

TOWNSHIP OF CHESTER

1 PARKER ROAD

CHESTER, NEW JERSEY 07930

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PLANNING BOARD
EXT. 823

LEGAL NOTICE

The Chester Township Planning Board will be discussing the Draft Highlands Master Plan Element at their public meeting at 9:00 p.m. on September 8, 2009 in the main meeting room of the Municipal Building at 1 Parker Road, Chester Township. No action by the Board will be taken at this meeting.

The document is available for public inspection in the office of the Secretary of the Planning Board between the hours of 9:30 a.m. and 4 p.m. by first calling for an appointment with the Board Secretary @ 908-879-5100 x 824.


Sarah Jane Noll
Secretary/Administrator

Dated: August 24, 2009

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PLANNING BOARD
EXT. 823

AGENDA
September 8, 2009

Roll Call

Opening Statement

Pledge of Allegiance

POST MINOR WITH WAIVERS AND VARIANCES

Block 33, Lot 4 and Block 34, Lot 4 – Chester Township

Block 106, Lot 9 and Block 111 and Lot 5 – Chester Borough

Georger Ritter's previous April 16 and April 22 reports enclosed. A report of the revised plans will be at the meeting.

REDDING EXTENSION OF TIME TO RECORD DEEDS OF MINOR SUBDIVISION.

Block 26, Lot 126 – see letter in package.

WAIVER OF ROOF SEEPAGE PITS: - Resolution to be adopted

Block 44, Lot 4 – 38 Route 206 – Aron Holenstein & Despina Gribas – Resolution in package.

9 P.M. – PUBLIC HEARING –Discussion of the Draft Highlands Master Plan Element. *No action by the Board will be taken.*

UPDATE OF HIGHLANDS COMPLIANCE – George Ritter

MEMO REGARDING OPTING IN/OUT OF PLANNING AREA - George Ritter.

Ordinance:

Draft Solar Energy System Ordinance – George Ritter

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Agenda – September 8, 2009

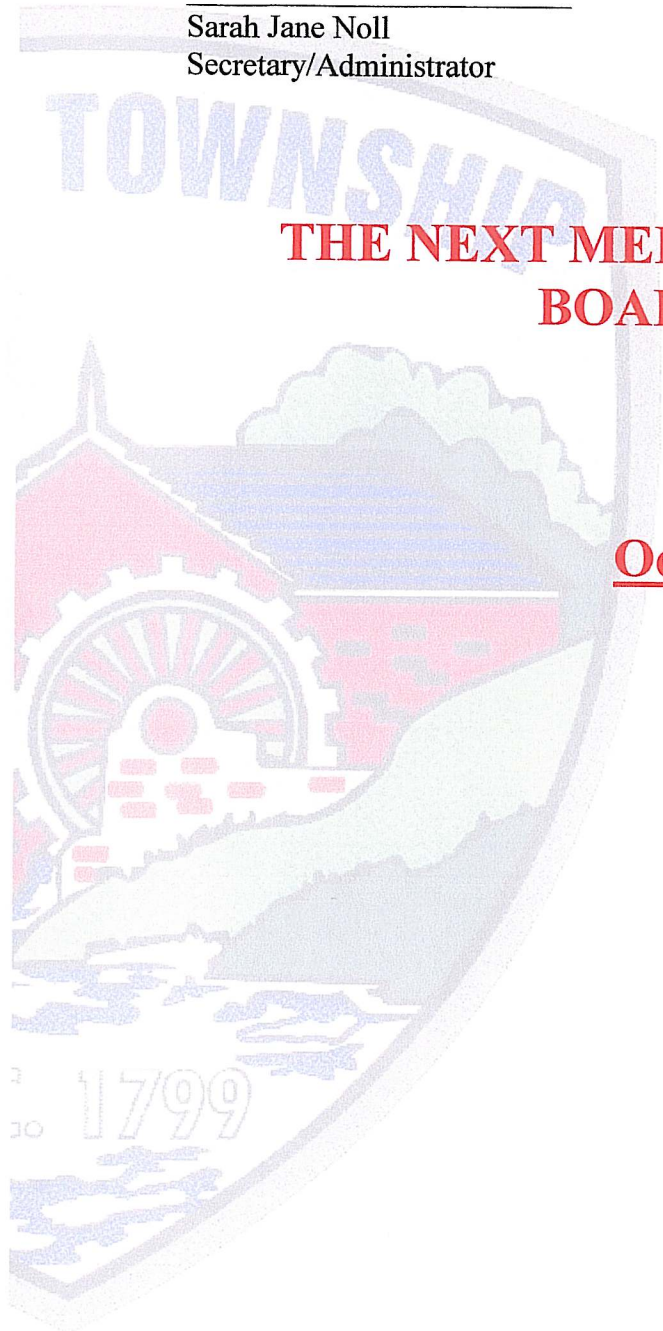
MINUTES: none

Sarah Jane Noll
Secretary/Administrator

**THE NEXT MEETING OF THE PLANNING
BOARD WILL BE ON**

TUESDAY

October 13, 2009



Chester Township Planning Board
Tuesday, September 8, 2009

The regular meeting of the Chester Township Planning Board was held on Tuesday, September 8, 2009. The following members were present:

Mayor William Cogger
Sarah Jane Noll, Zoning Official
Daniel O'Donnell, Chairman
Derek Moore, Alternate # 1
George Durik
Brian Murphy
Denis Rossi
Peter Maddi
William McCormick

Also Present:

Willard Bergman, Esq.
Peter Turek, P.E.
George Ritter, Planner

Absent:

Richard Busciglio, Alternate # 2
Stephen Scypinski,

The Secretary announced that adequate notice of the meeting was provided by a) sending written notice on January 28, 2009 to both the Observer Tribune and Daily Record, each being a newspaper and the Observer Tribune being the official newspaper and sending written notice to the Township Clerk and posting a written notice on the bulletin board in the main meeting room of the Township Hall.

Salute to Flag

➤ **POST MINOR WITH WAIVERS AND VARIANCES**

Block 33, Lot 4 and Block 34, Lot 4 – Chester Township

Block 106, Lot 9 and Block 111 and Lot 5 – Chester Borough

George Ritter's previous April 16 and April 22 reports enclosed. A report of the revised plans will be at the meeting.

Kevin Coakley, Esq. was present along with John Hansen, P.E., David Kreuger, and Deborah A, Post who were all sworn in.

Mr. Coakley explained the subdivision of two lots plus a remainder. There is a lot across Oakdale Road.

John Hansen, P.E. explained the layout of the subdivision. The area of the farm consists of 68.2 acres including the lots in the borough. There will be a dedication of the right of way of Oakdale

Chester Township Planning Board
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Road as part of the subdivision. Proposed lot 33/4 w57.39 acres 34/4 and 106/9 . Two lots A will consist of 3.652; Lot B consists of 3.94 acres. These two lots will be allowed to build on 1 acre of disturbance per lot. They submitted the documents requested by the DEP after their June letter. There will be minor DEP permit for the lot A for the wetland buffer from across Oakdale Road.

The following variances are sought;

113-225, Lot width for lots A & B

113-225, Inscribed lot circle for lots A & B

The board members asked questions of the engineer.

Ms. Post intends to continue the farming of these lots. Ms. Post spoke about her desire to continue the farming. She wishes that these two lots are recognized as two buildable lots in the town's Highlands' Master Plan.

Mr. Ritter suggested that the board address the completeness waivers:

1. Lot designation 4.01 will be the remaining property; 4.02 and 4.03 would be the two subdivided lot – These have been assigned by the tax assessor
2. Flood Hazard Boundaries – there is no flood plain on the portion of the property being subdivided. Mr. Ritter suggest a delineated FEMA. Mr. Hansen advised that there is none. Mr. Ritter withdrew his suggestion.

Mr. Ritter advised that one of the proposed driveways is located in the Borough. This will need a driveway opening permit issued by the Borough. There is no Borough approval needed. Mr. Bergman advised that it is up to the applicant to verify this.

3. LOI issued by the DEP – accept a report from their professional in lieu of the LOI. The board has the report. Mr. Ritter asked if a presence or absence could be obtained. They will look into that possibility. An LOI is not necessary.
4. Provide evidence of an adequate water supply. Mr. Ritter does not need this.

Highlands Exemption Letter issued by the NJDEP – A letter has been received but not given approval. A condition of approval would be the obtaining.

Mr. Berman explained the completeness issue and that it is inducement to get all of the information in front of the board that is necessary to make a decision and go forward with the application.

The applicant has notified the Highlands' Council.

O'Donnell moved to waive checklist item 23f; seconded by Derek Moore

Noll moved to waive checklist item 24; seconded by George

Derek Moore moved to waive checklist item 32; seconded by Durik

AYES: Derek Moore; Durik; McCormick; O'Donnell; Cogger; Murphy; Maddi; Noll

The application is deemed complete. O'Donnell moved to deem the application complete; Mr. Durik seconded which was passed unanimously by a roll call vote of the board.

The following design waivers are requested:

1. Section 113-118 – Steep Slope Regulations – buffer should be shown on the plans. The proposed driveway for lot A crosses regulated slopes of 20% or greater. Mr. Hansen addressed this waiver. Mr. Ritter suggested waiving this.

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2. Section 113-118. C. A 25' slope transition buffer shall be established from the edge of delineated. Mr. Hansen agreed to comply with the DEP approval of the wetland buffer which would require that this area be put in a easement. Make it a condition of the Planning Board's approval.
3. Section 113-202 – Drainage and conservation easements – These will be within the DEP's easement. Will be a condition of approval.
4. Section 113-134 – Removal of Trees – Ms. Post spoke of the apple trees. Mr. Ritter then suggested that 12 trees per acre be planted. Each lot has 1 acre of disturbance. A table should be put on the plan and not required to be planted until prior to the issuance of the c of o.
5. Section 113-205 – Street trees are to be provided. Mr. Hansen addressed this and asked that this not be required. Mr. Ritter felt that it would be appropriate to plant the street trees when these two lots are developed. This is agreeable to the applicant. This will be noted on the plans.
6. Section 113-205D.- Compensatory Planting. 3 new trees are required to be replaced for each tree removed that is 12" caliper or greater. This issue was resolved in item # 4 above.

Part 8 Stormwater Control – Mr. Hansen addressed this issued. Mr. Turek's concern is that each lot has 1 acre of disturbance which will trigger the need for stormwater requirements. Mr. Turek addressed this issue. A major development is any disturbance of cumulative disturbance of 1 acre or more. Mr. Turek has not seen any calculations on the rationale. He does not feel that this can be put off. Mrs. Noll asked the definition of disturbance - When the ground is broken or disturbed. Mr. Coakley pointed out that the DEP has allowed 1 acre of disturbance for each lot. Mr. Bergman advised that the preservation of the rest of the land does not have a factor in stormwater not does the DEP in approving 1 acre of disturbance for each lot. The DEP approval does not absolve the Township from its regulations on stormwater management. The cost of the improvements to regulate the water would be the use of a basin or seepage pits. \$25,000-\$30,000 and up to \$40,000 for each lot.

Public Portion

Jodie Leonardi introduced herself and Elke and Herbert Baier in the audience. She questioned a 16 lot subdivision. Mr. Coakley explained that there is package deal. Two lots and a remainder for preservation or a sixteen lot subdivision. She questioned the water supply. Elke Baier introduced herself and questioned the location of the houses on the conceptual grading plan. The public portion was closed since no one from the public wished to speak.

Mr. O'Donnell asked Mr. Turek if this issue can be addressed in some unknown time when a developer is in place. Someone could decide to combine the lots and built one new house. This is not acceptable to the applicant. They want

Recess was taken in order for applicant to discuss the stormwater regulations with Mr. Turek.

The meeting was reconvened at 9:37 p.m.

**Chester Township Planning Board
Tuesday, September 8, 2009**

Mr. Coakley advised that the meeting resulted in a thought of using seepage pits to collect the stormwater; this was not acceptable by Mr. Turek. Mr. Bergman advised that the board would like to see things worked out. The meeting was carried to October 13, 2009 with no further notice having to be given.

➤ **REDDING EXTENSION OF TIME TO RECORD DEEDS OF MINOR SUBDIVISION. Block 26, Lot 126 –**

Brian Murphy moved to grant the extension for 180 day; William Cogger seconded the motion which was approved unanimously by the following roll call vote:

AYES: McCormick; Maddi; Murphy; Cogger; Noll; O'Donnell; Durik and Moore

NAYS: None

➤ **Resolution to be adopted.**

Block 44, Lot 4 – 38 Route 206 – Aron Hostenstein & Despina Gribas

O'Donnell moved to adopt the resolution; Maddi seconded the motion which was approved unanimously by the following roll call vote:

AYES: McCormick; Maddi; Murphy; Cogger; Noll; O'Donnell; Durik and Moore

NAYS: None

➤ **Ordinance Work:**

Draft Solar Energy System Ordinance – George Ritter

The board was urged to read the ordinance be prepared to discuss it at the October 13th meeting.

PUBLIC HEARING –Discussion of the Draft Highlands Master Plan Element. *No action by the Board will be taken.*

This meeting was noticed in the Observer-Tribune in the August 27th edition. All of the members had copies of the 'draft' report.

George Ritter advised the board of this draft. The entire Township is in the Highlands Region. 85% is in the preservation and 15% is in the Planning Area. Within the Planning Area the Township has the option to opt in or not. The Highlands Regional Master plan is a giant overlay over the township master plan. There are various zones within the Preservation Area; 1) Protection Zone; 2) conservation zone and 3) existing community zone. The Highlands Council establish policy in these zones. With Highlands approval infrastructure can be extended within the existing community zone. Within the Planning Area, there is an option for public water and sewer. The density is set by the DEP. In the preservation area, one unit per 25 acres is allowed in an open area and one unit per 88 acres is allowed in forested areas. They have calculated the future growth to be 12 septic systems. This does not include existing exempt lots. Most of our numbers is the already exempt lots.

For the Highlands build out for Coah, you add the certificates of occupancy issued between 2004-2008 to the Highland RMP build out projection.

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Public Portion

Ms. Post of Riamede Farms questioned the build out number based on the Highlands Nitrate Dilution Model. This is 12 but does not include the 119 exempt lots. She also questioned if the Township will change the zoning.

The public portion was closed since no one else from the public wished to ask any questions.

Mr. Ritter has prepared a memo on opting in/out of the Planning Area.

➤ MINUTES: None

There being no further business, the meeting was adjourned

Sarah Jane Noll
Administrator/Secretary

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CHESTER, NJ 07930
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Carol Isemann
Administrator/Municipal Clerk

FOR YOUR INFORMATION

The Township Council of the Township of Chester will meet jointly with the Chester Township Planning Board on Tuesday, November 10, 2009 beginning at 7:30 PM at the Municipal Building located at 1 Parker Road.

There will be a discussion regarding Highlands Regional Master Plan. No action will be taken.

Carol Isemann
Township Clerk/ Administrator

October 29, 2009

Bulletin Board
Observer-Tribune
Daily Record
Star Ledger

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PLANNING BOARD
EXT. 823

AGENDA
November 10, 2009
7:30 p.m.



Roll Call

Opening Statement

Pledge of Allegiance

A. CANCELLATION OF PUBLIC HEARING:

↓ POST MINOR WITH WAIVERS AND VARIANCES

Block 33, Lot 4 and Block 34, Lot 4 – Chester Township

Block 106, Lot 9 and Block 111 and Lot 5 – Chester Borough

*The escrow account is in the arrears and the applicant **has not paid.***

B. JOINT MEETING WITH PLANNING BOARD AND COUNCIL MEMBERS.

Discussion on Opting into the Planning Area. Eileen Swan the director of Highlands will be present for discussion. (Mr. Ritter's memo dated 9/4/09 is enclosed)

**C. UCP (FORMERLY GLENLORA): Conceptual Minor subdivision –
George Ritter**

D. Ordinance.

**✚ Conservation Easement Recording in conjunction with Land
Disturbance – Peter Turek**

MINUTES: October 13, 2009

Sarah Jane Noll
Secretary/Administrator

**THE NEXT MEETING OF THE PLANNING
BOARD WILL BE ON**

TUESDAY

December 8, 2009

INC. 1799

CHESTER TOWNSHIP COUNCIL

November 10, 2009

Joint Meeting with the Chester Township Planning Board

Members of the Township Council of the Township of Chester met jointly with the Chester Township Planning Board on Tuesday, November 10, 2009 at 7:30 PM at the Municipal Building Parker Road, Chester, NJ.

Adequate notice of this meeting was given to the Observer Tribune and the Daily Record on October 29, 2009 and was posted on the Bulletin Board, Council Chambers, Chester Township Municipal Building on October 29, 2009 and was mailed to all those persons who have requested individual notice and paid the required fee.

Members present: William A. Cogger, Mayor (Member of the Planning Board)
 Brian Murphy (Member of the Planning Board)
 Matthew Kass
 Karen Powell

Not Present: Leonard Taylor

The Council members met with and participated in a presentation and discussion with the Chester Township Planning Board, Executive Director of the Highlands Council, Eileen Swan and Deputy Executive Director and Chief Council, Tom Borden.

The Township must decide if it is intending to petition the Highlands Council for conformance with the Regional Master Plan and endorse its policies and regulations or retain its current planning policies and zoning regulations within the Planning Area. which represents 15% of the Township.

Should the Township decide to opt in, a non – binding resolution must be adopted by the Governing Body by December 8, 2009.

No decisions were made at this time.

Carol Isemann
Municipal Clerk/Administrator