

PLANNING BOARD MINUTES
REGULAR MEETING
AUGUST 27, 2018

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Planning Board Chair, Peter Saulnier, called the meeting to order at 7:32 and announced that adequate notice of this meeting had been made to the Daily Record and Observer Tribune. Notice was posted on the bulletin board in the Township Hall on Blue Mill Road in Harding, New Jersey, and filed with the Township Clerk.

REGULAR MEETING

ROLL CALL

The roll was called by Ms. Taglairino. The following were present:

Mr. Saulnier, Mr. Jones, Ms. Claytor, Mr. Clew, Mr. Dietz, Mr. Edgar, Mr., Bjorkedal and Mr. Chipperson.

Mr. Hall, the Board Attorney, Mr. Fox, the Board Engineer, Ms. Mertz, the Board Planner and Lori Taglairino, the Board Secretary were also present.

EXECUTIVE SESSION DETERMINATION

Mr. Saulnier made the request to approve an Executive Session for the end of the meeting to discuss professional contracts for 2019.

Mr. Jones made a motion to approve entering an Executive Session at the end of the meeting. It was seconded by Mr. Clew. On a voice vote all members were in favor.

MINUTES

A motion was made by Mr. Clew to approve the amended June 25, 2018 minutes. Mr. Edgar seconded the motion. On a voice vote all eligible members were in favor of approving the amended minutes.

Mr. Clew made a motion to approve the July 23, Seminar Minutes as written. It was seconded by Mr. Edgar. On a voice vote all eligible members were in favor of approving the July 23, 2018 seminar minutes.

Mr. Clew made a motion to approve the July 23, Minutes as written. It was seconded by Mr. Dietz. On a voice vote all eligible members were in favor of approving the July 23, 2018 minutes.

RESOLUTIONS

None

ADMINISTRATIVE REPORTS

BOA Annual Report

BOA Board Chair, Mr. Flanagan and Vice-Chair, Mr. Newlin presented the Board of Adjustment 2017 Annual Report. Mr. Flanagan noted several items that came before the Board. Setbacks for small accessory structures, home occupation, deck setbacks at Harding Green, Historic Preservation considerations and B-2 Zone restrictions were some of the variance relief issues heard by the Board.

NEW BUSINESS

Completeness Review

Application PB# 02-18

Andrew Boszhardt

1 Great Oaks Road, B6/L7 & 7.01, RR Zone

Minor Subdivision, and Lot Line Adjustment with setback variances and minimum frontage variance.

Presenting:

Nicole Magdziak, Attorney

Richard Schommer, Engineer

Mr. Schommer was sworn in for testimony.

- Ms. Magdziak presented proposed plans for a subdivision with a lot line adjustment.
- Mr. Fox addressed the outstanding items for completeness.
- Mr. Fox noted that the applicant is seeking waivers for completeness only on the following items:
 - Board of Health approval
 - NJDEP approval
 - Landscaping Plan
 - Conservation Easements
 - Flood hazard areas, Riparian Zones, Wetlands and Buffers

Mr. Clew made a motion to grant waivers for completeness only, thus deeming the application complete to be heard. It was seconded by Mr. Edgar. A roll call vote went as follows:

For: Mr. Clew, Mr. Dietz, Mr. Edgar, Mr. Jones, Mr. Saulnier, Ms. Claytor, Mr. Chipperson and Mr. Bjorkedal.

Against: None

A site inspection was set for September 15, 2018 at 9:00am.

ADMINISTRATIVE REPORTS

FAR

Ms. Mertz presented a report addressing FAR. Ms. Mertz outlined options to address perceived massing and real massing in residential zones that do not use floor area ratio. Further examples and input are being reviewed to better evaluate the zoning needs to improve those issues.

TC Ordinance 19-2018 Section 117 Running Bamboo

The Board discussed the Introduction of TC Ordinance 19-2018 Section 117 Running Bamboo. The Board appreciated the concept of limiting invasive destructive species.

Mr. Saulnier made a motion finding that TC Ordinance 19-2018 Section 117 Running Bamboo is not inconsistent with the Master Plan. It was seconded by Mr. Edgar. A roll call vote went as follows:

For: Mr. Clew, Mr. Dietz, Mr. Edgar, Mr. Jones, Mr. Saulnier, Ms. Claytor, Mr. Chipperson and Mr. Bjorkedal.

Against: None

The Board did have the following recommendations for the Township Committee regarding this ordinance:

1. They recommended that the Environmental Commission review the proposed ordinance.
2. They recommended that the definition of Running Bamboo is clarified to state what type of Running Bamboo is prohibited.

A memorandum will be sent to the Township Committee.

The memorandum is appended to these minutes.

TC Ordinance 15-2018 Marijuana Prohibited Uses

There was a lengthy discussion and question period about the Introduction of TC Ordinance 15-2018 Marijuana Prohibited Uses.

A motion was made finding that presently the proposed ordinance is neither consistent not inconsistent with the Master Plan. It was seconded by Mr. Clew. A roll call vote went as follows:

For: Mr. Clew, Mr. Dietz, Mr. Edgar, Mr. Jones, Mr. Saulnier, Ms. Claytor, Mr. Chipperson and Mr. Bjorkedal.

Against: None

A memorandum will be sent to the Township Committee.

Please see the memorandum is appended to these minutes.

SUBCOMMITTEE UPDATES

Advisory Review

No report.

Water and Environmental

No report.

Development Review

No report.

LIAISON REPORTS

Board of Adjustment

No report

Environmental Commission

Mr. Clew extended an invitation to hear the results of the Flora and Fauna Study entitled "How to Measure Natural Land Health on September 26th.

HOST

No report.

Historic Preservation Commission

No report.

CPAC

No report.

Township Committee

No report.

OLD BUSINESS

Application PB# 02-17/4-10

GHK Realty II and GHK Realty III, LLC
655 & 665 Spring Valley Road, B4/L 21&21.01
(No action, incomplete)

This application is still awaiting DEP approval. They need to refile when ready to be heard.

OTHER BUSINESS

Budget Discussion

There was a discussion about the proposed budget for 2019. The Master Plan updates were a key topic in setting the budget. The Planner will submit a revised proposal for that work.

EXECUTIVE SESSION

A motion was made by Mr. Jones to enter into Executive Session. It was seconded by Mr. Clew. The motion included that the Regular Meeting would only be reconvened if there is a change in contracts to take action on.

Regular Meeting Adjourned at 10:30

EXECUTIVE SESSION

EXECUTIVE SESSION ADJOURN 11:01

Master Plan Hearing on Proposed Amendments to Open Space Tables
(Carried until the September 24, 2018 meeting.)

ADJOURNMENT

The meeting was adjourned at 11.01

Respectfully Submitted by

Lori Taglairino, Planning Board Secretary

Memorandum

To: Harding Township Committee

From: The Planning Board

Date: August 28, 2018

Re: TC Ordinance 15-2018, "Marijuana Prohibited Uses"

The Planning Board met and reviewed at length the proposed "Marijuana Prohibited Uses" Ordinance at the August 27, 2018, Planning Board meeting. The Board found by unanimous vote that given the fact that cultivating and selling marijuana is presently illegal under state law, the proposed Ordinance can neither be consistent nor inconsistent with the Master Plan.

The majority sense of the Board was that if the cultivation of Marijuana becomes legalized in the state, then prohibitions against cultivation, may not be consistent with the Master Plan which promotes agricultural land use.

Memorandum

To: Harding Township Committee

From: The Planning Board

Date: August 28, 2018

Re: TC Ordinance 19-2018, "Section 117, Running Bamboo"

The Planning Board met and discussed the proposed "Running Bamboo" Ordinance at the August 27, 2018, Planning Board meeting. The Board appreciated the concept of limiting non-native invasive destructive species. The Board unanimously determined the ordinance is consistent with the Master Plan as the proposed Ordinance seeks to preserve and protect Harding's historic and rural character.

The Board did have the following recommendations for the Township Committee regarding this Ordinance:

1. That the Township Committee ask the Environmental Commission to review the proposed Ordinance given that Commission's expertise in matters of flora and fauna.
2. That the definition of what specific plans are included in the definition of Running Bamboo be carefully considered so as to include only the problematic varieties.

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