

**Minutes Open Session  
Allamuchy Land Use Board – May 31, 2016**

The Allamuchy Township Land Use Board held a special meeting on Tuesday, May 31, 2016 at the Allamuchy Township Municipal Building. The meeting was called to order at 7:38 p.m., by Chairwoman Gibbs and she led the Board in the Pledge of Allegiance.

**STATEMENT:** Board Secretary Alfia Schemm announced that adequate notice for this meeting has been provided according to the “Open Public Meetings Act.”

**ROLL CALL:**

PRESENT: Cristianna Gibbs, Clara Bajc, Adam Baker, Stacy Bockbrader, Charles

Zukoski, and Keith DeTombeur

ABSENT: Rick Lomonaco, Jeff McDonnell, David Berkenbush, James Cote, and

Scott Churchill.

ALSO PRESENT: Attorney F. Clifford Gibbons, Board Engineer/Planner Paul

Sterbenz, and Board Secretary Alfia Schemm.

**ANNOUNCEMENTS:**

Chairwoman Gibbs stated that she has no announcements for this evening.

**OPEN TO THE PUBLIC:**

Chairwoman Gibbs opened the meeting to the public for non-agenda items. With there being no public comment, the meeting was closed to the public.

**OLD BUSINESS:**

**#11-002 Baker Residential, Village VI-Amended Preliminary & Final Major**

**Subdivision**

**and Site Plan**

John Hague, Esq. was present on behalf of the Applicant. He thanked the Board for accommodating them this evening. He stated that they are present this evening to address condition #3 of the Resolution that was adopted on January 26, 2012. He stated that they are asking that the threshold for the completion of Mallard Drive, be increased 14 units, to 262 units. He reviewed the performance bonds/guarantees in place. He stated that 25-30 percent of the road has been completed. The following was submitted and marked as an Exhibit:

A-1 Road Exhibit

A-2 Units Exhibit

He reviewed the existing neighborhoods and he stated that they would like to keep the project momentum moving forward. He stated that they

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will be coming in shortly with a concept plan to address a proposed redesign of the product selection.

Board Engineer Sterbenz gave a history of the property and the Mountain Ridge project.

John Dolan, Vice President of Construction, was sworn in. He described Exhibit A-1 and A-2. He described the road configuration and the mix of the product offering. He stated that they are seeing a need to revise their product offering. He stated that they have stopped the construction on Mallard Drive, until they have an approved revised plan, as there may be changes.

Christopher Baker, President of Baker Residential was sworn in.

Chairwoman Gibbs questioned the modifications, which were addressed by Board Engineer Sterbenz and the Applicant. Ms. Bajc questioned the grades, the alignment, and parking, which was addressed by the Applicant. Mayor DeTombour questioned the request to modify condition #3 and his concern that the road will not be completed. The Applicants stated that there is a performance bond in place and they reviewed their plan to have a continuous string of construction. The Board and the Applicants continued to discuss the issues. Attorney Hague stated that at this time they are requesting that the unit threshold number be modified from 248 to 262, so that they can continue to work, and it will give them the time to submit their modified plan. Board Engineer Sterbenz commented on the performance bond/guarantees and he stated that additional conditions may be applicable if the Board were to consider a change. Chairwoman Gibbs asked if it would be smarter to wait on making a decision, until they can see the conceptual being proposed. Board Engineer Sterbenz stated that milestones should and could be set to address some of the issues. The Board continued to discuss the request for increased c/o's and the concerns on both sides of the table.

Chairwoman Gibbs opened the hearing to the public for questions of the Applicants.

Charles Cramer asked if the threshold number is logical as additional homes would still be built.

Lynn Cramer asked what would happen if Baker were to go bankrupt and she asked if the performance bond could be increased. The Applicants stated that the performance bond is guaranteed. There was a brief discussion on what would happen in a bankruptcy.

Shawn Hopkins questioned the condition in the Resolution, the units that are for sale and being constructed, what is the benefit to Allamuchy

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by allowing the additional c/o's, and the timeline to get Mallard completed, which the Applicants addressed.

Robert Workman clarified some of the testimony provided and he questioned the current conditions of the site and the possible modifications to the proposal. He questioned making a decision without understanding the implications. The issues continued to be discussed.

Ron Joost asked if there could be an assurance that the area affected by Wild Iris could be completed because right now it looks terrible. Board Engineer Sterbenz stated that there are bonds in place to do that work.

Luann Weiner asked if Bond could be increased and if the end date could be moved up to 2018. The Applicants agreed.

Janice Arnold questioned what is being resolved with the request of additional c/o's, when the new design has not been presented to the Board. The Applicants stated that they want to finish Mallard, continue to build, sell, and market the project. They stated that they are motivated in keeping the project moving forward. It was suggested tying in a percentage of construction to the percentage of units that are sold.

Barbara Henderson asked if the section of Mallard close to her home, could be completed, before continuing on. She stated her concerns over the construction trailers, equipment, and dirt/snow/debris. It was stated that the area is a staging area and they plan on moving soon.

Bill Gordon asked if the Township has a good relationship with the Developer. Board Engineer Sterbenz stated that generally speaking it has been a good relationship. He stated that the job is not perfect, but it is a large project. Mr. Gordon questioned the Open Space, which Board Engineer Sterbenz addressed.

With there being no further public comment, the hearing was closed to the public.

Attorney Hague reviewed the possible conditions discussed this evening: increase in the bond, shorten the end date for the Road, identifying the stations on the map for the road work, and creating a benchmark for the level of work to be commenced or completed. The issues continued to be discussed and it was suggested that a proposal be submitted in regards to the modifications to the design of the project. The Applicants stated the additional co's are a logical breakpoint to finish neighborhoods. Chairwoman Gibbs stated that there are too many unknowns to make a decision. Attorney Hague stated that they would like to work on getting something in front of the Board and he asked that the matter be carried. The Board then discussed alternate meeting dates to address the matter. It was agreed and announced that this matter

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would be carried to another special meeting on June 30th, without further notice.

**ADJOURNMENT:**

In a motion made and seconded the meeting adjourned at 9:54 p.m.

Respectfully Submitted:

Alfia Schemm  
Board Secretary

7/26/16