



**LEBANON BOROUGH
PLANNING BOARD & BOARD OF ADJUSTMENT
MINUTES
July 12, 2016**

The Regular meeting of the Lebanon Borough Planning Board/Board of Adjustment was called to order by Chairman at 7:00 P.M.

The meeting was convened in compliance with the Open Public Meetings Act of 1975. Three local newspapers were notified and a notice is posted at Borough Hall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all.

ROLL CALL:

Members Present: Alexander Saharic, Dr. Christopher Uchrin, Joseph Hauck, Mayor Reino, Councilman Berger, David Abeles, and Henry Hopkins

Absent: Ron Lapczynski, William Skene, William Wilson and James Newman

Also present: Karen M. Romano Administrator/Clerk, Planner, Darlene Green and Jonathan Drill Esq.

MINUTE APPROVAL:

Dr. Uchrin moved, and Councilman Berger seconded, a motion that Minutes of May 2016.

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Reino, Berger, Abeles, and Hopkins

Absent: Skene, Lapczynski, Newman and Wilson

Abstain:

EXPENDITURE APPROVAL:

No Bill List

FRANCISCO: Block 8 Lot 20 ACCESSORY STRUCTURE

Attorney Jonathan Drill Esq. sworn is Engineer Bob Brightly and Applicant Anthony Francisco.

Attorney Jonathan Drill Esq. gave a belief overview of the applicants request to erect an accessory structure. The application is considered a C Bulk Variance. Engineer Bob Brightly agreed.

Mr. Francisco provided a drawing of where the Accessory structure would be located on his property. He stated the structure would 12' x 21' x 12', used strictly for storage with no utility hook up needed.

Chairman Saharic requested a motion to approve the C Variance for the proposed Accessory building.

Mr. Hauck made a motion to approve the proposed Accessory Building. With a second from Mr. Abeles.

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Reino, Berger, Abeles, and Hopkins

Absent: Skene, Lapcynski, Newman and Wilson

Abstain:

Resolution 05-2016 REEXAMINATION OF THE BOROUGH OF LEBANON MASTER PLAN PURSUANT TO N.J.S.A. 40:55D-89 SPECIFICALLY WITH RESPECT TO THE PROVISIONS OF THE NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING ACT (N.J.S.A. 13:20-1 ET SEQ.) AND MUNICIPAL CONFORMANCE WITH THE HIGHLANDS REGIONAL MASTER PLAN, PREPARED AND PROVIDED FOR ADOPTION PURSUANT TO NJ.S.A. 40:55D-28, TO AMEND THE MASTER PLAN OF THE BOROUGH OF LEBANON TO INCLUDE THE SUPPLEMENT TITLED, "BOROUGH OF LEBANON HIGHLANDS PLANNING AREA MASTER PLAN ELEMENT"

Was presented to the Board by Planner Darlene Green along with a copy of the Reexamination of the Master Plan. The Board and Attorney Jonathan Drill Esq. review and discussed the resolution and Reexamination of the Master Plan at length.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**LEBANON BOROUGH PLANNING BOARD/BOARD OF ADJUSTMENT
RESOLUTION NO. 05-2016**

REEXAMINATION OF THE BOROUGH OF LEBANON MASTER PLAN PURSUANT TO N.J.S.A. 40:55D-89 SPECIFICALLY WITH RESPECT TO THE PROVISIONS OF THE NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING ACT (N.J.S.A. 13:20-1 ET SEQ.) AND MUNICIPAL CONFORMANCE WITH THE HIGHLANDS REGIONAL MASTER PLAN, PREPARED AND PROVIDED FOR ADOPTION PURSUANT TO NJ.S.A. 40:55D-28, TO AMEND THE MASTER PLAN OF THE BOROUGH OF LEBANON TO INCLUDE THE SUPPLEMENT TITLED, "BOROUGH OF LEBANON HIGHLANDS PLANNING AREA MASTER PLAN ELEMENT"

WHEREAS, the Planning Board of the Borough of Lebanon, Hunterdon County, State of New Jersey ("Planning Board"), was established pursuant to all requirements and provisions of the New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.); and

WHEREAS, the Planning Board adopted the current Borough of Lebanon Master Plan pursuant to Article 3 of the MLUL (N.J.S.A. 40:55D-28) in December of 1973, last revised 1982; and

WHEREAS, N.J.S.A. 40:55D-89 provides that each municipality within the State of New Jersey periodically re-examine its Master Plan policies and assumptions, zoning restrictions, and site plan and subdivision regulations, and prepare and adopt by resolution a report on the findings of such reexamination; and

WHEREAS, the Planning Board has conducted such periodic reexaminations of the Master Plan since the initial date of its adoption and adopted reports setting forth its findings of each such reexamination, in accordance with the provisions of N.J.S.A. 40:55D-89; and

WHEREAS, the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1 et seq.) was enacted by the State Legislature on August 10, 2004 for the purpose of protecting, enhancing, and restoring the natural resources of the New Jersey Highlands Region, in particular the water resources, which provide drinking water to over 5 million New Jersey residents; and

WHEREAS, the Highlands Act created the Highlands Water Protection and Planning Council (the "Highlands Council") and charged it with crafting a comprehensive master plan for the New Jersey

Highlands Region; and

WHEREAS, the Highlands Regional Master Plan (RMP) was adopted by the Highlands Council on July 17, 2008, and became effective on September 8, 2008 as the product of a long-term, participatory, and region-wide planning effort; and

WHEREAS, the Highlands Act creates a bifurcated system for municipal conformance with the Regional Master Plan — mandatory Plan Conformance for any portion (or if applicable, the whole) of a municipality located within the Preservation Area and voluntary Plan Conformance for any portion (or if applicable, the whole) of a municipality lying within the Planning Area; and

WHEREAS, Section 14 of the Highlands Act expressly requires that municipalities must revise and conform their local master plan and development regulations for that portion of their lands within the Preservation Area, as related to development and use of said lands, with the goals, requirements and provisions of the Regional Master Plan within 15 months of the effective date of adoption thereof, or December 8, 2009; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may at any time voluntarily revise and conform its local master plan and development regulations, as related to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, the Borough of Lebanon is located in the Highlands Region with lands lying within the Planning Area, as defined by section 7 of the Highlands Act; and

WHEREAS, on December 29, 2008 the Governing Body of the Borough of Lebanon, held a noticed public meeting during which it adopted Resolution No. 132-2008, a resolution noticing of its intent to Petition the Highlands Council for Plan Conformance with respect to the whole of the municipality, which lies fully within the Planning Area; and

WHEREAS, the Planning Board did subsequently conduct a reexamination of the municipal master plan and land use regulations, in view of the model Highlands Master Plan Element and model Highlands Area Land Use Ordinance provided by the Highlands Council, to identify the specific changes needed to conform the municipal planning documents to the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, the Planning Board reexamination was assisted by preparation of detailed, draft versions of the Master Plan Highlands Element and Highlands Area Land Use Ordinance, each tailored by municipal staff and professionals, to the specific circumstances of the Borough of Lebanon, providing for a comprehensive and explicit representation of the changes required to conform these documents to the Regional Master Plan; and

WHEREAS, the Planning Board reexamination was completed over the course of a two-month period May through June 2016, inclusive of a collaborative process with the Highlands Council specifically to ensure that all necessary master plan and regulatory provisions necessary for Plan Conformance were appropriately considered; and

WHEREAS, on July 12, 2016 the Planning Board did hold a noticed public meeting for the purpose of initiating a public discussion concerning conformance with the Regional Master Plan and the components of the municipality's Petition for Plan Conformance to the Highlands Council, including specifically, the Highlands Preservation/Planning Area Master Plan Element and the Highlands Area Land Use Ordinance; and

WHEREAS, on November 12, 2009 the Governing Body of the Borough of Lebanon did hold a public meeting at which it discussed and held a public hearing on conformance with the Regional Master Plan and did adopt Resolution No. 145-2009 petitioning the Highlands Council for approval of its Petition for Plan Conformance, prepared with respect to Planning Area; and

WHEREAS, on December 8, 2009 the borough of Lebanon did submit the Petition for Plan Conformance to the Highlands Council; and

WHEREAS, on November 19, 2010, during a duly-noticed public hearing and following receipt of public comment and public deliberation, the Highlands Council did approve the Borough's Petition for Plan Conformance and did formalize such approval through the adoption of Highlands Council Resolution No. 2010-10; and

WHEREAS, Highlands Council Resolution No. 2010-10 requires the Borough, after public notice, holding of public hearings, and in full accordance with all provisions of the MLUL, to adopt a revised master plan and land use ordinance to bring them into conformance with the Regional Master Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, and in accordance with all associated requirements of the MLUL, the Planning Board held a public hearing on the Reexamination of the Borough of Lebanon Master Plan and the proposed Highlands Planning Master Plan Element pursuant to N.J.S.A. 40:55D-10(a), on July 12, 2016; and

WHEREAS, the Planning Board has determined after reexamination of the master plan, receipt of public comment, and public deliberation regarding same, that the Borough of Lebanon Master Plan must be amended to incorporate the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, the Planning Board has determined that the adoption and implementation of the Highlands Element of the Master Plan is in the public interest and protects public health and safety and promotes the general welfare.

NOW , THEREFORE BE IT RESOLVED, that the Planning Board hereby makes and adopts the

findings of fact and all recommendations as set forth in the "2016 Borough of Lebanon Master Plan Reexamination Report," dated May, 2016, prepared by Darlene A. Green, P.P., AICP, a reexamination of the Borough of Lebanon Master Plan and development regulations conducted specifically to address the task of achieving conformance with the provisions of the New Jersey Highlands Water Protection and Planning Act (N.J.S.A. 13:201 et seq.) and the Highlands Regional Master Plan.

Alex Saharic, Chairman

Attest:

Karen Romano, Secretary
DATE MEMORIALIZED: July 12, 2016

Chairman Saharic requested a motion to approve Resolution 05-2016 REEXAMINATION OF THE BOROUGH OF LEBANON MASTER PLAN PURSUANT TO N.J.S.A. 40:55D-89 SPECIFICALLY WITH RESPECT TO THE PROVISIONS OF THE NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING ACT (N.J.S.A. 13:20-1 ET SEQ.) AND MUNICIPAL CONFORMANCE WITH THE HIGHLANDS REGIONAL MASTER PLAN, PREPARED AND PROVIDED FOR ADOPTION PURSUANT TO NJ.S.A. 40:55D-28, TO AMEND THE MASTER PLAN OF THE BOROUGH OF LEBANON TO INCLUDE THE SUPPLEMENT TITLED, "BOROUGH OF LEBANON HIGHLANDS PLANNING AREA MASTER PLAN ELEMENT"

Mr. Hauck made a motion to approve Resolution 05-2016. With a second from Mayor Reino.

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Reino, Berger, Abeles, and Hopkins

Absent: Skene, Lapcynski, Newman and Wilson

Abstain

OPEN PUBLIC SESSION

Chairman Saharic opened the floor for public questions. There being no comment the floor was closed.

MISCELLANEOUS:

None

ADJOURN

Dr. Uchrin moved, Councilman Berger seconded a motion to adjourn, there being no further business to come before the Board. The motion was passed by unanimous vote. The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Karen Romano
Planning Board Secretary

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