

HARDWICK TOWNSHIP PLANNING/LAND USE BOARD MINUTES
June 8, 2023

Meeting was called to order by Chairman McKim at 7:00 pm.
Flag Salute.

Chairman McKim Read the following statement:

Adequate notice of this meeting has been provided in accordance with the Open Public Meeting Act, P.L. 1975, Notice of this meeting was posted on township website and on the bulletin board of the municipal building at 40 Spring Valley Rd.

PLEDGE OF ALLEGIANCE.

SWEARING IN OF BOARD MEMBERS:

Attorney Gavan sworn in the new Board members Paul Horsey and Christina Suyker and Welcomed them to the Land Use Board. The rest of the Board introduced themselves to the new Members.

Those present were.

Fred Butcher, Robert Hann, Paul Horsey, William Hughes, Nichole Meuse, Christina Suyker, Mayor Chris Jacksic and Chairman McKim.

Also present were Township Engineer Stefanie Williams, Land Use Board Attorney Glenn Gavan, and Board Secretary Kristin Shipps.

Cynthia Caffrey and Lori Gold were absent.

APPROVAL OF MINUTES:

None

NEW BUSINESS:

#23-001 Rush Block 502, Lot 14-Completeness

Mayor Jacksic and Nichole Meuse stepped out of the room for this matter.

The Township Engineer read her review which she prepared.

Rush application is seeking a D 5 bulk variance to construct two principal buildings in the low density rural residential area. The project is proposing a new home, a barn, and an expansion of the driveway on the property. The existing lot consists of 33.4 acres, with existing house, driveways, wetlands, and a creek. Blair creek is a C1 water way which runs along the east boarder of the property.

Variances:

The applicant is requesting the following variances: §13-33.4 – Maximum Number of Principal Structures – In any zone, there shall be not more than one (1) principal structure on each lot. Based upon our review of the submitted documents, we offer the following comments for the Board’s consideration regarding application completeness:

Variance Application Checklist: Checklist Item 11. Summary of specific facts which demonstrate that the relief sought can be granted without substantial detriment to the public good and substantial impairment of the intent and purpose of the Zone Plan and Zone Ordinance.

It is recommended that the applicant provide testimony as to how the proposal will not cause a detriment to the public good. It is recommended that the applicant discuss items such as location of the proposed buildings, landscape buffering between neighboring lots, promoting a desirable visual environment, etc.

Checklist Item 16. Percentage of the lot occupied by buildings and impervious coverage. The Applicant shall provide the existing and proposed building and lot (impervious) coverage calculations to verify that the proposed improvements meet the bulk requirements. We take no exception to a waiver being granted given the scope of the project.

Checklist Item 17. (a) Height of the building It is recommended that the applicant provide the maximum build height to verify that the proposed buildings meet the bulk requirements of thirty-five (35) feet. The building height shall be the vertical distance measured from the finished grade of the ground adjacent to the exterior walls of the building to the highest roof beams on a flat or shed roof, the deck level on a mansard roof and the average distance between the eaves and the ridge level for gable hip and gambrel roofs.

Checklist Item 18. Prevailing front yard setbacks of adjoining lots. Given the scope of the project, we take no exception to a grant being waived.

Completeness Conclusion We have reviewed the submitted documents for compliance with the checklist requirements for a Variance Application. At this time, it is our recommendation that the application be deemed COMPLETE.

Motion made by Hughes, second by Butcher and deemed complete with waivers by roll call vote: Butcher—yes, Horsey—yes, Hughes—yes, Suyker—yes, McKim—yes.

UNFINISHED BUSINESS:

#23-002 Blackburn Block 1001 Lot 12-Completeness/Public Hearing

Motion made by Hughes, second by Butcher and approved by roll call vote:

Butcher—yes, Horsey—yes, Hughes—yes, Meuse—yes, Suyker—yes, Jacksic—yes, McKim—yes deemed application complete.

Notice has been confirmed.

Public Hearing-

Attorney Gavan swore in Stephen and Lauren Blackburn.

Mr. Blackburn stated that they are subdividing up to 14 acres and building a single-family home. The land that is being subdivided is owned by Lauren's parents.

Chairman McKim asked them to explain why they are seeking a variance. Mrs. Blackburn stated they were going to ask if a variance is needed since the proposed building is for agricultural use and there is nothing in the codebook with stipulations on where the building should be located.

The second variance is because there is no road frontage. There will be an easement which is owned by Mrs. Blackburn's parents.

Attorney Gavan asked why the property cannot be subdivided to give the property the required frontage. Mrs. Blackburn stated that her grandfather was a surveyor and engineer. The entire property has been surveyed multiple times. Her grandfather's wish was never to have the lot landlocked. Mrs. Blackburn stated that her father would like the main

access to the farm while also granting the Blackburn's access to their property.

Engineer Williams asked where the current house frontage is located. Mrs. Blackburn stated the frontage is on Sunset Lake Road/ Ahlers Lane. Discussion took place on the easement which will require safety requirements for emergency vehicles. Attorney Gavan asked where the second entrance is to the farm. Mrs. Blackburn stated that there is access from Spring Valley and Sunset Lake Road.

Attorney Gavan stated that if the Blackburn's easement was part of what they owned, and granted easement to the farm there is no need to have safety features that were mentioned.

Chairman McKim opened the hearing to the board for questions and comments.

Mr. Hughes stated that if the applicant would subdivide the property making the new lot a flag lot, they would have a 50-foot frontage and would not require a variance. Mr. Hughes also stated by increasing the area of the lot the agricultural building can be put in front without a variance. Chair McKim stated that a variance for an agricultural building is not needed at all.

Attorney Gavan stated that the new lot as well as the existing farm lane that will be used for access will require a deed. Attorney Gavan further suggested that the agricultural building be restricted to farm use only and this should be reflected in the resolution.

After discussion it was felt that all conditions had been met and that a variance application is not needed. The applicant will submit a new site map and a deed to be reviewed by Attorney Gavan.

Mrs. Blackburn asked how the wording should be in the deed. Attorney Gavan stated it should delineate the new property lines with the flag portion ensuring there is at least 50 feet of frontage and access to the remainder of the farm.

A resolution will be approved for a minor subdivision at the next Land Use board meeting in July and a new map will be required. Two deeds will also need to be submitted.

Motion made Suyker second by Horsey and approved by roll call vote Butcher—yes, Horsey—yes, Hughes—yes, Meuse—yes, Suyker—yes, Jacksic—yes, McKim—yes to approve the subdivision for two new lots with the sizes indicated in the plans. New Lot will be 13.39 acres the remaining lot will be approve with frontages as indicated.

MEMORIALIZING RESOLUTIONS:

None

OTHER BUSINESS:

Liaison Update-General Township Matters

Chairman McKim submitted information to the board regarding the New Jersey Department of Environmental Protection's Connecting Habitat Across New Jersey (CHANJ) initiative which aims to protect wildlife during road crossings. He went on to encourage the board to look at the website. Hardwick Township is largely designated as "Core" habitat. Chairman McKim noted that while the NJDEP webpage does not describe

the implications of “Core” designation for human activities, it is widely accepted within conservationist circles that the only permitted human activity in such areas is scientific research.

Mr. Hughes reviewed the website realized his entire property except a small piece is core habitat.

Mayor Jacksic reported that the Spring Valley Tunnel to accommodate wildlife under the road is going to remain the same height.

Mayor Jacksic reported that he was present for the NJDEP Flood Management Meeting where he learned that Hardwick Township has 9 (nine) dams which were all privately owned.

PUBLIC SESSION:

None at this time.

CORRESPONDENCE:

None at this time

PAYMENT OF BILLS:

None at this time

ADJOURNMENT:

Motion made by Jacksic, second by Meuse and carried to adjourn tonight’s meeting at 8:02 pm.

Respectfully submitted by

Kristin Shipps, LUB Secretary.