kozak for processing.

**New Business:**

Block 16 Lot 1.04 – Scott Shepherd-Minor Subdivision – Boundary Line Adjustment for Agricultural Subdivision - Block 16 Lots 1.04 & 1.02 – Board Action needed to determine if this is an agricultural subdivision. If yes then a resolution will be needed. Applicant's Attorney Barbella is present and explained an agricultural subdivision needs the board to make the decision if the land in question is being used for agriculture and no new streets are created. The two lots must be in the end at least five acres. The applicant is proposing a merger of 6.9 acres. The two properties are owned by the Shepherds. The elderly Shepherds are looking to downsize and sell their property. The remaining Shepherds currently use some of the elderly Shepherd property as an alternate grazing path for his farm animals. The younger Shepherds own Lot 1.04. There

would be no change from the current use. The only change would be in the owners of the elderly property. Board member Keady stated that he looked at the MLUL and noticed that there is not as much guidance for an agricultural subdivision. Attorney Barbella stated that you have to read the definition and she read it into record MLUL40:55D(7). Member Keady then asked for clarification that this proposed subdivision is only for agricultural purposes and no new road is being created. Attorney Barbella stated that was true as there is a house and driveway on each existing lot. A motion was made by Dan Bush and seconded by Mike Keady to deem this application before the Planning Board as an agricultural subdivision with no completeness review being needed nor a public hearing. At a roll call vote all present were in favor of the motion. The application, the affidavit and the proofs were marked into record by Attorney Morrow. Attorney Morrow will prepare the resolution for consideration at the next scheduled planning board meeting.

### **Completeness Review:**

There was no completeness reviews scheduled for discussion.

### **Resolution**

There were no resolutions at this time.

### **Public Hearings**

- Block 24 Lot 3 & 13 – Huntington Knolls LLC – Amended Preliminary Major Site Plan – Received into our office May 19, 2014 – 45 day completeness deadline is July 3, 2014. Board Action needed. Judge rec back to PB. Board Action needed. Deemed compete July 14, 2014. Public hearing September 9, 2014.
- The proofs, affidavit, certification list etc have been submitted and are Exhibit A1. The Planning Board has jurisdiction.
- The letter prepared by Maser Consulting dated September 4, 2014 was discussed.

#### **MEMORANDUM**

**To: Members of the Holland Township Planning Board**

**From: C. Richard Roseberry PE, PP, AICP**

**William H. Burr, IV, PE**

**Date: September 4, 2014**

**Re: Huntington Knolls - Technical Review #2 (Phases 2 & 3) and  
Technical Review #1 (Phase 4)**

**Block 24, Lots 3, 13 & 13.01**

**Holland Township, Hunterdon County, NJ**

**MC Project No. HLP-002**

Dear Members of the Planning Board:

Our office has completed its review of the Huntington Knolls development application for Phases 2, 3 & 4. The following comments pertain to the plan set (consisting of 44 sheets) as prepared by RBZ Enterprises, Inc., dated March 31, 2014, revised to July 28, 2014 and Stormwater Management Report, revised through March 2014.

We understand that the most recent plan set has been submitted to address comments from our February 7, 2014 review memorandum. Based on our review, it appears that nearly all of the comments in our previous February 7, 2014 memo have not been addressed and remain outstanding.

We also have quite a few comments pertaining to Phase 4. As you can see from our comments below, the plan set is still incomplete for our office to perform a thorough review of all the engineering details needed for our office to recommend that the Board approve said plans.

The following is a list of plan deficiencies that are required to be addressed with the next submission:

**Phase 3 Comments** (follows same order as our February 7, 2014 correspondence with our latest comments in **bold**):

1. An Overall Dimension Plan shall be provided showing all the improvements, easements, phase lines, lot lines, buffers, wetlands, etc. Currently, this information is shown on various plans requiring our office to literally overlay the plans on a light board to see if there are conflicts. Several of the sheets have easements from prior plans shown while other sheets have these easements in different locations. It has been quite difficult to review these plans since the information is on different sheets. **Not Satisfied. The current line weights of the various line types makes the plans very difficult to read as many of the lines and text are very similar. We suggest revising the plans so that existing conditions layer be made a lighter line weight while proposed information remain darker – see the previous plan set, dated July 2013, for an example of what we recommend.**
2. Sheet 3a (**now Sheet 4**) proposes a subdivision of Lot 3 for the commercial lot development. This lot line does not appear on any other plan except the overall grading plan and open space plan. For consistency, this lot line shall appear on all plans. An application shall be prepared and submitted to the Board for review and approval of this subdivision. **Not Satisfied.**
3. Sheet 3 shows the conservation easements from a previous plan. Sheet 3a shows proposed conservation easements that are different than the conservation easements shown on Sheet 3, but the metes and bounds table on Sheet 3a describes the easements on Sheet 3. **Not Satisfied.**
4. Elevation labels are needed on all sheets of the plan set, both existing and proposed. **Not Satisfied.**
5. The proposed sidewalk is not shown on Sheet 28. **Not Satisfied. It appears that the sidewalk has been removed from the plans even though there still remain some labels and other indications of a previously proposed sidewalk. The only sidewalk shown is at the COAH buildings. See comment # 18 below.**
6. Sheet 4 (**now Sheet 5**), Phasing Plan, shows the Phasing Plan that was recently approved by the Board. This plan does not show the proposed subdivision line of Lot 3, which will require the phasing lines for Phase 5 to change. **Not Satisfied. The plan shall clearly show the limits of work around the COAH buildings that will be constructed in each phase.**
7. The plans need to show where sidewalks and patios will be constructed as well as any outdoor equipment such as mailbox clusters and dumpster/recycling enclosures. **Not Satisfied. It is important that this information be provided on the plans now so that a review can be performed to confirm compliance with ordinance requirements and ensure that the project is actually buildable as proposed. The location of mailbox clusters and dumpsters need to be provided in locations where they meet ADA requirements.**
8. The plan shows a 50' right-of-way that is intended to be a utility easement for all utilities. This easement shall clearly be labeled on the plans and delineated by metes and bounds. **Not Satisfied. Plan Sheet 21 has been changed to reflect a 35 ft. wide utility easement centered on the road. Other plan sheets also still appear to reflect a 50 ft. wide right of way (unlabeled) throughout the development. These areas need to be clearly labeled on the plans and testimony should be provided to clarify the various rights of way and/or easements that are being proposed and who they are being dedicated to.**
9. The current plan with the sidewalk directly adjacent to the road is going to require the curb height to be constantly changing between 6" and 0" to accommodate the curb ramps. These varying curb heights shall be shown on the plan. Our office recommends a design that would have the sidewalk installed 6' away from the curb and 6" higher than the curb with a landscaped strip between them. This will allow the sidewalk to be built without truncated domes at each driveway and eliminate the varying curb heights on Claremont Drive. **Not Satisfied – the sidewalk appears to have been removed from the plan. See Comment #18 below.**
10. The managers/maintenance building is shown on the Phasing and Open Space Plan, but not on the Grading Plans. All plans should match. **No longer applicable since the building has been removed?**

11. The pavement specification shall be revised to match RSIS requirements. **Not Satisfied. The pavement section was revised but there are still discrepancies between the pavement section and the roadway sections.**
12. The inlet details shall specify the use of “Eco” castings. **Not Satisfied. This was labeled on the County detail but not on the site specific construction detail.**
13. It was my understanding that the applicant stated they submitted these plans to Hunterdon County for review. I contacted the County and they have not received them. Since the new road will access the County road, we need the County’s input to confirm the new location is acceptable. An application shall be submitted to the County immediately to start the review process. **An application was made to the County and the County subsequently disapproved the application by way of letter dated August 8, 2014. The applicant should provide the Board with an update on the status of the resubmission to the County?**
14. **New Comment.** There appear to be discrepancies with the limits of the open space/conservation easements between Sheets 4 and 6.
15. **New Comment.** The proposed limits of the recreation area are not clear on the latest plan set. Previous plan revisions had shown playground equipment and notes on the current plan set (Sheet 8) refers to a combination of play areas, trails and a tennis court; however, plan sheet 40 now shows nothing more than a 19,200 SF lawn area with some walking trails. Additional information needs to be provided by the applicant’s engineer to clarify the calculations on Sheet 8 as they do not appear to “add up”. This issue needs to be discussed by the Board.

We strongly recommend that the applicant provide more substantial recreation components including a mixture of playground equipment, along with walking trails – see below for examples of what the ordinance suggests. We also note that a much more extensive network of trails/pathways could be constructed than what is currently shown.

Condition #19 (now #20) of the Resolution states that “Sufficient recreational facilities shall be provided and shall be shown on the final site plan for Phases II and III to meet the needs of a non-age-restricted community. The outdoor recreational areas and facilities that had been shown on the plans for the age-restricted development shall be at least doubled to meet this requirement and shall be subject to the approval by the Board as part of its approval of the final site plan for Phases II and III. Any preliminary site plan approval granted for Phase II shall be subject to modification at the time of final approval to accommodate such additional recreational facilities and any associated parking or access improvements as may be approved by the Planning Board. The governing Ordinance Section #100-91.14.E(3)(c) – Development requirements specific to planned senior village developments indicates that “Not less than 5% of the developed area of the PSV, and excluding public open space lands, shall be developed for outdoor recreational use. This may include swimming pools and related facilities, shuffleboard and horseshoe courts, tennis courts, and other appropriate facilities and the immediately surrounding lawns and parking areas”. We assume that this is where the initial recreational proposal originated from. Testimony and plan revisions/calculations will be necessary to confirm that the above ordinance and resolution requirements have been adequately satisfied.

It is also important to note that the proposed recreation areas are currently shown within the 300 ft. SWRPA/Riparian Zone. The applicant’s engineer should comment upon the impact of the recreation areas being located within these environmentally sensitive areas, in particular if the Board requires playground equipment or other recreation improvements other than “open lawn space” as currently shown. A letter has been received from the NJDEP, dated July 2, 2014, stating that the pathways shall be relocated to a point no more than 40’ from the proposed buildings and all structures and development shall be outside the SWRPA and Riparian Zone. Additionally, the DEP is requiring all areas within 300’ of the SWRPA/Riparian Zone to be protected with a conservation easement and planted with a mix of trees and shrubs. Obviously, if the DEP requires the area to revert to a natural succession area, it cannot be used as a recreation area.

#### **Grading Comments:**

16. Sheet 6 (now Sheet 8), Overall Grading Plan, shows a limit of disturbance around the westerly portion of the site, but not the work associated with the farmette. In addition, this plan proposes a diversion channel to be built across Lot 13.01, which is not owned by the applicant. An easement will be required from the owners of Lot 13.01 to allow this channel to be built. Since this will be a BMP for the site plan, maintenance will be the developer or homeowner’s association’s responsibility. **No longer applicable since the diversion channel has been removed.**

17. Sheet 7, Grading Plan, is incomplete since it terminates prior to the COAH units. **Satisfied.**

18. The Grading Plan on Sheet 8 does not show the sidewalk proposed along Claremont Drive. **Not Satisfied.**

19. The Grading Plan shall identify the slope of all the driveways. **Not Satisfied. Some of the driveway slopes have been labeled; however, other driveways are not.**

#### **Road Comments:**

20. The plan has been prepared with a 24’ wide road with sidewalk on one (1) side. This does not conform to the requirements of a Residential Access Street in the Residential Site Improvement Standards. RSIS requires a 28’ wide street that would allow parking on one side. **Not Satisfied. As mentioned above the previously proposed sidewalk has been removed from the plans. We recommend that, at a minimum, a sidewalk be provided along one (1) side of the road(s) throughout the development. Our office would support a de-minimus exception to allow a 24’ wide road width instead of a 28’ width, but not the removal of sidewalks.**

21. The cross section details on Sheet 34 do not show a sidewalk. **Not Satisfied. See above.**

22. The plans do not show any signs or striping. In the area of the COAH units, a turnaround area is required for Fire Truck access per the RSIS. **Not Satisfied.**

23. The plan and profile for Claremont Drive does not include all of Phase 3. **Satisfied.**

24. The applicant shall explain the parking calculation summary. Based on this plan, there are 44 units with 44 garage spaces and driveway spaces totaling 88. Where are the 2-car driveway spaces that are shown in this chart? RSIS requires that vehicles parked in driveways may not obstruct the sidewalk. There are several areas where the proposed driveways only provide 15’ of space between the building and sidewalk, which cannot be counted toward meeting the parking requirement. **Not Satisfied. The parking calculations are still unclear. The 2-car driveway spaces are still not clearly shown/labeled. In addition, the parking chart on Sheet 7 reflects 13 and 30 additional parking spaces for Phase 3 and Phase 4, respectively; however, the plan views only appear to show 12 and 29 spaces.**

25. The grading of Claremont Drive at the intersection of Route 519 requires revision. Plan Sheet 13 depicts the plan and profile but does not contain any horizontal geometry. Road width, radiuses, curbs, etc. shall be shown. The design of the road has the crown extending Hunterdon Knolls Development MC Project No. HLP-002 September 4, 2014 Page 6 of 15 to the edge of pavement of 519 without a vertical curve transition. In all likelihood, the County will require their typical road intersection that will have the curblines set at 23’ from the centerline of the road. **Not Satisfied.**

26. The proposed grading near the intersection of Claremont Drive and Route 519 will cause ponding on the northwest corner and force the stormwater into the travel lanes of Route 519. It would appear that a cross drain will be needed at this location. **Not Satisfied.**

27. The road has been designed with a superelevation in the wrong direction between 0+00 and 4+00. I understand that it has been designed this way to direct all the road runoff to the lawn area, but it will cause an unsafe driving condition due to the curvature of the road. These areas should be changed to a normal crown. **Satisfied.**

28. Sight distance lines shall be provided around each of the horizontal curves based on a 25 mph speed limit. The area within the sight lines shall be kept clear and open. **Not Satisfied.**

29. The road profile shall be revised so that the crest vertical curves do not have a K value less than 12 and the sag vertical curves cannot have a K value less than 26. This is based on a 25 mph design speed. **Not Satisfied.**

30. The proposed road in Phase 4 is steeper than the 12% allowed by RSIS. 14% is allowable if site conditions warrant it, but the first 50’ of the road cannot exceed 5%. **Not Satisfied.**

31. Since this is technically a cul-de-sac, a temporary cul-de-sac shall be provided at the end of Claremont Road for vehicular turn around. Per RSIS, this shall be a 40' radius bulb, or hammerhead. Since the future phase of the development has not been approved, the temporary cul-de-sac shall be designed as a permanent cul-de-sac. **Not Satisfied.**

**ADA Comments:**

32. The plans have been revised to include five (5) recreation areas on the north side of the site with four (4) play areas and one (1) grass play area. The Board will need to determine if the facilities proposed in the play area are appropriate for the development. The plans will need to be amended to show that each of the recreational areas provide handicap accessible routes to each of them. The ADA regulations require that all of the recreational facilities have an accessible route from all of the residential units. This will be nearly impossible to achieve on the site due to topography, so a parking area must be provided for the recreational area with sufficient parking for both handicapped and non-handicapped individuals. An accessible route must then be provided from the parking lot to all of the recreational areas. The plan shall include a profile of the accessible routes, a detail of their construction, and railings where needed. Walking trails do not need to be ADA accessible unless they are part of the accessible route between the parking areas and the recreational areas. **Not Satisfied. The plans have been revised to now only show one 19,200 SF "rec area" along with a wooded trail. The plans still lack sufficient information to determine compliance with the ADA recreation requirement. This is a topic that must be discussed further with the Board. See Comment #15 above.**

33. The COAH units shall be reviewed by the Construction Official for ADA accessibility and adaptability. **Not Satisfied.**

34. The location of all truncated domes shall be shown on the plan. **Not Satisfied.**

35. Dimensions of all accessible parking spaces and van accessible parking spaces shall be shown on the plans. Spot elevations shall be provided at all accessible parking spaces to confirm that they do not exceed the maximum cross slope requirements. **Not Satisfied.**

**Drainage Comments:**

36. Both of the proposed detention facilities have earth berms over 10' tall and will be considered to be dams per the DEP. Approval from the NJDEP Bureau of Dam Safety is required. Sheets 8 and 9 detail the grading for the detention basins, which is inconsistent with the grading shown on the rest of the plans. Construction of this type of basin does not allow full excavation during construction. At least 2' of the bottom of the basin must remain in place to allow sediment to accumulate. At the conclusion of the site work, the bottom 2' of the basin gets excavated to the infiltration level. The plan shall clearly state the sequence of construction. **Not Satisfied.**

37. No soil testing has been performed for Basin #2. This needs to be done as part of the design of the basin and cannot be made a condition of the approval. **No longer applicable since Basin #2 has been eliminated. The drainage plan for the farmette (which has not been provided) will require soil testing for any infiltration BMP's.**

38. All piping in and around the detention basins shall contain rubber gaskets and be water tight. Anti-seep collars shall be provided to prevent water movement through the pipe trench. Details and calculations shall be provided. **Not Satisfied.**

39. Our office did not review the SWRPA Plan, understanding that the DEP will review it and the applicant will need to comply with their regulations. **Based on the July 2, 2014 letter from the NJDEP, modifications need to be made to the plans to comply with the SWRPA requirements.**

40. The plans do not provide enough detail how the stormwater from the east side of Claremont Drive will be managed in the vicinity of Route 519. The plan shows a swale terminating at the edge of a grass area, but no topographic information is shown to identify the flow path and whether it will flow to the street or adjacent stream. **Not Satisfied.**

41. The grading of the parking lot for the COAH buildings shall be revised to provide for inlets in the center of the lot. With the current grading, the stormwater will bypass the inlets. **Satisfied.**

42. The plan shows a diversion swale across the upper areas of Phase 4. This swale does not terminate at a defined discharge point. Stability calculations shall be provided downstream of the swale. It would appear that the swale needs to be extended to a defined drainage path. **Not Satisfied.**

43. The Tc for Post Development Area 1 shall be verified. The value has been manually input. **Not Satisfied.**

44. The 150' sheet flow in the Post Development Impervious bypass does not seem realistic since it occurs on a paved street. **Not Satisfied.**

45. The flow length for the Post Development Area 1 Pervious bypass incorrectly doubled the flow length in the stream channel. **Satisfied.**

46. The Pond Report for Basin #1 does not match the plans or details. The pipe sizes and invert elevations don't match and the primary and secondary orifices have been reversed. **Not Satisfied.**

47. The Pond Report for Basin #2 in the report is the same as Basin #1. **No longer applicable since Basin #2 has been removed from the plans.**

48. Both of the drainage area boundaries do not include any off-site area. Only the on-site area is required to meet the rate reduction requirements, but the entire drainage area, including off-site area must be used for the pipe sizing and basin routings. **Not Satisfied.**

49. Typically, the Conservation District does not allow exfiltration in the basin for the 2 and 10 year storm events. RSIS does not address this issue, but confirmation from the District should be obtained prior to resubmitting new calculations. **Not Satisfied.**

50. Calculations shall be provided to show the velocity through the trash racks in the outlet structures does not exceed 2.5 fps. **Not Satisfied.**

51. Drainage area plans shall be provided to support the areas used in the swale calculations. **Not Satisfied.**

52. Calculations shall be submitted to show the existing 36" pipe is capable of handling the 100 year storm event. It would appear that a headwall is needed at the upstream end of the 36" culvert. **Not Satisfied.**

53. The applicant's engineer shall clarify the Manning's number used for the swale calculations. **Satisfied.**

54. Many of the swales have velocities over 4 fps, but do not address how they are proposed to be stabilized. **Not Satisfied.**

55. The drainage plan has been designed for all of the roof runoff from the townhouses on the north side of the street to be connected to the collection system in the street. The plans shall detail piping of the roof leaders for all the gutters on these units to insure this is feasible. If patios are proposed for these units, they shall be included as impervious area in the post development bypass area calculations. **Not Satisfied.**

56. The collection system calculations in the report do not include the COAH units and parking lot. **Not Satisfied.**

57. The drainage calculations shall include calculations for inlet spread to insure that the stormwater will not bypass the inlets during a 100 year storm event. **Not Satisfied. It is important to confirm that runoff will be collected in the inlets and conveyed to the detention basin as designed. A note shall also be added to the plans indicating that adequate provisions need to be implemented during construction to insure that all stormwater runoff is captured by the proposed inlets.**

58. Stability calculations are needed for the emergency spillways of the detention basins. **Satisfied.**

59. In areas where the swales discharge into the detention basins, they shall be extended to the bottom of the basin. Appropriate provisions for erosion control shall be provided. **Satisfied.**

**Landscaping Comments:**

60. The Landscaping Plan will need to be revised to eliminate the trees on the detention basin berms. Since the detention basins will be considered dams, trees on the berms are not allowed. **Not Satisfied.**

61. The Landscaping Plan does not show the perimeter buffering plants that the applicant agreed to install in Phase 2. **Not Satisfied.**

**Water Comments:**

62. The plans shall be reviewed by the Fire Marshall for approval of the hydrant locations. There may also be the need for water storage for fighting purposes. The applicant's engineer shall provide information regarding the ability of the designed water system to provide sufficient pressure and volume per RSIS. **Not Satisfied.**

63. **New Comment.** Only 2 fire hydrants are shown on the plans. RSIS requires the hydrants to be located at specific distances to provide coverage for all buildings.

**Coordination:**

64. It appears that this plan will require the following approvals: **Not Satisfied.**
- i. DEP for Wetlands Disturbance
  - ii. DEP for Flood Hazard Area Disturbance
  - iii. DEP for Dam Safety
  - iv. DEP for amended TWA for the additional units in Phase 3.
  - v. Hunterdon County Planning Board
  - vi. Hunterdon County Soil Conservation District
  - vii. DEP RFA General Permit for Construction Activities
  - viii. DEP for water extension
  - ix. DEP TWA for sanitary sewer extension

65. Prior to Final Approval, a cost estimate shall be provided by the applicant's engineer for review and approval by this office. A performance guarantee in the amount of 120% of the approved cost estimate shall be posted with the Township, of which 10% shall be in cash. The applicant shall also post an inspection fee deposit in the amount of 5% of the approved cost estimate for municipal inspections. **Not Satisfied.**

**Phase 4 – Technical Comments**

Many of our technical comments related to Phase 3 of the project as described above (from our February 7, 2014 memorandum to the Board) also apply to the Phase 4 plans. To avoid redundancy, we have not copied through our previous comments below but rather listed only additional/new comments based on our initial review of the Phase 4 plans.

1. Previous plan sets (July 2013) contained separate grading sheets for each phase of the development. The current plan set no longer includes these sheets which makes it very difficult, if not impossible, to review the proposed grading, in particular in off road areas (i.e. areas that are not shown on the plan & profile sheets).
2. It appears that revisions have been made to the phasing plan in the area of the proposed COAH buildings; however, the phasing lines are not labeled and it is unclear what exactly is intended. Our understanding from the Resolution is that a minimum of 11 units need to be constructed as part of Phase 3 with the rest constructed as part of Phase 4. The plans should be clearly updated to reflect this.
3. Why has the townhouse labeling/numbers been removed from the plans?
4. The Board should obtain testimony to clarify how garbage and recycling will be handled?
5. Testimony should be provided by the applicant's engineer clarifying the earthwork (i.e. cuts/fills) for each phase of the project and overall impact on the development?
6. The plans should contain notes indicating that "all construction to be per NJDOT Standard Specifications" and "all traffic signs and striping shall meet the standards set forth in MUTCD".
7. Signage details need to be provided and also show sign locations on the plan.
8. Sheet 29 and a few other plan sheets now appear to show a retaining wall to the rear of the building on the south side of Claremont Drive at Sta. 18+0. The plans need to be revised to clearly label this feature and also provide a construction detail.
9. Sheet 17 still shows a dead-end of k-turn area at the end of Claremont Drive associated with the end of Phase 3. Additional notes need to be added to the plans to clarify the phasing and when certain improvements will take place as construction transitions from Phase 3 to Phase 4 of the development.
10. The plans should clarify where mailboxes will be situated. Will community mailboxes be utilized? If so, these areas need to be accessible and may need designated parking spaces allocated to ensure safety, access, etc.

**Grading Comments:**

11. In general, the plan set has been broken into various plan sheets that contain random pieces of information and generally do not correspond to each other. Typically, a plan set of this magnitude will contain a key map sheet with matchlines that clearly shows the limits of each subsequent sheet in a blow-up scale. In addition, there does not appear to be any plan sheets dedicated towards showing the off-road grading other than Sheet 35 - Off-road Utility Plan. We would recommend additional plan sheets be added, as necessary, to show a blow-up of the proposed grading around the buildings throughout – similar to the July 2013 plan set.
12. The proposed grading around the COAH buildings appears to encroach on the limit of disturbance line.
13. The proposed contour elevations should be labeled throughout the plan set. Many proposed contours are not labeled and it is confusing what their elevation is.
14. Many proposed contours on the various plan sheets are incomplete or don't show how the proposed contours will tie into the existing contours.

**Road Comments:**

15. Additional spot elevations need to be provided throughout the Phase 4 road and within the parking areas to ensure positive drainage to the proposed inlets.
16. The crown on the proposed roadway at the beginning of Phase 4 seems flat. This should be reviewed by the applicant's engineer.

**ADA Comments:**

17. On the COAH Unit Plan (Sheet 29), dimensions of all accessible parking spaces and van accessible parking spaces shall be shown on the plans. Spot elevations shall be provided at all accessible parking spaces to confirm that they do not exceed the maximum cross slope requirements. In addition, the access ramps need to be clearly drawn, dimensioned and spot elevations provided to confirm compliance with ADA requirements.
18. There appears to be a sidewalk (unlabeled) shown on the northern side of the COAH parking lot opposite Building #1? This should be clarified.

**Drainage Comments:**

19. There are numerous discrepancies on the various plan and profiles sheets with the storm sewer information between the actual plan view versus the profiles (i.e. pipe size, slopes, inverts, etc.).
20. The Stormwater Management Report, revised through March 2014 still contains references and various calculations based on two (2) detention basins; however, the plans have been revised to include only (1) basin. These discrepancies need to be addressed and the SW report needs to be updated to correspond with the most current plan set.
21. The stormwater report includes "Phase 3 Only" calculations for the stormwater basin – what about Phase 4?
22. The rip-rap design section of the stormwater report appears to still reflect calculations from previous plan sets. This section needs to be updated.

23. Swale calculations in the SW report do not correspond with what is currently proposed on the plans. In addition to revising this information to match the plans, additional labeling needs to be provided on the plans to clarify the proposed swale design and stabilization measures.

24. Pipe capacity calculations need to be provided in the SW report.

25. The Detention Basin Plan (Sheet 10) needs to be revised to address discrepancies and/or missing information regarding the grading at the emergency spillway.

26. The Detention Basin Plan also contains notes regarding a curb and inlet at the inlet to the basin but it is unclear from the information shown what exactly is intended in this area. Additional information and construction details should be provided.

27. The plans call for a bio-retention trench in the proposed detention basin. Additional notes need to be added to the plans to confirm compliance with the NJ BMP manual – recommend using the “Recommendations and Considerations” notes from the BMP manual. The plan should contain adequate notes to clarify how the infiltration basin will be protected during construction.

28. The Detention Basin Bioretention System Detail on Sheet 11 shall be revised to reflect the proposed thickness.

29. Plan Sheet 29 should be revised to further clarify the drainage at the intersection of Claremont Drive, the Phase 4 roadway extension and the parking lot to the COAH buildings. Runoff should not be allowed to turn the corner onto Claremont Dr. and we recommend an additional inlet should be placed opposite Inlet #9. The proposed crown in this portion of the Phase 4 roadway appears to be flat.

30. The proposed swales should be clearly labeled on the plans to clarify whether they are diversion swales or roadside swales to match the construction details.

31. Storm sewer information needs to be provided on the profile for the COAH units (Sheet 29).

32. A Stormwater Operations & Maintenance Manual shall be provided in accordance with the NJ BMP manual.

#### **Landscaping Comments:**

33. The proposed landscaping along the roadway at the transition between the end of Phase 3 and beginning of Phase 4 is not consistent.

34. The landscape plans do not show the required perimeter buffer plantings in accordance with Condition #12 (now #13) of the Board’s Resolution.

#### **Lighting Comments:**

35. Additional information needs to be provided on the proposed street lighting including:

- Height of lights
- Wattage
- Notes regarding down-shielding
- Show light intensity (footcandles) – existing information is not legible.

36. The Utility and Lighting Plan (Sheet 21) contains a large black area – what is this supposed to be?

37. The proposed light at Sta. 8+0 in Phase 4 is located in a driveway. This light should be relocated.

#### **Water Comments:**

38. The plans show a water storage tank area and access driveway to the rear of a building at Sta. 6+50 in Phase 4 of the development. Testimony should be provided to clarify when this tank is proposed to be constructed. Additional notes may need to be added to the plans to clarify this. Will there be a gate at this access driveway? If so, it should be noted on the plans. There should also be a construction detail for the proposed access driveway material. Is the storage tank above ground – will the area be surrounded with a fence? Additional information needs to be provided.

#### **Additional Plan Revisions**

At the Board’s July & August 2014 meetings, the applicant agreed to provide the following information:

1. Patios (or proof of rear access) were to be shown on the plans, where possible (on a case-by-case basis), at the units in accordance with Condition #18 (now #19) of the Resolution.

2. The plans were to be revised to reflect 11 COAH units as part of Phase 3 with the remaining units shown as part of Phase 4.

3. Revised architectural plans were to be submitted.

4. Landscape perimeter buffering was to be shown.

5. Clarify total number of units being proposed on this project as there appears to be some conflicting throughout the plans, resolutions, etc.

These revisions have not been made on the plans that were the subject of this review.

6. Based on the July 2, 2014 letter from the NJDEP, the driveway/road construction for Block 24, Lot 3 has been constructed through wetlands and crosses a stream without any permits

and is the subject of an enforcement action. Our office recommends that any approvals (including the approval of the Phase 2 farmette) should be conditioned upon the applicant obtaining the wetlands and flood hazard permits for the driveway and satisfying the conditions of the permit. It is possible that the NJDEP may require the driveway and/or stream crossing to be relocated or replaced. Since this is the only access to the property, this issue needs to be resolved before any permits are issued.

#### **Conclusion**

As you can see, much more work is needed by the applicant on technical issues before this office will be able to advise the Board that the plans comply with the Township Ordinance, RSIS and/or other industry standards. In particular, focus needs to be given to roadway alignment/grades, sidewalks, accessibility, recreation areas, open space and stormwater management.

This office strongly recommends a meeting between our office and Mr. Zederbaum to review and discuss some of our comments in more detail.

We also request that with future submissions, the applicant’s engineer provide a cover letter summarizing, point by point, the revisions that have been made to address our previous comments - this was not done in this case and has made reviewing the plans a much more arduous task.

If you have any questions regarding this correspondence, please contact this office at your earliest convenience.

Very truly yours,

C. Richard Roseberry PE, PP, AICP  
Holland Township Engineer

CRR/WHB/jmc

Cc: Holland Township Land Use Board Members (via email)

Elizabeth McKenzie AICP, PP

Robert Zederbaum, PE

William Caldwell Esq., Applicants Attorney

Don Morrow Esq., Board Attorney

\\NJCAD\Projects\HLP\HLP-002\Memos\OUT\140828WHB Technical2.docx

Engineer Burr is present and brought everyone current on how they got to where they are at. Maser believes that the applicant did not do the required revisions and also stated that there was not cover letter submitted with the plans and that an outline of what was in the plans illustrating what conditions have been satisfied would have been helpful. Mr. Zederbaum responded with he did not think the attack by Maser was professional. Attorney Caldwell then discussed how this has been

before the board and its professionals and why is not progress being made. After a lot of discussion, words going back and forth, opinions shared, questions asked, and the such, it was determined that the Board Engineer and Applicant's Engineer would sit down and discuss the plans and iron out the details before bring revised plans to the board for the next meeting to be held on October 13, 2014. The meeting will take place next week. A Site Plan subcommittee was requested by Attorney Caldwell and the board was not in favor of creating a subcommittee. The goal is to move forward. A complete list will be presented to the board. The public hearing will carry to October 13<sup>th</sup> and the process can begin. Recreation will also be discussed. Everyone agreed to carry the public hearing till the October 13, 2014 meeting. Attorney Caldwell is on record as saying he will send me a letter in writing but that it is also on the record that he agrees to carry the public hearing. The public will be able to talk at the next meeting. A motion was made by Mike Miller and seconded by Tom Scheibener to carry the public hearing till October 13, 2014. All present were in favor of the motion. Motion carried. No notice is needed.

### **Sub-Committee Status and Updates:**

- ❖ Holland Township Waste Water Management Plan Second Draft2 (10-07-13) – Highlands Council - -Township Committee update. Dan Bush stated that Engineer Roseberry attended the last Township Committee meeting. New comments have been added and will be submitted to the Highlands Council for review. All of Huntington Knolls and the Bethany Ridge land acquisition property(including what is now referred to as the Holland Park property) will be included in the submittal to the Highlands Council. At this meeting, Engineer Burr received approval for Engineer Roseberry to send what the Township Committee endorsed to the Highlands Council. Once the Highlands Council is satisfied then the document will go to the DEP for that process of acceptance.

- ❖ Checklist change requests:

- Checklist Requirement for Historic Preservation Commission Review –

#### **MEMORANDUM**

**TO:** Holland Township Planning Board  
**FROM:** Elizabeth C. McKenzie, AICP, PP  
**DATE:** June 9, 2014  
**SUBJECT:** Need to Address Changes to Development Application Checklists

#### **Add Checklist Requirement for Historic Preservation Commission Review**

Recently, the Zoning Board of Adjustment entertained an application for development of a lot located in the vicinity of a number of historic sites and possibly also within an historic district (although this has not yet been confirmed).

A question came up about how the proposed development of this lot would affect the historic character of the area. The Board's attorney, Todd Bolig, Esquire, called me to say that he had noticed that there is no checklist requirement for referral of an application to the Historic Preservation Commission. Holland does have an Historic Preservation Commission, and it is empowered by Ordinance to review applications for development involving historic sites or sites in historic districts. The Commission has spent a great deal of time documenting historic sites and districts in Holland Township, and we need to get that information before both the Planning Board and the Zoning Board of Adjustment during the application review process, if it is applicable. ***I would recommend that the checklists all be amended to add a checklist item that requires plans to be submitted to the Historic Preservation Commission for a determination of applicability, and, if found applicable, then for review, consistent with the requirements for such referrals in the MLUL.***

#### **Add Checklist Requirement for Electronic Versions of All Application Materials**

Although Maria Elena has been asking for the cooperation of applicants in providing materials electronically so that they can be more easily distributed to Board members and professionals, there is nothing on the application checklists that actually requires this. It is recommended that the checklists all be amended to add this requirement for electronic submissions, by e-mail for documents under a certain number of pages and by disk for documents over a certain length.

Just thought it might be a good time to make these and other changes needed to the checklists before the Board gets too busy with development applications. Perhaps a good way to approach this is to appoint a subcommittee to work with Maria Elena, first and later myself and Rick Roseberry to make sure the checklists do what they need to do. Of course, any changes the Board wants to make to the checklists will have to be adopted into the Land Use Ordinance by the Township Committee, and it would be good if that could occur in this calendar year.

- Mike Keady discussed how this memo came to be. This would make it that applications are also made to the Historic Preservation Committee or review like the Environmental Commission. There could be a historic issue on a piece of property that the planning board should know about. Although the Highlands Council references historic in the requirements he believes that environmental is more of what is addressed. Having the Historic Preservation Committee looking over the application adds a second pair of eyes to the process. The recommendation is that Betsy McKenzie reaches out to Chairman LaFevre of the Historic Preservation Commission to discuss with him. Expectations would be discussed. This will be on the agenda for the next meeting as additional discussion.
- Checklist Requirement for Electronic Versions of all Application Materials – Mike Keady also explained that this request is something Secretary Kozak asks for but by ordinance it would become a requirement. Mike Keady also explained that when the Land Use Ordinance is adopted by then the Highlands Council needs to be removed as the first to review an application. This should also be on the next agenda as follow up. Do we want .pdf or .jpeg.
- Hunterdon Land Letter September 5, 2014 regarding the Silva Estate known as Block 6 Lot 41 and 42 - In summary....” The property owner may want to convey title directly to the County – the purpose of Condition #3 of the Planning Board Resolution is to ensure that the property will be preserved as open space. Ideally, Condition #3 would state "Conveyance of Lot 41 to the Hunterdon Land Trust and/or Hunterdon County.”” Hunterdon Land Trust is asking the board to change condition #3 so that the exchange of the land for open space could be directly to the County rather than going thru Hunterdon Land Trust first. The end result is to preserve open space. A motion was made by Dan Bush and seconded by Mike Keady to accept the change as requested. At a roll call vote all present were in favor with the exception of Ken Grisewood and Dave Grossmueller who abstained. Motion carried.

**Public Comment**

The public present questioned the need of the above applicant to re-notice regarding the continued public hearing. Attorney Caldwell representing Huntington Knolls LLC granted permission to have the public hearing carried to the Planning Board meeting of October 13, 2014. There is no need to re-notice as consent was given by Attorney Caldwell during the public hearing.

**Executive Session**

There was no executive session.

**Adjournment**

Dan Bush made a motion to adjourn. Motion approved. The meeting ended at 9:35 p.m.

Respectfully submitted,

*Maria Elena Jennette Kozak*

Maria Elena Jennette Kozak  
Secretary