

MINUTES

JUNE 11, 2013

PLANNING BOARD

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Chairman, Mr. Connor, called the meeting to order at 8:04 P.M. He then 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 Echoes Sentinel and by filing a copy with the Municipal Clerk, all in January, 2012.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

- Christopher Connor, Chairman
- Charles Arentowicz, Vice-Chairman
- Brendan Rae, Mayor’s Designee
- Suzanne Dapkins, Member
- Ashish Moholkar, Member
- J. Alan Pfeil, Member
- Guy Roshto, Member

- Gregory Aroneo, 1st Alternate
- Timothy Wallisch, 2nd Alternate

- Kevin O’Brien, Twp. Planner
- Thomas Lemanowicz, Bd. Engineer

EXCUSED:

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

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

APPROVAL OF MINUTES

The minutes of January 29, 2013 were approved as written on motion by Mr. Pfeil and seconded by Mr. Roshto. Dr. Rae abstained as he was not present at that meeting. Mrs. Dapkins abstained as she was not a member of the Board at that time.

The minutes of March 26, 2013 were approved as written on motion by Mr. Pfeil and seconded by Mr. Moholkar. Mrs. Dapkins abstained as she was not a member of the Board at that time.

PUBLIC QUESTION OR COMMENT PERIOD

The meeting was opened to the public for questions or comments

Ms. Patricia Batting, 260 New Vernon Rd., said that when she purchased her property over two decades ago, she researched the uses of the 4 tennis courts located at the adjacent Copper Springs Beach & Tennis Club. She said that the existing dome was insulated around the perimeter of the interior and, in addition, between each tennis court. Noise was not an issue and she said that she was protected by restrictions including the use and hours of operation. She said that currently there is no insulation and there are no limitations on use. Therefore, she felt that the use is being exploited and the well being of Township residents is not being protected. She said that the constant noise created by the business adjacent to her home is disrupting the peace and enjoyment of her property and adversely affecting her health and everyday life. She said that she has resorted to wearing ear protection while in her home to drown out the noise and has developed high blood pressure and anxiety. She said that she rented a decibel measuring device and activated it during organized sports and events on the site. The time weighted decibel average for all day design was 82 decibels which includes periods of time average in when there was no noise. The highest and spontaneous values (which are peak decibel levels) ranged from 73 to 148 decibels. According to the American Speech, Language and Hearing Association, she said that 73 decibels falls into the very loud category comparable to busy traffic or a vacuum cleaner. 148 decibels is categorized as painful. Firearms and jet engines are listed as 140 decibels. She said that the current owner believes that the operations of this facility are an acceptable use because a 1976 Resolution was poorly written. She said that the present owner is interpreting the laws as they choose, furthering their own agendas. She believed that the application for a variance request in 1976 was to enclose 4 tennis courts for tennis use. She said that it was said during a Board meeting that the recreational use was a positive factor in this decision. She asked the Board not to forget that this is a private club open to all surrounding towns – it is not a publically available facility. She said that, until the May 14, 2013 Planning Board meeting, her property was in the process of being purchased by the current owner of the dome and he has since withdrawn his offer stating that it is no longer in his interest to purchase the property. She said that this facility is exploiting the liberal interpretation of a prior Resolution and is freely conducting business with no restrictions to protect the neighboring residents or the Master Plan of the Township. She appealed to the Board to consider the extreme detrimental affect that the noise

has on the neighboring properties and to enforce the laws. She said that she is at her wits end and does not know where to go with this since the rug was ripped out from underneath her when she thought the matter would be resolved.

In response to Mr. Roshto, Ms. Badding said that the situation has been going on since the previous owner owned the facility.

In response to Mr. Arentowicz, Ms. Badding said that the noise goes on until 11:00 PM and sometimes even after that, noting that it varies a lot.

Mr. O'Brien said that the decibel levels which Ms. Badding described to the Board are illegal and violate N.J. State statutes. He said that N.J. allows 65 decibels from 6:00 AM to 10:00 PM and 50 decibels from 10:00 PM to 6:00 AM. Any violation of those standards is enforceable either by the local Board of Health or by the County Board of Health because they have the equipment in order to ascertain what the correct levels are. He suggested that she contact the Board of Health and state that she has a noise complaint and give them her best knowledge about the times and activities.

Mr. Arentowicz said that he was under the impression that the operations were not to extend beyond sundown. He felt that Thomas Delia, Zoning Enforcement Officer, should look into the matter as he did not believe that they were approved for night time activity.

Mr. Roshto said that the Township has been holding any enforcement action in abeyance for several years now until the rezoning of Indoor Soccer, LLC is complete. He said that the moment the Planning Board makes a statement one way or the other, the abeyance can be removed and whatever enforcement action that is felt to be appropriate can be taken. He felt that there are two options. The Board can either make a motion to approve of their recommendation or maintain it as it is now (a Conservation Zone) and leave it that way and adopt it as part of the Master Plan. He felt that a decision should be made as soon as possible in order to resolve the issue.

Dr. Rae agreed. He felt that the matter has gone on for too long and a decision should be made now.

Mr. Arentowicz asked why the Township Committee could not remove the abeyance on the violations and proceed that way, given the fact that it has taken so long.

Mr. Roshto said the agreement was that they would allow the owner of the property to, in good faith, come up with a rezoning plan and hold the enforcement issues until that was done.

Mr. O'Brien said that we are waiting for the applicant to finish. He said that they had submitted a draft Master Plan amendment and draft ordinances to support it and, at their last meeting in front of us, there was discussion as to whether or not all the properties that they were recommending be part of that zone and the Board's discussion with the applicant was, what about that residential property that does not belong to you (which he assumed was Ms. Badding's property to the north). He said that our impression at that time was that they were in negotiations with Ms. Badding so that, if all those properties were part of that zone, you were considering *an* option, but now that this has happened.

Ms. Badding said that, because of the feedback received from the Great Swamp Watershed, and (according to Mr. Plofker) a bad meeting on May 14th, he has since decided that he did not want to buy her property.

Mr. O'Brien said that there has been no action taken at this level.

Dr. Rae felt that the purchase of Ms. Badding's property was an integral part of the plan.

Mr. Roshto said that he has heard enough and felt that the Board can move forward on the matter.

Mr. Connor felt that we have to get back to the applicant and ask what is happening because, at the last meeting when they left here, they were going to get back with the changes, but the assumption was that it would be a contiguous piece of property and Ms. Badding's property would be included. He felt that this is the first time any of the Board members have heard that that is not what the intent is.

Dr. Rae felt that we already know what is happening and we don't need to ask.

Mr. Arentowicz recalled that, at the last meeting, the Great Swamp Watershed Association came and said that they were not supportive of the plan in place for Indoor Soccer and the Board was misled.

Dr. Rae added that, at the last meeting, the Board was told that negotiations were going very well regarding Ms. Badding's property and then almost the next day it was suddenly taken off the table.

Mr. O'Brien said that the Great Swamp Watershed Association is an advisory group rather than a regulatory body, so their opinion is just an opinion. It is not binding nor does it create policy.

Mr. Arentowicz agreed that it is time for the Board to make a decision.

Mr. O'Brien stated that the matter would need to be included on an agenda.

Mr. Connor said that it also needs to be noticed.

Mr. Roshto asked if it would need to be noticed to vote it down.

Mr. O'Brien replied that the Board does not have legal counsel this evening and all he knew was that our standard procedure is to notice any action before the Board at least 48 hours beforehand.

Mr. Connor said that 2 weeks from now the Board should be in a position to make a decision. He said that that gives the applicant time to come in and talk if they choose to do so.

Mr. Arentowicz suggested also adding the Tifa sidewalk matter to the next agenda.

Mr. O'Brien noted that the Tifa matter is being enforced by Mr. Delia and has been for months. He said that he knew he was working with the County on it. He suggested asking Mr. Delia for an update.

Ms. Badding thanked the Board for its time.

Mr. O'Brien said that we do have a draft Master Plan and Zoning Ordinance that was submitted by Indoor Soccer, LLC for review by the Board. If the Board plans to take action in two weeks, he suggested that those are the two items to take action on. He also said that the Board could ask counsel about it and, perhaps, just make a motion not to consider them.

Mr. Connor felt that the matter should be discussed with Mr. Hoffman and the Board should take whatever action is necessary to bring this to a vote in two weeks in such a way that it is a legal vote.

Mr. O'Brien said that he would resend everything out to the Board so the members have what was submitted to them and what the Board has done so far.

Mrs. Dapkins did not believe that any variances were granted to the previous owner because enforcement was held in abeyance then because they were going to work on it and, in the meantime, the property was sold to the current owner. She said that this has been going on for years and years.

Mr. O'Brien said that the use of the property dates back to the 1950's.

Mr. Roshto said that he had asked Mrs. Wolfe for information on the site and she forward quite a bit of information to him. He said that he would forward it to the Board members.

Mr. O'Brien added that, in his report, there is a list of all of the variances granted and the highlights of what the applicant was allowed to do.

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Ms. Leah Infanger, 906 Valley Rd., said that she received a letter in the mail regarding the work being proposed across the street and the requested variances.

Mr. Connor replied that that application is not before the Planning Board, however Mr. O'Brien is aware of what going on.

Mr. O'Brien replied that the notice Ms. Infanger received is for *next* Tuesday night, June 18th, before the Board of Adjustment and the applicant is seeking a use variance to establish over 200 residential units. He said that, at those hearings, the public will be allowed to ask questions of the applicant's witnesses after they finish their testimony and then at the conclusion of the hearing everyone will be able to give their opinions.

In response to Mr. Roshto, Mr. O'Brien briefly summarized the application of GH @ Long Hill.

Ms. Infanger thanked the Board for its time.

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DISCUSSION
MASTER PLAN UPDATE

Ms. Nan Harrington discussed the status of the work being done by the Master Plan Subcommittee. She said that she gave up trying to put together a schedule that leads the Subcommittee to a complete Master Plan by November because the schedule continually alludes her and everything takes longer than any one of them would like it to, but these are important things that need to be considered. Her suggestion, in the absence of a schedule, is that the Subcommittee will continue to move forward until the September/October time frame and, at that point, whatever is complete or can be wrapped up will be completed and they will turn their attention to the Land Use Element because that is the one piece that must be done by November 25th. Having done that, she said that they will continue with the rest of the work and make the document more comprehensive as it proceeds.

She said currently they meet every Wednesday and they are working on getting all of the supporting studies updated and she believed that there are 10 of them. She said that they are working on the Land Use Study, the Gillette Business District Study, and the Stirling Business District Study. She said that they have completed the Circulation Study thanks to Lt. Mazzeo who has given them updated data from the County. She said that they are also working on updating all of the census data. She said that the real issue they are having is that none of the members has the sufficient amount of time that it takes to sit down and write the existing studies. She said that they have gotten the document converted to Word and they can start with what it was and edit it and bring it up to date. She said that they need some help with someone who can actually devote the amount of time that is necessary for writing and that they don't necessarily need more Subcommittee members. She felt that anyone else who joins the Subcommittee just as a Subcommittee member is going to be stuck in the same boat.

In response to Mr. Connor, Ms. Harrington said that the Master Plan contains 272 pages. She said that they also need the existing Master Plan maps digitized. She said that if the overlays could be digitized they could at least start trying to get those edited.

She said that the Subcommittee needs to consider what to do with the Office Zones. She said that there are not a lot of them and most of them are donut holes that are surrounded by a variety of other zones. For the purposes of this discussion, she said that she was excluding the Kurz property because we do not know what is happening with that right now. She said that there are 4 office zones right now that continue to remain vacant which means they have been vacant since before the 1994 Master Plan was put in place. She said that it is a question for what the Subcommittee wants to do with those Office Zones. Overall, she said that there are 21 Office Zone lots, 13 of which are undersized. She noted that there are a lot of undersized lots within the Township which is also something that is to be considered. She said that 4 of the Office Zones currently contain residential uses. She said that there is a study of Morris County vacancies (which the Subcommittee does not have) which also plays into whether we want to continue Office Zones or not. She said that something else to consider is that, of the other 153 or so lots that are in commercial zones, 72 (or 48%) are undersized. As you talk about goals, she said that you may want to consider whether you want to have a goal for redevelopment/repurposing of existing lots. She added that lots are extraordinarily difficult to redevelop and, at best, they need to be consolidated and such which she felt was part of the philosophy of the Valley Rd. district which was to make everything at least the same zone rather than the 13 or so different zone so that it would help anyone who wanted to put together some of the undersized lots and redevelop/repurpose them in some way. She said that, if that is part of your vision, that needs to be clear in the goals. She said that there are also vacant lots, many of which are in the Conservation Zone although they are around commercial uses, and many of those are undersized. She said that those are the biggest issues she felt are coming up. She said that one of the other supporting documents in the Master Plan the last time around was a resident survey. The question is, does the Planning Board want to do another resident survey? At this point, she said that probably the best they could do is an on-line "monkey" kind of survey. She said that, unfortunately, surveys where an individual chooses to take the survey or not, as opposed to a mailing, are not as statistically valid as a survey that has been sent out to every household and is collected and collated. She said that, if the Planning Board wants to do a resident survey, they need to get that together very, very quickly and someone would need to be put in charge of that and it would have to be an on-line survey.

Mr. Roshto asked Ms. Harrington if she or the Subcommittee has a feel of whether we should or should not have a resident survey.

Ms. Harrington replied that they were split but she would like to do one. However, with the time frame they have and whether the survey is really statistically representative of the Township is really the question to be asked. She said that some members felt a survey should be done and even if it is not necessarily representative it is still good to hear from people. Others felt that, if it is not a representative sample, then we really shouldn't be basing decisions on it. She said that she would leave that up to the Board.

Mr. Wallisch asked if there are standard questions that would be included in the survey.

Ms. Harrington replied that they could go back to the prior survey (which they do not have). She said that all they have in the Master Plan are the results which were the salient points that the authors provided in that study. She said that they could probably reverse engineer what those questions were based on that or they might be able to dig up the survey that was sent out. She did not know if the survey itself would change that much.

She said that, as the Board considers its discussions for goals, the first one was repurposing/redevelopment and, if that is part of your vision, how does the Subcommittee start helping that vision – what do they need to do from a planning & zoning standpoint to help that vision be realized. She said there are some discussions and some items in some of the studies about goals related to storm damage, flooding, trees and power lines and whether the Board wishes to consider a goal that is broader than just addressing those items, or wishes to create a separate goal that addresses ways to help mitigate and minimize potential damage from storms is up to the Board.

In response to Mr. Moholkar, Ms. Harrington said that the problem with getting a mailer is that you get a lot of paper back and you need someone to do the data entry before you can even do the analysis which complicates it. She said that if you use an on-line survey mechanism then everything goes into a data base and it is all ready entered in a form so the analysis can be done.

Mr. Connor asked if a combination of surveys could be done which would limit the amount of paper data. He said that ideally most of the data would be put together electronically and then you could take the other data and incorporate it into the survey monkey.

Ms. Harrington replied that she was being asked a question that needs to be answered yourself. She said that, if you want to do a survey, what is the best way to go about it? She added that, if you do paper copies, how do you know that somebody isn't going to fill it out on-line and then do the paper copy too? She said that you would want some way to ensure that a respondent only does so exactly once.

Mr. Arentowicz said that, based upon the Master Plan Subcommittee's split vote and the statistics of doing an on-line survey, his vote would be *not* to pursue an on-line survey at this point. With regard to Ms. Harrington's request for resources to help write, he asked if there was any money in the Planning Board budget to get someone that has time to write and not have other jobs 100% of the time, or (addressing the two gentleman to his left and right) given the fact that the Township Committee appointed Ms. Harrington and her Subcommittee, is there any money there to help with a writer? He felt that the Board would want to pursue one or both of those options.

Mr. Connor replied that the Planning Board budget is modest and he did not think there is money available in it for a writer. He said that he also had a problem with somebody writing. He felt that you really need a really talented writer who understands the issues which he felt is a difficulty.

With regard to surveys, Mr. O'Brien said that he did not know if we have it in Long Hill Township, but some towns have e-mail and cell phone notifications that go out to the public. He said that there is also reverse 911 in which a phone call could be made to let people know that there is a survey available if you wish to do a survey either on-line or on paper.

Ms. Harrington said that another thing to consider is that the Master Plan document is likely not to be complete by November anyway, so we could do a survey and then fold in the results when they become available at some later point.

Mr. Arentowicz asked, if we did a mail survey and obtained the results after November, wouldn't that divert some of Ms. Harrington's resources, and doesn't she have higher priorities?

Ms. Harrington replied, "Clearly it would", or we would have to pull somebody in to the Subcommittee who would be dedicated to that survey or that survey analysis, or pay somebody to do it.

Mr. Arentowicz asked Mr. Roshto and Dr. Rae to bring that forward to the Township Committee. He asked Ms. Harrington if she could appear before the Township Committee because it might be helpful hearing her explain the critical issues.

Ms. Harrington agreed to do so but said that it would have to wait until the end of June because she would not be in town next week.

There being no further questions, Ms. Harrington thanked the Board for its time.

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DISCUSSION
TDR UPDATE

Mr. O'Brien said that the Township received communication from Mr. Gene Feyl, Executive Director of the N.J. Highlands Council, inviting us to come and see them and bring them up to date on what we were doing and find out what they were doing. He said that, last week, he and Neil Henry, Twp. Administrator, Chairman Connor, Mr. Arentowicz, and Paul Ferriero, Twp. Engineer went to the Highlands Council and met with Mr. Feyl and his staff, including the Assistant Administrator, Margaret Nordstrom, to discuss changes that they had made from their side which included the ability to review any plans that are arrived at at the municipal level for fiscal impact on the community. He said that they also advised how they could be helpful in putting us in contact with various bodies at the State level to be of assistance in implementing our plan (depending upon whatever plan we come up with and how the study goes). If, after completing the study, we decide that we are amenable to hosting a Transfer of Development Rights activity here in the Township, they will work with us to implement that. He said that it did not sound like there was hard and fast monies available for infrastructure projects but they did point out how they thought they could be of help to us in putting us in contact with the right people at the State level who may be of help to us. He said that they also gave some examples of other studies that we can use and we shared with them the draft that we had come up with last year. He believed that the meeting ended on a very positive note and he said that they were very happy to learn of the things that they are doing that can help us and they offered to assist us. He felt that they were very happy to learn that we are still very interested and that we are pursuing it. At this point, he said that the next steps are for Mr. Arentowicz's group on Millington to finish its discussions and present them as to what their recommendations are for Millington before proceeding to a plan that would deal with the Transfer of Development Rights.

Mr. Connor said that they also indicated that they could provide some assistance to the Stirling and Gillette Elements of the Master Plan because one of the things that they have to look at is the overall capacity of the Township for development. He said that they have a willingness to help, but how much of that we will have to see. He noted that

they also have access to various pieces of data. Since we are not in the Highlands, he said that it wouldn't be us but since we are in Morris County and we are tagged to the Highlands, they have the County maps so he believed that we are in that database. He said that two of the staff members were present and one of them is an expert in planning who might be able to give us some assistance. He said that there is also another stage that, if we want to have some additional analysis, there may be some additional monies available for the cost benefit analysis. He said that we can't come up with that, obviously, when we look at it but assuming that we provide them a reasonable report, they may have the resources to do the cost benefit analysis.

Mr. Roshto said that he thought that the minimum is 5 units per acre and you get credit for each unit that you have.

Mr. O'Brien said that the impact fee that the Township receives is per unit and right now it is up to \$15,000.00 per unit. He did not know if there is a minimum.

Mr. Connor said that they explained that the process is that they go into the Highlands and there is a development potential of 100 units, so then they look for a location to find 100 units to transfer that development. He said that probably a developer in the Highlands is not going to go in for 5 units, so he guessed that you are talking of a minimum of 40-50 units and maybe more.

Mr. Roshto asked if they could be divided (some in Millington, some in Gillette, and some in Stirling)?

Mr. O'Brien replied that right now the study areas are Millington and Stirling and, if we chose to, we could break it apart and do both areas at a smaller scale perhaps. He said that that entire aspect of this is totally within our hands locally.

Mr. Arentowicz said that they explained to the Highlands Council that we have a sewer problem here and that we are trying to get our plant re-rated somewhat higher than it is and asked for any assistance that they had in their contacts at the NJDEP to help us and he felt that they received that commitment.

Mr. Connor added that we received in the mail today what they said was a typical study which was Oakland, so we now have an example of what a typical study should look like when it is done.

Mr. O'Brien had no further comments to present.

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DISCUSSION

MILLINGTON UPDATE

Mr. Arentowicz said that the members of the Millington Element Subcommittee are Mr. Pfeil, Dr. Rae, Mr. Roshto and himself and they have met 5 times since April 30th discussing goals, priorities, and reviewing draft documents and he was happy to report that at all of those 5 meetings everyone was in attendance. He said that they also have worked with Sgt. Scheibler of the Long Hill Township Police Dept. who completed a traffic study for them. He said that it worked out well because they were evaluating equipment and they tested it out on their request and they monitored Division Ave. and Long Hill Rd. in Millington over a week's period of time. He said that they have that information and the Subcommittee is in the process of reviewing it and they can share it with the Board.

He said that they also have had numerous e-mails and conversations with the EPA and the NJDEP regarding the TIFA property and the Superfund site of what we could or could not do and if we could have any recreation in the fenced off area. He said that they are in the process of getting more answers to those questions, noting that it has taken a while to get through those avenues of organizations to get to the right people, but he felt that they are at that point now. He said that they have also had conversations with the Historic Preservation Advisory Committee and they are also having a conversation with the Open Space Subcommittee to make sure that the Millington Element is consistent with what is in their elements. He said that, after lengthy discussions, they have agreed on what the goals of the Millington Element are and they are probably 90% - 95% there. He said that they have developed and prepared a working draft of the Millington Village Plan Element and they will continue to enhance it. He said that they met last night and they feel that they will be ready to present a draft to the Planning Board in a month. He said that they will need some input from Mr. O'Brien in a week or so and Mr. Roshto will be in touch with him.

Mr. Roshto said that he forwarded information to Mr. O'Brien today, so it is in his inbox.

Mr. O'Brien replied that he had not been in the office since noon but will look at it in the morning. He then asked Mr. Arentowicz if he happened to ask if there are any comparable studies that he could compare the current study for Division Ave. and Long Hill Rd. to, either at the local level or at the County level, so that he could say that traffic volume is this in 2013 and was this at some date in the past?

Mr. Arentowicz replied that he would let Mr. Roshto respond to the question.

Mr. Roshto said that they have the data from the 1996 Plan that has County data in it (from 1990, 1978, and 1960). He said that he wanted to get some confirmation back. He said that they specified in those older circulation plans exactly where they took the traffic statistics and he did not know exactly where they set up. He said that once we know that, he will correlate it exactly to the information or they will have to separate it out.

Mr. Arentowicz said that, without looking back, clearly the peak times are when the trains are departing and arriving, with differing peaks on Saturdays and Sundays.

Mr. O’Brien said that the Board was very surprised when 2 years ago we counted the Meyersville Circle and we found that the overall traffic volumes had been reduced since the late 1990’s.

Mr. Roshto said that they experienced the same surprise in Millington with the numbers modestly reduced.

Mr. Arentowicz added, that is what it looks like, but we have to confirm some of that.

Mr. O’Brien said that vehicle miles traveled as reduced overall nationally due to economic conditions.

Mr. Arentowicz felt that the reduction is also due to the price of gasoline.

Mr. O’Brien said that, in addition to that, it was due to the number of closures of very large facilities in the area and people are no longer traveling through, to, or from hereto which really showed up in the Meyersville numbers.

Mr. Connor added that the population of the Township has essentially been flattened, or increased by only 2/10 of 1%. He then suggested that Mr. O’Brien begin his discussion on Ordinance Updates.

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DISCUSSION

ORDINANCE UPDATES

Mr. O’Brien stated that last week he had sent out an updated Status Report to the Board and he had an opportunity to speak with the Township Clerk today about things that are in front of the Township Committee. His understanding from Ms. Reese is that the Development Fee Draft Ordinance which has been approved by COAH is before the Township Committee on June 19th. In addition to that, the Fee & Escrow Ordinance that was resented at the end of May is also before the Township Committee on June 19th. He said that there are also 3 items that are carryovers from 2012. One is the Sample Stormwater Management Practices Manual, another is Off-Site Signage, as well as the Height Ordinance. He said that Ms. Reese indicated that she would be discussing those 3 drafts with the Township Committee as soon as she could to find out how they wish to deal with those ordinances, particularly given that they had been handed in last year.

Mr. Roshto said that that sounded correct.

Mr. Connor then called for a recess.

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Mr. Connor stated that he was reminded that he had not allowed time for public comment after some of the previous agenda items, therefore the meeting was opened to the public regarding those discussions.

Mr. Dennis Sandow, Millington, said that he was hoping to address the report on the Millington Subcommittee. He said that he appreciated the fact that the Subcommittee has been meeting regularly and has talked to the EPA, NJDEP, Open Space Committee, Recreation Committee, and Historical Preservation Advisory Committee, but the fact is that the existing Millington Business District is 100% business and those are the people that have the interest and are going to make or break any plan and he did not hear a word about soliciting any input from them. He said that, if you want to pursue a report and a proposal a month from now and then wait for comment from the business community, it is likely to be a bit more contentious than if you brought them in early and he recommended that that be done. He said that there are two very large taxpayers in downtown Millington, three if you count TIFA (and he did not know if TIFA was counted as part of Millington or not). He suggested that if you would like to get some solid input from some very active business people who are the life and death of the downtown Millington Business District you can talk to him and he will set some people up to join with you. He said that what you need is the input from the business people who are there.

Mr. Roshto said that he had had an occasion to talk to the President of the Chamber of Commerce about this and invited her to participate in the work that the Subcommittee is doing, so she is aware of what is being done and if there is interest in reviewing the documents, she is welcome to participate.

Mr. Sandow replied that he was not talking about reviewing the documents, he was talking about listening to what there is to say at the early stages.

Mr. Roshto felt that words were being minced but said that that is the discussion he has had with her. He said that he spoke of what we are trying to accomplish – she is aware, and they are working with her. He said that it was inadvertent that he had not mentioned it to Mr. Arentowicz yet and that is why he did not mention the Chamber of Commerce in the list of people they have approached.

Mr. Sandow said that he has been “hyping” this thing at the Chamber meetings all year long and he has been on the brink of saying that that Subcommittee is now ready for volunteers. He said that maybe this month he will be able to

make that announcement to the members. He said that it is obviously worth paying attention to the business community and there are very divided opinions about TIFA and you need input from them.

There being no further comments, the meeting was closed to the public.

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DISCUSSION

MASTER PLAN GOALS AND OBJECTIVES

Mr. O'Brien said that Mr. Arentowicz had rather skillfully guided the Board at its meeting on April 23rd and the materials that the Board received reflect the revisions that the Board made that evening. He said that the Board decided to keep a number of the goals – for instance the ones on the first page and at the top of the second page and made requests that we add a number of goals which are reflected in the middle of the second page. He said that some of that language was provided by Board members and some he worked on in the spirit of what the Board had requested. He suggested looking at those additional goals since the other ones had been decided.

He said that, amongst the added goals, the first one is “To enhance the pedestrian environment and encourage improvements that increase safety and facilitate pedestrian circulation.” He asked if there were any comments. There being none, he continued to the second added goal.

The second added goal is “To preserve and enhance waterfront areas along the Passaic River and to complete the Riverwalk trail along the river.” He asked if there were any comments. There being none, he continued to the third added goal.

The third added goal is “To promote ecotourism of the Great Swamp and the Upper Passaic River for appropriate conservation oriented economic development as well as conservation purposes.” He asked if there were any comments. There being none, he continued to the fourth added goal.

The fourth added goal is “To implement as much as possible a Complete Streets program through the planning, design, construction, maintenance and operation of new and retrofit transportation facilities, enabling the safe access and mobility of pedestrians, bicyclists, transit users and people of all ages and abilities.” He asked if there were any comments. A member asked what it meant. Mr. O'Brien replied that he borrowed it from the State Complete Streets Program.

Mr. Connor asked Mr. O'Brien to explain “Complete Streets”.

Mr. O'Brien replied that it is a program which enables all users of a roadway to have the same access to that roadway and its safety and its facilities. While we engineer roadways for the safe use by motor vehicles, he said that we are now emphasizing safety of bicyclists, safety of pedestrians and the safety of people waiting for a bus, transit users trying to make it available to all users making it a complete street rather than one oriented to automobile traffic.

Mr. Roshto said that the reason he brought that up when we were discussing it was related to schools. It was not necessarily a Complete Streets program for the entire town, but he wanted to make sure that the children were safe and that we had the right sidewalks and slow down the traffic along those intersections that are vital. He said that maybe we could add something with more emphasis on surrounding neighborhoods with schools.

Mr. O'Brien asked Mr. Roshto if he would like to change the emphasis from a Township Complete Streets to one more oriented towards the schools and the areas immediately surrounding the schools .

Mr. Roshto replied that that was the original discussion he had in mind. He said that, if the Planning Board wants to increase the scope of it, they are certainly welcome to.

Mr. O'Brien said that you could lessen the scope by focusing on schools and surrounding areas or you can leave a goal of Complete Streets everywhere, but emphasize the safety in around the schools.

Mr. Connor said that maybe you could use something with an emphasis on, or some words like that and certainly with an emphasis on maintenance. He said that one of the problems is that the streets get overgrown and you can't walk on some of the sidewalks because of the bushes and everything that get in the way.

Mr. Aroneo asked if transportation facilities refer to the train stations.

Mr. O'Brien replied, train stations, bus stops, or anything on the roadways such as signage or lighting.

In response to Dr. Rae, Mr. O'Brien replied that it is the property owner who is responsible for the sidewalks. He said that how much we do here in terms of replacement, that is a Township policy and he was not aware of exactly what we do.

Mr. Lemanowicz said that he did not know the Township policy either since he hasn't done infrastructure in Long Hill.

Mr. O'Brien asked if it was the Board's pleasure to leave the Complete Streets goal and add another goal emphasizing school safety, or do you want to keep one goal and include the schools (in the current one).

Mr. Moholkar said that he got the impression from what Mr. Roshto said that it should be centered around the schools and, if we can do more, great – but that is the key objective. He did not believe that it is two objectives, he felt it is one.

Mr. Connor added, with an objective of those sidewalks that are used for walking to the schools.

Mr. Roshto said that he liked what Mr. Connor had said earlier, "with an emphasis on"...

Mr. O'Brien suggested, "To implement a Complete Streets program with an emphasis on routes to school through the planning, design, construction, and maintenance". He said that the last added goal is "To make the safety of residents, visitors and property during natural disasters an essential part of the planning process".

Mr. Roshto did not believe that it made sense the way it is written because, during a natural disaster, you are not going to be planning a process – you will be reacting to something. He asked what the point was of this goal.

Mr. O'Brien replied that the Board had expressed a concern that we were not emphasizing the safety of the Township during natural disasters.

Mr. Moholkar said that he thought the discussion was on anything that is being built when we talk about the "green", for example a parking lot with a lot more greenery and catching runoff and that the idea was that anything that is being built should also include this as part of its planning, so if there is flooding that happens we want to get the cars in and out.

Mr. O'Brien said that it is not artfully worded but he felt that the planning process means that that discussion happens before a natural disaster. He said that it could be much better written.

Mr. Connor felt that it is like natural disaster preparedness.

Mr. Lemanowicz said that you could just take out the words "during natural disasters".

Given what has happened over the last couple of years, Mr. Connor said that there needs to be preparedness for natural disasters which are well beyond just normal safety issues.

Mr. Roshto said that our OEM has a preparedness document that is quite thick. He questioned if we are asking them to do something different and said that he did not quite understand this added goal.

Mr. Connor read it as we are just trying to include them as part of the Master Plan and recognize they are there.

Mr. Roshto said that maybe it should be restated in a way where our OEM works with our planning.....

Mr. Lemanowicz said that there are a number of things that our Planning Board can do in reviewing a site plan to acknowledge flooding. For instance, when you have a development you want to make sure that the driveway leaving the parking area is not in the lowest part of the property because that is the first area that will get flooded. He said that the driveway could be moved to the upper part and that kind of design consideration could result from a statement like this.

Mr. O'Brien said that all of these goals and objectives apply to land use decisions. He said that the OEM study and plan – that is the nuts and bolts of how this town is going to get through a problem, but this is what gives this Board and the Zoning Board the emphasis that when you review a plan, you've got to keep this goal in mind.

Mr. Roshto said that we are trying to implement a plan that ensures the safety of our residents in time of disaster.

Mr. Moholkar disagreed. He said that that is what the OEM already has. He said that we are saying that anything that you do as part of the land use should include this type of planning, meaning as Mr. Lemanowicz described, don't put the driveway at the low end of a property.

Mr. Pfeil said that you could say, "As an essential part of the land use planning and approval process...."

Mr. Roshto liked Mr. Pfeil's suggestion.

Mr. O'Brien suggested leaving out the word "approval" since not every application results in an approval but should still be part of that process. He said that the emphasis will be on prior planning and keeping this in front of the land use Boards.

Several Board members agreed.

Mr. O'Brien said that the next page regards Land Use and Housing. He said that we kept "conserve and enhance", "to maintain the Township's identity", "to ensure that new commercial development", and we revised "to encourage

neighborhood oriented land use” by taking out the last phrase. He said that the goal to prohibit additional multifamily residential was deferred to the Housing Element discussion which will be guided by what the situation with COAH is at the moment. He said that in the next one, “To uniformly encourage.....”, there are some minor grammatical revisions and then we added some goals based on Board discussion.

He said that the first discussion item is “To assure the safety of citizens and property and the effectiveness of first responders during natural disaster events by identifying needs and strategies to develop a regional watershed based approach to stormwater management through best practices.”. The next one is “Encourage the co-location of any additional wireless telecommunications facilities in the Township and to discourage any new towers”. He said that wireless telecommunications facilities are considered the antenna that transmits the radio signals.

After *extensive* discussion, it was the decision of the Board to strike the draft goal of “Encourage the co-location of any additional wireless telecommunications facilities in the Township and to discourage any new towers”.

Mr. O’Brien continued with a discussion of “To continue to plan the Valley Road Business District that is highly accessible to pedestrians, hikers, bikers, transit and automotive modes of travel and as a place where people stroll, walk, talk, work attend cultural and entertainment events, buy food and drink and conduct civic and other business” and that is taken from the current Valley Road Master Plan Element.

Mr. O’Brien said that the last one that we did discuss is on the very last page under “Recycling” and we revised that paragraph to remove the last phrase “and to explore the possibility of a new recycling depot for the Township”.

With regard to safety during storms, Mr. Lemanowicz suggested “To make the protection of residents, visitors, and property during natural disasters an essential part of the planning and engineering design process”.

Mrs. Dapkins felt it sounded good and other members agreed.

Mr. O’Brien said that the Board had decided during the last discussion in April that the goal starting with circulation and going through Historic Preservation that the various elements would be worked on by (he presumed) the Master Plan Subcommittee and it would be up to the Board whether they would like to revise the goals that currently exist and give them to the Master Plan Subcommittee to use or, another option would be to let them come up with information and the Board would derive its goals from their research.

Mr. Connor said that Ms. Harrington has put together a draft and he felt that the Board should pass that over to her and let her comment on it and work from there.

Mr. Roshto said that he was going to suggest the opposite of that, and maybe both. He asked if the Board could see the work that has been done since she said that the Circulation Plan had been completed.

Mr. Connor agreed that she could provide the draft to review.

Mr. O’Brien said that he would ask her to do that. He asked the Board how they would like to address the other goals that we have not gotten to yet.

An extensive discussion of the goals under “Utility Service” followed. It was agreed that the first goal under that section should be to “Maintain the adequacy of the existing sewer system; the second goal should be “Ensure that sewerage treatment capacity is adequate to meet the future needs of the Township”; and the third goal should read “To discourage major sewer line extensions unless needed to reach areas of significant septic dysfunction”.

With regard to Stormwater Management, Mr. O’Brien said that a Stormwater Management Plan was adopted by the Township some time in the last few years and there is an actual element in the Master Plan that was prepared. He asked if the Board would like to see what the goals are in that element or would they like to work on redrafting what is here.

Mr. Connor felt that the Board should work off of the goals of the current Stormwater Management Plan. He saw no reason to discuss the matter further this evening. He then moved on to Community Facilities and Recreation. He said that the Recreation Committee is working on their element and he suggested that the Board wait until they come in and advise what their goals are or, if we want to get it sooner, then ask them where they are. He said that they may have done some of the goals already.

As to the Conservation Element of the Master Plan, Mr. O’Brien said that the current Element was accepted at the end of last year. He said that, if the Board wishes, he can provide the goals that were listed in that document.

Mr. O’Brien said that the last element is Historic Preservation and his understanding is that they, too, are working on their element.

Mr. Roshto said that they could be ready in the next month or so. He said that there is one part in the Historic Element that requires a comparison with other elements and so he thought the Board would have to wait until some of the other elements are done.

Mr. O’Brien agreed.

Mr. Connor opened the meeting to the public for questions or comments.

Mr. Roshto noted that Ms. Harrington had brought up 3 or 4 items and asked if the Board would like to talk about those, one of which was undersized lots. He said that Mr. Sandow has a great deal of experience on that issue.

Mr. Connor said that he would like to do that, however if Mr. Sandow has any questions or comments on the most recent portion of the meeting, he would like to get them first.

There being no member of the public who wished to speak, the meeting was closed to the public.

In response to Mr. Connor, Mr. Roshto said that Ms. Harrington had mentioned the 4 Office Zones that the Board should look at. He suggested that the Board ask that the Subcommittee provide the background study information on the map, where they are, what size they are, and what the current uses are. With that information, he felt that the Board could make an intelligent decision pretty quickly.

Mr. Arentowicz referred to his notes and said that Ms. Harrington indicated that there are 4 Office Zones that are vacant; that of 21 Office Zoned lots, 13 are undersized; and the 4 Office Zones are residential.

Mr. Roshto said that, if we had a document that outlines that, then we would have something we can talk to.

Mr. Connor said that the Subcommittee is still in the process of getting that data and a more detailed map that allows a little better look at this and they are trying to get some of the statistics from the County level. He said that one of the objectives is to have good data and right now there is some and there is certainly a County level report that came out which really talks about Morris County in general which is interesting but not necessarily local. He said that there is also an issue that they want to try to find out having to do with vacancy rates. He felt that the Board needs to give them another couple of weeks and they will have better data.

Mr. Roshto said that he did not think that we need a lot of data – just that we know where they are, what size they are, and what they are being used for today we can decide on a case by case basis if we want Office Zones there.

Mr. Connor said that we can ask Ms. Harrington to provide whatever data she currently has which may be sufficient.

Mr. Arentowicz said that he did not want to just restrict it to the Office Zone noting that she mentioned that there were 153 commercial lots and 48% are undersized.

Mr. Connor said that here is where Mr. Sandow gets involved and that he has been doing some support.

Mr. O'Brien requested to first finish the discussion of Ms. Harrington's group and the O-Zone. He said that, prior to tonight's meeting, she met with the Chairman and himself. Through an e-mail last week, he said that she actually requested staff help from somewhere to gather much of the data the Board just asked for and they have not been able to do that, so the data is not there at this point.. He said that it has not been resolved as to exactly how that data can be given to them. He said that he would let Ms. Harrington know that the Board has a concern and would like to receive that information whenever it is available.

Mr. Roshto said that it is not a concern, it is to answer the question we need the information.

Mr. Sandow said that all of the answers to the Board's questions are in the undersized study which he formally presented to the Board about 4 years ago and has presented over and over again over the past few years as new members came on board. He said that the Gillette O Zone was created in 1996 and consists of a farm property that wraps around the Ancona Bistro. It contains about 5 acres and was intended to be developed as office. He said that, interestingly enough, it was made into a new Office Zone rather than added to the Gillette B-1-20 Zone. He said that it contains one existing residential property on Mountain Ave. To his knowledge, it is the only Queen Ann in the town and is listed as historic but it was put in the O Zone for some reason at the time. He said he was surprised that the Historic Preservation Advisory Committee didn't have something to say about it. Other than the Queen Ann, he said that the rest of it is currently vacant and unoccupied. He said that the farm house was knocked down about 7 years ago in order to reduce the assessment on the lot. He said that the other big O Zone that is unused is the Barrett Roofing property which consists of 6 lots on Stonehouse Rd. across from the Tifa complex. He said that 2 of the 6 lots have existing houses on them – there are 2 lots on Division Ave. which are rented out. Presumably if that area was ever developed as office or anything else, he said that those houses would go.

Mr. Roshto said that that house is also historic (on the Barrett Roofing site).

Mr. Sandow said that the 4th house in an O Zone is very curious. He said that there is an O Zone at the corner of Valley Rd. and Main Ave. It includes Valley Auto, which is a severely undersized lot with front yard parking only; the new Chase Bank building; the bike shop (which is a nonconforming use in the Zone); and the day care center (which is conforming in any zone and was originally built has a professional office building with 3 suites). He said that the next lot is very small (1/4 acre) and contains a boarding house across the street from the Speedy Mart. He said that it is in an O Zone for reasons which he did not understand, presumably it was intended to be developed. He said that it is undevelopable by itself unless you merge it with the lot next door which is the dry cleaner and also contains 1/4 acre but which is in an LI-2 Zone which has a 2 acre minimum. He said that the other O Zones in the Township are the Colonial Woods Professional Park at the corner of Passaic Ave. and Valley Rd. and contains a 2-

story office building which has been there for a long while. He said that the other end of Valley Rd. starting at The Primavera (which is in an O Zone), the adjacent medical office, Spiro's lots, and the third of the Kurz properties, the funeral parlor, IMA, and the rest of the Kurz properties is the largest single O Zone in the Township. All told, he said that there are 21 or 22 lots in the O Zone and only 3 of them contain legitimate office buildings, which he felt is the significant problem with the O Zone. He then recalled that the former Elm St. School is located in a recently created O Zone which contains 2 lots, 1 of which is the former school building and the other is the old tennis court (which is a vacant lot). He noted that they are both undersized. He said that there are only 3 office buildings all together doing office uses in the O Zone. He said that the O Zones need a thorough look.

Mr. O'Brien said that the O Zone at the corner of Valley Rd. and Main Ave. and the western piece of the O Zone starting at Morristown Rd. and Valley Rd. going west have been proposed to be in the Business District Zone on Valley Rd.

Mr. Sandow replied that that comes and goes depending upon what year it is. He said that for the past 5 years that was in and out and he believed that it is currently out because we didn't want to tie it up in a business zone and wanted to leave it in an O Zone until some later determination as to its ultimate destiny.

Mr. O'Brien replied that those 2 areas are in the Business District Zone but the lots on the eastern side of that O Zone at Morristown Rd. and Valley Rd. remain in the O Zone.

Mr. Sandow agreed. He also said that we never did figure out the logical thing to do with the funeral home and IMA.

Mr. O'Brien confirmed that they are currently in the O Zone and the Master Plan calls for them to remain there.

Mr. Sandow said that he was not sure that a funeral home would be legal in the O Zone but surely the industrial use by IMA doesn't belong in the O Zone. He said that he has always believed that we should be smart enough to pull those 2 lots out and put them in the Business Zone, but then you have that little 200' interruption between the funeral home and the Walgreen's lot (which we won't put in the Business Zone because we want to leave it in the O Zone until it becomes something else). He said that the good news is that the lot size in downtown Stirling on Main Ave. is so small, at 5,000 S.F., there are only 2 lots that are undersized in that Zone, one of which is the newest building on the corner of Railroad Ave. which contains a 2-story building and 6 parking spaces. He said that the other undersized lots in the Business Zones tend to be on Plainfield Rd. and Metzler Pl. which are residences which are trapped in the B-2 Zone and if we don't do something smart in the rewrite of the Valley Rd. Master Plan they will be trapped in the B-D Zone as residential uses. He said that there are incidental undersized lots in Gillette and the Meyersville Hamlet (M-H) Zone. He said that there are only 1 or 2 undersized in Millington because a lot of the lots in Millington have enough depth to them that they get the coverage. He said that there is a complete list if you would like it but a color coded map would be more useful.

He said that he would like to refresh the Board's memory that in April of last year, he gave one of his routine speeches about the fact that 41% of all of the improved residential lots in the Township are undersized and that means that 41% of the people have some restriction on doing improvements unless they come to one of the Boards. He said that last April he had reason to give that speech again and he was told point blank, bluntly, by a member of the Planning Board to sit down and shut up and that we were going to get the undersized lots taken care of this year (i.e. 2012) and they had appointed a committee to get it done and he should stop talking about it and wait for it to happen in 2012 and then the Planning Board actually made a motion and passed a vote to sit him down because they didn't want to hear any more about it because it was under control and it was going to get done. He said that it didn't get done in 2012 and now he heard Ms. Harrington say that possibly by September she will be ready to address the Land Use Element in order to submit it and finalize it by November. He said that he was simply reminding the Planning Board that a promise made is a debt unpaid.

There being no further comments, the meeting was closed to the public.

Mr. Connor asked for a motion to adjourn.

Mr. Wallisch said that Ms. Harrington brought up the subject about a survey monkey. He asked if the Board feels that that is something that has value, or do we feel like we have a good finger on the pulse of what is going on in the minds of the community and that we don't need that information.

Dr. Rae said that he felt it would be nice but his personal opinion was that we don't have a lot of time left and before you send out surveys you have to craft them so that you get the information that you really want back. He said that he did not know what we would get back from such an undertaking at this point in time. He said that he would not advise the Board to move forward with a survey.

Mr. Aroneo said that he felt it is valuable but he did not believe that the Board would be able to put together such a survey with the appropriate questions and assemble all of the information in a sample that actually counts as a sample or a statistic and get it ready to put in. He said that, if we do the Master Plan and do the survey and then go back and enter the data, provided that it doesn't completely negate something, he did not know how well that would work because if you put something off until later, it probably won't get done.

Mr. O'Brien added that you wouldn't have the survey to give you advice, if that is what you are looking for.

Mr. Connor said that he had a concern about the survey and that is no matter how we do it, electronically or on paper, the return rate is extremely low. He said that the on-line ones would probably be better, but the validity of the data is the real question. He said that, if we get a 10% written return rate, it can so easily be construed one way or another and manipulated. He said that, if we could get a relatively decent return statistically throughout the community that would be one thing, but he felt it would be extremely difficult to get a real sample that would be valid.

Mr. Roshto said that, at the risk of causing more trouble, he felt that there is a bigger issue than the survey which is a microcosm of talking to our residents and business owners about what it is we are trying to accomplish. He said that this is no secret – it is a huge undertaking what we are doing here and he was very concerned, especially after hearing Ms. Harrington tonight. He said that we are going to try to get the Land Use Element done in 2 months. He wondered what we are doing here and wanted to have time to talk to the residents and business owners to get their feedback, and make adjustments. He said that we are doing the best we can but he was not sure that we are doing enough in that regard and he did not think a survey is going to answer that question.

Mr. Connor said that it is a question of resources and if we had tons of money we could go out and spend \$100,000.00 and have somebody work on this full time, but we don't have the money to do that, and we don't have the staff in the Township to do that either to provide significant help.

Mr. Roshto said that he felt that we need to rely on our other committees more and pressure HPAC, Open Space, the Environmental Commission, Recreation Commission, etc.

Mr. Connor said that a good number of them are doing that but they are still in the process. He said that Open Space is essentially done and we should see them perhaps on the next agenda. He agreed that it must come from the committees because they have some of the expertise and there are a lot of different community people there. If they agree on it and we have the necessary public hearings, then he felt that the whole town gets to look at it during the public hearing and, if people show up, fine and if they don't, we've got to take their recommendations.

Mr. Roshto said that we talked about doing a Re-examination Report in the beginning of the year and maybe we should think about it. He did not feel that one year is enough time to do an entire Master Plan. He said that last year some of the Planning Board members had the same discussion. He said that it is now June and Ms. Harrington suggested that maybe we will and maybe we won't, but we are going to have to cut corners. He asked why we don't consider directing our Master Plan Subcommittee to do a very good job on one thing and make it the best thing it can be and look at possibly doing a Re-examination Report this year but also put on us a stringent requirement (whatever we would agree to – 1, 2 or 3 years) that we must complete the Master Plan and do it right.

Mrs. Dapkins said that she thought that the Board had to have it done by November.

Mr. O'Brien replied that Mrs. Dapkins was correct.

Mr. Roshto said that a Re-examination Report can be done.

Mr. Connor said that what Mr. Roshto is recommending is that the Planning Board do a Re-examination but then take the necessary time to do a full examination within the next three years so that we don't have another 10 years to wait.

Mrs. Dapkins said that that is a thought, but in the past there hasn't been continuity on the Board – either through people moving, people passing away, or others not being reappointed. She said that it is a big commitment to sign up to be on the Planning Board. She asked if we are going to have any continuity in the next 3 years. If we are, she said that it might work.

Mr. Connor replied that that is up to the Township Committee(s) and Mayor(s).

Mr. Roshto replied that he did not believe it is any secret from Dr. Rae and himself, he felt that we have a fantastic Planning Board right now. He felt that there will be continuity but, again, it is 5 people on the Township Committee so anything can happen.

Mr. Connor said that it seemed to him that it ought to be considered but not decided tonight.

Mrs. Dapkins agreed that it is something to think about.

Mr. Wallisch said that if we are going to invest all this time on a critical document, it should be done right and, if we don't have the time, let's step back and do what needs to be done legally and then do it right.

Mr. Connor said that that message needs to be transmitted to Ms. Harrington.

In response to Mr. Wallisch, Mr. O'Brien explained that the M.L.U.L. requires the Planning Board to look at 5 or 6 items in order to write a Re-examination. He said that you have, as part of your Township documents, the 1996 Master Plan which Ms. Harrington reminded us is 270+ pages. He said that you also have the 2003 Re-examination which specifically addressed only the statutory criteria such as changes in assumptions of the Township and physical changes to the Township recognizing past goals and bringing those goals up to date. He said that the 2003 Re-

examination was 12 -15 pages and is more of a very basic document that just answers those statutory criteria – period.

Mr. Connor said that, obviously Millington is going to be worked on, and the process certainly has started to look at Gillette, the whole O Zone, and other issues. He said that he would not want to say to the Subcommittee that they have another 3 years. He said that they are motivated to do the elements and we should keep them motivated to try to get as many of those elements done as possible, where some of these studies are not necessarily required, such as Historical or Recreation and they could come to us now when they are done and we can continue to adopt the various elements which would then limit what we really need to do with a Re-examination.

Mr. Roshto said that he tended to agree with that. He said that he would say if we said to the Subcommittee to focus on one thing, like we are focusing on Millington – we will continue to do that, but maybe that Subcommittee could focus on Stirling, for example, or the undersized lots issue. Something specific where we could get all the information we need to make a sound decision.

Mr. Connor asked what data is essential in the Re-examination.

Mr. O'Brien replied that, because the Re-examination focuses more on the changes since the last Master Plan/Re-exam, it is really a statement of problems that the Board sees, perhaps in solutions or perhaps just stating that this is a problem that needs to be addressed so that that part of it is either non-existent or could be very light.

Mr. Connor said that it is easy enough to bring up the census data.

Mr. O'Brien replied that, if the census data supported a new objective or change in the thinking of the Board, then you could certainly put that in there. But the Re-examination is more focused on the changes and assumptions that have happened.

Mr. Connor said that he had a problem with leaving, in some cases, 1990 census data in anything that we have, which he felt looks ridiculous.

Mr. O'Brien said that it wouldn't be in the Re-examination.

Mr. Connor said that he really wanted to work off the 2010 data.

Mr. Roshto said that that was the part in which he was agreeing with Mr. Connor that they should continue with the background studies. He said that all of that data is critical and the 2010 census data is out.

Mr. O'Brien said that perhaps it might help the Board if he provided a list of the statutory criteria for the basic Re-examination. He said that he could also resend the last Re-examination of 2003 which is an example of that rudimentary document looks like.

Mr. Connor said that he did not see that minimum as being sufficient.

Mr. Roshto said that we could say it is 1 year and put very stringent requirements in it to get it done.

Mr. Connor said that he did not have a problem with 1 year. He felt that after the Re-examination is done, we should clearly be able to finish it within a year.

Mr. Arentowicz said that if, come August, we find that we have 5 elements done, can we put those 5 elements in the plan and then do the Re-examination.

Mr. O'Brien replied that you could include those goals from those elements in the Re-examination and, should you adopt them prior to the Re-examination being adopted, they would become part of the Master Plan and would replace those 1996 Elements.

Mr. Connor said that we just finished the Overall Goals of the Master Plan - 1996 and we now have them, basically, at 2013 and that, obviously, has got to go in whatever document we produce, whether we call it a Re-examination or not. He felt that Mr. O'Brien's offer was a good one and the other part is to have the Subcommittee work on the things that are most essential – Stirling and Gillette and the whole question of the O Zone.

There being no further questions or comments, the meeting adjourned at 10:50 P.M.

DAWN V. WOLFE
Planning & Zoning Administrator

