

Holland Township Planning Board

Minutes of the Regular Meeting

November 11, 2019

The meeting was called to order by the Acting Chairman Miller:

"I call to order the November 11, 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

Acting Chairman Miller asked all to stand for the Pledge of Allegiance

Identification of those at the podium

Present: Dan Bush, Ken Grisewood, Mike Miller (Acting Chairman), Carl Molter, Duane Young, John Gallina, Esq., Rick Roseberry, Engineer, and Maria Elena Jennette Kozak, Secretary.

Excused Absent: Dave Grossmueller, Michael Keady, Dan Rader, Tom Scheibener, 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 Duane Young to dispense with the reading of the minutes of the October 14, 2019 meeting and to approve the minutes as recorded. All present were in favor of the motion. Motion carried.

Discussion

There was no Discussion scheduled to discuss on the agenda.

Old Business:

There was no Old Business scheduled to discuss on the agenda.

New Business:

There was no New Business scheduled to discuss on the agenda.

Completeness Review:

There was no Completeness Reviews scheduled to discuss on the agenda.

Resolution

- Huntington Knolls LLC - Block 24 Lot 3 and 13 - Phase 4 extension request - 5 years -Action taken October 14, 2019 with conditions. Attorney Gallina authorized to prepare a resolution. Resolution distributed. Action needed to memorialize the resolution. Board Member Ken Grisewood recused himself from this discussion. Discussion took place about Attorney Caldwell asking for an extension for Phase IV, however no preliminary was ever given so an extension is not included in the resolution distributed. The resolution distributed to the board members and the applicant is as follows:

Block 24 Lots 3, 13 & 13.01

**HOLLAND TOWNSHIP PLANNING BOARD
RESOLUTION**

WHEREAS, the Applicant, Huntington Knolls, LLC was previously granted overall planned development approval, preliminary major subdivision approval, and preliminary site plan approval for Phases II, III and IV of its planned development application; and

WHEREAS, by Resolution adopted on November 10, 2014, the Applicant was granted

preliminary site plan approval for revised Phases III and IV, subject to all conditions of the May 12, 2014 "Master Resolution", except those conditions which were specifically delineated and modified pursuant to the November 10, 2014 Resolution; and

WHEREAS, by Resolution adopted on October 10, 2017, the Applicant was granted a one year extension of preliminary site plan approval for Phases III and IV, as revised; and

WHEREAS, by Resolution adopted on November 13, 2017, the Applicant was granted a one year extension of preliminary site plan approval for Phases III and IV pursuant to N.J.S.A. 40:550-49c, extending the approval to November 10, 2018; and

WHEREAS, by Resolution adopted February 11, 2019, the Applicant was granted final site plan approval for Phase III, and given the necessary extension of preliminary site plan approval for Phase III as revised; and

WHEREAS, by Resolution adopted on April 8, 2019, the Applicant was granted an additional one year extension of preliminary site plan for Phase IV to November 10, 2019; and

WHEREAS, said one year extension extended the Applicant's ongoing obligations under the November 10, 2014 Resolution through November 10, 2019; and

WHEREAS, the Applicant has requested an additional extension of preliminary site approval of five (5) years Phase IV of the development; and

WHEREAS the Planning Board considered this request at the October 14, 2019 Planning Board meeting; and

WHEREAS, Attorney William Caldwell, appeared on behalf of the Applicant; and

WHEREAS, the Planning Board, having carefully considered and reviewed the request for extension made the following findings of fact and conclusions of law:

1. All prior Resolutions regarding this application are incorporated by reference as though set forth at length herein.

2. By correspondence dated October 3, 2019, the Applicant's Attorney requested an extension of Phase IV of the development for an additional period of five years.

3. At the hearing, it was noted that in order to grant an extension of site plan approval for a period of five years or longer, public notice would be required pursuant to the N.J.S.A. 40:550-12. Since notice of the extension was not given, the Applicant's Attorney requested that the extension be given for a period of 4 years, 11 months and 29 days which would begin to run from November 10, 2019, the expiration date of the previous extension.

4. At the hearing it was further noted that under N.J.S.A. 40:550-49, the board may grant an extension of the preliminary approval for at least one year, not to exceed a total extension of 2 years. The Applicant had previously been granted 2 one year extensions. However, under N.J.S.A. 40:550-49d., in the case of a site plan for an area of 50 acres or more, the applicant may thereafter apply for, and the board may thereafter grant an extension of preliminary approval for such additional period of time as shall be determined by the planning board to be reasonable, taking into consideration (1) the number of dwelling units and the nonresidential floor area under preliminary approval; (2) the potential number of dwelling units and nonresidential floor area of the sections awaiting approval (3) economic conditions; and (4) the comprehensiveness of the development; provided that if the design standard have been revised, such revised standards may govern.

5. In discussing the request for extension of preliminary approval for Phase IV, it was noted that the development is over 87 acres. Additionally, Phase IV of the development proposes 62 dwelling units and 12 affordable housing units. It was noted that Phase IV does not yet have a water supply allocation, and the Applicant's Engineer is engaged in ongoing efforts to obtain a public water allocation for Phase IV. Based on the number of dwelling units and the comprehensiveness of the project, the Board is inclined to grant the Applicant a further extension of preliminary approval, for 4 years, 11 months and 29 days as

requested, subject to conditions. This extension will extend preliminary approval for Phase IV to November 9, 2024. The extension will also extend the Applicant's ongoing obligations under the November 10, 2014 Resolution through November 9, 2024. The extension is granted on condition that the Applicant's Engineer provides at least an annual report advising of its efforts to obtain a water allocation for Phase IV, and the status of the water supply allocation for Phase IV. The initial report will be furnished to the Board Secretary prior to December 31, 2019.

6. At the hearing, the Applicant had also requested a five year extension for Plan V of the development. However, upon further review, it was determined that in 2013, preliminary overall planned approval was granted for the overran planned development, but that this approval was schematic and did not grant any vested rights. The Board Resolution of May 12, 2014 notes that Phase V of the development consists of a 2.63 acre commercial portion of the development, which includes an existing brick tavern and existing barn. These structures may be restored and adaptively reused for any type of commercial uses allowed in the district "subject to site plan approval". It does not appear that Phase V was ever granted preliminary site plan approval. Therefore, there would be no preliminary approval to be extended.

NOW, THEREFORE, BE IT RESOLVED BY THE HOLLAND TOWNSHIP

PLANNING BOARD, on this fourteenth day of October, 2019, that the pursuant to N.J.S.A. 40:55D-49d., the Planning Board hereby grants an extension of preliminary site plan approval for Phase IV of the development for a period of 4 years 11 months and 29 days, which time period shall begin to run from November 10, 2019, and which shall extend the Applicant's ongoing obligations under the November 10, 2014 Resolution, through November 9, 2024, subject to the following conditions:

1. The Applicant's Engineer shall submit a report to the Board Secretary, prior to December 31, 2019, at least annually thereafter, which report shall indicate that status of water allocation for Phase IV, and the Applicant's efforts to obtain such water allocation.

Planning Board Roll Call Vote

Board Member	Motion	Second	Ayes	Nays	Abstain	Absent/Ineligible
Dan Bush						
Ken Grisewood						
David Grossmueller						
Michael Keady						
Michael Miller						
Carl Molter						
Dan Rader						
Thomas Scheibener						
Dume Young						
Casey Bickhardt (Alt.)						

Motion carried.

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

ATTEST:

Mara 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 Duane Young to memorialize the resolution as presented. At a roll call vote, all present were in favor of the motion. Motion carried.

Public Hearings

There was no Public Hearing scheduled to discuss on the agenda.

Sub-Committee Status and Updates:

- Ongoing work to be discussed- Holland Township Highlands Council Subcommittee -Nothing to report at this time.

Board Member Discussion:

Board Member Ken Grisewood distributed a sample ordinance from another municipality showing some technical points on landscape buffering and lightening that he talked about at another meeting of something that Holland Township could look into updating current ordinances. This was presented to get the committee talking about some items that could be updated within the Holland Township Code Book.

Public Comment

No public comment was expressed at this time.

Executive Session

There was no Executive Session scheduled at this time on the agenda.

Adjournment

Dan Bush made a motion to adjourn. Motion approved. The meeting ended at 7:40 p.m.

Respectfully submitted,

Maria Elena Jennette Kozak

Maria Elena Jennette Kozak
Secretary