

Minutes

The regular meeting of the Warren County Planning Board was held on Monday, December 19, 2022 in person and using WebEx and conducted through electronic communications equipment to preserve the health, safety and welfare of the public in conformance with N.J.S.A. 10:4-6, et seq. [the Open Public Meetings Act]. Vice Chairman Gerald Norton called the meeting to order at 7:08 p.m.

Warren County Planning Board

An announcement was read as required by the Open Public Meetings Act, N.J.S.A. 10:4-6 to 10:4-21.

Roll Call

Present: Adam Baker
William G. Gleba, County Engineer
James Kern, Commissioner
Nichole Meuse
Gerald Norton
Deborah Pasquarelli
Randy Piazza
Jason Sarnoski, Commissioner
David Smith

Alternate Present: Terry Urfer, Alternate 1

Also Present: David K. Dech, Planning Director
Matthew Moench, County Planning Board Attorney

SALUTE TO THE FLAG

MINUTES

The minutes of the November 28, 2022 meeting were approved on a motion by Mr. Norton, seconded by Mr. Baker. Motion carried with Mr. Sarnoski and Mr. Smith abstaining.

PUBLIC COMMENT

The public comment portion of the meeting was opened on a motion by Mr. Baker, seconded by Mr. Urfer. With no one coming forth to address the Board, the public comment portion of the meeting was closed on a motion by Mr. Smith, seconded by Mr. Baker. Motion carried.

SUBDIVISION & SITE PLAN REPORT

Subdivisions

22-010	Harmony Plains Solar 1, LLC	Harmony
20-013	Sara Pyskaty	Franklin

Site Plans

22-041-SP	OK Auto, 4WD & Tire, Inc.	Franklin
21-018-SP	Harmony Plains Solar 1, LLC	Harmony
21-025-SP	Hope Realty Group LLC	Hope

22-010-SP	7 Route 57, LLC	Hackettstown
22-009-SP	NJDRP LLC	Independence
22-014-SP	Washington Storage Group, LLC	Washington

The Subdivision & Site Plan Report was accepted by the Board. Applications were acted upon as noted in the attached report.

CORRESPONDENCE

- See Director's Report under #2 Correspondence Received 11/21/2022 to 12/12/2022
 - Mr. Dech mentioned it is a list and brief summary what is received in his office. If anyone would like to see any of the correspondence items to let him know and he would email it to you.
 - 12/05 Lopatcong/Pohatcong Twps. – Mr. Dech stated the townships were amending their Highlands Center boundary to include the piece of land behind the Phillipsburg Mall and Route #122 for a warehouse and that there was public opposition during a hearing held earlier in the month. Mr. Dech also stated that the Kohl's retail store will stay at the Phillipsburg Mall

DIRECTOR'S REPORT

Warren County Planning Dept. Project Report December 2022

Director's Report was included with the agenda packet. Items of discussion:

3. Development Review Online Applications - Ms. Pasquarelli asked for Mr. Dech to explain the term "phased out" regarding story map. Mr. Dech stated it is just an upgrade in the software that is used. Mr. Urfer requested that the web address be a little easier to get to because it is so lengthy. Mr. Dech explained that it is the address that the GIS program assigns and that it he is not sure if a short cut can be created for it. The link should be live in the Directors Report.

11. I-80 Rockfall Project/S Turns/Retaining Wall – Mr. Dech stated that this is moving forward and it would be delayed until 2026.

22. CR 519/521 Weight Restriction/Truck Routes – Mr. Dech stated that the meeting that was to be held in December is being rescheduled for early next year.

26. Solid Waste and Recycling – Mr. Dech stated that there the concept plan for the compost facility was submitted and that staff will prepared comments and then transmitted to the SWAC Sub Committee for its consideration.

35. Highlands Planning – Mr. Dech that there was a flyer attached to his report that announced the availability of funding through the Highlands Council in the amount of \$5,000 to municipalities to evaluate municipal warehouse zoning and its appropriateness

COMMITTEE REPORTS

None

LIAISON REPORT

None

OLD BUSINESS

None

NEW BUSINESS

- Appoint Nominating Committee for 2023 Officers
 - Ms. Pasquarelli nominated Mr. Smith, Mr. Hopkins and herself to this committee.
 - Mr. Kern respectfully opposed that Chairperson Pasquarelli was leaving her post as Chair.

OTHER BUSINESS

None

PUBLIC COMMENTS

The public comment portion of the meeting was opened on a motion by Mr. Smith, seconded by Ms. Meuse. Motion carried. With no one else coming forth to address the Board, the public comment portion of the meeting was closed on a motion by Mr. Smith, seconded by Mr. Norton. Motion carried.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:36 p.m. on a motion by Mr. Norton, seconded by Mr. Baker. Motion carried.

Respectfully submitted,



June Pryslak
Recording Secretary

SUBDIVISIONS & SITE PLANS
December 19, 2022

SUBDIVISIONS

Minor subdivisions not located on a county road were reviewed by the Warren County Engineer's Office and the Warren County Planning Department on the below listed dates. This report was noted and accepted by the Board.

22-013 Alpha Teresa Williams 12/14/22

Subdivisions previously approved with conditions were submitted and approved on below listed dates.

None

The following subdivisions were previously approved with conditions on or before June 27, 2022. Conditional approvals have now expired and the application is deemed disapproved pursuant to the Warren County Development Review Regulations since the conditions have not been met.

None

NON COUNTY ROAD (MAJORS)

None

NON COUNTY ROAD (MINOR)

None

COUNTY ROAD (MAJORS)

The County Road Major subdivision report was accepted on a motion by Mr. Baker, seconded by Mr. Norton. Motion carried.

22-010

Harmony Plains Solar 1, LLC

Harmony Township

Block 38, Lot 2

Garrison Road and County Route 621 (Brainards Road)

Description: County road major subdivision, Block 37 Lot 4, Block 38 Lots 2, 2.05, and 2.06, Block 44 Lots 9, 10, and 14, and Block 44 Lot 23, a 594-acre site in Harmony, for construction of a ground mounted solar facility. Access to the site is from a County Route #621 (Brainards Road), Harmony Station Road, and Garrison Road. The site is currently primarily agricultural

use. The site plan includes 12.3 acres of new impervious surface for a total of 18.5 acres of impervious surface on the site. The site is located primarily within the AR-250 (Agricultural/Residential) Zoning District, with portions in the HD/AH (High Density Affordable Housing), LI-O (Light Industrial/Office), and I (Industrial) zones.

Approved with conditions:

1. On the survey plan, Block 38, Lot 2 is noted to include 126.128 acres whereas General Note 5 and the area within the zoning chart for existing Block 38, Lot 2 reflect 123.57 acres. Clarification is needed.
2. The proposed total lot area between Lot 2 (120.59 acres) and Lot 2.07 (3.00 acres) equals 123.59 acres. The area of Garrison Road right of way should be provided within the zoning chart to document the total gross lot area.
3. The complete metes and bounds for Remaining Lot 2 and the Garrison Road right of way should be shown on the plan.

COUNTY ROAD (MINOR)

The County Road Minor Subdivision report was accepted on a motion by Mr. Baker, seconded by Mr. Smith. Motion carried.

20-013

Sara Pyskaty

Franklin Twp.

Block 56, Lot 34

Bloomsbury Road (CR 632)

Description: County road minor subdivision in Franklin, Block 56 of Lot 34, which would create one new lots with one remaining lot. Existing Lot 34 is 63.2 acres. The proposed subdivision would result in the creation of Lot 34.02 (7.0 acres) and the remaining area of Lot 34 would be 56.2 acres. Properties are located on County Route #632 (Bloomsbury Road). The existing lot contains an existing two and half story frame dwelling and a barn. The rear of the lot borders the Musconetcong River and contains freshwater wetland and floodplains. The lots are in the RC Rural Conservation Zone. Submitted to the Franklin Township Land Use Board same day (10/21/20) as submitted to County. The property was previously the subject of an application to the Township to grant an exemption from subdivision for agricultural purposes. According to the 10/21/20 municipal transmittal letter, the LU Board adopted a Resolution; however, the applicant never took any steps to perfect the approval. The applicant is now applying for minor subdivision approval to create the new lot. In the 2017 municipal testimony the applicant indicated the subject property is presently used for growing hay and raising animals and they intend to expand their farming and agricultural activities to bring a cow operation to part of the farm.

Approved with conditions:

1. The right of way information (83,906 sf, 1.93 ac) provided on Sheets 3 and 4 of 18 is not consistent with the metes and bounds description submitted (83,834 sf, 1.924 ac) and shall be coordinated.
2. General Note #10 on the Cover Sheet and a note on Sheet 5 of 18 indicate access to both Block 56 Proposed Lot 34.02 and Block 56 Remaining Lot 34 are proposed from the existing driveway. As such, the driveway classification will change from that of a residential driveway to that of a minor driveway. As currently proposed, County roadway widening associated with the minor driveway classification is required in accordance with County standards. Since County roadway widening is not being proposed, both notes shall be revised to indicate there will be no access through Block 56 Proposed Lot 34.02 to Block 56 Remaining Lot 34.
3. The sightline to the east of the existing driveway does not meet minimum clearance requirements for a minor driveway. If County sightline requirements for a minor driveway are not adequately addressed, the use cannot be changed from residential to minor. As such and as indicated above, General Note #10 on the Cover Sheet and the note on Sheet 5 of 18 shall be revised to indicate there will be no access through Block 56 Proposed Lot 34.02 to Block 56 Remaining Lot 34. Minimum sight lines for a residential driveway shall be shown in plan and profile for the existing driveway to demonstrate County sight line clearance requirements are met. Currently, sight lines are shown for a minor driveway and do not meet clearance requirements.
4. On the profiles for both the existing and future driveways, the slope of the driveway from the edge of the County road pavement to the gutter line shall be two percent (2%) to four percent (4%) in accordance with County standard detail T4. Both currently proposed profiles slope towards, not away from, the edge of pavement. The gutterline shall be twenty two foot (22') minimum from the centerline of the roadway.
5. The cross sections provided at twenty-five foot stations for the extents of the County road widening shall be to a scale of 1"=5', both horizontal and vertical, in accordance with County standards. Elevations shall be provided at the centerline of the roadway, at the edge of the existing pavement and at the edge of the proposed pavement. Label the slopes of the existing and widened pavement sections.
6. A copy of the complete draft deed for the right of way dedication for County Route #632 shall be submitted to the County for review prior to recording. The draft deed submitted indicates a building is located within the area of right of way dedication; however, this building is not found on the plan. Clarification is needed. The Metes and Bounds Description was not sealed by the professional and does not match the right of way dedication shown on the plan. Coordination is needed. An 8 1/2" x 14" copy of the plan (to scale, signed and sealed) showing the dedication shall be attached to the deed. The deed is to be recorded and returned to the Warren County Planning Department prior to approval.

7. New shade trees shall be planted at seventy-five foot (75') intervals along the County right-of-way line (33 feet offset from the centerline of the roadway) in accordance with Section 7.12(a)(5) of the County standards. The submitted approval from the Warren County Shade Tree Commission is acknowledged. Please note that the location of the new shade trees was not adequately described on the application.
8. Prior to the unconditional approval of the proposed minor subdivision, the applicant must provide the latest revised subdivision map to the County in an AutoCAD format.

COMMENTS

1. A Highway Access and Construction Permit will be required from the Warren County Engineer's Office for any work within the County Route #632 right of way.
2. The proposed private well and septic for proposed Lot 34.02 will need to be approved by the Warren County Health Department.

SITE PLANS

Site plans previously approved with conditions were submitted and approved on the following dates.

None

The following site plans were previously approved with conditions on or before June 27, 2022. Conditional approvals have now expired and the application is deemed disapproved pursuant to the Warren County Development Review Regulations since the conditions have not been met.

The report for Site Plans 21-025-SP, 22-010-SP, 22-009-SP, and 22-014-SP were accepted on a motion by Mr. Baker, seconded by Mr. Smith. Motion carried.

21-025-SP	Hope Realty Group LLC	Hope
22-010-SP	7 Route 57, LLC	Hackettstown
22-009-SP	NJDRP LLC	Independence
22-014-SP	Washington Storage Group, LLC	Washington

NON COUNTY ROAD

The Non County Road Site Plan report was accepted on a motion by Mr. Baker, seconded by Mr. Norton. Motion carried.

22-041-SP**OK Auto, 4WD & Tire, Inc.**

Franklin Township

Block 39, Lot 3

NJSH Route 57

Description: Non County road subdivision, Block 39 Lot 3, a 3.41-acre site in Franklin, for construction of a 10,071 building addition. The site is currently a commercial auto and tire business. The site plan includes 26, 167 sf of new impervious surface for a total of 93,071 sf of impervious surface on the site. The site is located primarily within the C-1 Commercial zone.

Disapproved for the following reasons:

1. The concentrated flow being discharged from the bioretention basin and directed onto the Morris Canal property of Warren County will need to be addressed. The design of the stormwater management system will need to be revised to mitigate concentrated flows. Design will need to demonstrate that no adverse conditions will impact existing conditions on Morris Canal County Property. A meeting with the Planning Department and Engineer's Office should be scheduled to review downstream drainage concerns.
2. Once a final stormwater management plan is completed, the Storm Water Operation and Maintenance Manual for the proposed system needs to be provided for review.
3. The stormwater management plan, system, and maintenance responsibility for the subject property need to be unconditionally approved by the Franklin Township Land Use Board. Confirmation of the approval needs to be provided to the County.
4. Given the proposed location of the parking at the rear of the site directly adjacent to Bread Lock Park and the fact that the park is an actively used park; additional landscaping buffering and a fence will be required to ensure adequate separation of uses and to protect the park users experience.

COMMENTS

1. The detention basin berm(s) may be considered a Class IV Dam under New Jersey Dam Safety Standards. The applicant is hereby notified that Warren County will not accept responsibility for the dam structure or the review of subsequent inspection reports; the responsibility for these items must, therefore be assumed by the Municipality or the N.J.D.E.P.

COUNTY ROAD

The County Road Site Plan report was accepted on a motion by Mr. Baker, seconded by Ms. Meuse. Motion carried.

21-018-SP

Harmony Plains Solar 1, LLC

Harmony

Blocks 37, 38 & 44

Lots 4, 2, 2.05, 2.06, 9, 10, 14, 23

Brainards Road (CR 621), Garrison & Harmony Station Roads

Description: County road site plan, Block 37 Lot 4, Block 38 Lots 2, 2.05, and 2.06, Block 44 Lots 9, 10, and 14, and Block 44 Lot 23, a 594-acre site in Harmony, for construction of a ground mounted solar facility. Access to the site is from a County Route #621 (Brainards Road), Harmony Station Road, and Garrison Road. The site is currently primarily agricultural use. The site plan includes 12.3 acres of new impervious surface for a total of 18.5 acres of impervious surface on the site. The site is located primarily within the AR-250 (Agricultural/Residential) Zoning District, with portions in the HD/AH (High Density Affordable Housing), LI-O (Light Industrial/Office), and I (Industrial) zones.

Disapproved for the following reasons:

1. The historical road return Sussex County, Book A, Page 238 for this portion of roadway indicating a four-rod road or 66 feet of right of way shall be referenced on the plan. The 66' right of way for County Route #621 shall be shown at the correct width. The Metes and Bounds descriptions shall be corrected to indicate the 66' right of way accordingly. Additional right of way dedication will be determined once all needed information is provided on all applicable site plan sheets.
2. On sheet 23, the scale in the bottom right corner does not match 1"=40' as indicated. The scale bar must be revised to convey this.
3. Limited information is shown on the plans for the proposed underground crossing of County Route #621 with electric facilities. Sufficient plans, profile, cross section/details will need to be provided at a scale to allow for review as well as installation. This information will need to be in a form for inclusion with any agreement to be considered. The proposed installation will need to be designed to minimize future contact and/or damage within the County right of way. Sufficient depth, structural integrity, access and notice of the installation will need to be detailed. The number of crossings needs to be clarified in addition to encasement or casing pipe with sufficient structural integrity. Junction boxes (manholes, hand holes, etc.) shall be provided just outside of the right of way with lids noting "Electric". Clarification of the utility pole in line with the underground electric is needed. Any drop service conduit on utility poles for underground service will need to be located outside the County right of way. An agreement will need to be executed with the County Commissioners. The draft agreement shall be submitted for review. Ownership of the installation shall be provided.

4. The following shall be addressed for the sight line plan and sight line profiles for the proposed access drive to County Route 621:
 - a. The existing contours shall be labeled on the plan.
 - b. The driver's eye at the driveway shall be shown and dimensioned eight feet behind the stop bar. The sight lines and sight line profiles shall be updated accordingly.
5. Since it is proposed to be used for emergency access to the proposed facility, a sight line plan and sight line profiles for the existing driveway access opening onto CR 621 shall be provided in accordance with County standards.
6. For the proposed driveway access to County Route 621, the proposed driveway profile as shown does not meet County standards. The proposed gutter line shall be twenty two foot (22') minimum from the centerline of the road. The slope of the driveway from the edge of pavement to the gutter line shall be two percent (2%) to four percent (4%). Label the slopes.
7. The existing driveway, proposed to be utilized for emergency site access, is partially on Block 44, Lot 10.01. The driveway shall be reconfigured to provide a minimum of ten feet (10') from the end of the return radius and the extension of the property line to the edge of the pavement in accordance with County standards or a driveway/driveway access easement shall be obtained from the owner of Block 44, Lot 10.01. A copy shall be provided to the County.
8. The profile of the existing driveway to be utilized for emergency site access does not meet County standards and shall be addressed. Provide the station and pavement elevation at the centerline of the roadway, edge of pavement and gutterline for the reconstructed driveway. Label the slopes.
9. The existing driveway to be utilized for emergency site access shall be reconstructed to meet County standards. The driveway shall have twelve feet (12') wide lanes and fifteen feet (15') to twenty-five feet (25') pavement radii in accordance with County standards. The driveway access shall be paved for a minimum distance of twenty five feet (25') from the proposed County road edge of pavement in accordance with County standards.
10. On Sheet 28, items will need to be addressed as follows:
 - a. For Turning Template Entrance B, the turning movements shown cannot be accommodated by the current layout. Pavement widening in accordance with County standards will be required to ensure vehicles can make all turning movements while staying within their respective lanes and pavement limits.
 - b. Turning Template Existing Entrance G needs to show the other ingress and egress turning movements. Vehicles shall be shown in their respective travel lanes. Pavement widening in accordance with County standards will be required to ensure vehicles can make the turning movement while staying within their respective lanes, pavement limits and driveway limits.

11. In the vicinity of the proposed driveway access to County Route 621, the cross sections provided for the extents of the County road widening shall be to a scale of 1"=5' (both horizontal and vertical). The centerline of the roadway shall be at "0" along the horizontal datum. The centerline of the roadway, the edge of the existing pavement and the edge of the proposed pavement shall be clearly labeled and elevations provided at these locations. Cross slopes shall be labeled for both the existing and widened pavement sections. In the cross sections, the elevations provided at the centerline of the roadway do not appear to be consistent with the elevations provided in the profile view of the roadway.
12. On Sheet 29, the existing contours shall be labeled on the centerline plan.
13. A true typical section shall be provided for the County road widening providing complete information (dimensions, elevations, slopes, labels etc.). Only the minimum desirable section from the County standards was provided. The joint between the existing pavement and widened section shall be noted to receive a hot tar joint sealer including a sealing of the top surface of the joint (Polyflex Type 2 Plexi Melt by Crafc) for the entire length of widening.
14. Areas of sufficient size to accommodate the construction work force and activities (staging, storage, parking, etc.) shall be delineated on the plans for review.
15. As there is a minor subdivision proposed for Block 38, Lot 2 and associated with the project, that application must be submitted for review. Disposition of subdivision application(s) will be needed before any conditional approval may be considered on the subject site plan application.
16. The stormwater management and associated maintenance for the development needs to be unconditionally approved by the Township of Harmony Land Use Board. Confirmation of the approval needs to be provided to the County.

COMMENTS

1. A Highway Access and Construction Permit will be required from the Warren County Engineer's Office for any work on or with proposed improvements within the County Route #621 right-of-way.
2. A permit from the Warren County Shade Tree Commission will be needed for the removal of any trees that are 8" or greater in diameter, within the County right-of-way.
3. The detention basin berms may be considered a Class IV Dam under New Jersey Dam Safety Standards. The applicant is hereby notified that Warren County will not accept responsibility for the dam structure or the review of subsequent inspection reports; the responsibility for these items must, therefore be assumed by the Municipality of the N.J.D.E.P.

4. A separate Highway Access and Construction Permit and agreement will be required from the County Engineer's Office for the proposed underground electric installation within the County Route #621 right of way.

EXEMPT

None

TIME EXTENSIONS

None

Proofread _____