

MINUTES

Hopewell Township Land Use Board

May 17, 2023

Start Time: 7:03 p.m.

The **Sunshine Statement** was read into the record by Chairman Caggiano.

The **Flag Salute** was led by Chairman Caggiano.

Roll Call:

Present: Chairman Al Caggiano, Vice Chairman Paul Earnest, Committeeman Tom Tedesco, Committeeman David Miller, Lee Hepner, Ken Strait, Jeff Shimp and Diane Crispin. Also present: Rebecca Bertram, Esquire, LUB Counsel; Engineer; Dave Elwell, Zoning Officer and Jeannette Pace, Board Secretary

Absent: Betty Lewis and alternate Rich Husted and Steve Nardelli, Engineer

Approval of Minutes: Minutes from the April 19, 2023 meeting were approved by motion made by Paul Earnest and seconded by Ken Strait with a Voice Vote all in favor.

Resolutions: #23-03: Application of Brooks Farm Properties, LLC – 190 Minches Corner Road, Block 18, Lot 10. Motion to approve by Earnest; Seconded by Crispin; Voice Vote all in favor; Chairman Caggiano abstained.

Correspondence: None.

Applications:

No. 23-02 Application by Robert and Mary Carboni for a Minor Subdivision. Property: Minches Corner Road, Block 17, Lot 8.

Chairman Caggiano introduced the application and confirmed receipt of required documents. A conflict Engineer, Joseph H. Maffei of Engineering Design Associates, PA, was used and provided a review letter dated May 8, 2023. Caggiano provided background to the Board that this is a preserved piece of property and the 4-acre lot is a severable exception.

As to completeness, Earnest made a motion to deem the application complete; seconded by Hepner with no further discussion and a Voice Vote all in favor. Application deemed complete.

Presentation by Robert Kingsbury, Esquire on behalf of applicant. Requesting subdivision of 1 lot which is 4 acres so applicant can build a house. Advised the Board there are no variances needed.

Robert Carboni of 33 Chesterfield Georgetown Road, Chesterfield, NJ was sworn in. He advised that he and his wife's family were previous owners of the entire property and sold the property to Brooks and are now buying back the 4 acres to build a home.

Strait questioned if Lot 7 was to be included. Caggiano mentioned the deed of easement from when it was preserved and stated Lot 7 would be combined with Lot 8 as well. It will then match the deed of easement and tax maps, tax bills, etc, but does not affect the application.

Tedesco wanted to confirm whether applicant will be preparing plat or a deed and indicated a deed would be much cheaper. Kingsbury thought they would be preparing a plat, but has no preference and would speak to the applicant. Caggiano indicated the County previously filed by deed.

A Motion to Open to the Public was made by Hepner and seconded by Earnest with a Voice Vote all in favor.

Seeing no one, a **Motion to Close to the Public** was made by Hepner and seconded by Earnest with a Voice Vote all in favor.

Strait questioned the shape of the lot. Kingsbury advised that part of lot goes into the farmer's field and part is wooded. Applicant is discussing easement options with farmer to equal out and possibly reshape the space.

Owner of the property, Michael Brooks of 424 Salem Street, Elmer, New Jersey, was sworn in. Outline of the property follows the existing physical lot. Once corners were marked the corners are offset by approximately 100 feet. He is doing research to see if they can move lot lines but research is showing lot lines cannot be moved on preserved lands. There are also irrigation lines that go onto the unpreserved property. Further research will be performed hoping to resolve these issues.

Solicitor Bertram asked if applicant had filed with the County. Kingsbury advised that a hearing is scheduled for June 4, 2023.

Strait questioned whether the existing structures on the property meet the setback requirements. Solicitor Bertram reviewed the engineer's review letter and confirmed that they should meet all setbacks. Kingsbury advised that applicant will make any necessary variance applications if necessary but also that he may be removing one or more of the existing structures.

Motion to approve subdivision made by Earnest and seconded by Shimp with a voice vote all in favor. Approval contingent on any county and state approvals and confirmation of the lot numbers from the assessor.

Discussion:

Further discussion regarding the status of the Master Plan Re-Examination.

Strait mentioned that he thought the Open Space and Recreation Plan Element and Environmental Resources Inventory of the Master Plan are overdue for reevaluation. Discussion was had and it was agreed that this should be added to the recommendation list.

Strait commented that the Township should reconsider its position on cannabis cultivation. He believes it is a suitable business for the Township as an agricultural community and an excellent rateable. Discussion was had including the possible revenue stream, security, state requirements, etc. and it was agreed that this should be added to the recommendation list.

Strait questioned the recommendation regarding livestock and doesn't see where it mentions chickens.

Strait asked about EV chargers and whether the Township passed an ordinance regarding this. Discussion was held regarding existing businesses as well as new businesses and procedures to have the EV chargers.

Tedesco mentioned that many times the recommendations are made and nothing gets done. He suggested a committee to follow up with the recommendations to the Committee to get the adoption of any necessary ordinances completed.

Caggiano verbally explained this re-evaluation process to the Board for clarification purposes. Discussion was had as to how to proceed with the report at this point. Tedesco indicated he would speak to the Committee at the meeting the next night. Bertram will research the procedure for adoption.

Adjournment Time: 7:50 p.m.

Motion to Adjourn by Tedesco and seconded by Miller. Voice Vote: all in favor 6-0.

Next Scheduled Meeting: June 21, 2023 at 7:00 p.m.

Jeannette A. Pace, Land Use Board Secretary

cc: Land Use Board
Solicitor Rebecca Bertram, Esquire
Engineer Steve J. Nardelli
Zoning Officer Dave Elwell