

## **Holland Township Planning Board**

### **Minutes of the Regular Meeting**

**August 12, 2019**

The meeting was called to order by the Vice Chairman Keady:

“I call to order the August 12, 2019 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 13, 2018 by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Published in the December 13, 2018 issue of the Hunterdon County Democrat
3. Faxed to the Express Times for informational purposes only.

#### **Flag Salute**

Vice Chairman Keady asked all to stand for the Pledge of Allegiance

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

Present: Dan Bush, Michael Keady, Mike Miller, Carl Molter, Tom Scheibener, John Gallina, Esq., and Maria Elena Jennette Kozak, Secretary.

Excused Absent: Ken Grisewood, Dave Grossmueller, Dan Rader, Duane Young, Rick Roseberry/Bill Burr, Engineer, Darlene Green, Planner, Court Reporter Lucille Grozinski, CSR (The professionals are excused per Chairman Rader)

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 July 8, 2019 meeting and to approve the minutes as recorded. All present were in favor of the motion with the exception of Mike Miller, Carl Molter and Tom Scheibener (sworn in at the July 8, 2019 meeting) who abstained. Motion carried.

A motion was made by Dan Bush and seconded by Tom Scheibener to dispense with the reading of the minutes of the July 15, 2019 special meeting and to approve the minutes as recorded. All present were in favor of the motion with the exception of Mike Miller, Carl Molter and Tom Scheibener who abstained. Motion carried.

#### **Discussion**

There was no Discussion scheduled to discuss

#### **Old Business:**

There was no Old Business scheduled to discuss.

#### **New Business:**

Mayor Bush stated that we there is a need to create a subcommittee to work on the Affordable Housing/Fair Share Housing Plan with Planner Green. This subcommittee is created under the direction of the Mayor will consist of a the Planner, a Township Committee member, a Planning Board member and maybe one or two other members. Dan Bush will be the Township Committee representative. Tom Scheibener is interested in being the Planning Board member. After some additional discussion, Carl Molter stated that he is interested in being a member as well and Secretary Kozak will check with Ken Grisewood to see if he is interested in being a subcommittee member. If acceptable, the Subcommittee will consist of: Planner Green, Dan Bush, Tom Scheibener, Carl Molter, and Ken Grisewood.

#### **Completeness Review:**

There was no Completeness Reviews scheduled to discuss.

#### **Resolution**

Holland Township School – Block 6 Lot 65 – parking project for courtesy review with consistency with Master Plan and site plan waiver request. Attorney Gallina presented a draft resolution for consideration.

**Block 6 Lots 61.02 and 65**

**HOLLAND TOWNSHIP PLANNING BOARD  
RESOLUTION**

**WHEREAS**, the Applicant, Holland Township Board of Education, is proposing to expand the parking lot at the Holland Township School; and

**WHEREAS**, the application concerns property located at 714 Milford Warren Glen Road (County Route 519), Block 6 61.02 and 65, in Holland Township; and

**WHEREAS**, the Applicant has paid the proper application fees, and filed the appropriate application forms, and the application was deemed complete; and

**WHEREAS**, the Board heard testimony regarding the project at a special meeting on July 15, 2019 ; and

**WHEREAS**, the Board members having reviewed this matter, made the following findings of fact and conclusions of law:

1. All the information shown on the documents filed with the Board are adopted by reference as though completely were set forth herein and made a part hereof.
  2. Initially, the Board notes that the proposed project is a capital improvement pursuant to N.J.S.A. 40:55D-31. Under N.J.S.A. 40:55D-31a., before taking any action necessitating the expenditure of public funds incidental to the project, the public agency having jurisdiction over the subject matter of the project shall refer the action involving the project to the Planning Board for review and recommendation. Public notice of the referral is not required, since this is a referral to the Planning Board, which is not an application for development requiring public notice.
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2. The Applicant was represented at the hearing by William Sullivan Esq. Testimony was given by Besrick Plummer, PE The Board is also in receipt of a set of plans and drainage calculations prepared by B&G Engineering, LLC.
  3. According to the plans and testimony, the proposed project involves expansion of the school parking lot. According to Engineer Plummer, Conditional Approval to Construct has been received from the Hunterdon County Planning Board. The Board is also in receipt of correspondence from the County Planning Board dated May 6, 2019, indicating this.
  4. In connection with the application, a report dated July 15, 2019 was issued by Board Engineer Roseberry. The report notes that the Applicant is seeking a waiver of site plan approval. A report dated June 28, 2019 was also issued by Board Planner Darlene Green, which indicated that the proposed improvements were not inconsistent with the Township's Master Plan
  5. Engineer Plummer testified that the County required that the third driveway entrance be removed. He noted that the school site is a large site, and contains a large amount of open space and fields. The Applicant seeks to expand the parking lot. There are currently 46 parking spaces. The Applicant desires to add new spaces and remove some existing spaces, so that there will be a net increase of 41 parking spaces. The Applicant will also grant the County a larger right of way and will provide sight triangles at the driveway entrances. The Applicant plans to

use the existing storm sewer system to control the flow of stormwater. The current surface in the drainage area is grass and gravel. Approval has also been obtained from Hunterdon County Soil Conservation.

6. It was noted that there is a deep depression area at the location where the stormwater discharge pipe and the County headwall are located. The Board noted that this is a potentially unsafe area. Engineer Plummer noted that this was due to a County requirement that the County storm sewer system, and the school system remain separate. Engineer Roseberry agreed to contact the County to recommend a Type E inlet be constructed to eliminate the depression.

7. In connection with the proposed project, Board Engineer Roseberry issued a report dated 7/14/19, which is incorporated herein by reference. In addressing the comments in Engineer Roseberry's report, it was noted that with regard to the Comments pertaining to the Site Plan, items 1, 2, 4 5, 6 and 7 of the report would be complied with. With regard to Comment 3, it was noted that the existing drive aisle in the western parking area is insufficient at 20 feet, and should be 24 feet. Engineer Plummer noted that the aisle had always been 20 feet and there had never been a previous problem. Also, expanding the aisle to 24 feet would result in the loss of 2 spaces. The Applicant would prefer to keep the aisle width at 20 feet. Engineer Plummer stated they may be able to angle some of the spaces to accommodate a 20 foot width.

8. With regard to the comments in Engineer Roseberry's report pertaining to the Stormwater Plan, the Applicant stated that it would comply with Comments 9, 11, 12, 13, 16 and 17. Item 18 has already been complied with and a letter of approval received from Soil Conservation.

9. Regarding item 8, concerning stormwater management, Engineer Roseberry's report notes that the project meets the definition of a "major development" under NJDEP regulations and the Township Stormwater Management Ordinance. Therefore, the Applicant is required to provide improvements to stormwater rate, water quality and groundwater recharge. It is noted that the Applicant is satisfying the stormwater rate reduction requirements of the Ordinance, but is requesting a waiver of providing water quality and groundwater recharge. The regulations and the ordinance do not provide for waivers without mitigation being provided. Since the Township does not have a mitigation plan, the Applicant must comply with the regulations. In response, Attorney Sullivan noted that the Applicant is unable to comply with the groundwater recharge requirements on the site. The stormwater plan will need to be sent to the Department of Community Affairs (DCA) for review, and may need to be dealt with at the time permits are sought. This would also apply to Comments 14 and 15 of the report, concerning furnishing a groundwater recharge spreadsheet and providing calculations showing that the project meets 80% total suspended solids removal requirements.

10. With regard to Comment 10, of the report, Engineer Plummer noted that the bottom of the detention basin is composed of shale, which should crumble during excavation, and not require blasting. It was noted that the necessary detention basin maintenance manual would be

maintained.

11. It was also noted that there are a large number of deciduous trees on the site, and light Trespass may become an issue when the trees were bare of leaves. Engineer Roseberry recommended lowering the present light fixtures which are 30 feet in height and possibly adding 2 additional light fixtures. Attorney Sullivan indicated that could be done.

12. In reviewing the site plan and stormwater management information, Engineer Roseberry reiterated that with regard to the Applicant’s requesting a waiver of providing water quality and groundwater recharge, a waiver request from these requirements is inconsistent with the NJDEP regulations and the Township Stormwater Management Ordinance. In order to grant a waiver, mitigation must be shown in other areas, which has not been furnished here. Therefore, the position of the Township is that the Applicant’s request for waivers is not consistent with the NJDEP regulations or the Township’s Stormwater Management ordinance, and the Planning Board has no jurisdiction to grant a waiver in this regard.

**NOW, THEREFORE, BE IT RESOLVED BY THE HOLLAND TOWNSHIP**

**PLANNING BOARD** , on this fifteenth day of July 2019, as follows:

1. That the Holland Township School has complied with its obligation to refer the proposed project improvement project to the Planning Board for review and comment.
2. With regard to the deep depression area at the location where the stormwater discharge pipe and the County headwall meet, Engineer Roseberry agreed to contact the County to recommend a Type E inlet be constructed to eliminate the depression, and potentially unsafe area.
3. Based on its review of the site plan and stormwater management plan, the Board finds that the Applicant’s request for a waiver of providing water quality and groundwater recharge is inconsistent with the NJDEP regulations and the Holland Township Stormwater Management Ordinance, and the Board is without authority to grant a waiver of these requirements. The Applicant would need to address these issues with the Department of Community Affairs on their review of the proposed project.

A motion for adoption of the within Resolution was made by  
and seconded by

**Planning Board Roll Call Vote**

<b>Board Member</b>	<b>Motion</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent/Ineligible</b>
Dan Bush						
Ken Grisewood						
David Grossmueller						
Michael Keady						
Michael Miller						
Carl Molter						
Dan Rader						

Thomas J. Scheibener						
Duane Young						

**Motion carried.**

The foregoing Resolution was duly adopted by the Holland Township Planning Board at a regular meeting held on \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
 Maria Elena Jennette Kozak, Secretary  
 Holland Township Planning Board

\_\_\_\_\_  
 Dan Rader, Chairperson  
 Holland Township Planning Board

A motion was made by Dan Bush and seconded by Mike Keady to approved the proposed resolution. At a roll call vote, all present were in favor with the exception of Mike Miller, Carl Molter, and Tom Scheibener who abstained. Motion carried.

**Public Hearings**

There was no Public Hearing scheduled to discuss.

**Sub-Committee Status and Updates:**

AN ORDINANCE OF THE TOWNSHIP OF HOLLAND AMENDING CHAPTER 100 “LAND USE”, ARTICLE VII “R-1 AND R-5 RESIDENTIAL DISTRICTS”, SUBSECTION 43 “PERMITTED USES”, TO CLARIFY THE ZONE PUBLIC AND PRIVATE SCHOOLS ARE PERMITTED WITHIN – Board Action needed to recommend adoption by Township Committee

Let the record show that Tom Scheibener recused himself from discussion of this topic.

**TOWNSHIP OF HOLLAND  
 ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF HOLLAND AMENDING CHAPTER 100 “LAND USE”, ARTICLE VII “R-1 AND R-5 RESIDENTIAL DISTRICTS”, SUBSECTION 43 “PERMITTED USES”, TO CLARIFY THE ZONE PUBLIC AND PRIVATE SCHOOLS ARE PERMITTED WITHIN**

**WHEREAS**, the Board of Education owns two parcels located at 714 Milford-Warren Glen Road, situated upon those parcels is the Holland Township School and its associated facilities; and

**WHEREAS**, during the summer of 2019 the Board of Education sought to improve the properties by expanding the parking lot and reconfiguring one of the access points; and

**WHEREAS**, during this process it was discovered that the School is in the R-5 Residential District, but the Ordinance states that public and private schools are only permitted in the R-1 Residential District; and

**WHEREAS**, the school was built in 1941 according to the tax card, which predates the Township’s Land Use Ordinance; and

**WHEREAS**, Holland Township School is the only public school within Holland and Township officials believe the reference to R-1 is a typographical error.

**NOW, TEHREFORE, BE IT ORDAINED**, by the Mayor and Committee of the Township of Holland as follow:

**Section 1.** Chapter 100 entitled “Land Use” of the Code of the Township of Holland, Article VII entitled “R-1 and R-5 Residential Districts”, Subsection 43 entitled “Permitted Uses” is hereby amended as follows:

- E. Public and private schools, on lots of at least five acres, having a minimum lot width of 350 feet in ~~R-1~~ R-5 Zone only.

**Section 2.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**Section 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining provisions thereof.

**Section 4.** This Ordinance shall take effect upon final passage and publication according to law.

*I Catherine M. Miller, Municipal Clerk, hereby certify that the foregoing ordinance is a true and accurate copy of an ordinance adopted on final reading by the Township Committee of the Township of Holland at a regular and duly convened meeting held on \_\_\_\_\_*

*Catherine M. Miller, RMC  
 Municipal Clerk, Holland Township*

A motion was made by Dan Bush and seconded by Mike Keady to adopt the above as prepared by Planner Green and Attorney Gallina and to recommend that the Township Committee adopt the proposed amendment. At a roll call vote, all present were in favor of the motion. Motion carried.

Ongoing work to be discussed – Holland Township Highlands Plan Conformance Subcommittee –The Water Use and Conservation Plan prepared by CDM Smith is done and waits Maser’s review. The Waste Water Management Plan was a priority and the Township granted their blessing and Engineer Roseberry is working with the Highlands with some additional tweaks that needed to be addressed. Once completed and approved by the Highlands Council, the document is forwarded to the County. Stormwater is another item being

addressed by Maser Consulting. The Fair Share Housing Plan (COAH) and the Holland Township Master Plan Reexamination Report are new priorities and the Planner, Secretary Kozak and the Highlands Council are exploring grant funding options. Other projects being explored for grant funding include: an Open Space and Recreation Plan which Planner Green will work on with the Parks and Recreation Committee and a Retention/Detention Basin Inventory that Engineer Roseberry will work on with the Environmental Commission. The Water Use and Conservation Plan task potentially has grant money remaining that can be shifted to include another project that would piggy back the plan. An existing line item in our grant funding is for a Stream Encroachment project which is something that the Environmental Commission is aware of and is exploring options associated with the task before committing to accomplishing the task.

Copies of the application submitted to NJDEP for PennEast is available for review. Holland Township has tables in the meeting room set up with the information received. One table has plans and one table has binders. The public is asked to contact Clerk Miller to make arrangements to view the material.

**Board Member Discussion:**

- Bock 15 Lot 1 – Phillips Farm on the corner of Rt 519 and Rt 614. Nothing to report at this time.

**Public Comment**

No public comment was expressed at this time.

**Executive Session**

There was no Executive Session scheduled at this time.

**Adjournment**

Tom Scheibener made a motion to adjourn. Motion approved. The meeting ended at 7:50 p.m.

Respectfully submitted,  
*Maria Elena Jennette Kozak*  
Maria Elena Jennette Kozak  
Secretary