

MINUTES

APRIL 23, 2013

PLANNING BOARD

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Vice Chairman, Mr. Arentowicz, called the meeting to order at 8:04 PM and read the following statement: Adequate notice of this meeting has been provided by posting a copy of the public meeting dates on the municipal bulletin board, by sending a copy to the Courier News and the Echoes Sentinel and by filing a copy with the Municipal Clerk, all in January, 2013.

PLEDGE OF ALLEGIANCE

ROLL CALL

On a call of the roll, the following were present:

Charles Arentowicz, Vice-Chairman
Suzanne Dapkins, Member
Ashish Moholkar, Member
Alan Pfeil, Member
Guy Roshto, Member
Timothy Wallisch, 2nd Alternate

Kevin O'Brien, Twp. Planner
Thomas Lemanowicz, Bd. Engineer

Excused:
Christopher Connor, Chairman
Brendan Rae, Member
Gregory Aroneo, 1st Alternate

Dawn Wolfe, Planning & Zoning Administrator
Barry Hoffman, Bd. Attorney

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EXECUTIVE SESSION:

It was determined that there was no need to hold an executive session.

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APPROVAL OF MINUTES:

The minutes of June 26, 2012 were approved as written on motion by Mr. Moholkar and seconded by Mr. Roshto. Mrs. Dapkins, Mr. Pfeil and Mr. Wallisch abstained as they were not members of the Board at that time.

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PUBLIC QUESTION OR COMMENTS

The meeting was opened to the public for questions or comments. There being none, the meeting was closed to the public.

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DISCUSSION

LAND USE COMMITTEE INTRODUCTIONS

At the request of Mr. Arentowicz, Ms. Nan Harrington, Chairman of the Master Plan Subcommittee, said that the subcommittee was formed by the Mayor and has three primary roles. The first is project planning and scheduling in order to get the Master Plan completed by the end of November. The second is to try and identify and facilitate the resolution of issues, particularly between the Planning Board and the Township Committee. She said that part of the reason we are here is because of that disconnect and as ordinances were sent to the Township Committee there was a difference of opinions and so the supporting ordinances for many of the Master Plan Elements were not passed. She said that the idea is to try and get that resolution early on so that as the process proceeds we don't find ourselves in that same situation. She said that third is to support this Planning Board in building the Master Plan in whatever capacity the Board feels is appropriate. She said that she wanted to talk about the current status of the Master Plan; where we are; and what needs to be done. She said that, ultimately, the goal is to have our Master Plan Elements adopted by the end of November and the most critical of those is the Land Use Element. She added that the Land Use Element falls from many of the other Elements, many of which need to be done before the Land Use Element can be done and that was the Planning Board's plan all along.

She said that the Master Plan consists of a set of goals and objectives, 15 Elements, and 9 supporting studies, plus a summary and the goals and objectives are on tonight's agenda and it is critical that those get done as quickly as possible because those will provide direction to the Master Plan Subcommittee as it focuses on what they need to focus on. She said that they don't have to be done in their entirety but they have to be pretty firm within the next couple of meetings. She was glad it is on tonight's agenda and said

that she hoped the Board's discussion will be hugely productive and gets us closer to having those goals and objectives.

Of the 15 Elements, she said that there is one (and only one) that has supporting ordinances that have at least gotten through the first reading at the Township Committee and that is the Meyersville Element. She said that 3 Elements have been adopted by the Planning Board at various points in time going back to 2008 and they are the Housing, Conservation and Valley Road Elements. She said that there are 6 in progress and we are not entirely sure of their status. They are the Utilities, Community Facilities, Open Space, Recreation, Historical Preservation and Millington Development Plan, adding that some are much further along than others. She said that 5 are not yet even started and they are the Stirling Development Plan, Gillette, Land Use Element, Circulation and Recycling. She said that there are also 9 supporting studies and a summary of those studies, none of which have been updated. She said that many of them are fairly straight forward to update because they rely on census data. Since they were last done in 1996 using the 1990 census, she said that we need to update them with both 2000 and 2010 census data and that is probably the easiest piece of the studies. She said that the other pieces of the studies will be more difficult and, as we go through some of those them they will raise issues and they will rely heavily on Mr. O'Brien to help with those studies.

In summary, she said that that is their status which she felt is pretty jarring to think about – that we have some major pieces of the Master Plan that need to get done in a very short amount of time. She said that the Master Plan Subcommittee has been asked to focus on getting the studies updated and they had hoped to work on those studies at the same time the Planning Board is working on the goals and objectives and, hopefully, we will both be done fairly quickly or enough will be done that it will provide support for us to go forward. She said that the other 3 Elements that they have been asked to focus on are Gillette, Stirling and the Land Use Plan. She believed that some work was done quite some time ago but it wasn't a lot. She said that what is critical here is to understand that, as things come before the Planning Board and the Township Committee, is that as things are brought up, they really need to be resolved as quickly as possible. She said that the Subcommittee is not making decisions or setting policy and we are essentially your arms and legs to try and get this done. She said that, if they don't get good direction from the Planning Board, then they cannot do anything. She said that for each one of those things they will spend a meeting of two to discuss them and identify the issues and then will bring them to the Planning Board for discussion and resolution and then bring them to the Township Committee, again for discussion and resolution. She said that the idea is to make sure that the Planning Board and the Township Committee are on the same page. She said that they will then draft a package and give it back to the Planning Board for discussion and, based on your input, we will update that package and take it back to the Township Committee, not for any motion or resolution on their part, but just for discussion and make sure that they are on the same page. At that point, she said that she felt that the resolutions are ready for public hearings and adoption by the Planning Board and then the ordinance process can then kick in, noting that you have an Ordinance Subcommittee to develop the ordinances and, if it is done expeditiously, it can move quickly given that we have both bodies (the Township Committee and the Planning Board) on the same page as we move forward. Although ambitious, she said that their goals are to get those Elements adopted by the Planning Board by the end of November and, hopefully, get the supporting ordinances to the Township Committee by March of next year for discussion and get the process happening. As she understood it, she said that although the Planning Board does the Master Plan and the Township Committee does the supporting ordinances, the more time that goes by that the Master Plan and the Ordinances are out of sync, the more at risk we are as a town that someone will come in and build something we don't want in a place we do not want it, because if the Master Plan, the Township, and the Ordinances are out of sync, and *have* been out of sync, a judge will look at both of those and say that he didn't know which takes precedence so *neither* of them prevail and then we are in trouble. She said that it is important that we move this and, not only do we have this end of November bogie that the State has given us, but it's also important that the ordinances that need to support the Master Plan get passed in an expeditious and judicious fashion so that we do not leave ourselves at risk as a town. She said that she did not have a schedule to get us to the November date, partly because she was still missing pieces of some of those ancillary things and part of it is that she was not sure, unless things move along quickly, it is going to be difficult. She said that one of the things that may be necessary will be to add some extra meetings to the calendar perhaps in July, August and December. She said that, if we get that close in November and we are almost there, getting it done before the end of the year will go far with the State.

Although this sub-committee has only had two meetings she said she would answer any questions. She also pointed out that they did intend to meet weekly to try and get this done because of the volume of work.

Mr. Arentowicz thanked Ms. Harrington and her subcommittee for volunteering and the efforts they are putting forth. He asked if she could advise who is serving on this subcommittee.

Ms. Harrington said that the members are Meade Briggs, David Welsh, Patrick Jones, John McCarthy, Mr. O'Brien, Mr. Connor and herself. She understood that Mr. Roshto and Dr. Rea also want to sit in. First, she said that they are meeting on Wednesdays which may make it difficult for them and secondly,

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given that they are not a policy setting body, she said that she or another member will be making regular presentations to both this Board and the Township Committee.

Mr. Roshto said he was glad to hear that the Subcommittee is going to focus on the background materials and getting those studies done. He asked that one be added. He said that he knew the studies in the 1995 are out of date and thought that with Mr. O'Brien's help they could get updated in short order. At the last Planning Board meeting, he said that he touched on this and felt that it is important to know what the build out is for the town and none of these back ground materials does any analysis whatsoever on build out. He said that he was looking today on what kind of analysis you could do in build out and he found a nice article from ANJEC website that addresses it and what goes along with that is a capacity analysis, understanding not only the build out is, but what can be built on it. He asked if she could look at those two things.

Mr. O'Brien said there are a lot of Elements to a build out and there are build outs that are created for different scenarios and there are a lot of different assumptions that go with the build outs.

Mr. Roshto advised that the exact ANJEC document is called Build Out and Capacity Analysis.

Mr. O'Brien asked if Mr. Roshto had a goal in mind of the information he was looking for.

Mr. Roshto said he was hoping that the Planning Board gets information that will help answer questions about density. He said that, if we want to look at a particular area that we know is over or under developed based on this analysis, that would help guide us in what we want to say in our Elements or Ordinances in terms of setbacks, density, etc.

Mr. O'Brien asked if Mr. Roshto was looking for all areas of town including currently developed.

Mr. Roshto said he was looking for land use but obviously we have key areas in town that are more important than others. If we can't do the entire town we could look at Stirling, Millington and Valley Road.

Mrs. Dapkins said that we did have a large plan at the Sewer Ban Committee years ago regarding build out which might be helpful.

Mr. O'Brien thought the assumptions were different there are different from what Mr. Roshto is looking for. He said that the assumption with the sewer build out was what would the maximum number possibly be so that a sewer capacity could be built with at least that number in mind as part of the many calculations that went on and that did not take into account terrain, flood land, wetlands, or zoning considerations. He said that it considered if we just paved everything over and built houses everywhere, what would be the *most* number we could come up with and that becomes a sewer capacity build out with the intent that you want to have a higher capacity rather than a lower capacity. He said that the starting assumption on that is completely different from what we are talking about here.

Mr. Roshto thought it still might have good data and background material that might be still be worth a look.

Ms. Harrington said her concern (although she thought it a good idea) was the time frame. She said that it is one thing to take an existing study and try and update it but quite another to build a whole other study in two weeks. She said that we don't have a whole lot more than 2 weeks to get all of these 9 studies done. As great an idea as she thought it was, she didn't know that we have the luxury of time for that. She said that we could look at it but you need to understand what it will take to do it.

Mr. Lemanowicz said he has had a situation using GIS where you import topography maps and the NJDEP maps and you assign a buildability co-efficient to the different type of land so that a wetland will obviously get a zero and a slope of 10-20% might get .5. So, if you have two acres it only counts as one and you have all those coefficients attached to it and at the end, based upon the zoning where you ask how many lots you can get out of it. It is not precise but, he said that he used it when the County was redoing its Wastewater Master Plan a couple of years back. He said that two weeks is a tight time frame and he was not sure he could get someone on it in that amount of time because, although the County has the tax data and the lot area and the DEP has the wetlands, flood plains, etc., someone would have to go through and crank all the areas out and do the spread sheet.

Ms. Harrington said that these things will almost evolve and we need to get something that helps guide us and then refine it as we go forward through the process. She felt that having something as a starting point is a fabulous and, if we can pull together that level of mechanization, it would be terrific.

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Mr. Lemanowicz said he could look into how much the County had for free and try to figure out how long it would take to fill in the blanks with basically taking the existing data and formulating it into a table of what is potentially and more realistically developable.

Mr. Roshto felt it would be helpful for the Planning Board in making its decisions when talking about how we want circulation in our town to flow in the Circulation Element and, without data, it will be very difficult to make intelligent decisions.

Mr. Arentowicz said that his opinion would be to look at it and see if this will suffice to what Mr. Lemanowicz proposes and take it from there. He said that the Board will clearly have to call priorities.

Ms. Harrington noted that one of the things that came up in their last meeting was the need for digitized maps because many of the studies have maps supporting them and the maps back in 1996 were hand drawn.

Mr. Lemanowicz said it would be helpful to have a sample of the maps you want recreated.

Ms. Harrington replied that they are all in the studies for the Master Plan.

Mr. Roshto said that he had what the County has. He said that, if you look at the County data for where buildings are located on lots, it is wrong. He said that he has spent *many* hours fixing their mistakes. He said that he has better data than what the County has right now. He said that the data at County level is not good for tax map purposes, so we can't use it to determine what the acres are for lots – it is just not accurate enough. He said that there is work to be done and it will be expensive to bring someone in to clean it up. He said that it is very nice and looks great, but in terms of lot lines, dimensions, etc., they are not as precise as our 1994 (updated to 2002) Tax Maps.

Ms. Harrington asked if that level of precision was really necessary for what we need to do in the Master Plan.

Mr. Roshto felt there were two parts to it. He said that for what he was discussing it is not. He did not think that where the boundaries are, from a Master Plan perspective, is important. He said that what *is* important is when we talk about the roads and how we want them to look and where trees should be located along the roads - that will require someone to do some leg work to walk the roads and identify where those resources are in our Township where we want to put them on the map. He said that he could easily put them on the map but that data doesn't exist. We have a lot of sewer data. We know where manholes are but we don't know where various resources such as fire hydrants, shade trees, etc. are.

Ms. Harrington thought there were some people on Shade Tree Commission that had all that information and they could tell you.

Mr. Roshto agreed. He said that, if someone created an Excel spread sheet with the geo-positional coordinates and the type of trees, fire hydrants, he could create a map in a day. He said that the map is the easy part and getting the data is the hard part.

A small discussion ensued on a manner of identifying various trees, hydrants, etc. Ms. Harrington noted that the Master Plan is only in a PDF format and there are no electronic versions other than PDF files which are not editable. She said that Mr. Roshto was working on turning it into a Word template so that they are editable files.

There being no further questions or comments, Mr. Arentowicz thanked Ms. Harrington for her presentation.

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DISCUSSION
MASTER PLAN OBJECTIVES AND PRINCIPLES

Mr. Arentowicz asked Mr. O'Brien to review what he had sent to the Board regarding objectives and goals in the prior Master Plan.

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Mr. O'Brien said in the beginning of the 1996 Master Plan document, there is an overview of the goals and objectives of the Master Plan and what that document did was to come up with a list of overall goals for the entire Township as a whole. From those goals they then pulled in the goals from each Element of the Master Plan that had been rewritten at that point. As each Element was written, a series of goals were developed for that Element. After it was done, those goals were put in the beginning of the Element and this summary document was prepared and the goals from each Element were brought over to this goals and objectives section so it would represent the entire Master Plan document. In addition, the other document that went out to the Board members was a copy of the Land Use Plan for the Land Use Element that was adopted in 1996 which is the crucial one in terms of passage for this year as this is the one under the deadline. He said that, as you can see from the Land Use Plan Element, the goals of that Element are transferred to the goals and objective section of the Master Plan. He said that this Land Use Plan goes for the various types of uses which convert to the various types of zoning districts that we have and it spells out what is happening in those districts and what we would like to see happen in those districts in the future.

In terms of updating the goals and objectives, Mr. Arentowicz, asked if we could use some of that based upon what has been completed. He said that we have 3 of the Elements done but that leaves 9 other Elements we have to work on. He asked Mr. O'Brien if we should think about updating the goals of the Master Plan with the Elements that have been completed.

Mr. O'Brien felt that that would certainly be the easy part and he said that he could certainly do that for the Board. In addition to that, he felt it would be worthwhile to take a look at the overall Master Plan goals because some of them have clearly been done and no longer apply. He said that some of them you may look at and say that it is really not the direction we intended and others may fall in another category of maybe we should keep this in the mix as it is something that was not accomplished, or some may fall in a category where you say to wait for that Element to get done and decide if this is something we want to talk about. Therefore, he said that you have a bit of a push and pull on these and, depending upon the actual goal, some of you may be able to do something with and some you may not. Whether you want to attack them and break them down into a subcategory such as "done – take it off the list"; "to be considered in the future pending data"; "something we don't even want to think about"; or "something that makes some sense so keep it on the list pending future developments" – you may wish to do that as well.

Mr. Arentowicz asked the Board if it wanted to look at some of this tonight or do we want a group to look at it.

Mr. Roshto suggested that, at the very least, the Planning Board members should read them and decide what we want to do with them.

Mr. Arentowicz suggested going over the overall Master Plan Goals with their sub-bullets to see if they apply or not.

Mr. O'Brien said they are as follows:

- To conserve and enhance the essential rural and residential character of Long Hill Township in order to best provide for health, safety, general welfare of all township residents.
Consensus - Still Applies.
- To maintain the Township's identity as a fundamentally low density residential community and insure that future development is compatible with, and sensitive to, existing residential areas and established neighborhoods.
Consensus - Still Applies.
- To insure that new commercial development within the Township is in scale with and oriented to the shopping, service, and other needs of Township residents both in terms of design and use.
Consensus - Still Applies.

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- To insure that road improvements along County and Township roadways are limited to those that address existing traffic safety problems and are undertaken in ways that strongly support the overall goals of this Master Plan and preserve and enhance the tree-lined roads that help create the desired rural character of the Township.

Mr. O'Brien noted that a Landscape Plan was developed by several bodies to try to make Valley Road more of a tree lined boulevard type of roadway.

Consensus - Still Applies.

- To develop a trail system throughout the Township that will provide circulatory links to the Township's residential, business, recreational, and open spaces areas and enhance local appreciation of, and recreation in, the Township's many natural resources.

Mr. O'Brien pointed out that over the years a lot of trails have been developed that link a lot of the open space, but there is a wish list for more that has not been finished.

Mr. Roshto said this was an area he would love to see, as a town, work harder to accomplish. He said that, he would like to see language to make this stronger or bring the point home. He said that when we talk about having a town where it is walkable, you actually have to have a Smart Streets Program where you can walk either with sidewalks, pathways, etc.. He felt that that needs to be resolved and one of our top goals needs to underscore that. He was not sure this bullet accomplished what they had intended in 1995 and Open Space and Historic Preservation are working hard toward this end. He felt that we need ordinances and a focus on this.

Mrs. Dapkins said they had initially planned for a sidewalk from the Senior Center to the fields and to the Town Hall and she was not sure anything had ever been done. She also stated that they had planned to work on the Passaic River Trail.

Mr. Roshto said they had been talking about the sidewalk at Township Committee meetings and the Passaic River Trail plan was done in 2006 by Dr. Len Hamilton.

Mrs. Dapkins felt that there is more to be done in connection with that.

Mr. Roshto agreed that having a river trail would be a wonderful addition to our Township.

Mr. Lemanowicz said that back in 2009/2010 they had talked about the sidewalk connecting Town Hall with the Gillette School. There was talk about it going through the wetlands which would be an issue and there was also talk about going along the road which would be an expense. As he understood it, the Town Hall is the evacuation area for the school.

Mr. Roshto said that getting a path that is safe for the students to get to Town Hall is being discussed at the Township Committee now. The plan is to invest in a path along Valley Rd. not through the wetlands which does have a cost to it. He noted that we just lost a grant in April that would have helped with that.

Mr. Lemanowicz mentioned a Safe Routes to School Grant, although it is not a great fit. He said that walking through the wetlands was a very nice idea except, as an escape route if it is at night or snowing, it is tough to get back in there, plus you would have to get over a ditch.

Mr. Roshto said the escape route for the students will probably be a cooperative thing with Sunrise at Gillette. He noted that they have a community center in the back and is much closer to the school and we just need to work out some agreements.

Mr. Wallisch referred back to the school, and said we are looking for a trail system that connects the natural areas within the Township and also to make it easier for pedestrians to travel throughout the town without walking on streets to access any shopping areas, etc.

Mr. O'Brien thought it sounded like those are two separate goals, the first one being a trail system as a distinct goal. He said that the one that Mr. Roshto is talking about is a walking goal throughout the Township which would bring in something like the Complete Streets Policy that Mr. Wallisch was referring to. It sounded to him like a separate goal addition and he offered to work on some language for the Board's review (for which the Board was in favor).

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As to the trail system, Mr. Wallisch asked Mr. Roshto if he was envisioning something similar to a fixed tract with trails that go through so you can wander through the parks.

Mr. Roshto replied that for many years it has been discussed and envisioned to connect various lots with trails for people to walk through. So it would be the Hicks Tract connected to another piece of property, and another – all being contiguous pieces of property,

Mr. Arentowicz asked if we wanted to specifically identify the Hicks Tract or not.

Mr. Roshto felt this is a good goal the way it is.

Mr. O'Brien felt you would want to keep the goals as broad as you can and in here it talks about a system throughout the Township which connects many different open areas. Perhaps instead of "to develop a trail system" he said we might want to say something like "to continue to develop or to work on completing" or something like that which would indicate that much work has been done in this area.

Mr. Roshto suggested any language that would make this stronger so that when it is read the reader will understand that it is clearly what was in mind. Regarding "river trail" he asked if that was something we should include since he felt that would be "huge" for our Township.

Mrs. Dapkins felt it could be included under the same bullet. She noted that at the time the complex was built there was talk of a canoe launch. She was not sure it was ever followed up on.

Mr. O'Brien said there was some discussion about if this building was opened up but nothing has come of it.

Mr. Roshto said we have one of (if not the longest) river fronts of any municipality in NJ and we should capitalize on that by having boat launch areas and fishing. He said that eco-tourism would help sustain our river and bring the visibility it needs so that people get down there and see when trees fall and that they raise their voices so we get those trees out of the river quickly so that canoes can again navigate.

Mr. Wallisch asked if we wanted to make a separate item to develop additional uses for the river within the confines of the Township.

Mr. Roshto said he would like to see something like that as long as it's built around something sustainable like eco-tourism. He said that industrious people, volunteers, will go in to create a trail along the river. Then the trail gets washed out and no one fixes it again. He felt that the critical piece here is how, in such an area where it floods and you have high velocity water hitting these trails, there is a real investment you need to make. It can't just be putting down wood chips and little tags on trees. It has to be bigger than that, although he was not sure how it would all play out. He felt it was something that we should hopefully agree upon and put in the Master Plan.

Mr. Arentowicz thought the Board members were basically in agreement with Mr. Roshto. He said that the question becomes where we would put it. He asked Mr. O'Brien what Element would house the details on this approach to utilizing the river.

Mr. O'Brien replied that it would definitely be in Open Space, Recreation and if it's a public facility it might be in the Municipal Facilities Element. It could go across several different ones. He said that if you are considering doing this as an overall goal of the Township then adding an emphasis on eco-tourism would go here appropriately as it's something you want the entire Township to focus on. Then, having made this decision, at this level they flow back to the various elements that they should be in. He said that it sounds like you are keeping the trail system with some modifications. You're adding a line or a secondary or new goal on promoting the river walk and then a completely new goal on eco-tourism.

Mr. Moholkar said that, if you were looking for verbiage around it, you can go to the State NJUS link where there is a good quote to create and implement the Complete Streets policy in NJ to the Planning design, construction maintenance, etc.

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Mr. O'Brien said that was a completely separate goal.

To clarify, Mr. Arentowicz, asked have we enhanced the existing one to develop a trail system and added a second, or are we adding a second and a third?

Mr. O'Brien said we may add a second one concerning the river walk or incorporate it. He suggested that he play with that a little to see how the wording works. We are adding a walking goal for the entire township using the Complete Streets language and are adding a whole new goal on eco-tourism.

The Board members all agreed with Mr. O'Brien.

Mr. O'Brien referred to the top of Pg. 6 which is still the goals and objectives.

- To preserve, protect and enhance the natural resources of the Township and to make environmental issues a central part of the planning process in Long Hill.

Mr. Roshto asked exactly what that meant.

Mr. O'Brien replied that as this Board and the Board of Adjustment go through any deliberations of any application or of the documents that you, as a Board, are responsible for, you are supposed to keep the environmental issues in your mind as a central part of planning. This is something that the Board, the Committee, all of us who have a hand in developing and progressing the Township are supposed to keep in mind.

Mr. Lemanowicz said that, to be more specific, that would be in support the storm water ordinances, slope protection ordinances, wetland protection and all that will basically support the actions of the Boards and will specify what we want.

Mr. O'Brien said that, if someone comes in with an application for site plan there is no storm water management and they are dumping all the water into a parking lot which will then run to the street and will not be doing any mitigation whatsoever, one of your overall goals is environmental protection of the Township and keeping those environmental issues as a central part of your planning so that piece of the Master Plan will guide your decision making process on that application.

Mr. Wallisch asked if the same type of general statement would be applicable for the safety and welfare of both residents and visitors - to make/replace environmental issues with the safety of the citizens a central part of the Planning process?

Mr. Roshto agreed and said that it strengthens it and makes it very clear why environmental issues are important.

Mr. Pfeil said it goes back to the sidewalks and all of the other things that make traversing around here safer.

Mr. O'Brien said that something that calls upon the general health, safety, and welfare and this is one of the reasons for us to protect and enhance the natural resources.

Mr. Wallisch said he was not necessarily connecting them but that one of the guiding principals for goals has to look toward the safety of those who use it - not just creature comforts or environmental aspects. When it comes to sidewalks, egress, EMT's, or the Fire Department all those different items adds a safety component to it.

Mr. O'Brien asked if it would be covered under the very first one which in the middle of Pg. 5 – "to serve and enhance the essential rural and residential character, to best provide for the health, safety and general welfare of all Township residents". He asked if that goes where you want it to go or do you want it to go some place else?

Mr. Wallisch saw the first goal as focusing more on keeping the town essentially rural and residential.

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Mr. O'Brien asked which direction you want to point this in there.

Mr. Wallisch thought it was similar to making environmental issues a central part of the planning process in Long Hill and making the safety of the citizens a central part of the Planning process in Long Hill.

Mr. O'Brien said you are trying to put an emphasis on safety here.

Mr. Lemanowicz felt the first bullet should be split as you are dealing with rural character and public safety which are two different topics and by putting them together and by trailing rural environment with safety it trails. He felt that making it where it stands alone would be better.

Mr. Moholkar thought it should be two sentences.

Mr. Roshto said there are goals and there are objectives. He felt that our goals are very broad and high level and our objective is based off of the goal. When he reads this material he said he finds that it generally says to create the goal and then create objectives to meet that goal; to support it because it is more defensible that way. That is why he would like the bullet to remain the way it is. The goal is to conserve and enhance the essential rural and residential character. The objective is providing the health and safety. What he thought Mr. Wallisch was going to was the other one we were just discussing to add an objective to it. He said that we stated the goal but we wanted to make it stronger. In his opinion, not all will be health and safety and that eco-tourism is an example which is not a health/safety goal. To him it was each individual one and the one we were just talking about is a perfect example of one where environmental issues are health and safety goals.

Mr. O'Brien said that we are in goals here that could be pushed over to the Element. Maybe, if the Board is so inclined, another goal after the current one we are talking about we could make a statement about protecting the safety of citizens and how that is an essential part of the planning process because that could speak to storm water, natural occurrences and other things in the Township, if that is where the Board is headed.

Mr. Roshto said that that is what he was leaning towards.

In the same regard, Mr. Wallisch felt that taking care of the environment is kind of implied in everything that we are doing it and taking care of safety is implied.

Mr. Roshto said, "Not necessarily". He said that we could decide that we want to build everywhere in our town and that is not taking care of the environment but is *counter to* taking care of the environment. He felt they were different. Making a statement that we want to support the environment is saying that that is a prime goal or objective over other things.

Mr. O'Brien said he would look into wording of what was discussed. He then went to the last goal:

- To establish a sound long-range planning program that merges major Township buildings, storm and sanitary sewers, natural trails and open spaces, recreational areas, community services, residential areas and roadways into an infrastructure that is resident and pedestrian friendly, and which supports the goal of preserving the Township's rural character."

Mr. Roshto congratulated Mayor Dapkins because this goal is completed. That is what this building is all about – merging the library and all those things.

Mrs. Dapkins thanked Mr. Roshto.

Mr. Roshto said that it is no longer a goal of ours.

Mr. O'Brien asked if was all complete.

Mrs. Dapkins noted that nothing had been done about the Police Department.

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Mr. Roshto was not sure if it was a goal that belongs here.

Mr. O'Brien pointed out that talking about the Police Department itself should be in the Element. He agreed that this goal is a very broad one. He asked the Board if it felt that some of the language is still appropriate or not.

Mr. Roshto was not sure it was appropriate to talk about merging major Township buildings. It did not matter to him if the Police Department was merged with this building or its own building - but in a safer place. He said that this goal is so focused on merging of property which we did with some properties in town. He asked we want to have the goal state that we want to continue to merge our Township buildings?

Ms. Dapkins, clarified, that she didn't necessarily mean *merge* but rather that we should not forget the fact that something has to be done with the Police Department.

Mr. Roshto felt that specific item should go into whatever element it is to address it.

Mr. Lemanowicz said in this section you may want to put "to enhance the efficiency and effectiveness of municipal buildings." That would go to the Sewerage Treatment Plant and the Police Station which would change this to still be applicable to what you have and what you want to do.

Mr. Arentowicz asked if we should say "continue to enhance, merge or consolidate".

Mr. Roshto felt "enhance" was a better word. He asked to have a part explained where it says there is a sound long range planning program.

Ms. Dapkins said it did not mean that we are talking about next year or two, but in the future.

Mr. Roshto said he supported the goal, he was just not sure what it would say.

Mr. O'Brien felt this one spoke more towards the mid 1990's before the current new buildings were established. There was a lot of disparate municipal efforts going on and this talked about trying to bring everything together and keeping the long range planning goal of considering a municipal infrastructure and doing our best to make it a cohesive unit. The sense he was getting from the conversation is that some of that has been done/accomplished. Some of it needs to be continued as a goal in a general sense of maintaining the municipal infrastructure, adding to it where we can, and keeping it going.

Mr. Pfeil said it almost seemed to him that the goal we are discussing is like an umbrella. He felt it is a very major point and probably should be higher up on the list. He thought that some of the other points like to develop and maintain the trail system could be an objective, because here you talk specifically talk about trails, Eco-tourism, and recreation playing into that last goal.

Mr. O'Brien thought is sounded like the Board would like to keep the general idea of this goal but to make it more in the future, recognizing what we have done, and update some of the language to push it forward. He said he would play with something so the Board can discuss it.

Mr. Arentowicz did not think we wanted to spend time looking at the detail on the Elements done. He said that we can certainly pull information as needed.

Mr. O'Brien suggested that it would be helpful to the Master Plan Advisory Committee if the Board took a look at The Land Use as that is the element that must be adopted by the statute and should see if those goals do still resonate or if we should be looking at them or putting them in a different category. The other goals are on the push/ pull list and he thought they have to come from the element. Given the nature of the Land Use Element which sets out the goals and objectives, he said that it may help just to review them and give your thoughts on it.

Mr. Arentowicz said he was looking at two things here. He said that on the second item Mr. O'Brien had handed out (Land Use Element), it looked like the same 6 bullets are there.

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Mr. O'Brien said the Element identified the goals and then they are put into the Goal and Objective part of the Master Plan. In this case, he was requested that the Board at least consider the Land Use ones to see if they make sense.

Mr. Arentowicz agreed and said he was going to move to the Land Use Plan Element.

Mr. O'Brien said we had discussed the first and everyone was okay with that and the same with the second and third. He said that the fourth one gets more specific - to encourage neighborhood oriented land uses in the village business districts.

Mr. Wallisch asked for clarification on neighborhood oriented land uses.

Mr. O'Brien replied there was an actual category that talks about the orientation of land uses and who they are oriented towards. For instance, a highway district is oriented towards a very large market where you have big boxes, big car dealers, etc. A neighborhood oriented commercial district is one that is oriented to the land and people surrounding it. It becomes part of the number of folks who are supporting those businesses and they rely on a particular area. You will not get a Walmart in Meyersville if you define what you want as a neighborhood oriented use. He said that a small convenience store or café would be more suited.

Mr. Wallisch said that this goes back to one of his earlier comments as far as light industrial which is not necessarily shopping type things but the manufacturer of whatever type items might be out there. He asked if we want to discourage that.

Mr. O'Brien said that that has been done through the Ordinance which currently discourages that type of use except in a couple of very limited spots. He did not think the Board needed to worry about that here at this spot but in the Land Use Element where you are going to identify light industrial as a type of land use you will specify what type of usage you want there. The where is also in the Ordinance and the zones are specified on the Zoning Map. Industrial uses are not allowed in any of the village zones.

Mr. Roshto asked if when these are packaged all together as one (Gillette, Meyersville, Millington and Stirling), it makes it feel like we are trying to make them all the same and the reality is that they are all *very* different. He wondered if we should be giving that little bit of recognition to the fact that they are different by either changing the goal to recognize that, for example, the Meyersville Hamlet, the Stirling transit area and one time industrial area, that kind of thing as opposed to tying them like this. His second part about this referred to the statement "to insure that such development does not encroach upon surrounding residential areas and established neighborhoods". He said that if we are trying to make a neighborhood oriented area, then he felt we were sending a different message when we say we don't want that neighborhood oriented area to encroach on the neighborhood. To him it should be a seamless feel of I walked down Main Street and suddenly I am in a residential area and I barely know the difference. I am curious as to what we are trying to accomplish with this goal.

Mr. O'Brien referred to the last phrase and said it was an odd one "and established neighborhoods" because currently each of the village zones serves as a hole in the donut and the village zones allow commercial in that little hole in the donut and then they are surrounded by residential uses - Meyersville, Gillette, and Millington and Stirling to a degree. The last phrase is an odd one but the first phrase "does not encroach upon surrounding residential areas...." means to keep it in that defined village business district which in our entire village zones is very small. So, you are trying to make a line between those business uses and the surrounding residential.

Mr. Roshto gave an example. He said that we may as a Planning Board decide that where the Tifa building is today in Millington should be residential. Today it is in the M-Zone and that zone is what we are talking about with this bullet. He was wondering if we should be breaking these apart and setting a high level goal for each of our areas or perhaps he was pushing where he did not need to be pushing. It is enough that they are business zones, and it is so general it may not matter and the other elements will address it.

As an explanation (rather than an answer) Mr. O'Brien – said that his guess was that the authors of this felt that because they were all neighborhood business districts that they had the same vein

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running through them of trying to ensure that the business uses in the business district did not expand into the residences. In that, perhaps they threw them all together and said they really did not want the village businesses to start to expand and take over the neighboring residential properties. He said that you can break it down but he suspected that you would be saying very close to the same thing if you are using this type of a goal. He said that if you are trying to make the goal more specific to each individual district then you might want to break it out into the district, but in that case you may want to wait for that particular element for that district to be done.

Addressing Mr. Roshto, Mr. Arentowicz and Mr. Wallisch, said that when you are looking at this the only element that is done right now is Meyersville. We have a good point with Millington as discussed the other night. We don't know what is to be included in that. It is a valid point. He did not want a lump sum in the Meyersville Hamlet that is 5-6 properties in the same vein as Millington. Mr. Arentowicz suggested holding off on this one for further discussion.

Mrs. Dapkins thought it was all right the way it is.

Mr. Roshto said that his questions were answered and that he was fine with it.

Mr. Arentowicz asked the members if they did not want to separate it out now.

Mr. Roshto thought they would get separated out in the elements and that this high level goal isn't going to cause any concern with that.

In response to Mrs. Dapkins, Mr. O'Brien said if the Board was going to leave it as it is he thought the phrase "and established neighborhoods" doesn't do anything for you because they *are* established neighborhoods and not to encroach on established neighborhoods...

Ms. Dapkins suggested deleting it if the Board agrees.

The consensus was to delete the last phrase and leave it as a goal.

Mr. O'Brien confirmed – that the last phrase would be removed. He went on to the next item which was "to prohibit additional multiple family residential development". He suggested that we keep this one for future discussion. He said that he would like to distribute to the Board the current goals that are in our updated Housing Element, noting that we need further direction from the State, so any mention of COAH is difficult. Nonetheless, the Board can certainly have as a goal prohibiting of additional multiple family residential development regardless of what COAH or anyone else does. He said that we can talk of some type of a residential prohibition if you like.

Mr. Wallisch gave a definition of multifamily.

Mr. O'Brien said that one family or two family are exempt under the MLUL but three and over are multi-family licensed by the Department of Community Affairs. We suggested holding off on COHA. If you wanted to talk about multi-family in a broader sense that would be appropriate.

Mr. Roshto asked why we couldn't just take it out right now. He asked if it isn't it implied that we have to meet all of our legal obligations.

Mr. O'Brien said that it isn't "implied" – it is a legal obligation!

Mr. Roshto said he was talking specifically about land use goals. He said that he was asking the question, in the goal, strike it. If it has to go somewhere else fine, but he saw no reason to keep it here.

Mr. O'Brien explained that there are two pieces to this one. First is that, as a Township, a decision was made that multi-family residential development was not appropriate as it speaks to the character of the community. If the Board feels that that type of development is not appropriate, then having a statement about that is helpful in the light of reviewing applications

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and would strengthen the ability of the to review that application. The second piece was that if COAH says we have to do something, then we have to do something.

Mr. Roshto agreed that that portion can be revisited later but suggested to strike the “as required by COAH” unless there is a legitimate reason why we have to say such things.

Mr. O’Brien said that no matter what happens between the courts and the State Government there is a constitutional obligation according to the state of NJ to provide affordable housing. No matter what they work out in terms of specifics we may or may not have an obligation to do so depending upon what those specifics are. He said that the first piece of this, the prohibition of a specific type of development, is not in keeping in character with the Township and is something you may want to give some thought to down the line.

To that point, Mr. Wallisch asked if there was an application to put in one of those residential places similar to what is in place across from A& P in Basking Ridge (assisted living facility), would that cause the Board great hardship and if so why?

Mr. Pfeil asked if it might not conflict with rural residential.

Mr. O’Brien replied, not if you had a goal for a district that would allow it.

Mr. Wallisch wondered what the issue would be for something like a massive apartment complex or something similar.

Mrs. Dapkins said that they could always apply to the Board of Adjustment.

Mr. Wallisch said they could but we are saying specifically that we don’t want that here.

Mr. Aroneo asked if the town still wanted that.

In response to Mrs. Dapkins, Mr. O’Brien said this has been in place since 1996. He was not sure if it was in the 1985 plan.

Mr. Arentowicz asked if the Board wanted to defer this one.

Mr. Roshto felt this was the kind of thing that indicates the need for background studies. He was not prepared to answer that question. If he had something to such as a population forecast, build out, etc. he might be able to answer it better.

The consensus was to defer.

Mr. O’Brien said the last one was

- Uniformity to Encourage Upgrading and Beautification (non-residential)

Mr. Roshto said this is one that he hears more from residents about. To him this should go to the top and he was not sure why it was not at the very top. It’s a no brainer and should be highlighted as being something that our entire town desperately wants. The question is how do you make that happen.

Mr. O’Brien said that this goal is uniformly stated when applicants for commercial properties appear before either of the Boards. He said that this is something that the Board’s have consistently tried to uphold as much as possible.

Mr. Roshto said the applications were not the problem, it’s the people that *aren’t* bringing applications. He said that this goal needs to find a way to resolve that.

Mr. Moholkar suggested moving it up on the list and strengthening the Ordinances surrounding this particular goal.

Mr. Wallisch asked if it should be upgrading and maintaining.

The Board Members agreed.

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Mr. Arentowicz said there was one that needed to be added. He thought under Land Use and Housing a comment needed to be made of what our goal is for Valley Road.

Mr. O'Brien said that since Valley Rd. is a separate element, the goals will be brought into this document as Valley Road Goals. You could also do a goal that is more broad.

Mr. Arentowicz said that we are commenting on Gillette, Meyersville, Millington and Stirling so he thought we needed to have a high level goal here for Valley Road.

Mr. Wallisch recommended that as soon as we establish what Valley Road looks like then we roll it up into here. He said we are almost done with generating what Valley Rd. Zone is supposed to look like.

Mr. O'Brien said we could take the goals from the current Master Plan Element for Valley Rd. and review them or he could try to come up with one very broad overarching goal that would encompass a lot of them.

Mr. Roshto noted that this Board passed the Valley Road Business District Element already and we are now working on ordinances to support that. Nothing in the element that we passed is different than this bullet which talks about Gillette, Meyersville, Millington and Stirling. He commented about the language presently existing and he felt it wasn't any different than the one bullet. He asked what everyone thought about adding the Valley Road Business District in.

Mr. O'Brien felt it was a different orientation. Valley Road is not a neighborhood orientation like the villages are. Valley Road serves more as an area neighborhood collector. Valley Mall, when they were last before the Board and talking of the Master Plan came in with a list of zip codes of frequent shoppers there. That went through four counties. He said it is a regional attraction and a very different orientation. Shop Rite has several towns around as well. It may speak toward having a separate goal for it rather than with the villages.

Mr. Roshto agreed with what Mr. O'Brien said but said that is not the Element we passed. That is the way Valley Rd. is today and how it will probably stay. The Element we passed was where we wanted it to become where people walk and stay. Just like the other areas, for instance, Meyersville. If that is not what we are not trying to do we should revisit the Valley Road Element again because that is not how it is described in the Element.

Mr. O'Brien said the language in the Element does not make it a neighborhood orientation.

Mr. Roshto asked if it doesn't make it a drive, pick up your groceries and leave. The Element speaks about staying and walking around with parking lots in the back - very much like a neighborhood oriented business area would be. He thought it is what it is and it will always be that way and to try to make it something it's not would be a tough sell. He personally would not want it to be in a bullet like that, however that is what that element is describing.

Ms. Dapkins agreed with Mr. Roshto.

Mr. Roshto did not think it could be resolved tonight.

Mr. Arentowicz said he was not clear on some of the points Mr. Roshto described. He asked him if he wanted to include Valley Road in with Gillette, Meyersville, Millington and Stirling, or not put it in at all.

Mr. Roshto replied that he thought it should be exactly as suggested - that there should be a separate bullet and we describe what is the goal that we want on Valley Road. Then we revisit that Element.

Mr. Moholkar thought the Board needed to take a look at what is in the Element and put in final goal.

Mr. Arentowicz asked if there was anything else that needed to be added.

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Mr. Arentowicz asked if something needed to be said about flooding.

Mr. O'Brien replied that if you wish to emphasize it and make it a town wide concern this would be a good place to put it in addition to the appropriate Element.

Mr. Wallisch asked why it would go there as opposed to the Master Plan Goals. Why would it go with Land Use and Housing Goals vs. the overall Master Plan Goals.

Mr. O'Brien said you could do it in either place depending on which way you are doing this. If you are doing it in terms of Land Use and Zoning it could go here. If you are doing it with an overall Township concern like the first ones we talked about, it should go there. He suggested seeing where the Board wants to go and then figuring out where to put it.

Mr. Arentowicz said he could be influenced if no one thinks that it is worthy of the high level. We do have it in some of the Elements.

Mr. Roshto felt it was worthy at the high level and said that it's a question of what we will say.

Mr. Arentowicz asked Mr. O'Brien, from his experience, if it would be better placed in the overall Goals vs. Land Use.

Mr. O'Brien said that sounded like that was the direction you want to go and he would agree..

Mr. Roshto said we are talking about mitigating the impact/effect on our residents to flooding (not mitigating flooding). As a Planning Board we are trying to say that we will encourage the buy out program to buy properties in flood areas or develop plans to raise properties that are flood prone. The idea is to mitigate the impact. Another good point is security, safety for Fire and Police so we should try to describe this goal to improve public safety.

Mr. O'Brien thought the Board wanted to look at language on mitigating, preventing, etc. the impact on flooding upon residents, businesses and properties and also something along the lines of improving/enhancing public safety during natural emergencies making it easier for first responders and security and safety of the Police & Fire Depts..

A question was raised about the high power lines, gas lines etc. A discussion ensued. Mr. O'Brien said it did not hurt to express your concerns. He questioned if this is the appropriate place to address it and felt that perhaps it should be under the public facilities or infrastructure. He said that the Board should think if this is an important consideration and, if so, let's figure out where to put it. His recollection was that any kind of work along those lines has got to be at least filed with the Clerk.

Mr. Roshto thought it was only for Historic Preservation as part of the National Historic Preservation laws.

Mr. O'Brien said that that refers to Sec. 106 which may or may not apply, but the BPU (which has jurisdiction) requires some kind of local notification in a more general way – not just the specific Historic Preservation way.

Mr. Lemanowicz felt that the notification would go to the Clerk.

Mr. O'Brien agreed that it is required by the BPU that a notification goes to the local government.

Mr. Arentowicz asked if anyone felt strongly about putting something about utilities in here now.

Mr. Roshto suggested tabling the discussion at this time.

Mr. O'Brien noted that their control was limited and that cell towers would require Board of Adjustment approval. He said there are recent legal decisions on cell towers that allow them to be approved via site plan for co-locations on existing structures. He said that we have a prohibition on cell towers now in the Ordinance but he did not think there was much in the Master Plan, although language could be added in the Master Plan. If the Board feels that it

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would not like to see these things then it should make a point of it and say that they don't fit with the character.

Mr. Roshto said we should say we do or don't support towers everywhere in the Township.

(Several Board members replied "No").

Mr. Roshto said that he felt that the Planning Board is saying that it would like some language in there to *not* allow cell/radio towers.

In response to Mr. Arentowicz, Mr. O'Brien said that it should be in the Land Use.

Mr. Arentowicz asked if there was anything else in the two documents we should be looking at.

Mr. O'Brien didn't think so.

Mr. Arentowicz asked if there were any other goals the Board wanted to add to the Land Use or overall goals of the Master Plan.

Mr. O'Brien said the Board has had a chance to see how this piece of it works and you may think of things as we go through the process down the line and this will influence the things you may want to say.

Mr. Moholkar said there are other ordinances that we have in place that make sense for us but aren't really reflected appropriately in the Master Plan such as the cell tower. He asked if there should be something in the Master Plan as a general statement because there are already ordinances in place for whatever reason. He said that we want to be sure there is no conflict to what exists.

Mr. O'Brien felt that the Board went a long way in discussing the flood control and mitigating and preventing. He said that we have not had that goal and it is important given the physical layout of the Township. He questioned if there are others.

Mr. Moholkar asked if there are ordinances that already exist that are not supported by the Master Plan. He said that, if the ordinances make sense, then we have to make sure that they are reflected appropriately in the Master Plan before it becomes a thorn in our side.

Mr. O'Brien said he would, to that point, distribute the other current Element goals to the Board to see if we are missing something in the overall goal section.

Mrs. Dapkins had a question on Pg. 10 and asked if anyone had any information regarding the possibility of a new recycling depot for the Township.

Mr. O'Brien said that goal was there in 1996 and he had never heard any discussion on it.

Mrs. Dapkins thought it could possibly be eliminated unless the Township Committee has other plans.

Mr. Roshto said there had been no conversation on that.

Mr. O'Brien said that we do want to continue and expand the Townships on going recycling efforts.

Ms. Dapkins replied "definitely".

Mr. Arentowicz asked for further comments. There being none, he called for a recess.

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Mr. Arentowicz said the next item on the agenda was the Valley Road Ordinance and said that copies of the revised ordinances have been distributed. He asked Mr. O'Brien to provide a brief history.

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DISCUSSION

VALLEY ROAD ORDINANCE

Mr. O'Brien said that between February and April the Ordinance Review Subcommittee took a look at this and there was input by the Planning Board. He said that the original language that was revised late last year was rewritten in many ways, a lot of changes were made, some additions were made, and the last piece of this was that the Ordinance Review Subcommittee expressed some concerns about signage which are reflected at the end of the document. He said that he had discussed this with Mr. Pidgeon and added some language at his suggestion. He said that what you have in front of you represents the Planning Board's thoughts; Ordinance Review Subcommittee's thoughts and some further revisions on the part of staff. He said that he would like the Board to look and tell us if we are going in the right direction and if it is right, fine, we can move it on to the Township Committee and, if not, let's revise it and try to wrap it up if possible.

Mr. Arentowicz asked when the Element was completed.

Mr. O'Brien replied that the Valley Rd. Master Plan and Element was adopted in June of 2012 by this Board.

Mr. Arentowicz suggested opening it up by looking at the general high level comments on the revisions to the Valley Road Zoning Ordinance that was in front of the Board.

Mr. O'Brien said the revisions the Board had outlined in this version are those made by the Ordinance Review Subcommittee over the last month or two. He said that some of the changes are not obvious because they were in previous versions. For instance, on the first page (103.5), we had to make sure that it accurately reflected all the districts including the Business District for Valley Rd. The second page (the BD district) was an add of course since it is a new district. Moving further along, he said there are more specific changes which were recently made.

Mr. Arentowicz said, if there were no general high level comments, we could go through this page by page.

Mr. Roshto replied that he had a couple of high level comments. He had talked to Mr. Pidgeon about the statement of whether this would be challenged in court if the Master Plan and these ordinances weren't consistent. He said that he was very direct and said there was no issue. He said that anyone can challenge anything at anytime in court. The fact that there is a time lag between when we adopt our ordinances and when we initially created the Element associated with it, from his discussion with Mr. Pidgeon, he said it was clear that we would prevail if someone were to challenge us and that was the reasoning for us as a Planning Board to hear this tonight. He said he would restate what he said at the last Planning Board meeting, especially since we just talked about the Valley Rd. Business District Element not even 15 minutes ago. He thought it was a mistake on our part to think that as we go through the process over the next 6-9 months that we are not going to look at the Valley Rd. area. He said that to send ordinances over to the Township Committee before we have done that work seemed premature to him. He was not in favor of looking at these ordinances yet as he did not feel the Board was ready to do that. He said that he would rather focus on Elements.

Mr. Arentowicz asked Mr. Roshto if it was his opinion that in the next 6 1/2 months with the Master Plan that we may relook at some of this and some may change.

Mr. Roshto felt that some of this *will* change. He said that he is on the Ordinance Review Subcommittee and has reviewed quite a bit of it in detail and said that he agrees with 90% of it. He said that it is not the fact that he is disagreeing with what is in the *content* of the ordinance but to him it was a procedural question and he did not believe we have a problem and noted that our legal advisor has said as much to him. He said he felt like he did not want to do this twice and noted that we barely have enough time to get the other work done. Looking at ordinances that we may change did not make sense to him.

In response to Mr. Arentowicz, Mr. Roshto said that Mr. Pidgeon's statement was that anyone can sue at any time and if we are sued we will prevail and that we can defend our ordinances against our current Master Plan. He said that he did not buy into the argument that we have to get this done and we should rush it.

Mr. Arentowicz asked Mr. Roshto what he thought would change. He asked if it is a zone - something on the border of the Valley Rd. zone that might be an issue. He asked him what he would perceive as something that might cause us to rethink this if we approve this tonight.

Mr. Roshto replied he had no idea what the Subcommittee just appointed by the Mayor will come back with and that was part of the problem. He suspected that there will be some conversations about Office Zones, Limited Industrial Zones, and the area of Metzler Rd. which is currently in the B2 Zone. He said

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that those were questions when we put the Element together and he imagined there will be questions again.

As a possibility, Mr. Arentowicz said, to get the procedure process down here, Metzler Place and the properties included in that Zone, could possibly change and would cause us to rethink if we were to pass this tonight or discussed it tonight.

Mr. Roshto said there were also a number of permitted uses in here that we should be looking at more closely after the elements are solidified. It was not clear to him as to some of the permitted uses vs. some of the prohibited uses if we change or set a high level goal of land use that conflict with any of these. He said that we should look at it from that perspective even though we have not passed the Land Use Element yet.

Mr. Arentowicz asked if anyone else on the Board wanted to comment on whether or not we should go ahead with this tonight and Mr. Roshto's comments about possible change.

Mrs. Dapkins thought as Mr. Roshto was on the Township Committee he might know more than we know. She tended to agree with him at this point.

Mr. Pfeil agreed with Mr. Roshto.

Mr. Moholkar said there was no pressing need to review it now and also agreed with Mr. Roshto.

Mr. Roshto thought if we could wait a few more weeks to see what the Subcommittee comes back with that would give us more time. He did not feel that a couple of weeks will "make or break this discussion".

Mr. Wallisch asked if this draft document will assist or help the Subcommittee to understand where we are leaning towards right now? Will it give them some direction or make no difference whatsoever?

Mr. Roshto felt that they could have whatever documents that we have and that it all helps.

Mr. Arentowicz asked for Mr. O'Brien's and Mr. Lemanowicz's opinions as to whether we defer this or proceed given where we are with the Master Plan and what may or may not change.

Mr. O'Brien said that right now the Valley Rd. Master Plan Element is the most recently adopted Element of the Master Plan. Up until now it has not been mentioned by the Subcommittee as one of the elements that they were going to work on. He felt that they assumed that since it was recently adopted, that it was one they would not worry about so it did not appear on their list. If they need to look at it, he felt they should be told that they need to look at it in terms of updating it if this Board so wishes. In terms of discussing the ordinances, he believed that Chairman Connor put it on the agenda this evening because, after the most important discussion of Master Plan Objectives, the principal was done. If there was time, the Board could give as much direction as possible on these so that whatever you wish to do as your next step, whether it is to move them along or not ready to move them along, at least if there is something in here that needs to be done we would have that ready for the next version since the time was available this evening..

Mr. Roshto noted that at the previous meeting we had passed out a 2013 Planning Board schedule. On that schedule the hope was that we would be presenting a package on Open Space tonight so we could be prepared to talk about Open Space on May 14th. What he saw was that we added in ordinances to talk about something that *could possibly* change and that could possibly wait a bit longer, but then we just heard Nan Harrington sit here and say getting our Elements done by the end of this year will be a stretch and aggressive. He could not understand why the Board would be looking at ordinances when it has to get the Master Plan done.

Mr. Lemanowicz felt that the Board must prioritize. He said that it appears that the Elements are the priority. He said that Chairman Connor thought that if he had a little bit of time (not enough to do an Element) it would be a good filler piece tonight.

Mr. Roshto said the Board agreed to put this Ordinance on there. To him it wasn't the Chairman who said that – we did. He said that we also said that ordinances would not be put on the agenda going forward without first discussing it with this Board. He thought that we should start talking about the Open Space package as best we can tonight so we are prepared for the next meeting if it is to be on the agenda and table this discussion on the ordinance. He said that in a few weeks when we get some information back we can always put it back on.

Mr. Roshto made a motion to table the discussion on the Valley Rd. Business District Ordinance and go forward with the Open Space package tonight which was seconded by Mr. Wallisch.

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A roll call vote was taken. Those in Favor: Mr. Arentowicz, Mrs. Dapkins, Mr. Moholkar, Mr. Pfeil, Mr. Roshto, and Mr. Wallisch.

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DISCUSSION
OPEN SPACE

Mr. Arentowicz asked Mr. O’Brien if he could tell the Board something about Open Space.

Mr. O’Brien replied that he could not at this point because Open Space was still underway because of the various things that need to happen to that including working with other various committees, so that has not been advanced at this point. He said that Open Space also will *not* be on the May 14th agenda because there are two applications to hear. He felt that the Planning Board schedule that Mr. Roshto referred has been seen as a goal document rather than a specific calendar because of the various things that come up such as these applications.

Mr. Arentowicz noted that on May 14th Indoor Soccer, LLC is on the agenda (Copper Springs) as well as Classic Foods, Inc. (Burger King). He pointed out that on May 28th we have added the application of 1107 Valley Road (Ippolito/Rossi) where they want to create two units from one. The question becomes, in terms of planning on the 14th of May, we have the two applicants and the Open Space and Recreation package. Regarding Open Space, he asked Mr. O’Brien if he was saying that there are logistical problems in getting it done. He also asked if, on May 14th, the Board gets through the two applications and had additional time, what would the issues be?

Mr. O’Brien replied that if the Board wanted to discuss Open Space for that meeting, he would have information sent to the members prior to the meeting.

Mr. Arentowicz thought, because of legal requirements, we have to respond to the applications before the Board.

Mr. O’Brien confirmed that applications have to be heard within a certain time period.

Mr. Arentowicz asked if it would be possible to discuss Open Space and the two applicants on May 14th and defer the recreation package.

Mr. Roshto said that the Board could hear the two applications on the 14th and the discussion on the Open Space package to prepare us for the following meeting. He said that those discussions are only supposed to be 15 minutes. He said that Mr. O’Brien will provide a package and tell us what we will be reviewing. He said that we could then push Open Space to the 28th. He said that we left space holders in October 15th and November 12th for this very reason - we knew we had applications coming in and if we can push out one meeting then we still have one place holder at the end of the year and we will still make the schedule.

Mr. O’Brien said that, rather than adopt an Element on a monthly basis, it can be done in an assemblage of several Elements at one time rather than doing them individually, which would save time as well..

Mr. Lemanowicz noted that next Tuesday is the fifth Tuesday and there is nothing scheduled. The week after that is a Bd. of Adj. meeting and he did not think they had anything scheduled for that night. He said that you could possibly have a meeting on the 7th if proper notice is served.

Mr. O’Brien said the bigger question would be the availability of the Board Members for a quorum.

Mr. Arentowicz referred to the schedule where it also referenced a Recreation Package on the 14th. He asked if that was ready.

Mr. O’Brien replied that it wasn’t and that it needs to go over to Recreation before it comes back to this Board, or it could go the other way depending upon the wishes of the Board.

Mr. Roshto said that, when we were discussing these things, he thought the Open Space Package was close and the Recreation Package was a couple weeks out.

Mr. O’Brien said we could be a little closer on the Recreation Package.

Mr. Arentowicz asked, if we were to call another meeting on May 7th, could there be a discussion on Open Space for 15 minutes and also present the Recreation Package?

Mr. O’Brien said “No” to the Recreation and “Yes” to the Open Space. Would it be worth your while for the 15 minutes – “No”.

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Mr. Arentowicz thought that the discussion on May 7th is off the table as it is not practical to schedule a meeting for 15 minutes.

Mrs. Dapkins mentioned that she had spoken to Mrs. Wolfe and she thought that there are a quite a few applications coming in, so we should keep that in the back of our minds.

After further discussion, Mr. O'Brien determined that there are currently 3 Planning Board applications pending and the rest are Board of Adjustment applications.

There being no further business, the meeting adjourned at 10:50 P.M.

DAWN V. WOLFE
Planning & Zoning Administrator