

**BLAIRSTOWN TOWNSHIP  
PLANNING BOARD  
February 21, 2011 – 7:30 PM**

**MINUTES**

The Blairstown Township Planning Board met in regular session on Monday, February 21, 2011, at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following members were present: Debra Waldron, Kevin Doell, Rosalie Murray, Mayor Richard Mach, Herman Shoemaker, Paul Avery, and David Keller. Jim Sikkes, Bill Seal and Dirk Herrmann were absent. Also present were Board Attorney, Roger Thomas, Board Engineer, Ted Rodman, and Board Secretary, Marion Spriggs.

**SALUTE TO THE FLAG:** was recited.

**ROLL CALL:** was taken.

**THE SUNSHINE STATEMENT:** was read aloud.

**MINUTES:** (As distributed prior to the meeting date.)

Minutes of January 17, 2011 regular meeting were approved, as corrected.

**Action:** A motion was duly made by Mrs. Waldron, seconded by Mr. Keller and unanimously carried, to approve the January 17, 2011 regular meeting minutes, as corrected. Roll call vote: Waldron, Doell, Murray, Mayor Mach, Avery, Keller, and Shoemaker – yes.

**RESOLUTIONS:**

**FARMLAND PRESERVATION PLAN**

Roger Thomas requested this matter be carried until 3/21/11.

**COMPLETENESS:**

**PB#01-11 Jim & Sue Reiger**, Block 506, Lot 8.04, 16 Polkville Rd. – Minor Subdiv. – Lot Line Adjust.

Richard Keiling appeared on behalf of the applicants.

He explained the applicants are seeking a minor subdivision, lot line adjustment. Originally, he thought it was a straight subdivision. Ted Rodman has corrected him, declaring it is a subdivision requiring a bulk variance.

The Reigers have about 11 acres on Polkville Rd.. Behind and adjacent to them, there is a 25 acre parcel. Back land is being taken, not road frontage. It is currently in pasture and that will remain its use.

He admitted the phone number must be changed. A list of property owners has been applied for.

Mr. Keiling commented that there will be a remaining tract of about 17 acres that has been subdivided 3 or 4 times. He admitted there isn't a correct description that exists. The surveyor agreed a new metes and bounds could be created for the remainder tract.

Mr. Keiling conjectured that Gil Wright, land surveyor, used an old list of property owners. Mr. Keiling will fax a new list to him.

Ted Rodman concurs with waiving those items. He stated for completeness purposes, the surveyor complied but the information was wrong.

Mr. Keiling asks that this application be deemed complete, stating that he would advertise for a public hearing at the next meeting.

Marion Spriggs pointed out the certification of taxes paid was not submitted on the adjacent lot. She confirmed certification of taxes paid was provided for Mr. Reiger. Mr. Keiling agreed to provide that.

Mr. Keiling indicated there is frontage on Motts Lane, which is a paper road that he doesn't think is abandoned. He defers further comment to Ted Rodman who stated this might be called an orphan road with no rightful owner.

Mr. Keller pointed out the newly proposed lot line should be labeled on the Plan, as the line indicated does not reflect this.

**Action:** A motion was duly made by Mrs. Waldron, seconded by Mr. Doell, to approve **PB#01-11 Jim & Sue Reiger**, Block 506, Lot 8.04, minor subdivision, lot line adjustment for completeness with the aforementioned changes. Roll call vote: Waldron, Doell, Murray, Mayor Mach, Shoemaker, Avery and Keller – yes.

**PUBLIC HEARING:**

None

**CORRESPONDENCE:**

BOA Minutes 12/14/10  
BOA Minutes Special Meeting 12/20/10

Memo Warren Cty Planning Dept. letter dtd. 2/1/11 from David Dech – Complete Streets Workshop on 3/31/11

Chairman Shoemaker, Ted Rodman and Mayor Mach plan to attend this workshop.

**OTHER BUSINESS:**

**Ltr. 2/11/11 from William Hinkes, Esq. to Kenneth Tanis re: Zoning status**

Chairman Shoemaker explained the content of the above letter. He declared if Mr. Tanis seeks a zoning change on his property, he would have to go to the Board of Adjustment with a plan.

### **Hydrogeological Study**

Mayor Mach recalled the last issue discussed was whether this should be added to the Master Plan, as it stands. It cannot be adjusted unless there is another study, which then becomes part of the Master Plan.

Chairman Shoemaker commented that Darlene Jay, PP, revealed that it is not a requirement in the Master Plan.

Ted Rodman pointed out the study was done in 2003. He said changes have occurred since then.

### **COAH**

Chairman Shoemaker announced there is a COAH monitoring form that is due this Friday. He will phone Theresa Tamburro, MHL, regarding this.

### **BOA Annual Report**

Roger Thomas explained that the BOA is required to do an Annual Report for the Governing Body regarding actions they take, particularly relating to variances.

Mayor Mach requested copies for this Board in order to discuss at the next meeting.

### **Sustainable Land Use – Grant money**

Chairman Shoemaker received a brochure from NJAC that stated municipalities could be eligible for up to \$15,000. in grants.

Mayor Mach asked Kevin Doell if the Environmental Comm. is doing anything with that. Mr. Doell responded that they have been in contact with Barbara Heskins Davis of The Land Conservancy. She suggested writing a grant program for Blairstown but there would have to be a contribution of volunteer hours and time.

Chairman Shoemaker indicated that Darlene Jay, PP, pointed out an activity, like adopting a Form Based Code, could be covered by grant money. He feels it should be pursued. The deadline is 3/31/11. Mayor Mach advised that one can always apply, and when that comes forward, financial details can then be worked out. He said you don't have to take it.

Mr. Doell questioned if this requires some cash up front, does the Township have an appetite to apply several thousand dollars towards this.

### **GIS System**

Mr. Doell used as an example the GIS system, inquiring whether the other Boards are interested in having an up-to-date GIS system which is more accessible to everyone. Currently the GIS system is

limited to one computer used by Environmental Comm., which neither PB or BOA have access to and it is quickly becoming out of date.

Mr. Doell believes work already put into this could be credited since this is part of the Environmental Resource Inventory (ERI). The appendixes done in 2006 were generated from the GIS system and can be generated as part of this. He revealed that Ms. Davis suggested not doing the ERI yet because it can be taken into account with the GIS update.

Mayor Mach pointed out the GIS has been mentioned for about 7 years. He asked, is there only 1 person who knows how to use it?. He questioned if the Township has suffered a burden as a result of not having it?

Mr. Doell commented that Warren County is one of the most behind counties in the state. He said most of the other counties' GIS systems are on line, accessible to anyone with a computer.

Mr. Doell pointed out the advantage of applications having the benefit of maps produced depicting layering of specific Lot and Block numbers. Admittedly, he agreed this has not happened that often but it is an ancillary benefit.

Mayor Mach questioned at what cost? Mayor Mach also pointed out there is a limit on the grant - \$15,000., when Mr. Doell queried what the threshold was. Realistically, Mayor Mach declared, the grant is closer to \$10,000., with a municipality match of 50%, equaling \$5,000. exposure to the Township. Mr. Doell said perhaps \$3,000. is a likelihood if volunteer hours are integrated. He asked if the Township would have an appetite for \$3,000. split between 3 boards.

Chairman Shoemaker pointed out the Work Plan is a 1 yr. schedule of tasks, starting 7/1/11. Work prior will not be credited.

Chairman Shoemaker pointed out that this has not happened for about 7 yrs., nor has it impeded the Township's progress.

Finally, Chairman Shoemaker asked who would form the volunteer team. Who has the time to do that?

Mayor Mach suggested that Mr. Doell find out if the Warren County Administrative Building has a GIS and if so, can the Township use theirs.

Mr. Doell then declared, "let the notes reflect, that the GIS system does not pass the "sniff test"!"

### **Form Based Code**

Chairman Shoemaker revealed language was recently found in the Land Ordinance addressing the issues of Form Based Coding, meaning business structures must fit the character of the community. He would like to consult with Darlene Jay, PP, to see if this language gives the Township the authority to hold applicants to this.

Mayor Mach suggested looking at the Master Plan Non-residential Re-examination Report done in 2004 and made part of the Ordinance in 2005. He said it will precisely inform all of the changes

made to the non-residential properties. He suggested passing around 3 or 4 copies to satisfy Chairman Shoemaker's need.

Mayor Mach suggested getting together with Roger Gutzweiller, Kevin, and he, to discuss anything of value on that list, not GIS.

### **Solar & Wind power Seminar**

Mrs. Murray complimented Roger Thomas, who was a speaker, at this seminar held in January, which she attended with Mayor Mach.

She stated it was recommended that the Township's Ordinance conform to the state rules and regulations. She suggested that be put on the Board's "to do" list.

She further indicated that it was suggested this be adopted as an element of The Master Plan. She suggested implementing a section entitled Energy.

Roger Thomas said there are changes in the Statute as to what can be done regarding wind energy. It is uncertain whether the anticipated, model Wind Energy Ordinance has been finished by Rutgers.

### **Time of Decision Rule**

Roger Thomas revealed this rule, is now replaced by the Time of Filing Rule. He explained this means an Ordinance could be changed up until a Board makes a decision on an application. The Board had a right during the course of a hearing to change an Ordinance. The applicant would be bound by that change, so long as the Board had not made a decision.

The Governor signed a bill which becomes effective on 5/5/11. It is called the Time of Submission Rule which means once an application is submitted, modification of the Ordinance that applies, will not be allowed.

### **NEW BUSINESS:**

**Ordinance Review** Land Development Chapter 19 books were distributed at this mtg. to PB mbrs.

Mrs. Waldron suggested the Board members review the ordinances for updating.

Chairman Shoemaker suggested that Board members notify Marion Spriggs, of their particular ordinance preference to review.

### **Recycling Ordinance**

Chairman Shoemaker asked if the Recycling Ordinance has been modified to reflect some changes that have been adopted in Warren County.

Roger Thomas responded that he has done a minimalistic approach for Hope but has never been asked to do it for Blairstown. He did so for Hope because the County had sent a letter to everyone in the County indicating some modifications needed to be done.

Roger Thomas will do a limited presentation for this Board, after the application is done for Hope, to let the Board know what the regs are. The Board can then decide whether they wish to take those and modify the Ordinance or incorporate them specifically.

Mayor Mach stated that Blairstown should be in conformance with what the County has as a Recycling Ordinance. He revealed there are significant fines associated with this.

**Zoning change**

The Board agreed to put discussing zoning requirement change on their list for discussion. It will be prioritized amongst other topics.

**PUBLIC PORTION:**

There were no members of the public present.

**VOUCHERS:**

**Action:** A motion was duly made by Mrs. Waldron, seconded by Mr. Avery to approve all escrow and general vouchers, as presented. Roll call vote: Waldron, Doell, Murray, Mayor Mach, Avery, Keller, and Shoemaker – yes.

**ADJOURNMENT:**

There being no further business, a motion was duly made by Mr. Keller, seconded by Mrs. Waldron, and unanimously carried, to adjourn at 8:44 pm.

Respectfully submitted,

Marion C. Spriggs, Secretary