

**BLAIRSTOWN TOWNSHIP  
PLANNING BOARD  
October 18, 2010 – 7:30 PM**

**MINUTES**

The Blairstown Township Planning Board met in regular session on Monday, October 18, 2010, at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following members were present: Kevin Doell, Jim Sikkes, Jane Santini, Rosalie Murray, Bill Seal, Mayor Richard Mach, Dirk Herrmann, and Herman Shoemaker. Debra Waldron and Paul Avery 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.

Ted Rodman arrived at 7:32 pm.

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

Minutes of September 20, 2010 regular meeting were approved, as written.

**Action:** A motion was duly made by Mr. Sikkes, seconded by Mayor Mach, to approve the September 20, 2010 regular meeting minutes, as written. Roll call vote: Doell, Sikkes, Murray, Seal, Mayor Mach, Herrmann and Shoemaker – yes. Santini – abstained.

**RESOLUTIONS:**

None

**PLANNER:**

Chairman Shoemaker reviewed that the Planning Board Resolution recommending the selection of a Planner was approved last month. The Planning Board has submitted correspondence to the Township Committee advising them of this.

Mayor Mach stated this is still under discussion. He suggested to Chairman Shoemaker that he get a Professional Services Agreement from the recommended Planner. Township Committee will discuss this before the next meeting and have an answer. He revealed in the interim, the recommended one can be used.

**REQUEST FOR EXTENSION:**

**PB#11-04 Giacobbe/Ascenza, Block 1511, Lot 1, Rt. 94 – Prelim & Final Major Site Plan**

Dirk Herrmann stepped down for this application.

Bill Gold, Esq. appeared as a courtesy, on behalf of Richard Keiling, Esq., attorney for the applicant.

Roger Thomas explained the Board did grant a Preliminary & Final Major Site Plan approval in January, 2005. Then there was a subsequent amendment that was approved by the Board in May, 2006. In January of 2008, there was a request for an extension for the Final Site Plan, which was granted by the Board, to expire in January 17, 2009.

Bill Gold noted in the interim there was an amendment passed to The Permit Extension Act recognizing the economic difficulties in the State. There is an approval of all valid approvals through 12/31/2012 with the proviso there can be another 6 month extension of that, through 6/30/2013.

Chairman Shoemaker pointed out that Richard Keiling's letter of 9/16/10 noted the legislature granted an extension under the Permit Extension Act to July 1, 2010. Bill Gold responded that Governor Corzine on 1/18/2010, his last day in office, extended the approvals to 12/31/12 with an additional 6 mos. proviso.

Bill Gold stated he is looking for this Board to permit an extension, pursuant to the revised Permit Extension Act, until 12/31/12.

**Action:** A motion was duly made by Mrs. Murray, seconded by Mr. Seal, to grant the requested extension for **PB#11-04 Giacobbe/Ascenza**, Block 1511, Lot 1, Rt. 94 – Prelim & Final Major Site Plan, by the present statute. Roll call vote: Doell, Santini, Murray, Seal, Mayor Mach, and Shoemaker – yes. Sikkes – abstained.

Roger Thomas stated he will prepare a resolution and send it to Dick Keiling.

### **COMPLETENESS:**

**PB#02-10 Blair Academy**, Block 906, Lots 7 & 4.03 Minor Subdivision– Lot Line Adjustm.

Joel Kolbert, Attorney for the applicant, of Courter, Kobert & Cohen, Hackettstown, NJ, deferred the issue of Completeness to Ted Rodman for his review of the application.

Ted Rodman stated there were 5 items that appeared on the checklist, that were not on the drawing. If there were no questions about them, Ted Rodman recommends that they be waived for completeness.

**Action:** A motion was duly made by Mr. Seal, seconded by Mr. Sikkes to deem **PB#02-10 Blair Academy**, Block 906, Lots 7 & 4.03 Minor Subdivision– Lot Line Adjustm, complete. Roll call vote: Doell, Sikkes, Santini, Murray, Seal, Mayor Mach, Herrmann, and Shoemaker – yes.

**PUBLIC HEARING:**

**MASTER PLAN PERIODIC RE-EXAMINATION REPORT**

Roger Thomas stated this report has been on file for the last 10 days. The statutory requirement for notice has been provided.

He stated for the record, there are no persons in the audience.

Chairman Shoemaker opened the Hearing to the public. Hearing no comments, this portion was closed.

**Action:** A motion was duly made by Mr. Sikkes, seconded by Mrs. Murray, to approve the **Master Plan Period Re-examination Report for 2010**, prepared by Roger Thomas, Esq. Roll call vote: Doell, Sikkes, Santini, Murray, Seal, Mayor Mach, Herrmann, and Shoemaker – yes.

**PB#02-10 Blair Academy**, Block 906, Lots 7 & 4.03 Minor Subdivision– Lot Line Adjustm.

James Frick, Assistant Headmaster of Blair Academy, 2 Park St., Blairstown, NJ, was sworn in.

James McEwen, PLS, Van Cleef Engineering Associates, of Clinton, NJ, was sworn in.

Mr. Kobert asked to mark Exhibit A-1, which is Lot Line Adjustment Map,

Mr. Frick explained the reason for this application. When Blair Academy appeared for the variance for this piece of property, the construction drawings did not have the property line. The portion of the 7th green on the golf course went across their property line, to the adjacent property owner.

Mr. Kobert revealed that mistake caused the construction of the green into the 7,000 sq. ft., for which they're asking to correct the property line. They reached an agreement with the property owner to purchase the 7,000 sq. ft. contingent upon this Board giving the approval, or it would have to be dug up.

He explained the adjacent property owner did not want to give more than the part that was necessary. They would have preferred to square it off. Because of the irregular "jog", permanent markers were recommended as additional comment #2 in Ted Rodman's, report of 10/15/10.

Mr. Kobert stated they have no problem with any of Ted Rodman's recommendations.

Mr. McEwen, PLS, prepared Exhibit A-1 which reflects the 7,000 sq. ft. He has no problems with Ted Rodman's report. He can set the property corners and prepare the descriptions

Exhibit A-2 was marked, which is a letter dated 4/17/07 from Tray Sasser, of Sasaki, to Ted Rodman re: Wetlands of Blair Academy Activity & Athletic Center.

Exhibit A-3 was marked, which is Wetland Study letter , dated 5/23/07, from Laura J. Brill

Ted Rodman will phone Laura Brill to confirm and he declared this should not be an issue.

Mr. Kobert pointed out that the existing variance on the Plan is for a pre-existing house on the McCann property which is at 69.35. He explained they are not looking for a new variance. Roger Thomas pointed out the rule is, if the variance is impacted by the application, then it creates a new variance. If there is no impact, it's left alone. This does not touch the setback, since it is at the northerly end of the property.

This portion of the Hearing was opened to the public. There were no comments from the public.

Roger Thomas summarized by stating if the Board was inclined to approve this application, conditions #2 & #3 of Ted Rodman's 10/15/10 report, would be appropriate.

**Action:** A motion was duly made by Mr. Sikkes, seconded by Mrs. Murray to approve **PB#02-10 Blair Academy**, Block 906, Lots 7 & 4.03 Minor Subdivision– Lot Line Adjustm, with aforesaid conditions stated in Ted Rodman's report of 10/15/10. Roll call vote: Doell, Sikkes, Santini, Murray, Seal, Mayor Mach, Herrmann, and Shoemaker– yes.

### **CORRESPONDENCE:**

BOA Minutes 7/13/10

#### **Ltr. – 10/15/10 from Joel McGreen, Open Space Comm. Re: Farm Land Plan**

Joel McGreen arrived at 8:08 pm.

Roger Thomas explained his suggestion - instead of putting Farm Land Plan for Blirstown on the agenda for 12/20/10, that it appear on the 11/15/10 agenda, on the theory that Joel McGreen received whatever he got back from the State, with whatever modifications there are. He said that Joel would then authorize the Land Conservancy to do those modifications so the document can be made available to the Board 10 days in advance of its 11/15/10 meeting.

Joel McGreen's response was he doesn't know if that could be done. It is 13 pages. He stated the modifications will be done by the State and him. He explained there is a lot of work to be done. He doubts it will be completed by then. The State's assumption is that Blirstown has a full-time Planner.

Chairman Shoemaker questioned losing eligibility or funding. Joel McGreen revealed that funding is for 2012.

Joel McGreen's and The Land Conservancy's fear is that if a revision is submitted without the required Public Hearing, it might give the State time once again, to review the already reviewed,

requested information. He explained in some towns it has been 2 yrs. and they still don't have the State's comments. He said it is better to get this done, to be high in the queue for funding, before the "pot runs dry".

Roger Thomas withdrew his previous comments and said it sounds like 12/20/10 is a good date.

Joel McGreen revealed there are about 30 farms in Blairstown eligible for Farmland Preservation, that have not been preserved.

He estimates the 13 pages of Comments will probably result in about 25-30 pages of corrections to the data on the report.

Roger Thomas indicated the Planning Board is the custodian of the Master Plan. Therefore, he suggested since it is suggested that this be an Element of the Master Plan, that Joel McGreen e-mail the document, current draft, and the 13 pages for the Board member's review. Joel McGreen stated he sent it to the Mayor and Phyllis, Pizzaia, Town Clerk.

Joel McGreen wants to take the State's comments, update our Plan, have a Public Hearing, and have the public and Planning Board "bless it" and then return it to the State.

He talked with the reviewer today and he informed him, Blairstown is a small town and money is a problem. He tried to be as upfront and honest with the reviewer as he could.

Joel McGreen will send the Board Secretary e-mail copies of the documents previously mentioned for distribution to the Planning Board for review.

Roger Thomas indicated there must be a resolution. He stated since there is no formal deadline by 12/31/10, the resolution can be memorialized in January, 2011.

Joel McGreen would like the Public Hearing done before Christmas, 2010. He will be present in November to answer any questions.

### **OTHER BUSINESS:**

#### **COAH**

Roger Thomas stated the S-1 bill has been dealt with by the Senate but there is a stall in the Assembly.

Mayor Mach revealed the MHL is moving forward on the existing Plan now. There is \$300,000. in the Affordable Housing Trust Fund that we don't want to give up to the State. He said we wish to lock it into the existing Plan we now have.

**NEW BUSINESS:**

Kevin Doell stated the Environmental Commission wants to submit the ERI 2010 update to the Planning Board for review and Public Hearing, and have it adopted as an addendum to the Master Plan. It was suggested the review occur the beginning of 2011.

**PUBLIC PORTION:**

This portion of the meeting was open to the public. There was no public present.

**VOUCHERS:**

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

**ADJOURNMENT:**

There being no further business, a motion was duly made by Mr. Sikkes, seconded by Mr. Doell, to adjourn at 8:32 pm. Motion was unanimously carried.

Respectfully submitted,

Marion C. Spriggs, Secretary