

HARDYSTON TOWNSHIP
MUNICIPAL BUILDING
149 WHEATSWORTH RD
SUITE A
HARDYSTON NJ 07419

Acct Number: 02100097
Ad Number: 00269303
Insertions: 1 Total: \$11.90
Affidavit: \$7.50
Total: \$19.40

AFFIDAVIT OF PUBLICATION

NEW JERSEY, SUSSEX COUNTY, ss.

Lois House, of full age being duly sworn, did depose and say that the notice hereto attached was published in THE NEW JERSEY HERALD and/or NEW JERSEY SUNDAY HERALD a newspaper printed and circulated in said county on 10/09/2009,.



Sworn and subscribed before me this 9th day of October 2009



MARY K. QUACKENBUSH
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 04/01/14

**HARDYSTON TOWNSHIP
PLANNING BOARD**

PLEASE TAKE NOTICE that the Hardyston Township Planning Board will conduct a public meeting to review and discuss the Draft Highlands Master Plan Element Supplement. The meeting will be held at the Hardyston Township Municipal Building and Police Station Complex, Suite A, 149 Wheatworth Road, Hardyston, New Jersey, on Thursday, October 22, 2009, and it will begin at 7:30 p.m.

A copy of the Draft Highlands Master Plan Element Supplement is on file for public inspection at the Hardyston Township Municipal Building and Police Station Complex, Suite A, Land Use Department, 149 Wheatworth Road, Hardyston, New Jersey, Monday - Friday, 9:30 a.m. - 4:30 p.m.

Anne Marie Wilhelm
Land Use Administrator
Oct. 9, '09 p21130
00269303 NJH

AGENDA
HARDYSTON TOWNSHIP PLANNING BOARD
February 26, 2009
7:30 P.M.

CALL THE MEETING TO ORDER:

STATEMENT OF COMPLIANCE:

Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 has been made to the New Jersey Herald and is posted on the Bulletin Board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton
Ken Kievit
Robert Neubig
Robert Schultz
Bill Hickerson
John Monell
James Homa
Brian Kaminski
Randy Roof (Alternate No. 1)
Stanley Kula (Alternate No. 2)
Carl Miller

APPROVAL OF MINUTES:

Minutes of the Hardyston Township Planning Board Reorganization Meeting Held January 22, 2009

Minutes of the Hardyston Township Planning Board Meeting Held January 22, 2009

RESOLUTIONS:

PB-1-06-2b, Crystal Springs Builders, L.L.C., Balmoral Estates III, Request for Extension of Final Subdivision, Block 17, Lots 6.01 and 10.

APPLICATIONS:

PB-5-05-5a/PB-11-05-6A, Crystal Springs Builders, L.L.C., Final Site Plan and Final Subdivision, Extension Request, *The Ardleigh*, Block 16 Lots 6.01 and 6.02

PB-1-09-3, Crystal Springs Builders, L.L.C., Preliminary/Construction and Final Site Plan, *Real Estate Center*, Block 16 Lot 8.01

DISCUSSION:

Township of Hardyston Zoning Board Report on Variance Applications and Amendment Recommendations

Review of Highland's Plan Conformance Application: Module 1. *Current Municipal Conditions and Build-out Analysis* (Total of seven (7) modules – December 8, 2009 application deadline)

Office of Smart Growth, Plan Endorsement – Review of Pre-petition

BILLS:

CORRESPONDENCE:

PUBLIC PARTICIPATION:

ADJOURNMENT:

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD
FEBRUARY 26, 2009**

CALL THE MEETING TO ORDER: Chairman Miller called the meeting to order at 7:30 p.m. and read the following Statement of Compliance.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton – Present
Ken Kievit – Present
Robert Neubig – Present
Robert F. Schultz – Present
William Hickerson – Present
John Monell – Present
James Homa – Present
Brian Kaminski – Present
Randy Roof (Alternate No. 1) – Present
Carl Miller – Present

OTHERS PRESENT: Robert P. Guerin, P.E., P.P., Thomas F. Collins, Esq., Carrine Piccolo, Assistant Planner, and Anne-Marie Wilhelm, Land Use Administrator

APPROVAL OF MINUTES:

Minutes of the Hardyston Township Planning Board Reorganization Meeting Held January 22, 2009: A motion to approve was made by Ken Kievit and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Neubig – yes; William Hickerson – yes; Robert Schultz – yes; James Homa – yes; Brian Kaminski – yes; Carl Miller – yes. The motion carried.

Minutes of the Hardyston Township Planning Board Meeting Held January 22, 2009: A motion to approve was made by Robert Neubig and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Neubig – yes; William Hickerson – yes; Robert Schultz – yes; James Homa – yes; Brian Kaminski – yes; Carl Miller – yes. The motion carried.

RESOLUTIONS: PB-1-06-2b, Crystal Springs Builders, L.L.C., Balmoral Estates III, Request for Extension of Final Subdivision, Block 17, Lots 6.01 and 10: A motion to adopt the memorializing resolution was made by Ken Kievit and seconded by Robert Neubig. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; Robert Neubig – yes; William Hickerson – yes; James Homa – yes; Brian Kaminski – yes; Randy Roof – yes; Carl Miller – yes. The motion carried.

APPLICATIONS:

PB-5-05-5a/PB-11-05-6A, Crystal Springs Builders, L.L.C., Final Site Plan and Final Subdivision, Extension Request, The Ardleigh, Block 16 Lots 6.01 and 6.02: John Fetterly, Esq., appeared on behalf of the Applicant and stated that the conditions of approval have been substantially fulfilled. He stated the sewer extension permit and “County Soils” have been obtained. He asked that all three extensions be given. Mr. Guerin stated there is no issue with regard to Performance Bonds. Mr. Collins stated there was no problem with the extension request.

A motion to approve the extension of The Ardleigh Final Site Plan and Final Subdivision for three years was made by Leslie Hamilton and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; Robert Neubig – yes; William Hickerson – yes; John Monell – yes; James Homa – yes; Brian Kaminski – yes; Carl Miller – yes. The motion carried.

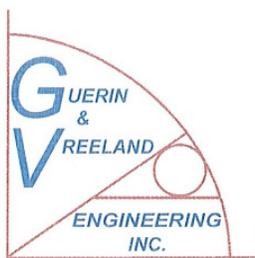
PB-1-09-3, Crystal Springs Builders, L.L.C., Preliminary/Construction and Final Site Plan, Real Estate Center, Block 16 Lot 8.01: John Fetterly, Esq., appeared on behalf of the Applicant. Andrew Mulvihill and Thomas F. Graham, P.E., were sworn. The Board recognized and accepted the qualifications of Mr. Graham as a professional engineer. Mr. Mulvihill stated the application proposes the development of the first building on the south side of Route 94 in the village center. He stated the building will act as the main sales center for the balance of the Crystal Springs development. He stated the idea is to abandon the existing sales center and move the sales force. Mr. Mulvihill stated the building will be homey, a bit country, and elegant. He stated there will be a lot of stone on the building and timbers, similar to the new office building in terms of structure. He stated there are stucco finishes outside and an architectural shingle and a faux slate or shake shingle. He noted the building would feature wrought iron railings, eyebrow copper windows, lighting fixtures, an outdoor fireplace on the deck, and a porch. He stated the idea is to create a homey environment with good appeal all around. Mr. Mulvihill stated the building will make a great statement for the beginning of the development.

Addressing the building's functionality, Mr. Mulvihill presented that there will be three levels. He stated the main level will host a lobby and reception area, display areas in the four corners, a mini-golf area that will establish a theme, two offices and a large conference room for closings, bathrooms, a service area, a movie room, and a map display area in the middle. Mr. Mulvihill stated the lower level will feature additional office space for construction administration, a break room, and space for salesmen. He stated the upper level will feature a design center to sell the options/upgrades. He noted that an outdoor kitchen will also be featured on the upper level.

Mr. Graham confirmed that the back of the building would face Route 94, the front of the building would look into the village center, and it would be located in the vicinity of the Farmer's Market. Mr. Mulvihill stated that the Applicant would like to preserve the Farmer's Market location in the short term with the long term objective being the relocation of the Farmer's Market to the village square itself. He stated that all sides of the building need to be attractive and it will be finished all the way around.

Exhibit A-1, a colored rendering of the layout plan titled *Exhibit Sales Center, Village Center at Crystal Springs, sheet 1 of 1, dated 2/25/09*, prepared by the Dykstra Walker Design Group, was marked.

The Applicant and Board members reviewed the following report submitted by the Board's engineer, Robert P. Guerin, P.E., P.P. Comments noted are inserted under the relevant discussion item.



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- ROBERT P. GUERIN, P.E., P.P.
bguerin@guerinvreeland.com
- MICHAEL G. VREELAND, P.E., P.P.
mvreeland@guerinvreeland.com

February 16, 2009

Planning Board
Township of Hardyston
Municipal Building
149 Wheatsworth Road
Hardyston, New Jersey 07419

Re: *Crystal Springs Builders
Construction Plan and Final Site Plan Application
Crystal Springs Sales Center Building
Block 16, Lot 8.01, Route 94
Application No. PB-1-09-3*

Dear Board Members:

We are in receipt of the following information in support of the above referenced application:

- *Site plan and subdivision plan consisting of 11 sheets entitled "Sales Center, Construction Plan and Preliminary and Final Site Plan, Block: 16 - Lots 8.01, State Highway Route 94, Township of Hardyston, Sussex County - New Jersey". These plans,*

dated January 27, 2009 with no subsequent revisions were prepared by Dykstra Walker Design Group (Thomas F. Graham P. E.).

- *Architectural Plans consisting of two sheets entitled "Proposed Sales Center for Crystal Springs Bldrs., Route 94 W. Vernon, N. J. " This plan, prepared by James P. Cutillo Associates is originally dated November 6, 2008 with revisions through December 16, 2008.*
- *Report entitled "Stormwater Management Calculations for Crystal Springs Sales Center at The Village Center at Crystal Springs, Block 16, Lot 8.01 situated in Township of Hardyston, Sussex County, New Jersey". This report, dated January 27, 2009 was prepared by Dykstra Walker Design Group (Thomas F. Graham, P.E.).*
- *Map entitled "Drainage Area Map, Sales Center, Village Center at Crystal Springs.*
- *Construction Plan and Final Site Plan Application with associated attachments.*
- *Schedule "A" Checklists for both Preliminary and Final Site Plan.*
- *Engineer's Best Estimate for Bonding for Crystal Springs Builders, LLC Sales Center, Block 16, Lot 8.01 prepared by Dykstra Walker Design Group (Thomas F. Graham, P.E. dated January 27, 2009.*

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Hardyston Planning Board
Crystal Springs Sales Center Building
February 16, 2009

This construction plan/final site plan application proposes to construct a 10,717 square foot sales center building with associated parking to allow for relocation of the existing Crystal Springs Sales Center currently located at the end of Sugar Maple Lane within the Bluff Section of the Crystal Springs Development. The site of this proposal is in the Mixed-Use Village Core Section of the Commercial Recreation Village Center District. The location of the proposed building and associated parking appears to be generally consistent with the general development plan/site plan approval granted for the Crystal Springs Village Center. We have inspected the site and reviewed the information submitted. Based on our review, we offer the following comments for the board's consideration:

A. Completeness:

Construction Plan Application:

1. *The applicant has requested the following applicable waivers from the Schedule "A" Technical Checklists for a Construction Plan Application based on the Preliminary Site Plan Checklist:*

Item No. 8 - Survey of the subject property

Comment: *The applicant indicates that a minor subdivision was approved by the board which created this lot. In order to address state statutes relating to a site plan application, we recommend the applicant provide a signed and sealed copy of the minor subdivision plan referenced on the site plan to the board secretary. This would eliminate the need for this waiver.*

- Mr. Graham agreed to provide the survey.

Items No. 37 & 41 - Copy of existing and proposed protective covenants or deed restrictions.

Comment: *It is our understanding that the applicant envisions the village center to be a condominium type development with common improvements such as roads, parking, utilities, and other miscellaneous site amenities to be maintained by an association. As such, documents will need to be prepared to address these issues. The applicant has requested that these documents be waived as condition of completeness and provided prior to any public offering of buildings which will make up the village center. We have no engineering difficulties with this waiver request.*

Item No. 39 - Environmental Impact Assessment

Comment: *The applicant has requested a waiver from providing this document citing that an environmental impact statement was submitted and environmental issues were discussed with the board at the time of the general development plan and*

preliminary site plan application. We have no engineering objection to this completeness waiver request with the understanding that the board retains jurisdiction to request further environmental information relating specifically to this application.

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Hardyston Planning Board
Crystal Springs Sales Center Building
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Final Site Plan Application:

1. *The applicant has requested the following applicable waivers from the Schedule "A" Technical Checklists for a Final Site Plan Application:*

Item No. 21 - As-built Plan

Item No. 22 - As-built zoning information

Item No. 28 - Affidavit from Applicant verifying compliance with conditions of the preliminary approval.

Item No. 29 - Affidavit indicating that the final plan is identical to the approved plan.

Comment: *Each of these items can not be supplied until construction of the improvements has been completed. Since the applicant is applying simultaneously for both construction plan approval and final site plan approval, construction has not yet commenced. As such we have no engineering objection to waiving this requirement for completeness and making each condition of action on the final site plan application.*

Item No. 24 - Protective Covenants and Deed Restrictions

Item No. 26 - Property reserved for common use.

Item No. 27 - Organizational Documents.

Item No. 30 - Maintenance Agreements

Comment: *The applicant has requested that these items be deferred until a public offering has been made. Since this is proposed to be the initial building within the Village Center South Development there is no readily apparent need for this information at this time. When additional buildings are constructed in the village center whereby different owners will be involved, these document will become important. As such, we have no engineering objection to waiving these items for completeness with the stipulation that they will be provided prior to a public offering.*

– Having reviewed the waiver requests, a motion to approve same was made by Leslie Hamilton and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; Robert Neubig – yes; William Hickerson – yes; John Monell – yes; James Homa – yes; Brian Kaminski – yes; Carl Miller – yes. The motion carried.

B. Construction Plan and Final Site Plan Application:

1. *These applications are provided to address pre-construction requirements of the General Development Plan (GDP)/Preliminary Site Plan approval for the Crystal Springs Village Center. Based upon testimony presented during the public hearings held at the time of the GDP/Site Plan application as well as the plans which were included in support of the application, the village center project was to be serviced entirely by a central sewer system and a central potable water system. This construction plan application is consistent from a sewer standpoint as it depicts the building being connected to the sewer system but is inconsistent from a water service standpoint since the building is proposed to be temporarily serviced by a private well.*

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Crystal Springs Sales Center Building
February 16, 2009

The applicant or his professionals should explain the reasons why this sales center building needs to be constructed with a private well rather than using the public water

system which is currently in place for the balance of the Crystal Springs Project. Testimony should also include what provisions are being considered for fire protection. The board should determine, based on the testimony presented relating to this issue, whether they are willing to grant a temporary waiver from the requirement to connect this building to the Crystal Springs Water System.

– Mr. Graham stated that the HTMUA and SCMUA signed off on a TWA permit for a sanitary sewer pump station in the area of the existing golf lake, which is close to the proposed building. He stated that the Applicant proposes to construct sewer lines from the building to tie into the sewer that is going to be constructed. Mr. Graham explained that the force main is under construction and that the pump station will tie into in the general area of the driveway for the Hayloft building. Mr. Mulvihill stated that it is anticipated that the improvement will be funded by the County. He stated that a connection from the pump station to the proposed building can be done without significant additional cost. He stated this works economically. He stated it is a challenge to get the first building going because of the infrastructure. He explained he would like to be able to do it all up front but in the present economic times, it will be difficult to get the project done.

With reference to water, Mr. Graham explained that there is no close water system in the area. He stated there is a proposal to construct a water system in both the south and north village center sectors and tie into the Crystal Springs North project, which will have a water tank. Mr. Graham explained that the infrastructure is much further down the line. He stated a well is proposed to service the building. He stated this is similar to what was approved at the other office building in the Village Center. He explained that the Applicant is requesting a temporary waiver for tying into the water system. He stated the water system currently ends across the railroad tracks where the existing housing is.

Board members discussed fire suppression requirements and the costs of various systems. Mr. Graham stated water tanks would be cheaper than an entire water system improvement. He noted that the water system is regulated by the NJDEP and all of the permits are not in place yet. He stated there is more than just putting the line in across the front of the building. Mr. Mulvihill stated that if it is cheaper to put in the system, he would be more than happy to do it. He stated he would review the matter.

2. *Based on the sheet 3 of the site plan entitled "Site Layout Plan" which shows the proposed improvements superimposed on layout approved as part the General Development Plan, we find the proposed building and associated parking to be generally consistent with the GDP approval. The applicant or his professionals should explain why a temporary sales center access road is proposed rather than constructing the short portion of Future Road "J" which would be consistent with the General Development Plan/Site Plan approval.*

– Mr. Graham stated that the proposed access drive utilizes the access drive to the Farmer's Market. He stated the proposal allows for the Farmer's Market location and allows the main entrance to remain undisturbed. He explained that Road I still needs the NJDOT permit. He explained that the roadway network would exist with the proposed building up and running until it was time to construct Road I and Road J. He stated while those roads are being constructed, the Applicant could still use the proposed access drive to the sales center until such time as the Applicant could turn it over.

3. *A table depicting parking requirements is included on Sheet 1 of the plans. The required parking is based on office space using one space for each 250 square feet office and storage/display space using one space for each 800 square feet of storage/display. It is our concern that should display space be changed to office space as the building is used, the adequacy of parking provided may become an issue. The applicant's professionals should address this concern with the board.*

– Mr. Graham stated that the parking calculations were based on the architectural plans, which show limited office space and a lot of display area. He stated that the display area was calculated as storage. He stated 23 parking spaces are required and 29 are proposed. He stated that the proposed spaces are sufficient.

4. *The applicant's engineer should re-evaluate the sewer design based on the proposed basement floor elevation of this building. It appears the sewer main may be too high to allow the basement to be sewered without an ejector pump.*

– Mr. Graham stated the entire project's sanitary sewer system is under review to make an application to the NJDEP. He stated that he would make certain the elevation is set correctly. He stated he would review the matter and submit a plan to Mr. Guerin.

5. *The design of the storm sewer system shown on these plans, other than the discharge pipe into the pond which was approved as part of a stream encroachment permit, does not appear to consider future development within the village center. This seems to defeat the purpose of the overall development plan.*

– No comment. Please see Item 4.

6. *A great deal of discussion was had between the board and the applicant concerning buffering and landscaping along Route 94 during hearings for the General Development Plan. This site plan does not appear to implement any of the landscaping provisions discussed during those hearings.*

– Mr. Graham stated that Route 94 is going to be improved as part of the application and that he believes it is best to leave the landscaping in this area until the design plans are prepared and approved. The Applicant agreed to submit the landscaping plan to the planner for suggestions and comply with suggestions.

With reference to the elevation, Mr. Graham stated the elevation of Route 94 in the area goes from 492 to 495 and the first floor elevation is set at 499. He stated the building would sit a little bit higher than the road.

7. *The plan does not appear to include any provisions for signage for this building. The village center ordinance includes detailed design standards relating to signs. The applicant's professionals should elaborate on any signs proposed for this building. Sign provisions, consistent with the ordinance should be included on the site plan.*

– Mr. Graham stated the Applicant would have a directional sign by Wild Turkey Way and a building sign. He identified the sign locations as being where the driveway intersects Route 94 and the other in the front corner of the building. He stated details would be provided. Mr. Mulvihill presented that the theme of the signage has yet to be developed. He stated the theme would be worked on and started with the proposed building. He stated he understood the importance of signage and noted it is a nice way to create a feel.

8. *We recommend the profile of the access drive be modified to provide a minimum grade of 1.0 percent.*

– Mr. Graham stated he would make a modification to the plan.

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Hardyston Planning Board
Crystal Springs Sales Center Building
February 16, 2009

9. *The stormwater management report lacks much of the design data normally provided in such documents. While a summary of the pre and post runoff rates for the development is included in the report, the back-up information has not been provided. The calculations in support of the design of the rip-rap apron at the pond appears to be incorrect. Design consideration for total suspended solids removal and groundwater recharge are not discussed in the report. This report needs to be updated to address these issues.*

– Mr. Graham stated additional calculations would be submitted. He stated the general plan is that it drains to the existing golf course lakes that provide the necessary retention for stormwater quantity management as well as water quality provisions.

10. *The New Jersey Department of Transportation has only permitted the access of Wild Turkey Way onto Route 94 as a driveway. The applicant's traffic engineer should testify concerning whether the current driveway permit is still applicable based on the additional development which has taken place since this driveway permit was issued.*

– **The Applicant submitted a letter dated February 25, 2009, from Michael Maris, President, Michael Maris Associates, Inc. Mr. Graham stated the letter documents Mr. Maris's opinion that the driveway is sufficient for the proposed use. Mr. Mulvihill stated that employees that are in the existing sales center would be moved to this building. He stated the traffic flows will vary and that he did not think the flows would be significant. Mr. Mulvihill stated that when the economy picks up, improvements will be done.**

Mr. Guerin stated the Applicant could get confirmation from the NJDOT. Chairman Miller stated that he would rather not as long as the Board was comfortable within the boundaries. Mr. Guerin noted that Mr. Maris stated in his letter that he thought the proposal would be covered under the current permit and based on Mr. Maris's letter and his standing as an expert traffic engineer, the Board could bank on that.

11. *Since this sales center site plan has been provided to address long standing issues relating to the location of the current sales center, we recommend the board discuss an anticipated time-frame for construction of this facility with the applicant.*

– **Mr. Mulvihill stated he wanted to time development so as to be open and operating when the market is back. He stated he would gage the market and as the markets recover, he would proceed. He stated it would take time to resolve sewer issues and get water extensions.**

With reference to the existing sales center, Mr. Mulvihill stated he did not have a definitive plan. He stated that in the past, Crystal Spring's residents did not want to pay for a community center. Mr. Guerin recommended that a condition of approval include a provision mandating the Board's review of any future use of the existing sales center.

12. *The following other agency approvals may be required for this project:*

- *Sussex County Planning Board*
- *Sussex County Soil Conservation District*
- *Municipal Health Department (Well if required)*
- *Hardyston MUA - Sewer Extension Sussex County MUA - Sewer Extension*
- *New Jersey DEP - Sewer Extension*
- *New Jersey Department of Transportation (Access Permit if required)*

– **Mr. Graham stated that the approvals would be submitted upon receipt.**

Very truly yours,
Guerin & Vreeland Engineering, Inc.

/s/ Robert P. Guerin, P.E., P.P.

*Robert P. Guerin, P.E., P.P.
Planning Board Engineer/Planner
For the Firm*

*cc: Dale Pierson, Crystal Springs/via e-mail
Thomas Graham, P.E. /via e-mail
Thomas F. Collins, Jr., Esq. /via e-mail*

Sales Center Site Plan-Technical-1.pb

Chairman Miller identified water as being an unresolved issue. Mr. Hickerson stated the Fire Department would like the water system run out to the road to allow for a hydrant that could also protect buildings across the street. Mr. Miller stated that would also be the Board's preference and if a temporary well is selected as the way to go, fire suppression needs must be addressed.

With reference to the temporary access, Mr. Graham confirmed that in addition to allowing the continuance of the Farmer' Market operation, the proposed access can be used when Roads I and J are under construction, and the area is a mess. He stated that when Roads I and J are completed, the parking lot can be tied into Road J, and the subject driveway can be abandoned.

Mr. Guerin suggested that Mr. Mulvihill bring the traffic engineer to discuss the status of the access permit. Dale Pierson was sworn. She confirmed that a letter of approval on the concept from the NJDOT was received in December or January. Mr. Mulvihill stated he designated CMX to do the design work. Ms. Pierson stated the Applicant would supply the DOT approval letter.

Discussion was held concerning using the ponds for fire suppression. Chairman Miller suggested the Applicant coordinate with the Fire Department. Mr. Mulvihill stated he would review the matter further.

Chairman Miller opened the meeting to the public. There were no participants. The meeting was closed to the public.

The matter was carried to the March 26, 2009 meeting without further notice.

DISCUSSION:

Township of Hardyston Zoning Board Report on Variance Applications and Amendment Recommendations: Discussion was carried to the next meeting. It was noted that a compilation of suggested ordinance changes was being composed by staff. Mr. Collins noted a conflict of interest in the matter of cell towers and asked to be recused.

Review of Highland's Plan Conformance Application: Module 1. *Current Municipal Conditions and Build-out Analysis* (Total of seven (7) modules – December 8, 2009 application deadline):

Ms. Piccolo explained that Module 1. requires the review of each property in town to determine if it has sewer and water and if it is developable. Further discussion was carried pending completion of the module.

Office of Smart Growth, Plan Endorsement – Review of Pre-petition: Ms. Piccolo presented a status report on the Township's planning projects. She stated the Township received grant money that will allow for a study of the entire Township. She stated she is reviewing each property and determining whether or not it is developable and whether it has water or sewer. Ms. Piccolo noted this information will be provided to the state. She stated that staff and Chairman Miller were planning to attend a pre-petition meeting and that preparation of the plan endorsement application would require the formation of a plan endorsement subcommittee. Leslie Hamilton volunteered to serve on the committee.

CORRESPONDENCE: The following correspondence was distributed to the Board. There were no comments.

Hardyston Township Planning Board Correspondence List February 26, 2009

1. Richard Nieuwenhuis, President, New Jersey Farm Bureau
Re: Bureau's challenge with NJDEP regarding calculation of septic density standards within the Highlands Preservation Area. (January 2, 2009)
2. Wini Straub, District Manager, Sussex County Soil Conservation District
Re: Soil Erosion & Sediment Control Plan #HY224, Project Name: DeTrollo/Driveway Access/Industrial Garage, Block 75 Lot 46.03 (January 2, 2009)
3. Wini Straub, District Manager, Sussex County Soil Conservation District
Re: Soil Erosion & Sediment Control Plan #HY225, Project Name: Billups Subdivision – Wheatsworth Road, 4, single-family homes & .69 Acres Roadway & Drainage Block 63 Lots 24.07, 24.11, 24.12, 24.13, & 24.24 (January 22, 2009)
4. Richard C. Dube, Executive Manager, NJ State Department of Transportation
Re: Possible requirement of access permit from NJDOT relative to a preliminary & final site plan application, Project: Great Beginnings Day Care & Learning Center.

(January 23, 2009)

5. Wini Straub, District Manager, Sussex County Soil Conservation District
Re: Soil Erosion & Sediment Control Plan #HY050N, Project Name: Romano-single family @ Stone Hedge. Block 60 Lot 5.15 (February 9, 2009)
6. ANJEC – 2009 Smart Growth Planning Grants for Municipalities
7. Minutes: Hardyston Township Municipal Utilities Authority
December 1, 2008; January 5, 2009
8. Marianne Smith, Township Manager/HTMUA Administrator
Re: Proposed Wastewater Management Planning Amendment – Letters to Pottersville Properties; Signature Properties; High Ridge Properties (February 11, 2009)
9. Leslie Hamilton, Mayor, Hardyston Township
Re: Hardyston Township Request to Office of Smart Growth for Pre-Petition Meeting (February 3, 2009)

BILLS: A motion to recommend payment of the bills, which were noted in the *HARDYSTON TOWNSHIP PLANNING BOARD ESCROW REPORT- FEBRUARY 26, 2009* and associated addendums, to the Township Council was made by James Homa. All were in favor. The motion carried.

PUBLIC PARTICIPATION: No members of the public addressed the Board.

ADJOURNMENT: A motion to adjourn was made by Robert Neubig and seconded by Leslie Hamilton. All were in favor. The motion carried. The meeting was adjourned at 8:35 p.m.

Minutes respectfully submitted by:

Anne-Marie Wilhelm
Land Use Administrator

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD
MARCH 26, 2009**

CALL THE MEETING TO ORDER: Chairman Miller called the meeting to order at 7:30 p.m. and read the following Statement of Compliance.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton - Excused
Ken Kievit - Present
Robert Neubig - Excused
Robert F. Schultz - Present
William Hickerson - Present
John Monell - Present
James Homa - Present
Brian Kaminski - Present
Randy Roof (Alternate No. 1) - Late (7:35 p.m.)
Carl Miller - Present

OTHERS PRESENT: Robert P. Guerin, P.E., P.P., Thomas F. Collins, Esq., Carrine Piccolo, Assistant Planner, and Anne-Marie Wilhelm, Land Use Administrator

APPROVAL OF MINUTES: A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held February 26, 2009* was made by Ken Kievit and seconded by James Homa. Roll Call: Ken Kievit - yes; Robert Schultz - yes; William Hickerson - yes; John Monell - yes; James Homa - yes; Brian Kaminski - yes; Carl Miller - yes. The motion carried.

RESOLUTIONS: A motion to approve the resolution memorializing an approval in the matter of PB-11-05-6a, Crystal Springs Builders, L.L.C., granting a three-year extension of the statutory protection period of the Final Major Subdivision approval of Ardleigh at Crystal Springs until January 26, 2011, relating to Block 16, Lots 6.01 and 6.02 was made by James Homa and seconded by Ken Kievit. Roll Call: Ken Kievit - yes; Robert Schultz - yes; William Hickerson - yes; John Monell - yes; James Homa - yes; Brian Kaminski - yes; Carl Miller - yes. The motion carried.

A motion to approve the resolution memorializing an approval in the matter of PB-5-05-5a, Crystal Springs Builders, LLC, granting a three-year extension of the statutory protection period of the Construction Plan and Final Site Plan approval of Ardleigh at Crystal Springs until September 22, 2010, relating to Block 16, Lots 6.01 and 6.02 was made by James Homa and seconded by Ken Kievit. Roll Call: Ken Kievit - yes; Robert Schultz - yes; William Hickerson - yes; John Monell - yes; James Homa - yes; Brian Kaminski - yes; Carl Miller - yes. The motion carried.

APPLICATIONS: PB-1-09-3, Crystal Springs Builders, L.L.C., Preliminary/Construction and Final Site Plan, Real Estate Center, Block 16 Lot 8.01: John Fetterly, Esq., appeared on behalf of the Applicant. Thomas F. Graham, P.E., previously sworn submitted Exhibit A-2, a colored rendering titled *Site Layout Plan, Sales Center, Village Center At Crystal Springs, Block 16, Lot 8.01, N.J State Highway Route 94, Township of Hardyston, Sussex County, New Jersey, Sheet 3 of 11, revision dated 3.12.09*. He stated the Applicant would install that portion of the Crystal Springs Village Center water system that will service the subject application. He stated the project would be on the township water and sewer system consistent with the requirements of the zone.

Mr. Graham reviewed the following report with the Board and commented as follows.

Crystal Springs Builders
Construction Plan and Final Site Plan Application
Crystal Springs Sales Center Building
Block 16, Lot 8.01, Route 94
Application No. PB-1-09-3

Michael G. Moffatt, P.E.
Professional Engineer
MICHAEL G. MOFFATT, P.E.
Professional Engineer

March 18, 2009

Planning Board
Township of Hardyston
Municipal Building
149 Wheatsworth Road
Hardyston, New Jersey 07419

Re: Crystal Springs Builders
Construction Plan and Final Site Plan Application
Crystal Springs Sales Center Building
Block 16, Lot 8.01, Route 94
Application No. PB-1-09-3

Dear Board Members:

We are in receipt of the following supplemental and updated information in support of the above referenced application:

- Site plan consisting of 11 sheets entitled "Sales Center, Construction Plan and Preliminary and Final Site Plan, Block: 16 - Lots 8.01, State Highway Route 94, Township of Hardyston, Sussex County - New Jersey". These plans, originally dated January 27, 2009 with revisions through March 12, 2009 were prepared by Dykstra Walker Design Group (Thomas F. Graham P.E.).
- Report entitled "Stormwater Management Calculations for Crystal Springs Sales Center at The Village Center at Crystal Springs, Block 16, Lot 8.01 situated in Township of Hardyston, Sussex County, New Jersey". This report originally dated January 27, 2009 with revisions through March 12, 2009 was prepared by Dykstra Walker Design Group (Thomas F. Graham, P.E.)
- Correspondence from Thomas F. Graham, P.E. to Anne-Marie Wilhelm dated March 12, 2009.

The new information has been provided to address recommendations from the board along with comments in our previous technical report dated February 16, 2009. We have reviewed the above referenced information and offer the following comments for the board's consideration:

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Hardyston Planning Board
Crystal Springs Sales Center Building
March 18, 2009

1. We understand the applicant has provided the board secretary with a copy of the approved subdivision plan which created the lot which is the subject of this application as had been suggested in the completeness section of our previous report.

2. *The utility plans have been revised to eliminate the proposed private well. The project is now proposed to be serviced by an extension of the central water system. The project will also be serviced by an extension of the sanitary sewer system.*
3. *While the board expressed serious concerns relating to fire protection for this building, the site plan does not seem to indicate a proposed fire hydrant in the vicinity of this building. The applicant's engineer should explain where the nearest fire hydrant is intended to be placed.*

Mr. Graham stated the hydrant would be located on the southeasterly corner of the proposed building on the opposite side of proposed Road J. He stated it works with the overall Village Center water system.

4. *The basement floor has been raised by one foot to address our previous concern about the potential need for an ejector system to sewer the basement.*
5. *The alignment of the storm sewer system has been modified to account for future development within the village center. While only a portion of the storm sewer system will be constructed as part of this application, inlets and piping proposed are now consistent with the approved site plan for the village center.*
6. *The site plan has been revised to include drywells to collect and discharge roof run-off into the ground to address stormwater recharge requirements. The stormwater management calculations should be expanded to provide groundwater recharge analysis for this project. The board should require that test pits be done in the vicinity of the drywells to insure this stormwater recharge proposal will function as anticipated. The detail for the drywell includes an overflow pipe of an unspecified size. The size of this pipe should be added to the detail. The outlet of this overflow pipe should be added to the plan.*

Mr. Graham stated two drywells on the Route 94 side of the project were added to the plan. He stated that the Applicant planned to conduct a Village Center wide soils testing program and those areas have been approved by the DEP. He stated that prior to pulling the permit to construct the building, the Applicant would provide the additional information to Mr. Guerin.

7. *A note has been added to sheet 1 of the site plan indicating that a landscape plan addressing landscaping and buffering along Route 94 will be provided to the board's professionals for review. We suggest this review be done by Heyer, Gruel & Associates since they have significant expertise in this area.*
- Mr. Graham stated the landscaping plans would be developed and reviewed by the Township planning professionals.
8. *The proposed location of site directional signs and identification signs have been added to Sheet 3 of the plans. Details of these signs are included on Sheet 11.*
 9. *The driveway profile has been adjusted to address our comment concerning this amenity.*

Page 3
Hardyston Planning Board
Crystal Springs Sales Center Building
March 18, 2009

10. *With regard to this site plan our only additional concern not noted in our previous report relates to the southeast corner of the proposed porch. This corner will be only seven feet from the curb line near the intersection of Roads I & J. While we find this building amenity to be a appealing feature, the final design of this corner of the porch should be examined to insure that it does not interfere sight distance at this intersection. It may be appropriate to adjust the design of this corner of the porch to avoid this concern.*

Mr. Graham stated the L-shaped wrap-around porch would be modified and be 14' off of the building line. He stated 14' is the width of the porch on the northeasterly side of the building. Mr. Graham stated the architect told him that if it were made smaller, the roof would not function properly. He stated there is adequate sight distance in the area.

11. *The following other agency approvals may be required for this project:*

- *Sussex County Planning Board*
- *Sussex County Soil Conservation District*
- *Hardyston MUA - Sewer extension and water main extension*
- *Sussex County MUA - Sewer extension*
- *New Jersey DEP - Sewer extension and water main extension*

Very truly yours,

Guerin & Vreeland Engineering, Inc.

Robert P. Guerin

Robert P. Guerin, P.E., P.P.

Planning Board Engineer/Planner

For the Firm

cc: Dale Pierson, Crystal Springs/via e-mail

Thomas Graham, P.E./via e-mail

Thomas F. Collins, Jr., Esq./via e-mail

Sales Center Site Plan-Technical-2 pb

Chairman Miller opened the meeting to the public. No member of the public addressed the Board. The meeting was closed to the public.

Mr. Guerin noted that the Applicant should provide a maintenance manual for the drywells.

A motion to approve the application subject to the conditions discussed was made by Ken Kievit and seconded by Brian Kaminski. Roll Call: Ken Kievit – yes; Robert Schultz – yes; William Hickerson – yes; John Monell – yes; James Homa – yes; Brian Kaminski – yes; Carl Miller – yes. The motion carried.

CAPITAL IMPROVEMENT PROGRAM REVIEW: PBCAP-3-09-1, Hardyston Township Storage Facility – Route 515, Block 41 Lot 11: Mr. Guerin submitted an exhibit titled *Site & Erosion Control Plan, Township Storage Facility, 29 Stockholm-Vernon Road, (A.K.A. Sussex County Route 515) Block 41, Lot 11, Hardyston Township, Sussex County, New Jersey, Sheet 3 of 4, revised 9-15-08;* and an exhibit titled *Floor Plan & Elevations, prepared by Allan Blauth, Architect, Sheet 1 of 3, Drawing No. K-2-3746 dated 4-10-07.*

Thomas F. Collins, Esq., provided an explanation of the Board's advisory role during a township capital improvement review process. Robert P. Guerin, P.E., P.P. was sworn and accepted by the Board as an expert. Referencing the exhibits, he discussed existing and proposed site conditions. He explained that the size of the current parking lot would be reduced and the concrete removed from the existing parking lot in front of the old municipal building. He noted that impervious coverage would be reduced. He explained the circulation pattern. Mr. Guerin stated the project is considered a redevelopment project and both the DEP and Highlands have given their approval. He stated Sussex County Soil Conservation District and Sussex County Planning Board approvals are outstanding. Mr. Schultz noted he met with the County Planning Board preliminarily and they have no problem with the plan. He noted that he would provide updated numbers to the DEP for their review. He also explained that the existing well and septic would be utilized by extending the existing lines; and he stated the lease was renewed with the Newark Watershed Corporation, which owns the parking lot. He stated that the lease renewal was necessary to gain access to the lot. He confirmed that the cell tower would remain in place and that efforts would be made to make site lighting impacts as minimal as possible. It was noted the on-site generator would be moved to the Fire Department's facility.

Mr. Guerin presented the architectural plan and stated the rectangular building would host a salt shed and break area. Mr. Schultz explained that the proposed building is a pole barn structure. He stated the blocks in the salt storage area would be sealed as a pollution control measure, and there would be no leachate. Mr. Schultz stated he also met with the Historical Society and, in an effort to replicate the look of the old schoolhouse that was on the site, a fake façade would be placed on the front of the building. Mr. Schultz stated historical photographs would be placed in the windows of the structure, which is planned to also be a featured stopping point along an established historic information route. He presented that a historical marker has been received for the Snufftown area and would be located on site.

With regard to the benefits of the improvement, Mr. Schultz explained that the addition of the storage facility would increase efficiency in the DPW's winter maintenance program as trucks would not have to traverse the mountain to reload. He noted trucks could be kept on-site as needed. Mr. Schultz indicated that capital costs could be reduced as well by allowing the use of mason dump trucks in the lake communities.

The meeting was opened to the public. There were no participants. The meeting was closed to the public.

A motion to approve the capital improvement plan in the matter of PBCAP-3-09-1, Hardyston Township Storage Facility - Route 515, Block 41 Lot 11 was made by Ken Kievit and seconded by Jim Homa. Roll Call: Ken Kievit - yes, Robert Schultz - yes, William Hickerson - yes, John Monell - yes, James Homa - yes, Brian Kaminski - yes, Randy Roof - yes, Carl Miller - yes. The motion carried.

CORRESPONDENCE: There was no correspondence scheduled for review.

BILLS: A motion to recommend payment of the bills cited below was made by James Homa and seconded by Robert Schultz. Roll Call: Ken Kievit - yes; Robert Schultz - yes; William Hickerson - yes; John Monell - yes; James Homa y Brian Kaminski - yes; Randy Roof - yes; Carl Miller - yes. The motion carried.

**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
MARCH 26, 2009**

Vogel, Chait, Collins AND Schneider

Invoice 51278	Planning OE	\$ 150.00
Invoice 51247	Planning OE	225.00
Invoice 51258	Planning OE	75.00
Invoice 51261	PB-1-09-3, Crystal Springs Builders, L.L.C., [Real Estate Center]	480.00
Invoice 51260	PB-1-09-2, Crystal Springs Construction, L.L.C., [Horse Valley]	75.00
Invoice 51250	PB-5-05-5/PB-11-05-6, Crystal Springs Builders, L.L.C., [The Ardleigh-Extension Request]	375.00
Invoice 51249	PB-1-06-2, Crystal Springs Builders, L.L.C., [Balmoral Estates III]	195.00
Invoice 51256	SND-01, Sussex National Development Corp. [Gen. Escrow - Crystal Springs Master Plan III]	180.00
Invoice 51257	MCS-01, Crystal Springs Builders, L.L.C., [Gen. Escrow - Office Building]	75.00
Invoice 51253	PBC-2-09-2, North Church Gravel, Inc.,	240.00
Invoice 51255	PB-8-07-3, West Essex Management	1695.00
Invoice 51252	PB-12-06-3, AMARC Realty, L.L.C.,	1125.00

Invoice 51277	IIIHJL-01, IIIH Development Corporation [Indian Field - General Escrow]	150.00
Invoice 51251	PB-3-1-06, A & N Carr, Associates	525.00
Invoice 51248	PBC-6-03-1, Senyszyn, B. and David Hook [Brescia Farms]	120.00
Invoice 51259	WV-02, Gov., Polizzi, Walden [Pegasus Group and Sussex Bank - Ridgefield Commons]	885.00

New Jersey Herald

Invoice 2244175	Legal Notice	18.35
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**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
MARCH 26, 2009
ADDENDUM**

Robert P. Guerin, P.E., P.P.

Invoice WO786B	Planning Ofc.	997.50
Invoice WO635C	IIIHJL-01, Indian Field General Escrow	190.00
Invoice WO774B	PB-2-09-3/PBC-7-08-1, LSC Properties, LLC	262.50
Invoice WO758F	PB-2-08-1, St. Jude the Apostle	262.50
Invoice WO663K	PB-12-06-3, AMARC Realty, L.L.C.	525.00
Invoice WO747I	PB-8-07-3, West Essex Management	630.00
Invoice WO664I	PB-5-05-5/PB-11-05-6, [Crystal Springs Builders, L.L.C., - The Ardleigh]	157.50
Invoice WO261GG	HOV-2, Hovnanian @ The Cedars	210.00
Invoice WO60AA	PB-3-05-1C, CJS Investments, Inc.,	1010.00
Invoice WO705L	PB-8-06-2, Mogavero, Frank	525.00

DISCUSSION: Carrine Piccolo, Assistant Planner, distributed a memo presenting *Highlands Basic Plan Conformance Module 1* information and mapping as well as an overview of the module's preparatory process. She explained that the Highlands provided a database and that she had to verify the information as well as update it. She explained the Highland's subsidization of the plan conformance process through a grant formula. Ms. Piccolo stated work on Module 2 would commence upon receipt of input from the Highland Council.

PUBLIC PARTICIPATION: No members of the public addressed the Board.

ADJOURNMENT: A motion to adjourn was made by Ken Kievit and seconded by Carl Miller. All were in favor. The motion carried. The meeting was adjourned at 8:15 p.m.

Minutes respectfully submitted by:


Anne-Marie Wilhelm
Land Use Administrator

**HARDYSTON TOWNSHIP PLANNING BOARD
RESOLUTION**

**DECIDED: FEBRUARY 26, 2009
MEMORIALIZED: MARCH 26, 2009**

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF
HARDYSTON GRANTING A THREE-YEAR EXTENSION OF THE
STATUTORY PROTECTION PERIOD OF THE FINAL MAJOR SUBDIVISION
APPROVAL OF ARDLEIGH AT CRYSTAL SPRINGS RELATING TO BLOCK
16, LOT 6.01 and 6.02 UNTIL JANUARY 26, 2011**

WHEREAS Crystal Springs Builders, LLC, with an address of 50 Sugar Maple Lane, Hamburg, New Jersey 07419 (hereafter the "Applicant") requested that the Hardyston Township Planning Board (hereafter the "Board") grant a three-year extension of the statutory protection period of the final subdivision approval for the Ardleigh Section of Crystal Springs approval, dated January 26, 2006; and

WHEREAS, the matter was discussed at a public hearing of the Board on February 26, 2009.

WHEREAS, it has been determined that the Applicant has complied with all of the procedural requirements, rules and regulations of the Hardyston Township Land Use Ordinance and that all required provisions of procedural compliance have been filed with the Planning Board; and

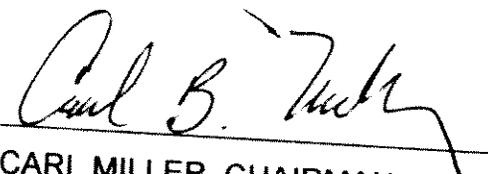
WHEREAS, the Planning Board of the Township of Hardyston hereby makes the following findings of fact and conclusions based upon the testimony and documentary evidence produced by the Applicant and by the Planning Board staff:

1. The Applicant was represented by Counsel John Fetterly, Esq. The Applicant requested an extension of the final major subdivision approval statutory protection period. The Board finds that the negative economic conditions support the grant of this extension pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-49 and 52.

NOW, THEREFORE, be it resolved by the Planning Board of the Township of Hardyston, County of Sussex, State of New Jersey that the request of Crystal Springs Builders, L.L.C., for a three-year extension of the statutory protection period of the final major subdivision approval until January 26, 2011 is hereby granted subject to the following terms and conditions.

1. The terms of this approval are to be strictly in accord with the plans, exhibits and testimony presented to the Board herein, and same are incorporated into this resolution by reference.
2. All prior conditions of the prior approval shall remain in full force and effect.
3. The Applicant shall post performance guarantee for site improvements as determined to be appropriate by the Township Engineer. The amount of the updated performance bond shall be determined at the time the plat is filed.
4. All fees, taxes, assessments, escrows and other monies due to the Township of Hardyston shall be paid in full.
5. The Applicant shall obtain governmental approval from any other governmental agencies with jurisdiction relating to the property.
6. The Applicant shall comply with all statutes, ordinances, rules and regulations of the United States of America, State of New Jersey, County of Sussex, and Township of Hardyston.

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Planning Board at its regular meeting of February 26, 2009.


CARL MILLER, CHAIRMAN

**HARDYSTON TOWNSHIP PLANNING BOARD
RESOLUTION**

**DECIDED: FEBRUARY 26, 2009
MEMORIALIZED: MARCH 26, 2009**

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF
HARDYSTON GRANTING A THREE-YEAR EXTENSION OF THE
STATUTORY PROTECTION PERIOD OF THE CONSTRUCTION PLAN AND
FINAL SITE PLAN APPROVAL OF ARDLEIGH AT CRYSTAL SPRINGS
RELATING TO BLOCK 16, LOT 6.01 and 6.02
UNTIL SEPTEMBER 22, 2010**

PB-5-05-a

WHEREAS Crystal Springs Builders, LLC, with an address of 50 Sugar Maple Lane, Hamburg, New Jersey 07419 (hereafter the "Applicant") requested that the Hardyston Township Planning Board (hereafter the "Board") grant an three-year extension of the statutory protection period of the construction plan and final site plan for the Ardleigh Section of Crystal Springs approval, dated September 22, 2005; and

WHEREAS, the matter was discussed at a public hearing of the Board on February 26, 2009.

WHEREAS, it has been determined that the Applicant has complied with all of the procedural requirements, rules and regulations of the Hardyston Township Land Use Ordinance and that all required provisions of procedural compliance have been filed with the Planning Board; and

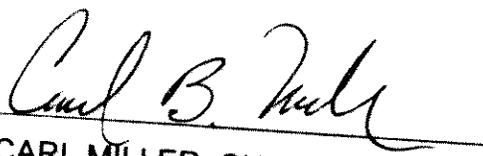
WHEREAS, the Planning Board of the Township of Hardyston hereby makes the following findings of fact and conclusions based upon the testimony and documentary evidence produced by the Applicant and by the Planning Board staff:

1. The Applicant was represented by Counsel John Fetterly, Esq. The Applicant requested an extension of the construction plan and final site plan statutory protection period. The Board finds that the negative economic conditions support the grant of this extension pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-49 and 52.

NOW, THEREFORE, be it resolved by the Planning Board of the Township of Hardyston, County of Sussex, State of New Jersey that the request of Ardleigh at Crystal Springs for a three-year extension of the statutory protection period of the construction plan and final site plan approval until September 22, 2010 is hereby granted subject to the following terms and conditions.

1. The terms of this approval are to be strictly in accord with the plans, exhibits and testimony presented to the Board herein, and same are incorporated into this resolution by reference.
2. All prior conditions of the prior approval shall remain in full force and effect.
3. The Applicant shall post a performance guarantee for site improvements as determined to be appropriate by the Township Engineer. The amount of the performance bond shall be determined at the time the plat is filed.
4. All fees, taxes, assessments, escrows and other monies due to the Township of Hardyston shall be paid in full.
5. The Applicant shall obtain governmental approval from any other governmental agencies with jurisdiction relating to the property.
6. The Applicant shall comply with all statutes, ordinances, rules and regulations of the United States of America, State of New Jersey, County of Sussex, and Township of Hardyston.

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Planning Board at its regular meeting of February 26, 2009.


CARL MILLER, CHAIRMAN

AGENDA
HARDYSTON TOWNSHIP PLANNING BOARD
September 24, 2009
7:30 P.M.
AMENDED

CALL THE MEETING TO ORDER:

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 has been made to the New Jersey Herald and is posted on the Bulletin Board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton
Ken Kievit
Robert Neubig
Robert Schultz
Bill Hickerson
John Monell
James Homa
Brian Kaminski
Randy Roof (Alternate No. 1)
Carl Miller

APPROVAL OF MINUTES:

Minutes of the Hardyston Township Planning Board Meeting Held August 27, 2009

Minutes of the Hardyston Township Planning Board Executive Session Held August 27, 2009

RESOLUTIONS: There are no resolutions scheduled.

APPLICATIONS:

PB-1-09-2, Crystal Springs Construction, LLC, Preliminary Major Subdivision, C Variances, *Horse Valley*, Block 14, Lots 30.01, 30.03, 31, 22.01 [Located off of Rt. 94/Orts Road on Vernon border]

PB-9-08-3, Edgewater Associates, Minor Subdivision, "C" Variances, Preliminary Site Plan, Block 67, Lot 2 [Route 94 N @ the Carlton Village Rental Office/Walden Utility Office Site] – 9/14/09: Transferred to Zoning Board of Adjustment

DISCUSSION:

COAH Update

Highland's Conformance Update

BILLS:

CORRESPONDENCE:

PUBLIC PARTICIPATION:

ADJOURNMENT:

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD
SEPTEMBER 24, 2009**

CALL THE MEETING TO ORDER: Chairman Miller called the meeting to order at 7:30 p.m. and read the following Statement of Compliance.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton – Present (Late – 7:35 p.m.)
Ken Kievit – Present
Robert Neubig – Excused
Robert F. Schultz – Present
William Hickerson – Excused
John Monell – Excused
James Homa – Present
Brian Kaminski – Present
Randy Roof (Alternate No. 1) – Present
Carl Miller – Present

OTHERS PRESENT: Robert P. Guerin, P.E., P.P.; Thomas F. Collins, Esq., P.P.; Carrine Piccolo-Kaufner, Assistant Planner; and Anne-Marie Wilhelm, Land Use Administrator

APPROVAL OF MINUTES:

A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held August 27, 2009* was made by Ken Kievit and seconded by James Homa. Roll Call: Ken Kievit – yes; James Homa – yes; Brian Kaminski – yes; Randy Roof – yes; Carl Miller – yes. The motion carried.

A motion to approve the *Minutes of the Hardyston Township Planning Board Executive Session Held August 27, 2009* was made by Ken Kievit and seconded by Brian Kaminski. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; James Homa – yes; Brian Kaminski – yes; Randy Roof – yes; Carl Miller – yes. The motion carried.

RESOLUTIONS: There were no resolutions scheduled.

APPLICATION: PB-1-09-2, Crystal Springs Construction, LLC, Preliminary Major Subdivision, “C” Variances, *Horse Valley*, Block 14, Lots 30.01, 30.03, 31, 22.01 [Located off of Rt. 94/Orts Road on Vernon border]: Bernd E. Hefe, Esq., appeared on behalf of the Applicant. He stated that following the last meeting, the Applicant reviewed slope issues and proposals made by the Board regarding the road design. Mr. O’Krepky submitted Exhibit A – 1, two sheets titled *Board Proposed Profile Exhibit*. He stated that Board members submitted alternative configurations. Chairman Miller noted that the Board asked if there were alternatives that would provide an approach that causes less disturbance, retaining walls, and lower heights of the walls. Mr. O’Krepky stated that in his professional opinion, the Applicant’s proposal creates the least amount of cuts and walls to serve the development. He stated the roadway was the first item laid-out in the design. He stated he believed the proposal submitted was the best design. Mr. O’Krepky confirmed that there was no access to the property through Scenic Lakes.

Mr. Collins noted that the Applicant is proposing the roadway as a public street, and the Board has already stated that it is not inclined to accept the roadway as a public street because it is an offshoot of Crystal Springs, and there are limited rights-of-access to people coming and going through Crystal Springs. He stated that assuming it is a private street, generally, the right-of-way and the walls in it are owned and maintained by the homeowner’s association or condo association if there is one, and

depending on the documents of the homeowner's association, the walls in the lots are generally owned by the lot owners. He stated if it was a township street, the walls in the right-of-way would be owned and maintained by the township, and the lot owners would own the ones in the lots. He noted that different arrangements could be made. Mr. Guerin noted that most of the walls are outside of the right-of-way and the plans could be modified to have the walls outside of the right-of-way if there were any placed there. Mr. Hefele noted that the roadway and detention basins for the property would be part of a homeowner's association. He confirmed that the Applicant would extend the water system provided they could get the approval to do so.

Mr. Collins marked Exhibit A-2, an email containing the alternate design titled *Board Member Marking*; and he marked Exhibit A-3, a sheet titled *Proposed Crystal Springs North Expansion: Proposed Road Relocation with New 4-way Intersection, dated 7/24/09*. Mr. Hefele stated that the people that will see the walls are those that will be driving on the proposed roadway.

Chairman Miller expressed his concern that the roadway would be a nightmare to the municipality. With reference to the grades, Mr. Hefele stated they would be permissible to the town. Mr. O'Krepky stated the slopes were permissible. Mr. Hefele stated the Applicant would review alternatives with the town. Ms. Hamilton stated she would like information concerning development of a roadway through to Pleasant Valley Lake. Mr. O'Krepky stated to construct that road to the standards required is not an option due to the amount of disturbance of wetlands required.

Mr. O'Krepky submitted Exhibit A-4, titled *Line of Sight Exhibit*, dated 9/24/09. He stated that a person standing approximately 100' away from the beginning of the cut would not be able to see any cut because of the slope of the mountain. He stated the slope is obscured because the cut creates a valley. He stated the only other place you could see the cut would be approximately one mile away at the Grand Cascades Lodge where you could see about 25' of the wall, assuming there is no tree cover. He stated approximately 200' of the roadway could be seen of the 4300' roadway. He identified the location of the visible section of roadway and discussed its topographic conditions. Referencing Exhibit A-3, Mr. O'Krepky identified the location of a steep range where the drop is over 100' within a short distance. He stated that the area would still have to be crossed and there would be disturbance in the area. He stated that the creation of a longer road would make cuts in the area shallower. He stated that you also have to analyze the cost of the project in relation to the length of the road and the number of lots it serves, etc. He stated he analyzed the property without regard for the location of the lots and the road profile was laid out first. He stated he did many layouts and that he would review Exhibit A-3. Following discussion, the Applicant agreed to review the configuration emailed by Mr. Guerin subsequent to the last meeting and meet with Mr. Guerin to discuss the matter further. Mr. Collins suggested that the Applicant also review the relocation of all 23 lots/units to Crystal Springs and possibly raising the cap on that approval. He stated that building a road with cuts on both sides is unusual.

The Applicant consented to an extension to November 30, 2009 with the hearing date continued to October 22, 2009. The matter was carried without further notice to October 22, 2009 at 7:30 p.m.

PB-9-08-3, Edgewater Associates, Minor Subdivision, "C" Variances, Preliminary Site Plan, Block 67, Lot 2 [Route 94 N @ the Carlton Village Rental Office/Walden Utility Office Site] – 9/14/09: The matter was transferred to Zoning Board of Adjustment.

CORRESPONDENCE: Board members received the following correspondence. There were no comments.

Hardyston Township Planning Board Correspondence List September 24, 2009

1. Dale E. Pierson, Administrator of Development, Crystal Springs Builders, LLC
Re: Certification Renewal Status: The Oaks (Oaks South), One, Single-family Dwelling, 18 Post Oak Court, Block 16.02 Lot 12 (August 24, 2009)
2. Wini Straub, District Manager, Sussex County Soil Conservation District
Re: Soil Erosion & Sediment Control Plan #HY094B, Withdrawal of Certification, Project Name: The Oaks (Oaks South) – One, Single-family Dwelling, 18 Post Oak Road, Block 16.02 Lot 12 (August 27, 2009)

3. Antoinette Wasiewicz, Senior Planning Aide, Sussex Count Division of Planning
 Re: Preliminary Site Plan, Approved Application - SC PB# 42(PSP) 09, Applicant: Township of Hardyston, County Route 515 (MM0-1); Block 41 Lot 11 (September 1, 2009)
4. Thomas F. Collins, Jr., Esq., Vogel, Chait, Collins & Schneider
 Re: Letter to Highlands Council Pertaining To Proposed Model or Template Land Use Ordinance, Septic Maintenance Ordinance, Septic Ordinance and PSC Ordinance (September 14, 2009)
5. Minutes: Hardyston Township Municipal Utilities Authority. (August 3, 2009)

BILLS: A motion to forward a recommendation to the Township Council for payment of the bills cited below was made by Ken Kievit and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; James Homa – yes; Brian Kaminski – yes; Randy Roof – yes; Carl Miller – yes. The motion carried.

**HARDYSTON TOWNSHIP PLANNING BOARD
 ESCROW REPORT
 SEPTEMBER 24, 2009**

Vogel, Chait, Collins & Schneider

Invoice 53212	PB-3-05-1, CJS Investments, Inc.,	165.00
Invoice 53213	PB-9-08-3, Edgewater Associates	150.00
Invoice 53214	Planning OE	1494.00
Invoice 53215	Planning OE	945.00
Invoice 53216	MCS-01, Crystal Springs Builders, L.L.C.,	105.00

Guerin & Vreeland Engineering, Inc.

Invoice WO553	MCS-01, Crystal Springs Builders, L.L.C., [The Bramble]	275.00
Invoice WO624Q	SPLIT: PB-9-06-2, Crystal Springs Builders, L.L.C., [The Shotmeyer]	195.00
	MCS-01, Crystal Springs Builders, L.L.C.,	<u>900.00</u>
	TOTAL	1095.00
Invoice WO401XX	SND-01, Sussex National Development Corp.	183.75
Invoice WO781E	PB-9-08-3, Edgewater Associates	315.00
Invoice WO786H	Planning OE	630.00
Invoice 703P	PB-7-06-1, Geis Construction South, LLC	157.50
Invoice WO554U	MCS-01, Crystal Springs Builders, L.L.C., [The Wentworth]	385.00

DISCUSSION: Mrs. Piccolo-Kaufer distributed a Module Highlands Master Plan required for Module 5. She stated a draft environmental resource inventory for the petition due in December and a draft Highland’s Land Use Ordinance would be reviewed by the Board at the October and November meetings, respectively. Mr. Collins stated that the township is not opting in and must address the preservation area. He stated the township was noticed on the draft ordinances in August and townships

have requested more time to review them. He stated the septic ordinances are postponed until full plan conformance. He further explained that the Highlands Council is stating that if an amendment to the wastewater management plan is sought to extend the sewer service area, the township shall apply with the conditions of the DEP and the Highlands Council. He stated the conditions are not noted and this is a blank check. He stated the Highlands Council has claimed they will work with the towns during the process. He noted that maps showing correct information have been provided to the Highlands Council but the corrections are not addressed.

PUBLIC PARTICIPATION: No members of the public addressed the Board.

ADJOURNMENT: A motion to adjourn was made by Carl Miller. All were in favor. The meeting was adjourned at 9:07 p.m.

Minutes respectfully submitted by:

/s/ Anne-Marie Wilhelm

Anne-Marie Wilhelm
Land Use Administrator

AGENDA
HARDYSTON TOWNSHIP PLANNING BOARD
October 22, 2009
7:30 P.M.

CALL THE MEETING TO ORDER:

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 has been made to the New Jersey Herald and is posted on the Bulletin Board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton
Ken Kievit
Robert Neubig
Robert Schultz
Bill Hickerson
John Monell
James Homa
Brian Kaminski
Randy Roof (Alternate No. 1)
Carl Miller

APPROVAL OF MINUTES:

Minutes of the Hardyston Township Planning Board Meeting Held September 24, 2009

RESOLUTIONS: There are no resolutions scheduled.

APPLICATIONS:

PB-10-09-1, JCP & L Company and Nextel of New York, Inc., "C" Variance, Preliminary and Final Site Plan, Block 62 Lot 35 [Route 94N Cell Tower @ North Hardyston Cemetery]

PB-1-09-2, Crystal Springs Construction, LLC, Preliminary Major Subdivision, "C" Variances, *Horse Valley*, Block 14, Lots 30.01, 30.03, 31, 22.01 [Located off of Rt. 94/Orts Road on Vernon border]

PB-10-09-3A, Dell Materials, Inc., Minor Subdivision, Preliminary Site Plan Block 62, Lots 18.05, 18.06, 18.07, & 10 [Located at the North Church Industrial Park]

PBC-2-09-2, North Church Gravel, Inc., Concept Plan, Block 62, Lot 10

PB-3-05-1c, CJS Investments, Inc., Request for Extension: *Emerald Estates*, Preliminary and Final Major Subdivision, Variances, Block 63 Lots 26 and 27 [Located on Wheatsworth Road across from the Hardyston Township Municipal Building]

DISCUSSION: Highland's Master Plan Element Supplement

BILLS:

CORRESPONDENCE:

PUBLIC PARTICIPATION:

ADJOURNMENT:

HIGHLANDS PRESERVATION AREA ELEMENT
DRAFT MASTER PLAN SUPPLEMENT
TOWNSHIP OF HARDYSTON
SUSSEX COUNTY, NEW JERSEY

Public Hearing & Presentation
Hardyston Township Planning Board
October 22, 2009

INTRODUCTION

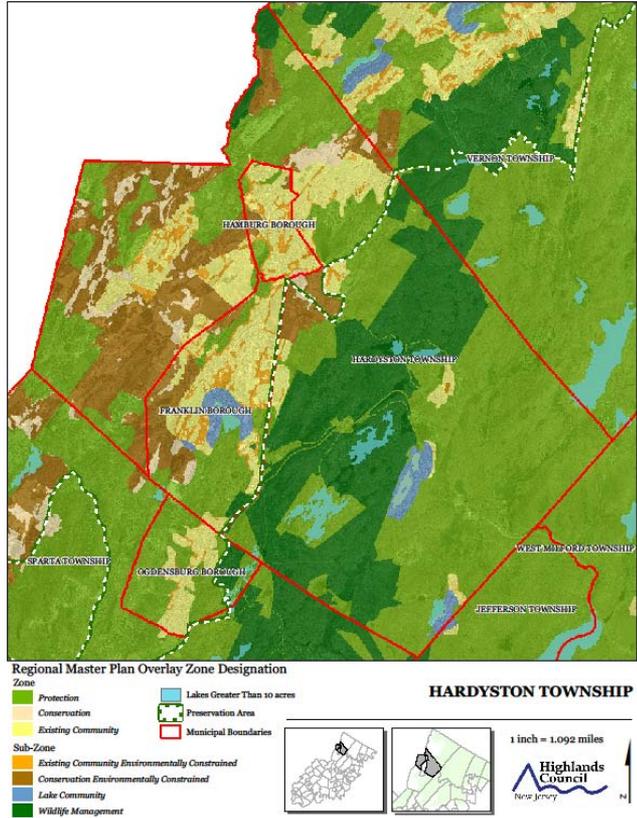
- Hardyston is located in both the Planning area (40 %) and the Preservation Area (60%)
- Hardyston intends to only Petition the Highlands for Plan Conformance for the portions in the Preservation Area as required by the Highlands Act
- The Highlands Preservation Area Element is one of many components that will be required for Plan Conformance
- The Draft Highlands Preservation Area Element will serve as a supplement to the existing Township Master Plan.
- It creates in limited form each component of the Master Plan for the Preservation Area based on the goals, policies & objectives of the Highlands Regional Master Plan (RMP)
- Applies only to non-exempt land use activities. Exempt land use activities will still be guided by the existing Master Plan.

POLICIES, GOALS & OBJECTIVES

1. To protect, restore, and enhance the quality and quantity of surface and ground waters;
2. To preserve extensive and, to the maximum extent possible, contiguous areas of land in its natural state, thereby ensuring retention of the unique and significant natural, scenic, and other resources representative of the Township Highlands Preservation Area;
3. To protect the natural, scenic, and other resources of the Township Highlands Preservation Area, including but not limited to contiguous forests, wetlands, vegetated stream corridors, steep slopes, and critical habitat for fauna and flora;
4. To preserve farmland, historic sites, and other historic resources;
5. To preserve outdoor recreation opportunities on publicly owned land;
6. To promote conservation of water resources;
7. To promote Brownfield remediation and redevelopment, where applicable;
8. To promote compatible agricultural, horticultural, recreational, and cultural uses and opportunities within the framework of protecting the environment of the Township Highlands Preservation Area; and
9. To prohibit or limit to the maximum extent possible construction or development which is incompatible with preservation of this unique area.

LAND USE PLAN

1. **Protection Zone.** highest quality natural resource value. Land acquisition is a high priority for lands and development activities will be extremely limited
 - a) **Wildlife Management Sub-Zone.** The Wildlife Management Sub-Zone consists of areas managed by the United States Fish and Wildlife Service as part of the National Wildlife Refuge System, and lands within the Wildlife Management Area System administered by the NJDEP Division of Fish & Wildlife’s Bureau of Land Management.
2. **Conservation Zone.** areas with significant agricultural lands. The Conservation Zone is intended primarily for agricultural use and development,
 - a) **Conservation Zone–Environmentally Constrained Sub-Zone.** consists of significant environmental features within the Conservation Zone that should be preserved and protected from non-agricultural development. to environmentally sensitive lands.
3. **Existing Community Zone.** The Existing Community Zone consists of areas of concentrated development representing existing communities. These areas tend to have limited environmental constraints due
 - a) **Existing Community Zone–Environmentally Constrained Sub-Zone.** consists of significant contiguous critical habitat, steep slopes and forested lands within the Existing Community Zone that should be protected from further fragmentation.
 - b) **Lake Community Sub-Zone.** patterns of community development that are within the Existing Community Zone within 1,000 feet of lakes. The purpose for the sub-zone is to protect and enhance water quality, resource features, shoreline recreation, scenic quality, and community character. This zone incorporates unique regulatory requirements to prevent degradation of water quality, harm to lake ecosystems, and watershed pollution, while promoting natural aesthetic values within the Existing Community Zone.



LAND USE PLAN

- Municipal land use categories and zoning districts will be amended to give priority to previously mentioned zones and subzones for non-exempt development
- Need to adopt implementing ordinance to protect Preservation Area Resources
- Density and Intensity of Development based on NJDEP Septic System Density Requirements and Cluster Development Nitrate Targets
- Requirements for Cluster Development Ordinance
- Requirement for Updated Land Use Inventory
- Potential identification of Redevelopment Areas within in the Preservation Area (i.e. portions of Route 23)
- Special Areas Include:
 - Agricultural Resource Area
 - Non agricultural or horticultural uses will be restricted to residential cluster development
 - Carbonate Rock Area
 - solid waste landfills, hazardous waste storage and disposal facilities, hazardous materials storage and handling facilities, and underground storage tanks will be prohibited.
 - Prime Ground Water Recharge Area
 - Major Potential Contaminant Source (PCS) as designated by the Highlands Council will be prohibited
 - Wellhead Protection Areas (tiers 1 & 2)
 - Major and Minor Potential Contaminant Source (PCS) as designated by the Highlands Council will be prohibited
 - Highlands Special Environmental Zones

CONSERVATION PLAN

- Forest Resources
- Highlands Open Water and Riparian Areas
- Steep Slopes
- Critical Habitat
- Carbonate Rock
- Lake Management
- Water Resource Availability
- Prime Ground Water Recharge Areas
- Water Quality
- Wellhead Protection
- Low Impact Development

UTILITY SERVICES PLAN

- Goals & Objectives
 - prohibit the expansion or creation of public water supply systems, wastewater collection and treatment systems and community on-site treatment facilities unless approved through a Highlands Applicability Determination (HAD) or an HPAA with waiver pursuant to the NJDEP Preservation Area rules at N.J.A.C. 7:38.
 - Development of a Preservation Area septic system maintenance plan
 - Wastewater Management Plan for the Preservation Area

CIRCULATION PLAN

- To ensure that transportation facilities and infrastructure are designed and located in a manner that achieves optimal efficiencies in land use and provision of service, while at the same time, protecting the environmental resources and critical environmental areas of the Highlands Preservation Area.
- To enhance opportunities for pedestrian and bicycle access, mobility and safety, through provision of sidewalks, walking trails, pedestrian crosswalks, bicycle lanes and trails, bicycle racks, and networked linkages that both access and connect community facilities, parks, schools and shopping areas.
- To improve public safety
- To provide for safe and efficient pedestrian connections
- To enhance roadway corridors and encourage pedestrian activity, where appropriate.
- To promote safe routes for children to travel to and from school.
- To optimize use of existing roadway capacity by appropriate means.
- To identify roadways designated as scenic byways and, to the extent of municipal jurisdiction, to protect and preserve their defining characteristics.
- To recognize and support the unique needs of the agricultural industry to move farm vehicles and goods along transportation corridors.
- To evaluate the potential growth-inducing effects of roadway improvements that will increase traffic capacity.
- To prohibit road improvements in areas for which a Growth-Inducing Study demonstrates that proposed improvements do not support the resource protection and smart growth policies otherwise established by the Highlands Element, or that are likely to be growth-inducing for lands with limited or no capacity to support human development without adverse impact on Highlands Preservation Area resources.
- To limit road improvements where roads are constrained by topography, adjacent forested lands, or other sensitive environmental features such as critical habitat.
- To ensure that road improvements are designed to enhance community character and to avoid adverse impacts to adjoining or otherwise affected properties.
- To promote land use patterns that support a balance of jobs to housing as a means of reducing motor vehicle trips and average trip lengths.
- To seek and encourage to the extent applicable, development and redevelopment in areas proximate to rail stations and along bus routes.
- To promote development of mixed land uses, where appropriate, in locations that result in reduced motor vehicular trips and average trip lengths.
- To permit and encourage use of shared parking areas, driveways, and other such infrastructure to limit paved surfaces and maximize efficiencies.
- To ensure coordination between transportation planning and the Land Use Plan Element and to integrate smart growth principles into both.

LAND PRESERVATION & LAND STEWARDSHIP PLAN

- 73% of the Township's Highlands Preservation Area is already preserved
 - Newark Watershed
 - Sparta Wildlife Management Area
 - Hamburg Mountain Wildlife Management Area
- Establishes a ranking system for future preservation
 - Highlands Special Environmental Zone
 - Highlands Conservation Priority Areas
 - Lands in other Highlands Resource Areas previously discussed
- Goals and Objectives
 - Develop and Implement a Forest Management Plan
 - Create a Recreation and Open Space Inventory
 - Require periodic monitoring of easement restrictions and other preserved lands
 - Identify and preserve opportunities for outdoor recreation

AGRICULTURE RETENTION/FARMLAND PRESERVATION PLAN

- Only a small portion of the Township Preservation Area is indentify as an Agricultural Resource Area (majority is Planning Area)
- No existing preserved farmland in Preservation Area
- Identifies all agricultural uses and important farmland soils
- Goals and Objectives
 - Promote farmland preservation and limit non-agricultural uses
 - Any residential development should be only permitted under conservation design guidelines
 - Permit family and farm labor housing
 - Promote Right to Farm Act
 - Promote best management practices to protect ground and surface water quality

COMMUNITY FACILITIES PLAN

- The overriding policy of this Plan is to ensure that community facilities reflect community needs while minimizing resource impacts and maximizing the efficiency of resource use.
- Goals and Objectives
 - To locate and maintain community facilities and services that support compact development patterns and shared services, and provide a high level of service.
 - To identify for all such facilities, realistic options to enhance energy efficiencies,
 - To consider and incorporate all feasible Low Impact Development techniques in the design, development, operation and management of existing and proposed community facilities.
 - To incorporate the goals, objectives and resource protections discussed throughout this Highlands Element into the planning and development of properties and facilities under municipal jurisdiction.

HISTORIC PRESERVATION PLAN

- Historic, Cultural & Archaeological Resources
 - 2 Sites in Preservation Area
 - Rock Lodge
 - Stockholm United Methodist Church
- Goals & Objectives
 - To ensure that human development does not adversely affect the character or value of resources which are listed on the Historic and Cultural Resource Inventory to the maximum extent practicable.
 - To require that all development and redevelopment applications include submission of a report identifying potential historic, cultural and archaeological resources on the subject property or immediately adjacent properties.
 - To ensure that historic, cultural and archaeological resources identified through the development review process are: a) evaluated for inclusion on the survey of historic sites within this document; and b) submitted to the Highlands Council for possible inclusion in the Highlands Region Historic and Cultural Resources Inventory.
 - To ensure that the impact of proposed human development on the historic and cultural resources of the Highlands Preservation Area is addressed during development review.
- Scenic Resources
 - 2 Site In Preservation Area
 - Hamburg Mountain Wildlife Management Area
 - Sparta Mountain Wildlife Management Area
- Goals & Objectives
 - To ensure that human development does not adversely affect the character or value of resources which are listed on the Highlands Scenic Resources Inventory.
 - To require that the impact of proposed human development on the scenic resources of the Highlands Preservation Area be addressed during local development review.
 - To utilize Highlands Scenic Resource designation standards, as applied at the local level, in considering scenic resources for designation.
 - To require that all development applications include identification of any scenic resources in the Highlands Region that are listed on the Highlands Scenic Resources Inventory and may be affected by the proposed development.

RELATIONSHIP OF MASTER PLAN TO STATE/REGIONAL/LOCAL PLANS

- By aligning the municipal Master Plan with the Highlands RMP, its consistency with the State Development and Redevelopment Plan (SDRP) is achieved.
- Modifies the relationship of the Township development plan to those of the county and contiguous municipalities insofar as it affects the intents for land use and development within the Highlands Preservation Area
- The land uses, the permitted densities and intensities of development, and the locations and extent of anticipated growth in neighboring Highlands's communities that are also pursuing conformance with the RMP are all subject to change. Until information is available concerning such decision-making, a comparison between these master plans will not be meaningful. Further discussion of these aspects will therefore be provided in the next amendment to the Master Plan.

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD
OCTOBER 22, 2009**

CALL THE MEETING TO ORDER: Acting Chairman Kaminski called the meeting to order at 7:30 p.m. and read the following Statement of Compliance.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton – Present
Ken Kievit – Present
Robert Neubig – Excused
Robert F. Schultz – Present
William Hickerson – Present
John Monell – Excused
James Homa – Present
Brian Kaminski – Present
Randy Roof (Alternate No. 1) – Excused
Carl Miller – Excused

OTHERS PRESENT: Robert P. Guerin, P.E., P.P.; Thomas F. Collins, Esq., P.P.; Carrine Piccolo-Kaufner, Assistant Planner; and Anne-Marie Wilhelm, Land Use Administrator

APPROVAL OF MINUTES:

A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held September 24, 2009* was made by Ken Kievit and seconded by Leslie Hamilton. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

RESOLUTIONS: There were no resolutions scheduled.

APPLICATION:

PB-10-09-1, JCP & L Company and Nextel of New York, Inc., "C" Variance, Preliminary and Final Site Plan, Block 62 Lot 35: Thomas F. Collins, Esq., recused himself and Richard Briigliodoro, Esq., appeared on behalf of the Planning Board. Please see the attached transcript.

PB-1-09-2, Crystal Springs Construction, LLC, Preliminary Major Subdivision, "C" Variances, Horse Valley, Block 14, Lots 30.01, 30.03, 31, and 22.01: Bernd E. Hefe, Esq., appeared on behalf of the Applicant. He stated this is the Applicant's third appearance before the Board. He stated the Applicant would propose an alternative roadway configuration and, if acceptable, the Applicant would return with revised plans at the next meeting.

Mr. O'Krepky acknowledged that he was still under oath. He submitted Exhibit A-5, two sheets titled *Preliminary Site and Major Subdivision Township Engineer Option 2-1, Crystal Springs Construction, L.L.C., Block 14, Lots: 30.01, 30.03, 31, Hardyston Township, Sussex County, New Jersey*, prepared by Michael J. O'Krepky, P.E., dated 10/09/09; and *Preliminary Site and Major Subdivision Township Engineer Option 2-1, Crystal Springs Construction, L.L.C., Block 14, Lots 30.01, 30.03, 31, Sheet 2*, dated 10/9/09.

He provided an overview of discussions held with Robert P. Guerin, P.E., P.P. Mr. Hefle stated the Applicant intended to show the Board various configurations that were considered and did not work.

Mr. O'Krepky submitted Exhibit A-6, two sheets titled *Preliminary Site and Major Subdivision Township Engineer Option 3-1, Crystal Springs Construction, L.L.C., Block 14, Lots: 30.01, 30.03, 31, Hardyston Township, Sussex County, New Jersey*, prepared by Michael J. O'Krepky, P.E., dated 10/22/09; and *Preliminary Site and Major Subdivision Township Engineer Option 3-1, Crystal Springs Construction, L.L.C., Block 14, Lots 30.01, 30.03, 31*, prepared by Michael J. O'Krepky, P.E., dated 10/22/09.

Exhibit A-6 was distributed to the Board. Mr. O'Krepky explained the alterations made to the plan and noted that the road was shifted. He stated the maximum cut in the beginning of the road was 28.9' with a maximum cut of 32' at the top. He stated that this approach creates the least amount of cuts and fills analyzed thus far. He presented that he had reviewed five options with the Board and more were reviewed utilizing a computer. He stated this is the best approach for cuts and fills and this configuration was worked out with Mr. Guerin. He stated this is the best approach in terms of cuts and fills. Mr. Guerin stated this configuration is the best you are going to get. He stated that he reviewed several different layouts with Mr. O'Krepky. He suggested the Board accept this layout and allow for a redesign of the site based on this layout. He noted that the configuration could be fine-tuned. He explained that there would be fewer walls than originally proposed.

With reference to the road's grades, Mr. O'Krepky identified two areas of the roadway with a 14% slope. Mr. Guerin noted that the proposed slopes are in conformance with RSIS requirements. Mr. Hefele noted the proposal does not show the entire roadway but the entranceway/lower section of the roadway. He stated the roadway is 4500' with a 1200' section having a 14% grade.

Mr. Collins asked about the roadway's exposure to sunlight in the 14% sections for snow removal purposes. Mr. O'Krepky identified the parts of the roadway getting varying degrees of sunlight. He stated there would always be an access for the sun's rays to hit the roadway. Mr. Collins asked if most of the situations where the rock cut in on both sides of the right-of-way were addressed. Mr. O'Krepky stated the majority of that was eliminated. He confirmed that there would always be shadows depending on the time of the day. He confirmed that the intent of the design is to match a one-to-one slope.

Mr. Collins asked if common driveways were considered or if the existing wood roads or driveways were considered. Mr. O'Krepky stated that in order to meet the driveway standards, you would be limited to 1000' on a common driveway. Mr. Collins asked why the road was so long and went all the way up the hill. Mr. Collins asked why the Applicant wanted to get to the top of the hill. Mr. O'Krepky stated common driveways were not considered beyond four lots because it does not make sense to build driveways that will equal the cost of the road. He stated common driveways would create more road and create variances.

With reference to Mr. Collin's prior suggestion concerning the inclusion of the lots in Crystal Springs North, Mr. Hefele stated the Applicant couldn't include the lots in Crystal Springs North because of the permitting in place for Crystal Springs North and permits in place at the DEP. Mr. Collins stated he did not agree.

Participants discussed potential blasting. Mr. O'Krepky stated that the initial submission was a conforming subdivision. Mr. Collins stated he did not agree and that the blasting required would be in excess of what is customary for a subdivision and would require a use variance for blasting and a quarry. Mr. Hefele stated the Applicant has gone through the reiterations to accommodate the Board's preference. Mr. Collins suggested the Applicant review the matter for common driveways to get multiple common driveways. The Applicant agreed to review the matter.

Mr. Hefele asked for direction from the Board. Mr. Kaminski asked the Applicant to consider Mr. Collin's suggestions, continue working with Mr. Guerin, and return at the next meeting. He stated the Board would not endorse the proposed configuration at this time. The Applicant was granted an extension to the January meeting. Board members discussed canceling the November meeting. The November meeting was cancelled. The matter was carried to the December 17, 2009 without additional notice required.

PB-10-09-3A, Dell Materials, Inc., Minor Subdivision, Preliminary Site Plan Block 62, Lots 18.05, 18.06, 18.07, & 10: Kevin P. Benbrook, Esq., appeared on behalf of the Applicant. He advised that the Applicant would not proceed with the site plan application due to notice issues and would carry the site plan to the next meeting. Anthony Dellechiaie, Principal; Frank Gelewski, Director of Operations; and Ronald Panicucci, P.E., were sworn. Mr. Panicucci was qualified and accepted by the

Board as an expert. Mr. Guerin reviewed the Applicant's waiver requests. A motion to waive the items for completeness was made by Ken Kievit and seconded by Leslie Hamilton. Roll Call: Leslie Hamilton – yes, Ken Kievit – yes, Robert Schultz – yes, Bill Hickerson – yes, James Homa – yes, Brian Kaminski – yes. The motion carried.

The Applicant submitted the following exhibits:

Exhibit A-1, a colorized rendering titled *Subdivision/Site Plan – Sheet One, Dell Material, Inc., Park Drive, Block 62, Lots 10, 18.05, 18.06 & 18.07, Hardyston Township, Sussex County, New Jersey*, prepared by Ronald M. Panicucci, P.E., dated 10/08/09;

Exhibit A-2, a colorized rendering titled *Subdivision/Site Plan – Sheet Two, Dell Material, Inc., Park Drive, Block 62, Lots 10, 18.05, 18.06 & 18.07, Hardyston Township, Sussex County, New Jersey*, prepared by Ronald M. Panicucci, P.E., dated 10/08/09; and

Exhibit A-3, a colorized rendering titled *Concept Plan, North Church Gravel, Inc., Tax Lot 10 – Block 62, 216 North Church Road, Hardyston Township, Sussex County, New Jersey*, prepared by Ronald M. Panicucci, P.E., dated 9/22/09.

With reference to the subdivision, Mr. Panicucci provided an overview stating there are three properties involved in the application. He stated the properties are in the I-2 Zone, which has a 3-acre minimum lot requirement. He stated that Lot 18.06 is 3 acres and Lot 18.07 is 4 acres. He noted that Lot 18.05 shown on the plan is not included in the subdivision application. He explained the Applicant would remove a 50' wide strip of property off of the west side of Lot 18.06 and add it to Lot 10. He stated this would create a strip of land to provide a 30' roadway from Park Drive to be used as access into the quarry property. Mr. Panicucci clarified that the roadway would be the subject of the site plan review. Mr. Benbrook added that the Applicant intends to effectuate a lot line adjustment between Lots 18.06 and 18.07 in order to maintain conforming lots. Mr. Panicucci stated the frontage would remain the same along Lots 18.06 and 18.07. He confirmed that the final lot dimensions for Lots 18.06 and 18.07 would be 3 acres and 3.47 acres, respectively.

Mr. Panicucci stated that access to the soil mining operation is currently through North Church Road. He stated the access way will remain, but the primary operations will be moved to the new road. Mr. Panicucci explained that the bulk of truck traffic from the current mining operation would utilize the new roadway to be discussed at site plan. Mr. Guerin confirmed that Park Drive was designed to handle heavy-duty truck traffic.

Board members reviewed the attached report prepared by Mr. Guerin dated October 16, 2009. Mr. Panicucci confirmed that the Applicant would retain the existing lot and block designations. Mr. Hickerson noted that there is a great hydrant system that may be available in the Park. The Applicant agreed to review the matter. Mr. Guerin advised that the system is privately owned.

Acting Chairman Kaminski opened the meeting to the public. There were no participants. The meeting was closed to the public.

A motion to approve subject to Mr. Guerin's report was made by Ken Kievit and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Bill Hickerson – yes; Robert Schultz – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

PBC-2-09-2, North Church Gravel, Inc., Concept Plan, Block 62, Lot 10:

Kevin P. Benbrook, Esq., appeared on behalf of the Applicant. Mr. Collins confirmed that the Applicant would rely on the witnesses sworn in PB-10-09-3A, Dell Materials, Inc., Minor Subdivision, Preliminary Site Plan, Block 62, Lots 18.05, 18.06, 18.07, & 10. Referencing Exhibit A-3, submitted during the PB-10-09-3A hearing, Mr. Panicucci identified the boundary of the current soil removal permit and the location of the next five-year mining operation plan that is pending the Council's review. He stated that because soil is removed from the site and the grades and contours are changing, Mr. Guerin has recommended a presentation of the conceptual final development of the site including a road through to Wheatsworth Road. He stated the pending soil removal permit application is consistent with the last permit and it proposes to go down to an elevation of 500'. He stated the permit covers the expansion operations in a northerly direction. He stated that the elevations when you enter at Park Drive are at 600' and the Wheatsworth Road elevations are at 500'. Ms. Hamilton noted that the Applicant did not own the property on Wheatsworth Road. She stated that the access is very important. Mr. Dellechiaie stated efforts to secure property that would make it possible have been unsuccessful to date. He noted other

options might be feasible. In addition, Mr. Dellechiaie stated that to get a road through and get to grade, approximately seven million yards of dirt would need to be removed. Mr. Benbrook confirmed that the Applicant would proceed, within the next five-year soil permit period, in a direction that would be the quickest way to effectuate that portion of the concept that achieves the cut-through.

With reference to the concept plan, Mr. Panicucci stated the site could be divided into 26 industrial lots ranging in size from 3 to 19 acres. He stated the site is contoured to the center so nothing is running off-site and drainage would be addressed with a type of pond structure. He stated the change in elevation could be achieved with a road that is fairly flat throughout the site. Mr. Panicucci stated it is a fairly level site. Mr. Dellechiaie discussed a possible road connection to Scott Road into Franklin Borough. Mr. Collins suggested that the Applicant discuss the idea with Franklin Borough, and he confirmed that the Scott Road connection is not something the Applicant was told to do.

The Applicant stated the current driveway encroaches into the neighbor's property. Mr. Benbrook stated that a letter was forwarded to the party confirming that once the subdivision is granted, and the site plan approved that allows for a redirection of traffic to the proposed roadway, the encroachment would be corrected.

A motion to recommend the Board secretary forward a letter to the Council indicating that the Board reviewed the concept plan and does not oppose the extension of the soil removal permit was made by Ken Kievit and seconded by Robert Schultz. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; Bill Hickerson – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

PB-3-05-1c, CJS Investments, Inc., Request for Extension: *Emerald Estates, Preliminary and Final Major Subdivision, Variances, Block 63 Lots 26 and 27.* Board members reviewed a request for a ninety (90) day extension. Mr. Collins recommended the extension. A motion to grant the Applicant's request was made by Ken Kievit and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; Bill Hickerson – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

CORRESPONDENCE: There was no correspondence scheduled for review.

BILLS: A motion to forward a recommendation to the Township Council for payment of the bills cited below was made by Leslie Hamilton and seconded by Ken Kievit. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; Bill Hickerson – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
OCTOBER 22, 2009**

Vogel, Chait, Collins & Schneider

Invoice 53472	PB-3-05-1c, CJS Investments, Inc.,	\$ 368.63
Invoice 53497	PB-9-08-3, Edgewater Associates	120.00
Invoice 53471	Planning OE	300.00
Invoice 53473	Planning OE	1350.00
Invoice 53475	Planning OE	1155.00
Invoice 53474	PB-1-09-2, Crystal Springs Construction, L.L.C., [Horse Valley]	150.00

**HARDYSTON TOWNSHIP PLANNING BOARD
ESCROW REPORT
OCTOBER 22, 2009
ADDENDUM**

Guerin & Vreeland Engineering, Inc.

Invoice 703Q	PB-7-06-1, Geis Construction South, L.L.C.,	\$ 315.00
Invoice WO600FF	PB-3-05-1C, CJS Investments, Inc.,	2181.25
Invoice WO816A	PB-10-09-2, Kronyak, P.	262.50
Invoice WO817A	PB-10-09-1/ZB-6-09-1, JCP & L, Nextel of NY, Inc.,	656.25
Invoice WO778G	PB-1-09-2, Crystal Springs Construction, L.L.C. [Horse Valley]	183.75
Invoice WO786I	Planning OE	735.00
Invoice WO624R	PB-9-06-2, Crystal Springs Builders, L.L.C., [The Shotmeyer]	242.50
Invoice 379JJ	MCS-01, Crystal Springs Builders, L.L.C., [Gen. Escrow – Wild Turkey Way]	341.25
Invoice WO554V	MCS-01, Crystal Springs Builders, L.L.C., [Gen. Escrow – The Wentworth]	192.50

DISCUSSION: Highland's Element Master Plan Supplement: Board members reviewed a revised draft plan distributed by Ms. Piccolo-Kauffer. Ms. Piccolo-Kauffer explained that the plan addresses the preservation area only, as the Township is required to adopt a Highland's Element in the preservation area. She stated the Township is not opting in to the planning area.

With reference to the preservation area, Ms. Piccolo-Kauffer stated 60% of the Township is already located in the preservation area, and a large majority of that area is already preserved. She stated an updated land use inventory and an identification of potential redevelopment areas in the preservation area would be done. She noted the lake communities would have Highland's exempt properties. She explained that if there is a certain amount of impervious surface already present, you have the ability to redevelop the site in the preservation area.

Mr. Collins presented that the Highland's Regional Master Plan mandates clustering in the agricultural resource area, which in Hardyston Township, is located by Route 517 in the area of Balmoral. Ms. Piccolo-Kauffer added that a majority of the Township's agricultural lands are in the planning area. Mr. Collins noted that a mandatory cluster ordinance would need to be done for the preservation area. Ms. Piccolo-Kauffer stated that non-exempt development in the preservation area would be subject to the density and development standards of the DEP. Mr. Schultz inquired about lake management plans. Mr. Collins explained that the single-family lots are exempt. He stated that theoretically, if one could build, they would have to comply with the lake management overlay. He further noted that decisions regarding the septic ordinance have been deferred by the Highland's Council.

With reference to the Highland's Council Module 3, Ms. Piccolo-Kauffer stated the Township would incorporate a statement indicating that the Fair Share Plan was addressed by group homes, which are already exempt properties, or through new development in the planning area. Mr. Collins noted that the Fair Share Plan would be incorporated by reference.

Ms. Piccolo-Kauffer identified the following additional components of the plan: Utility Plan, Land Preservation and Land Stewardship Plan, Agricultural and Farmland Preservation Plan, Community Facilities Plan, Historic Preservation Plan, Scenic Resource Plan, Circulation Plan, and a discussion that relates to consistency with the Highland's Master Plan and the State Master Plan.

The meeting was opened to the public. There were no participants. The meeting was closed to the public.

A motion to confirm the review of the Highland's Preservation Plan Element was made by Ken Kievit and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Ken Kievit – yes; Robert Schultz – yes; Bill Hickerson – yes; James Homa – yes; Brian Kaminski – yes. The motion carried.

Mr. Collins confirmed that the COAH appeal was settled. A copy of the agreement was disseminated.

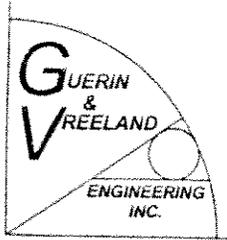
PUBLIC PARTICIPATION: No members of the public addressed the Board.

ADJOURNMENT: A motion to adjourn was made by Bill Hickerson and seconded by James Homa. All were in favor. The meeting was adjourned at 10:45 p.m.

Minutes respectfully submitted by:

/s/ Anne-Marie Wilhelm

Anne-Marie Wilhelm
Land Use Administrator



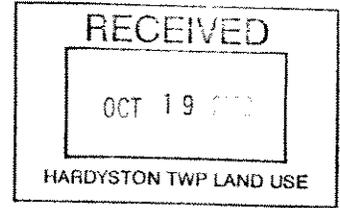
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MICHAEL G. VREELAND, P.E., P.P.
mvreeland@guerinvreeland.com

October 16, 2009

Planning Board
Township of Hardyston
Municipal Building
149 Wheatsworth Road
Hardyston, New Jersey 07419



Re: Dell Materials Inc.
Minor Subdivision
Preliminary Site Plan
Block 62, Lots 18.05, 18.06 & 18.07
Application No. 10-09-3A
Our Project No. 1001

Dear Board Members:

We are in receipt of the following information in support of the above referenced applications:

- Plans consisting of eight sheets entitled: *Subdivision/Site Plan Application, Dell Materials, Inc., Tax Lots 10, 18.05, 18.06 & 18.07, Block 62, Park Drive, Hardyston Township, Sussex County, NJ*. These plans were prepared by LAN Associates, Ronald Panicucci, P.E., and William T. Manning, P.L.S., Sheets T.01, S.01, S.02, S.02A, SC.01, PF.01 and CD.01 are dated October 10, 2009 with no subsequent revisions. Sheet S.01A is dated October 10, 2009 with no subsequent revisions.
- Report entitled *"Drainage Report for Subdivision/Site Plan Application, Dell Materials, Inc., Tax Lots 18.05, 18.06 & 18.07, Block 62, Hardyston Township, Sussex County, NJ"*. This report dated September 24, 2009 was prepared by LAN Associates, Ronald M. Panicucci, P.E.
- An aerial photograph of the subject property in the vicinity of Park Drive.
- Application for a Minor Subdivision with associated attachments.
- Application for a preliminary site plan with associated attachments.

The minor subdivision proposes to annex a 50 foot wide strip from existing Lot 18.06 to Lot 18.10 and adjust the lot lines of Lots 18.06 and 18.07 to maintain a minimum area of three acres for each of these lots. No new lots are being created by this subdivision. The site plan proposes to construct a 30 foot wide private driveway within the 50 foot wide strip annexed to Lot 10 in the subdivision application. We understand that the intent of this driveway is to eliminate the access point for the soil removal operation on Lot 10 from its current location along North Church Road and instead have the trucks exit onto Park Drive. The subject property is located in the I-2 Medium Industrial Zone. We have reviewed these applications and offer the following comments for the board's consideration:

1. The applicant has requested the following applicable waivers from the technical checklist for a minor subdivision:
 - Item #2 - Scale not to be smaller than 1" = 100'.
Comment: Due to the size of Block 62, Lot 10 (264.4 acres) it could not be shown on one sheet if the scale was 1" = 100'. As such we recommended the applicant draw this lot a 1" = 200'. We recommend the board waive this requirement.
 - Item # 18 Percolation Test or Permeability Test.
Comment: Since no new lots are being created and any future development would require site plan approval and finally due to the fact that lots along Park Drive have central sewers, we have no engineering objection to waiving this requirement for this application.
 - Item # 23 Location of existing utilities on site and within 50 feet of the site.
Comment: Since no development other than a driveway is proposed at this time and any future development would require site plan approval, we have no engineering objection to waiving this requirement for this application.
2. We have reviewed the proposed minor subdivision and find that each of the proposed lots conform with the bulk requirements of the I-2 Zone.
3. While the minor subdivision has included new lots numbers for Lots 18.06 and 18.07 along Park Drive we do not believe new lot numbers will be necessary since there are no new lots being created. We recommend the applicant's surveyor coordinate with the tax assessor concerning appropriate lot designations and adjust the designations shown on the minor subdivision plan to conform with the assessor's recommendation.
4. With regard to the site plan for the proposed driveway our primary concern relates to the proposed storm drain system. We recommend the proposed storm sewer system to collect runoff from the portion of the driveway tributary to Park Drive be revised to install two "B" inlets on either side of the driveway with a 15" pipe between same. The 15" perforated pipe should be changed to solid pipe with its invert set at the bottom of the proposed infiltration basin. We recommend an additional flared end section be installed approximately one foot above the bottom of the infiltration basin with a pipe from this new flared end section connected to the inlet along Park Drive as is currently proposed. All storm sewer pipes be not less than 15" diameter in accordance with municipal design standards.

5. The site plan does not clearly note the limit of the paved and curbed driveway. We assume it will end at approximate Station 4+89 which corresponds with the rear limit of the adjoining lots along Park Drive. If this assumption is correct, it should be noted on the site plan.
6. In reviewing the site plan, there are symbols normally associated with wetlands shown on Lot 10 just west of the proposed driveway. In reviewing the current soil removal plans on file with the municipality, this area was delineated as a wetlands in 2004 by LAN Associates. The applicant's representative should address this issue. A copy of the Letter-of-Interpretation associated with this area should be provided if one was ever received.
7. We assume additional modifications will be necessary on Lot 10 including relocating the truck scale and associated scale house in order to make this alternate entrance/exit location usable for the soil removal operation. We believe it would be appropriate to include on this site plan all necessary changes to Lot 10 so the site plan can be fully implemented without further site plan review.
8. It has been brought to our attention that the current entrance/exit driveway onto North Church Road may encroach onto adjoining Lot 9 in Block 62. The detail of Area "B" on Survey Sheet S.01A seems to confirm that an encroachment exists. The applicant's professionals should address this encroachment. A note should be added to the site plan indicating how this encroachment will be addressed.
9. Other agency approvals which may be required for this application include:
 - Sussex County Planning Board
 - Sussex County Soil Conservation
 - NJDEP for wetlands delineation and associated permits if required.

Very truly yours,
Guerin & Vreeland Engineering, Inc.



Robert P. Guerin, P.E., P.P.
Planning Board Engineer/Planner
For the Firm

cc: Ronald M. Panicucci, P.E., LAN Associates/via e-mail
Robert J. Benbrook, Esq./via e-mail
Thomas F. Collins, Esq./via e-mail

AGENDA
HARDYSTON TOWNSHIP PLANNING BOARD
March 26, 2009
7:30 P.M.

CALL THE MEETING TO ORDER:

STATEMENT OF COMPLIANCE:

Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 has been made to the New Jersey Herald and is posted on the Bulletin Board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton
Ken Kievit
Robert Neubig
Robert Schultz
Bill Hickerson
John Monell
James Homa
Brian Kaminski
Randy Roof (Alternate No. 1)
Carl Miller

APPROVAL OF MINUTES:

Minutes of the Hardyston Township Planning Board Meeting Held February 26, 2009

RESOLUTIONS:

PB-5-05-5a/PB-11-05-6A, Crystal Springs Builders, L.L.C., Final Site Plan and Final Subdivision, Extension Request, *The Ardleigh*, Block 16 Lots 6.01 and 6.02

APPLICATIONS:

PB-1-09-3, Crystal Springs Builders, L.L.C., Preliminary/Construction and Final Site Plan, *Real Estate Center*, Block 16 Lot 8.01

CAPITAL IMPROVEMENT PROGRAM REVIEW: PBCAP-3-09-1, Hardyston Township Storage Facility – Route 515, Block 41 Lot 11

DISCUSSION:

Review of Highland's Plan Conformance Application: Module 1, *Current Municipal Conditions and Build-out Analysis* (Total of seven (7) modules – December 8, 2009 application deadline)

BILLS:

CORRESPONDENCE:

PUBLIC PARTICIPATION:

ADJOURNMENT:

AGENDA
HARDYSTON TOWNSHIP PLANNING BOARD
November 19, 2009
7:30 P.M.

CALL THE MEETING TO ORDER:

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 has been made to the New Jersey Herald and is posted on the Bulletin Board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton
Ken Kievit
Robert Neubig
Robert Schultz
Bill Hickerson
John Monell
James Homa
Brian Kaminski
Randy Roof (Alternate No. 1)
Carl Miller

APPROVAL OF MINUTES:

Minutes of the Hardyston Township Planning Board Meeting Held October 22, 2009

RESOLUTIONS:

PB-10-09-1, JCP & L Company and Nextel of New York, Inc., "C" Variance, Preliminary and Final Site Plan, Block 62 Lot 35

PB-10-09-3A, Dell Materials, Inc., Minor Subdivision, Block 62, Lots 18.05, 18.06, 18.07, & 10

PBC-2-09-2, North Church Gravel, Inc., Concept Plan, Block 62, Lot 10

PB-3-05-1c, CJS Investments, Inc., Request for Extension: *Emerald Estates*, Preliminary and Final Major Subdivision, Variances, Block 63 Lots 26 and 27

APPLICATIONS: There are no applications scheduled.

DISCUSSION: Highland's Master Plan Element Supplement

BILLS:

CORRESPONDENCE:

PUBLIC PARTICIPATION:

ADJOURNMENT:

Highlands Plan Conformance

Hardyston Planning Board Meeting

November 19, 2009

Plan Conformance Modules

- Module 1: Current Municipal Conditions & Build-Out Analysis
 - Submitted March 27, 2009
- Module 2: Land Use and Resource Capacity Analysis
 - Currently being Completed, ready for submission early next week
- Module 3: Housing Element & Fair Share Plan
 - Completed as part of COAH Process, not opting in in the Planning Area
- Module 4: Draft Environmental Resource Inventory
- Module 5: Draft Highlands Preservation Area Master Plan Element
- Module 6: Draft Highlands Preservation Area Land Use Ordinance
- Module 7: Petition for Basic Plan Conformance

Module 4:

Draft Environmental Resource Inventory

- Utilized the Highlands Model ERI
- Includes both Planning Area & Preservation Area
- Identifies and maps environmental resources for entire Township
- Used as a tool for future updates to land use and conservation plans, protection policies and ordinances
- Still in draft format – requires additional information and updates

Module 4:

Draft Environmental Resource Inventory

- Highlands Subwatersheds
- Forest Resources
- Highlands Open Waters and Riparian Areas
- Steep Slope Protection Areas
 - Severely Constrained (> 20%)
 - Moderately Constrained (15-20%)
 - Constrained (10-15% w/in Riparian Areas)
- Critical Habitat
 - Habitats for threatened and endangered species
 - Significant Natural Areas (ecological communities)
 - Vernal Pools
- Carbonate Rock Areas
- Lake Management Areas
 - Shoreland Protection Tier
 - Water Quality Protection Tier
 - Lake Watershed Tier

Module 4:

Draft Environmental Resource Inventory

- Water Resources Availability
 - 13 subwatersheds, 7 are calculated to be in deficit
- Prime Ground Water Recharge Areas
- Water Quality
- Wellhead Protection
- Septic System Yield
- Agricultural Resources
- Historic, Cultural, Archaeological Resources
- Scenic Resources
 - Sparta Wildlife Management Areas
 - Hamburg Wildlife Management Areas
- Contaminated Sites
- Water and Wastewater Utilities

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Land Use Ordinance for non-exempt development in Highlands Preservation Area
- Existing Land Use Ordinance still applicable for exempt development
- Establishes development standards, procedural requirements, new checklists and reviews for development applications in special resource areas
- Adopts the Highlands Land Use Zones and Sub-Zones as overlays to Township zoning
- Adopts Highlands Resource Areas and Special Protection Areas as overlays to Township zoning
- Adopts Maps attached as exhibits to outline districts

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Mandates Cluster/Conservation Zoning for all residential development in Agricultural Resource Areas (mandatory 80% set-asides)
- Prohibits potential contaminant sources from being located in carbonate rock areas, prime ground water recharge areas, & wellhead protection areas
- Establishes density and intensity of development standards (1 in 88 acres forested areas, 1 in 25 non-forested areas)
- Prohibits forest disturbance in forest resource area unless authorized by a Highlands Preservation Area Approval (HPAA)
- Requires Forest Impact Reports
- Carbonate Rock Area – Requires in depth geo-technical investigation

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Lake Management Areas
 - 3 tiers
 - Shoreland protection tier (land w/in 300 ft of shoreline)
 - Water quality management tier (lands w/in 1,000 ft of shoreline)
 - Scenic Resources Tier (lands within the viewshed that are observable from the opposite shoreline)
- Water Conservation & Deficit Mitigation
 - Development required to satisfy mitigation requirements if subwatershed is in current deficit area
 - Until Township Adopts Water Use and Conservation Management Plan as part of Full Plan Conformance all application in deficit areas subject to review by Highlands Council
 - not allowed to be reviewed by local boards until reviewed by Council

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Historic, Cultural & Archeological Resources
 - All applications subject to review by Highlands Council, and not allowed to be reviewed by local boards until reviewed by Council
 - Until Township establishes Historic/Scenic Resources Commission, Adopted Historic/Scenic Resources Preservation Ordinance, listed resources indentified by Highlands in the Master Plan
- Stormwater Management
- Septic System Design & Maintenance
 - Required to incorporate reserved disposal fields (deed restricted)

AGENDA FOR THE MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF HARDYSTON TO BE HELD ON DECEMBER 1, 2009 AT 7:00 P.M.

CALL TO ORDER: Adequate notice of this meeting was provided to the public and the press by delivering to the press and posting in the Municipal Building, the Annual Meeting Notice.

ROLL CALL

SALUTE THE FLAG

=====

CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

Agreements/Applications/Licenses:

1. GTBM Inc. – Info-Cop Device License Renewal Contract (Police Dept)
2. R & R Radar, Inc. – Traffic Radar Maintenance Agreement (Police Dept)
3. Meridien Assoc. - Annual Security System Service Agreement (Police Dept)
4. KML Technology, Inc. – 911 Emergency Phone System Service Agreement (Police Dept)

NEW BUSINESS:

- A. Resolution releasing the Maintenance Bond posted by Toll Bros., Inc. for Briar Crest at Crystal Springs
- B. Resolution for Submission of Petition for Plan Conformance to the Highlands Water Protection and Planning Council for Land in the Preservation Area

BILLS TO BE PAID Per attached list

PUBLIC PORTION

EXECUTIVE SESSION

ADJOURNMENT

HARDYSTON TOWNSHIP COUNCIL
WORKSHOP MEETING
December 1, 2009
7:00 p.m.

I. OPEN PUBLIC MEETINGS ACT STATEMENT

Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice, as defined in Section 3 of said Act, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

II. ROLL CALL

Mayor Hamilton	Councilman Armstrong
Deputy Mayor Kievit	Councilman Ross
Councilman Stan Kula	

III. DISCUSSION ITEMS

- a. Discussion Regarding Recommended Speed Limit Changes to Lake Stockholm
- b. Communications Upgrade Project – Final Presentation and Recommendations by Royal Communications and Communications Sub-Committee
- c. Highlands Plan Conformance – Presentation of Petition, Carrine Piccolo, Assistant Planner
- d. Status Report on Capital Projects:
 1. Solar Energy Generating Facility
 2. Redevelopment of Former Municipal Building Site
 3. Tanker Truck Replacement
 4. Improvements to North Church Road DPW Facility
 5. Status of Municipal Property Revaluation
 6. C
- e. Pending and Ongoing Matters for Future Meetings:
 1. Hardyston Merchantile Mall Bond
 2. Strategic Planning Project
 3. Recreation Policies and Procedures
 4. Bluffs @ Ballyowen
 5. Title 39 Issues
 - a. Lake Stockholm Terrace
 - b. Wheatsworth Road
 - c. Ridgefield Commons

IV. COUNCIL COMMENTS

V. EXECUTIVE SESSION

- a. Contract Negotiations

VI. PUBLIC COMMENT (in accordance with P.L. 2002, c.80)

VII. ADJOURNMENT

Petition for Highlands Plan Conformance

Hardyston Township Council Meeting

December 1, 2009

Introduction

- Hardyston is located in both the Planning area (40 %) and the Preservation Area (60%)
- Hardyston is only Petitioning the Highlands for Plan Conformance for the portions in the Preservation Area as required by the Highlands Act

Plan Conformance Modules

- Module 1: Current Municipal Conditions & Build-Out Analysis
 - Submitted March 27, 2009
- Module 2: Land Use and Resource Capacity Analysis
 - Currently being Completed, ready for submission early next week
- Module 3: Housing Element & Fair Share Plan
 - Completed as part of COAH Process, not opting in in the Planning Area
- Module 4: Draft Environmental Resource Inventory
- Module 5: Draft Highlands Preservation Area Master Plan Element
- Module 6: Draft Highlands Preservation Area Land Use Ordinance
- Module 7: Petition for Basic Plan Conformance

Modules 1 & 2: Current Municipal Conditions & Build-Out Analysis

- Utilized GIS based analysis to exam current municipal conditions and determine future build-out capacity
- Involved looking at developable parcels on a parcel by parcel basis
- Highlands utilizes wastewater and public water infrastructure data along with Regional Master Plan septic system density standards to determine future development capacity
- Module 2 is not completed – waiting on guidance from Highlands Council on how to address density standards in the build-out

Module 3: Housing Element & Fair Share Plan

- The build-out analysis generated from Modules 1 & 2 could generate lower growth share numbers
- The Township will not be utilizing the Highlands Build-out numbers because they are not opting-in in the Planning Area
- The Township's Certified Housing Element & Fair Share Plan will be submitted with the Petition for Plan Conformance

Module 4:

Draft Environmental Resource Inventory

- Utilized the Highlands Model ERI
- Includes both Planning Area & Preservation Area
- Identifies and maps environmental resources for entire Township
- Used as a tool for future updates to land use and conservation plans, protection policies and ordinances
- Still in draft format – requires additional information and updates

Module 4:

Draft Environmental Resource Inventory

- Highlands Subwatersheds
- Forest Resources
- Highlands Open Waters and Riparian Areas
- Steep Slope Protection Areas
 - Severely Constrained (> 20%)
 - Moderately Constrained (15-20%)
 - Constrained (10-15% w/in Riparian Areas)
- Critical Habitat
 - Habitats for threatened and endangered species
 - Significant Natural Areas (ecological communities)
 - Vernal Pools
- Carbonate Rock Areas
- Lake Management Areas
 - Shoreland Protection Tier
 - Water Quality Protection Tier
 - Lake Watershed Tier

Module 4:

Draft Environmental Resource Inventory

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- Water Quality
- Wellhead Protection
- Septic System Yield
- Agricultural Resources
- Historic, Cultural, Archaeological Resources
- Scenic Resources
 - Sparta Wildlife Management Areas
 - Hamburg Wildlife Management Areas
- Contaminated Sites
- Water and Wastewater Utilities

Module 5:

Draft Highlands Preservation Area Master Plan Element

- The Draft Highlands Preservation Area Element will serve as a supplement to the existing Township Master Plan.
- It creates in limited form each component of the Master Plan for the Preservation Area based on the goals, policies & objectives of the Highlands Regional Master Plan (RMP)
- Applies only to non-exempt land use activities. Exempt land use activities will still be guided by the existing Master Plan.

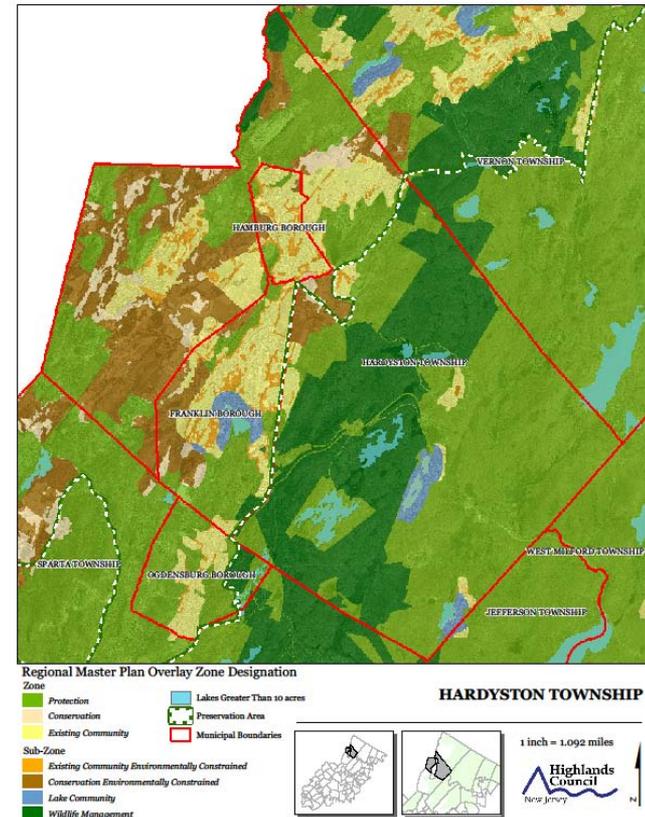
Module 5: Master Plan Supplement

Overall Policies, Goals & Objectives

1. To protect, restore, and enhance the quality and quantity of surface and ground waters;
2. To preserve extensive and, to the maximum extent possible, contiguous areas of land in its natural state, thereby ensuring retention of the unique and significant natural, scenic, and other resources representative of the Township Highlands Preservation Area;
3. To protect the natural, scenic, and other resources of the Township Highlands Preservation Area, including but not limited to contiguous forests, wetlands, vegetated stream corridors, steep slopes, and critical habitat for fauna and flora;
4. To preserve farmland, historic sites, and other historic resources;
5. To preserve outdoor recreation opportunities on publicly owned land;
6. To promote conservation of water resources;
7. To promote Brownfield remediation and redevelopment, where applicable;
8. To promote compatible agricultural, horticultural, recreational, and cultural uses and opportunities within the framework of protecting the environment of the Township Highlands Preservation Area; and
9. To prohibit or limit to the maximum extent possible construction or development which is incompatible with preservation of this unique area.

Module 5: Master Plan Supplement Land Use Plan

1. **Protection Zone.** highest quality natural resource value. Land acquisition is a high priority for lands and development activities will be extremely limited
 - a) **Wildlife Management Sub-Zone.** The Wildlife Management Sub-Zone consists of areas managed by the United States Fish and Wildlife Service as part of the National Wildlife Refuge System, and lands within the Wildlife Management Area System administered by the NJDEP Division of Fish & Wildlife's Bureau of Land Management.
2. **Conservation Zone.** areas with significant agricultural lands. The Conservation Zone is intended primarily for agricultural use and development,
 - a) **Conservation Zone–Environmentally Constrained Sub-Zone.** consists of significant environmental features within the Conservation Zone that should be preserved and protected from non-agricultural development. to environmentally sensitive lands.
3. **Existing Community Zone.** The Existing Community Zone consists of areas of concentrated development representing existing communities. These areas tend to have limited environmental constraints due
 - a) **Existing Community Zone–Environmentally Constrained Sub-Zone.** consists of significant contiguous critical habitat, steep slopes and forested lands within the Existing Community Zone that should be protected from further fragmentation.
 - b) **Lake Community Sub-Zone.** patterns of community development that are within the Existing Community Zone within 1,000 feet of lakes. The purpose for the sub-zone is to protect and enhance water quality, resource features, shoreline recreation, scenic quality, and community character. This zone incorporates unique regulatory requirements to prevent degradation of water quality, harm to lake ecosystems, and watershed pollution, while promoting natural aesthetic values within the Existing Community Zone.



Module 5: Master Plan Supplement

Land Use Plan

- Municipal land use categories and zoning districts will be amended to give priority to previously mentioned zones and subzones for non-exempt development
- Need to adopt implementing ordinance to protect Preservation Area Resources
- Density and Intensity of Development based on NJDEP Septic System Density Requirements and Cluster Development Nitrate Targets
- Requirements for Cluster Development Ordinance
- Requirement for Updated Land Use Inventory
- Potential identification of Redevelopment Areas within in the Preservation Area (i.e. portions of Route 23)
- Special Areas Include:
 - Agricultural Resource Area
 - Non agricultural or horticultural uses will be restricted to residential cluster development
 - Carbonate Rock Area
 - solid waste landfills, hazardous waste storage and disposal facilities, hazardous materials storage and handling facilities, and underground storage tanks will be prohibited.
 - Prime Ground Water Recharge Area
 - Major Potential Contaminant Source (PCS) as designated by the Highlands Council will be prohibited
 - Wellhead Protection Areas (tiers 1 & 2)
 - Major and Minor Potential Contaminant Source (PCS) as designated by the Highlands Council will be prohibited
 - Highlands Special Environmental Zones

Module 5: Master Plan Supplement Conservation Plan

- Forest Resources
- Highlands Open Water and Riparian Areas
- Steep Slopes
- Critical Habitat
- Carbonate Rock
- Lake Management
- Water Resource Availability
- Prime Ground Water Recharge Areas
- Water Quality
- Wellhead Protection
- Low Impact Development

Module 5: Master Plan Supplement

Utility Services Plan

- **Goals & Objectives**
 - prohibit the expansion or creation of public water supply systems, wastewater collection and treatment systems and community on-site treatment facilities unless approved through a Highlands Applicability Determination (HAD) or an HPAA with waiver pursuant to the NJDEP Preservation Area rules at N.J.A.C. 7:38.
 - Development of a Preservation Area septic system maintenance plan
 - Wastewater Management Plan for the Preservation Area

Module 5: Master Plan Supplement

Circulation Plan

- To ensure that transportation facilities and infrastructure are designed and located in a manner that achieves optimal efficiencies in land use and provision of service, while at the same time, protecting the environmental resources and critical environmental areas of the Highlands Preservation Area.
- To enhance opportunities for pedestrian and bicycle access, mobility and safety, through provision of sidewalks, walking trails, pedestrian crosswalks, bicycle lanes and trails, bicycle racks, and networked linkages that both access and connect community facilities, parks, schools and shopping areas.
- To improve public safety
- To provide for safe and efficient pedestrian connections
- To enhance roadway corridors and encourage pedestrian activity, where appropriate.
- To promote safe routes for children to travel to and from school.
- To optimize use of existing roadway capacity by appropriate means.
- To identify roadways designated as scenic byways and, to the extent of municipal jurisdiction, to protect and preserve their defining characteristics.
- To recognize and support the unique needs of the agricultural industry to move farm vehicles and goods along transportation corridors.
- To evaluate the potential growth-inducing effects of roadway improvements that will increase traffic capacity.
- To prohibit road improvements in areas for which a Growth-Inducing Study demonstrates that proposed improvements do not support the resource protection and smart growth policies otherwise established by the Highlands Element, or that are likely to be growth-inducing for lands with limited or no capacity to support human development without adverse impact on Highlands Preservation Area resources.
- To limit road improvements where roads are constrained by topography, adjacent forested lands, or other sensitive environmental features such as critical habitat.
- To ensure that road improvements are designed to enhance community character and to avoid adverse impacts to adjoining or otherwise affected properties.
- To promote land use patterns that support a balance of jobs to housing as a means of reducing motor vehicle trips and average trip lengths.
- To seek and encourage to the extent applicable, development and redevelopment in areas proximate to rail stations and along bus routes.
- To promote development of mixed land uses, where appropriate, in locations that result in reduced motor vehicular trips and average trip lengths.
- To permit and encourage use of shared parking areas, driveways, and other such infrastructure to limit paved surfaces and maximize efficiencies.
- To ensure coordination between transportation planning and the Land Use Plan Element and to integrate smart growth principles into both.

Module 5: Master Plan Supplement

Land Preservation & Land Stewardship Plan

- 73% of the Township's Highlands Preservation Area is already preserved
 - Newark Watershed
 - Sparta Wildlife Management Area
 - Hamburg Mountain Wildlife Management Area
- Establishes a ranking system for future preservation
 - Highlands Special Environmental Zone
 - Highlands Conservation Priority Areas
 - Lands in other Highlands Resource Areas previously discussed
- Goals and Objectives
 - Develop and Implement a Forest Management Plan
 - Create a Recreation and Open Space Inventory
 - Require periodic monitoring of easement restrictions and other preserved lands
 - Identify and preserve opportunities for outdoor recreation

Module 5: Master Plan Supplement

Agriculture Preservation/Farmland Retention Plan

- Only a small portion of the Township Preservation Area is indentify as an Agricultural Resource Area (majority is Planning Area)
- No existing preserved farmland in Preservation Area
- Identifies all agricultural uses and important farmland soils
- Goals and Objectives
 - Promote farmland preservation and limit non-agricultural uses
 - Any residential development should be only permitted under conservation design guidelines
 - Permit family and farm labor housing
 - Promote Right to Farm Act
 - Promote best management practices to protect ground and surface water quality

Module 5: Master Plan Supplement

Community Facilities Plan

- The overriding policy of this Plan is to ensure that community facilities reflect community needs while minimizing resource impacts and maximizing the efficiency of resource use.
- Goals and Objectives
 - To locate and maintain community facilities and services that support compact development patterns and shared services, and provide a high level of service.
 - To identify for all such facilities, realistic options to enhance energy efficiencies,
 - To consider and incorporate all feasible Low Impact Development techniques in the design, development, operation and management of existing and proposed community facilities.
 - To incorporate the goals, objectives and resource protections discussed throughout this Highlands Element into the planning and development of properties and facilities under municipal jurisdiction.

Module 5: Master Plan Supplement

Historic Preservation Plan

- Historic, Cultural & Archaeological Resources
 - 2 Sites in Preservation Area
 - Rock Lodge
 - Stockholm United Methodist Church
- Goals & Objectives
 - To ensure that human development does not adversely affect the character or value of resources which are listed on the Historic and Cultural Resource Inventory to the maximum extent practicable.
 - To require that all development and redevelopment applications include submission of a report identifying potential historic, cultural and archaeological resources on the subject property or immediately adjacent properties.
 - To ensure that historic, cultural and archaeological resources identified through the development review process are: a) evaluated for inclusion on the survey of historic sites within this document; and b) submitted to the Highlands Council for possible inclusion in the Highlands Region Historic and Cultural Resources Inventory.
 - To ensure that the impact of proposed human development on the historic and cultural resources of the Highlands Preservation Area is addressed during development review.
- Scenic Resources
 - 2 Site In Preservation Area
 - Hamburg Mountain Wildlife Management Area
 - Sparta Mountain Wildlife Management Area
- Goals & Objectives
 - To ensure that human development does not adversely affect the character or value of resources which are listed on the Highlands Scenic Resources Inventory.
 - To require that the impact of proposed human development on the scenic resources of the Highlands Preservation Area be addressed during local development review.
 - To utilize Highlands Scenic Resource designation standards, as applied at the local level, in considering scenic resources for designation.
 - To require that all development applications include identification of any scenic resources in the Highlands Region that are listed on the Highlands Scenic Resources Inventory and may be affected by the proposed development.

Module 5: Master Plan Supplement

Relationship of Master Plan to State/Local/Regional Plans

- By aligning the municipal Master Plan with the Highlands RMP, its consistency with the State Development and Redevelopment Plan (SDRP) is achieved.
- Modifies the relationship of the Township development plan to those of the county and contiguous municipalities insofar as it affects the intents for land use and development within the Highlands Preservation Area
- The land uses, the permitted densities and intensities of development, and the locations and extent of anticipated growth in neighboring Highlands's communities that are also pursuing conformance with the RMP are all subject to change. Until information is available concerning such decision-making, a comparison between these master plans will not be meaningful. Further discussion of these aspects will therefore be provided in the next amendment to the Master Plan.

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Land Use Ordinance for non-exempt development in Highlands Preservation Area
- Existing Land Use Ordinance still applicable for exempt development
- Establishes development standards, procedural requirements, new checklists and reviews for development applications in special resource areas
- Adopts the Highlands Land Use Zones and Sub-Zones as overlays to Township zoning
- Adopts Highlands Resource Areas and Special Protection Areas as overlays to Township zoning
- Adopts Maps attached as exhibits to outline districts

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Mandates Cluster/Conservation Zoning for all residential development in Agricultural Resource Areas (mandatory 80% set-asides)
- Prohibits potential contaminant sources from being located in carbonate rock areas, prime ground water recharge areas, & wellhead protection areas
- Establishes density and intensity of development standards (1 in 88 acres forested areas, 1 in 25 non-forested areas)
- Prohibits forest disturbance in forest resource area unless authorized by a Highlands Preservation Area Approval (HPAA)
- Requires Forest Impact Reports
- Carbonate Rock Area – Requires in depth geo-technical investigation

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Lake Management Areas
 - 3 tiers
 - Shoreland protection tier (land w/in 300 ft of shoreline)
 - Water quality management tier (lands w/in 1,000 ft of shoreline)
 - Scenic Resources Tier (lands within the viewshed that are observable from the opposite shoreline)
- Water Conservation & Deficit Mitigation
 - Development required to satisfy mitigation requirements if subwatershed is in current deficit area
 - Until Township Adopts Water Use and Conservation Management Plan as part of Full Plan Conformance all application in deficit areas subject to review by Highlands Council
 - not allowed to be reviewed by local boards until reviewed by Council

Module 6:

Draft Highlands Preservation Area Land Use Ordinance

- Historic, Cultural & Archeological Resources
 - All applications subject to review by Highlands Council, and not allowed to be reviewed by local boards until reviewed by Council
 - Until Township establishes Historic/Scenic Resources Commission, Adopted Historic/Scenic Resources Preservation Ordinance, listed resources indentified by Highlands in the Master Plan
- Stormwater Management
- Septic System Design & Maintenance
 - Required to incorporate reserved disposal fields (deed restricted)

Module 7:

Petition for Conformance

- Preservation Area Resolution
- Documentation of Public Involvement
- Compilation of other modules for submittal
- Develop Municipal Self-Assessment Report and Highlands Implementation Plan & Schedule
 - Summarize all draft changes
 - Identify changes/updates that remain necessary prior to adoption
 - Schedule to achieve Full Plan Conformance will be discussed with Highlands Staff prior to approval of the Petition for Basic Plan Conformance