

**LIBERTY TOWNSHIP LAND USE BOARD**  
Great Meadows, NJ 07838

Meeting – Wednesday, August 16, 2023 7:30 p.m.  
LIBERTY TOWNSHIP MUNICIPAL BUILDING  
349 Mt. Lake Rd.,  
Great Meadows, NJ

1. CALL TO ORDER/FLAG SALUTE
2. STATEMENT OF COMPLIANCE - Sunshine Law
3. ROLL CALL
4. MINUTES – July 19, 2023
5. APPLICATIONS – Wiggers, Block 10, Lot 4  
Completeness/possible hearing
6. DISCUSSION:  
  
General Planning Issues, Soil Importation Ordinance, Re-examination Report
7. BILLS
8. ADJOURNMENT - **(automatic adjournment at 10:30 p.m.)**

LIBERTY TOWNSHIP LAND USE BOARD

16 August 2023

The Liberty Township Land Use Board meeting of 16 August 2023 was opened at 7:30 by Chairman Eric Tibak. The Chairman read the Open Public Meetings Act statement.

All rose for the salute to the flag.

The Roll was called. Those present were Jarvis, Tibak, Grover, Snyder, Wicki, Wright, Makarevich. Also present were Planner Snyder, Attorney Schneider.

The minutes of the meeting of 19 July were presented and considered. On motion by Dave Snyder, seconded by Doug Wright, the minutes were adopted as presented.

The Wiggers application was considered. Due to prior conversations with the applicant's attorney, Mark Blount, the applicant was not present. The plans that had been submitted (third revision) were discussed. On the recommendation of Jess Symonds, of the Township Engineer's office the plans were found to be lacking information required by the variance checklist. On motion by Dan Grover, seconded by Doug Wright, the application was again deemed incomplete. Notice was carried to the meeting of 20 September.

The Chairman opened the meeting to a discussion of the draft Re-examination Report and the draft Soil Importation Ordinance.

First up was a discussion of the Soil Ordinance. Mr. Schneider pointed out that Township Engineer had commented. Mr. Snyder stated that his recommendations had been incorporated into the draft. Additionally, Mr. Snyder indicated that the Township Clerk had suggested that the Zoning Officer, rather than the Township Clerk, be the enforcing agent. The Zoning Officer has the ability to issue summonses where she does not. There was a discussion regarding the limitation of 50 versus 100 cubic yards as the trigger for a permit to be required. In a prior discussion, Mr. Wicki had pointed out that there are many small jobs involving more than 50 but fewer than 100 cubic yards that would be subject to the requirements of the ordinance with little benefit to the Township for the added burden to property owners. Dan Grover indicated that taxes should be current and that there should be a tracking pad required on the grading plan for the permit.

Further discussion ensued and a motion was made by Mr. Tibak, seconded by Dan Grover to move the ordinance with the changes discussed. Mr. Snyder said he would get it to the Township Committee for their consideration and possible introduction.

There was then a discussion of the draft Re-examination Report. Eric Snyder said he had incorporated the changes asked for at the July meeting. Richard Schneider, discussed the notice

requirements once the Re-examination Report is approved. The motion would be to approve the Report and authorize the Attorney to prepare a resolution for adoption at the next meeting. Wayne Jarvis asked if there would be subdivisions that would come before the Board in the future. Eric Snyder said that the likelihood was minimal due to the extreme lot area requirements under the Highlands rules. There had been two subdivisions in process which were halted in 2004 under the new rules.

On motion by Eric Tibak, seconded by Dan Grover, the Board approved the Re-examination Report and authorized the attorney to prepare the appropriate resolution.

The meeting was then opened to the public. Members of the public had questions on the location of the Wiggers application and the status of the master plan in general. Eric Snyder said that the master plan, originally prepared in 2003, had been updated periodically since then in order to keep it current. With specific regard to housing, the Township received Substantive Certification for both Rounds 1 and 2. However, the changes in land use in the township have confined its housing options to encouraging group homes, conversion of single-family homes to additional units where there are sufficient septic and water on the lot and cooperating with Warren County in its housing rehabilitation program. Prior to the Highlands, there had been discussion of sewerage Mountain Lake by connecting to the Oxford waste treatment plant. Despite the restrictions on development imposed by the Highlands rules, the State has required municipalities to calculate its obligation by using population and employment projections prepared by the Department of Labor. Liberty has not grown nor has it added employment. To the contrary, it has lost both population and employment. Third Round submissions point out this dynamic have been rejected.

We cannot do much else as the Highlands rules imposed, essentially deprived the Township of most of its planning authority. Interestingly, the Highlands Council have determined that the Meadows, a drained glacial lake, is lacking sufficient water supply to support any development.

Eric Snyder noted that Liberty has a group home (Hulse's on Route 46 and a former home on Townsbury Road). Further discussion moved to the reuse of the Liberty School. Dan Grover pointed out that there have been discussions toward opening the school to developmentally disabled children as an alternative to sending them out of the County. The discussion continued noting that in pre-school and kindergarten populations have increased leading to the question of where this is going. There are not enough children to support reopening the school to a general school age population as we have lost 50% of the school population over the past ten years.

The public asked if there would be notice of any amendments to the master plan in the future. Eric Snyder said yes and it is the Township desire to have as many of the public as would be willing to participate. We are constrained by the fact that we cannot do what we would like to

do to conform more closely to State aspirations regarding housing and health of Mountain Lake because the Highlands rules have eliminated our ability to provide sewers and water to serve Mountain Lake and what would be our obligation under the Fair Housing rules.

Dan Grover noted that the Town is constrained by both the rules and the difficulty of implementing new programs. A public member raised a concern regarding the possibility of a solar farm on the Pasko property on Mountain Lake Road. Further discussion covered solar and wind farms. Dan Grover pointed out that solar facilities and wind turbines would not be manageable in the Meadows as the land would not support them. Nor are there sufficient wind conditions to make wind farms a likelihood.

The meeting was closed to the public.

The bills submitted by the professionals were considered. On motion by Wayner Jarvis, seconded by Pete Wicki, the bills were approved.

There being no further business before the Board, the Chairman adjourned the meeting at 8:23 pm.

Respectfully submitted:

Eric K. Snyder, AICP, PP

Board Administrator/Planner