

**AMENDED MINUTES**

**JUNE 25, 2013**

**PLANNING BOARD**

**LONG HILL TOWNSHIP**

**CALL TO ORDER AND STATEMENT OF COMPLIANCE**

The Chairman, Mr. Connor, called the meeting to order at 8:00 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
- Guy Roshto, Member

Gregory Aroneo, 1<sup>st</sup> Alternate (arrived at 8:05 PM)  
Timothy Wallisch, 2<sup>nd</sup> Alternate

Barry Hoffman, Bd. Attorney  
Kevin O’Brien, Twp. Planner  
Thomas Lemanowicz, Bd. Engineer

**EXCUSED**

J. Alan Pfeil, Member  
Dawn Wolfe, Planning & Zoning Administrator

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**EXECUTIVE SESSION**

Upon Mr. Connor’s recommendation, Mr. Roshto made a motion to adjourn to executive session at 8:02 P.M. to discuss an item which may have legal ramifications. Dr. Rae seconded the motion.

The Planning Board re-entered public session at 8:15 P.M.

It was noted by Mr. O’Brien that Mr. Aroneo had arrived at 8:05 P.M.

**APPROVAL OF MINUTES**

The minutes of February 26, 2013 were approved as written on motion by Mr. Moholkar and seconded by Mr. Wallisch. Mr. Pfeil abstained as he was not present at that meeting. 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. Sally Rubin, Executive Director of the Great Swamp Watershed Association (GSWA), thanked the Planning Board for its service and for reading her letter of May 14, 2013 into the record. She explained that she was unable to attend that meeting that evening due to their annual dinner meeting of which all of their Board and staff members were present and, therefore, she had no one to send in her place. She said that she knew that Indoor Soccer, LLC had not filed an Application for Development but they did file a request for a zone change. She said that the GSWA would like to go on record as opposing a zone change and feels that any development of that property should be done via either a Planning Board variance or, more likely, a Board of Adjustment variance. She said that the property is currently located in a C (conservation) Zone and it is very environmentally sensitive property and they feel that any development that should occur there, or would be requested to occur there, would be more appropriate to be evaluated on a case by case, variance by variance, method as opposed to granting more of a bulk/zone change for a commercial district. Alternatively, she suggested that if the Board is inclined to change the zone, that it be changed only at a minimal level and create a Commercial/Recreation Zone for some existing or prior Resolution of approval and *not* for something that is being proposed down the road. She said that, for instance, the proposed zone would have a much more intense use and noted that the original use of the property was limited predominantly for summertime use and, clearly, this would be more of a 365 day a year use with more hours of operation on any given day and a much more traffic intensive use, as well as what was originally put on that property. She felt that, if the Board makes a blanket zone change, they are allowing all of these things without necessarily addressing each one on an individual basis, which she encouraged the Board to do instead. She said that she reviewed the DVD of the May meeting that she missed and asked for some clarifications.

She said that she had spoken with the original developer of Copper Springs, Mr. Bailey Brower, who is on the Chatham Township Township Committee and he was also the developer of Noe Pond Club which is in Chatham, which he still runs. She said that he was kind enough to sit down with her and clarify a couple of things. Although the area where the pond is was wet, she said that it is indeed a man-made pond and Mr. Brower told her that he did not bring in clay to line the pond – it is unlined, but that the soils are very clay soils. She felt that Mr. Brower would be willing to speak with others if he was willing to speak with her. She said that the question came up as to whether the pond is pervious or impervious and she did not believe it is a black and white answer, but she would take the position that it is very different from a swimming pool. She felt that you would need to do a topographical survey to find out what kind of a drainage area it is and it is its own little mini-watershed where water probably runs down from land surrounding the pond, into that pond, so not only does it catch the rain that falls on it vertically, but it also takes water that is running off the land surrounding it. She felt that that is something the Board would want to know before allowing someone to fill it in and claim that there is going to be no additional flooding anywhere.

She said that she knew that the question of chemical use came up and were those chemicals bad for the environment and bad for the Great Swamp Wildlife Refuge. She said that she is not an expert but, according to Mr. Brower, what he used to use at Copper Springs and what he currently uses at Noe Pond are either chlorine or bromine and copper sulfate. She said that, according to the people she had spoken with, those are not long lasting chemicals. She said that it makes common sense that the reason you need to continually put them in the pond (or a swimming pool) is because they dissipate so quickly. She said that they have either very short lives and they don't migrate into the Great Swamp or, if they migrate, they are used up and evaporated very quickly thereafter. In her opinion, the chemicals were not an issue and that filling in the pond have much more of an impact on the environment.

She encouraged the Board to remember that the property in question is adjacent to the Great Swamp Wildlife Refuge and she felt that the Board has acknowledged in its Master Plan that protection of it is of high importance to the Township. She then offered to answer any questions, including those related to her letter of May 14, 2013. She also offered to return to the Board when the application is actually on an agenda.

Mr. Arentowicz asked if the GSWA has met with the applicant and, if so, what was the reaction/result of those meetings.

Ms. Rubin replied affirmatively and said that she met with Mr. Plofker twice and spoke with him on the phone a couple of times. She said that he contacted her and she advised him that her concerns were of the filling in of the pond and the amount of increased lot coverage (from 15% to 40%). She said that she advised him that she wanted to retain an expert and she came with her environmental consultant who is from Princeton Hydro, a representative from the Great Swamp National Wildlife Refuge, and a representative from the N.J. Conservation Foundation. She said that they met with Mr. Plofker and she did not recall if he had his expert with him that day or if he was by himself. She said that they walked around the property and he had some plans for them to review and her expert then went back and evaluated the proposal and they all met again and this time Mr. Plofker had Mr. Petry were present at a meeting in her office and they went over some of their concerns. She said that her concerns of going from 15% to 40% were not addressed and, as to her concern of filling in the pond, she said that Mr. Plofker told her that he had authority from the NJDEP to fill it in already and she was too late to alter that. She said that he may have convinced the NJDEP that he can fill it in, but she did not know that he has yet convinced the Board that he can fill it in.

Mr. Arentowicz asked Ms. Rubin where her last meeting took place.

Ms. Rubin replied that it was before May 14, 2013. She thought that it may have been at the end of March or beginning of April.

In response to Mr. Arentowicz, Ms. Rubin said that it would be her recommendation to the Board to deny the requested zone change and proceed on a variance basis which she felt would be before the Board of Adjustment rather than the Planning Board.

Mr. Hoffman replied, "Probably", depending upon the particulars of exactly what is proposed. He said that, historically, this property has been before the Board of Adjustment on several occasions.

Ms. Rubin said that she is not your stereotypical environmentalist and that she is not anti-development. She said that she felt that everybody has a right to develop their property and make money while doing so, however there are appropriate locations and inappropriate locations and she felt that this is one of the more inappropriate locations. She said that, if there were some higher ground, or a portion of the property that was not considered to be in the C-Zone or was further away from the Great Swamp, it would be a different story but she felt that what is being proposed and where it is being proposed – don't go together.

Mr. Wallisch asked Ms. Rubin if her organization had specific qualms with the current use of the property and if there are specific things they object to, or if they are okay with the current use of the property.

Ms. Rubin replied that, as is, she would certainly not tell anybody to undo what has already been done. She said that she is a big advocate of open space and would love to see that property become a part of the Great Swamp Wildlife Refuge, but "that ship sailed" and the property was probably developed right around the exact same time that the Great Swamp Wildlife Refuge was being formed. She said that it is not ideal, but it is not a terribly intense use and she knew that there were Resolutions specifying that this is a good use for that property because it is not an intense use.

She said that she would hate to see someone come in and propose houses and she did not think that you could get septic systems to perc on the property. She also did not feel that it would be appropriate to build more impervious surface. She felt that the owner could reconfigure what he has got if he wants to make better use out of it, but if you are getting away from tennis and a swimming hole, you are going to have a lot more lights, traffic, and noise, most of which are not her issue as an environmental organization but they are big issues for the residents.

Dr. Rae noted that Ms. Rubin had mentioned having some experts and asked her if she had any reports from such experts to share with the Board.

Ms. Rubin replied that she did not, it was more in casual conversation. She said that, if it progresses and she has to go down that road, she will but he has certainly given her the information that she has presented to the Board. She said that his name is Steve Souza.

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

Discussion of the next meeting regarding the rezoning request followed.

Dr. Rae said that, if possible, he would like to have the two parties together so that the Board could hear from both at the same time and come to a decision.

Mr. Roshto asked Ms. Rubin if someone from the GSWA will be available to appear on July 9, 2013.

Ms. Rubin replied affirmatively.

Mr. Connor requested Mr. Hoffman to prepare a letter for Mrs. Wolfe's signature establishing that we propose having a hearing on July 9, 2013.

Mr. Hoffman agreed to do so if so directed by the Board.

Mr. Roshto added that the Board may make a decision that evening.

In response to Mr. Connor, Mr. Hoffman said that the letter will say that the Board held discussions on the subject of a potential rezoning amendment to the Master Plan over a period of a couple of years now and it afforded the applicant first the opportunity to continue this dialogue at the meeting tonight when they advised that they couldn't make it and the Board is now desirous of bringing this to some sort of conclusion and with notice to the applicant that, potentially, the Board may at its discretion reach some decision or take action on July 9, 2013.

Mr. Roshto made a motion to approve of Mr. Hoffman preparing such a letter to be sent to the applicant which was seconded by Mrs. Dapkins. All members were in favor.

Addressing Ms. Rubin, Mr. Connor said that he knew that chlorine and bromine do evaporate but, when in the water, do they create other compounds that might be detrimental to the Great Swamp?

Ms. Rubin agreed to seek the answer to Mr. Connor's question. She said that she will attend the meeting on July 9<sup>th</sup> and, if she can, she would bring her expert with her as well.

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**DISCUSSION**

**DRAFT OPEN SPACE MASTER PLAN ELEMENT**

Mr. O'Brien said that a working group of the Open Space Committee met earlier in June, consisting of the Chair, Mr. Lemanowicz, Mr. O'Neill, and Mr. Sandow and their priority was to go through the draft and make sure that the numbers were consistent and that they are all based upon the same defined uses of the land, which was accomplished. He said that some other editorial changes were made that were an attempt to make the draft more legible by removing parts that were no longer applicable to it such as any mention of recreational space. He said that it was distributed to the Board and in the meantime he had received a version from Dr. Rae of some editorial changes, as well.

Dr. Rae said that it was more than just editorial and there were parts of the document that he found confusing. He said that it seemed that there was a lot of carryover from other documents that were kind of thrown in there. He said that there were a lot of words but he was not exactly sure what they conveyed.

Mr. Connor suggested going into a review. He said that he would like to get the document in shape to have a public hearing along with the Conservation Element. He suggested going through Mr. O'Brien's copy with Dr. Rae's revisions to it.

Dr. Rae suggested going through Mr. O'Brien's copy because his own revisions to it are reasonably extensive and there were some changes made of moving bits and pieces of it back and forth, therefore he felt it would be way too confusing.

Mr. Arentowicz asked if all of the Board members had Dr. Rae's revised version.

Mr. Connor replied, "Yes".

Mr. Arentowicz then suggested starting with Dr. Rae's version.

Mr. O'Brien said that the Board now has two documents on top of one now. He said that the red are the changes that were made with the group and, subsequent to that, at their direction, the changes in blue are the suggestions that Dr. Rae made.

Dr. Rae said that he had red and green on his copy and his suggestions are those in red. He said that he could go ahead and accept all changes and then we can work off a clean document with everyone's comments.

Mr. Connor said that he knew that Mr. O'Neill was happy with the revisions that Mr. O'Brien has and, obviously, we can make additional revisions.

Mr. O'Brien said that he had both copies in front of him and, if the Board is not confused by the changes, we could work off of both of them starting with Dr. Rae's suggestions. He said that the first changes occur on Pg. 4 in Sec. 1 – "Executive Summary" and all of the changes that are there are from Dr. Rae.

Dr. Rae added that his changes there were mainly editorial and not substantive. He felt that the breakdown of the various ownerships of the open space within the land in Item 1A could be made a little clearer.

Mr. O'Brien said that, typically, we go through these things page by page, paragraph by paragraph and see if there are any changes to be made. He said that we are on Pg. 4 and in the second paragraph there are a number of editorial changes. He asked if anyone had any comments or changes to make to it, noting that the Board was working off of Dr. Rae's version.

Mr. Roshto said that he could not see page numbers on the version he had in front of him.

Mr. O'Brien clarified where the item he was referring to was. He said that the Open Space Element and the Open Space Plan are synonymous.

Mr. Connor said that it is an element, therefore he felt it should be an element throughout.

Having heard no suggested changes to the 2<sup>nd</sup> paragraph, Mr. O'Brien moved on to the 3<sup>rd</sup> paragraph and asked if there were any comments. There were none.

He then moved on to Sec. 1A – "Findings".

Dr. Rae said that the way Mr. O'Brien had portrayed the ownership of the various tracts of open space seemed confusing to him and he felt that it could be addressed better.

Mr. O'Brien referred to the 3<sup>rd</sup> paragraph where it said that "The Township has a total of..." and suggested that it be amended based upon an e-mail he received today from Mr. Sandow from reading "acres of municipal land" to read "acres of municipal and Board of Education land", because we are including open space that is owned by the Board of Education and the Township as municipal land. He then asked the Board members if anyone had any changes they wanted to make to Findings 1-6.

Mr. Wallisch referred to Finding #6 and said that right now 48.3% of the Township is owned by governmental entities so, as far as the continued need for additional, he struggled with that. He said that the document makes an assumption and implies in quite a few different areas that we need to continue to need to expand and expand and expand the open space areas. He said that that may be true, but he was trying to understand exactly where it is that we want to get to – how much land is appropriate for open space? He asked if it is 50%, 60% or 70%?

Mrs. Dapkins said that she thought they were looking at *usable* open space.

Mr. O'Brien said that the first sentence there has been changed in its intent by the removal of the phrase "in appropriate areas". He said that the original intent in describing appropriate areas was that it be something such as Blue Acres that would help in flood issues and removing properties from improvement to unimproved, whereas this is a more general goal. He said that it would be up to what the Board wanted to do.

Dr. Rae said that the only reason he struck "in appropriate areas" is because he didn't really know what it meant. He said that maybe if Mr. O'Brien expanded on what appropriate is, that would be fine.

Mr. Wallisch suggested adding "such as", for example Blue Acres.

Mr. O'Brien replied that that was the second sentence and the appropriate ones are future land acquisitions to complement existing current preserved lands and open space by facilitating and lengthening the existing trail networks and expanding open space tracts. He said that environmentally constrained land should also be a target for open space appropriation.

Dr. Rae said that, from what he just heard, the second sentence covers what Mr. O'Brien said as far as Blue Acres and all the rest of it and the other one is the expansion of the open trails and all of the rest of it then is a target for open space which, to Mr. Wallisch's point, is too general.

Mr. Arentowicz reminded the Board that we, as a Township, have submitted 13 properties for submission to the County and the State – properties that would be purchased with Green or Blue Acre funds. He said that these properties were built in a flood plain and, if these properties were purchased, they would be considered open space after which we took care of the properties. He said that, when you see the term that we need to increase open space, we need to increase open space where we have properties that have been built in flood plains that are causing major problems in this Township.

Dr. Rae felt that Mr. Wallisch made a valid point – if it is environmentally constrained areas that we want, then that is what we should include and, anything other than that is fair game. He said that maybe it is environmentally constrained and some other class of land but right now it is written fairly general.

Mr. Roshto said that, if we read each one of these sentences this way, it is going to be very difficult to get through this. He reminded everyone of the high level goals and, if we keep those high level goals in here which are clearly stated, perhaps we won't get lost in the minutia. He then moved on to Item 3 – "Goals" and said that the high level goals are :

1. To provide open space for active and passive recreation for the benefit of all Township residents. He felt that we all understand that we are lacking in our Township in terms of active and passive recreation.

- a. Expand opportunity for active and passive use recreation in the Town Center areas. He said that we all understand that we would like to improve our Town Center areas.
- b. Encourage and promote the development of the Passaic River Greenway. He said that that is another place where we want to look for open space opportunities.
- c. Encourage the continued expansion of passive recreation opportunities in the Great Swamp Wildlife Management Area.
- d. Continue to maintain and improve existing Township facilities.

He said that, if we think about those things, we won't get lost in some of these words that we are striking and not striking.

Dr. Rae agreed, but said that people are going to read this document and they should walk away having an idea of what our open space plans are and what we are doing about it and so the words are important whenever you start to dig into the document, apart from the high level goals.

Mr. Roshto said that he did not mean to say that what Dr. Rae was suggesting was not important, in fact, he felt it *is* important. He said that he was just pointing out that we are debating a sentence one way or the other when he thought the document stands very clearly in what it is saying. He said that he is asking a very valid question, but it is answered in our goals. He said that his question is, do we need to answer it twice? He felt that the way Dr. Rae wrote it is perfectly fine the way it is written, whether we strike the last two words out or not. He did not feel that it is making a substantive change to the document.

Dr. Rae said that since Mr. Roshto said that he didn't see anything wrong with the way it was written, he had nothing further to say.

Mr. Wallisch asked Mr. O'Brien to define environmentally constrained lands.

Mr. O'Brien replied that we define them as lands with critical areas which are those with steep slopes or have wetlands.

Mr. Roshto asked if critical areas are not already open space, in general. He asked Mr. O'Brien what he thought we were trying to say with this statement.

Mr. O'Brien replied that this gives you the backup for the Blue Acre requests because it is environmentally constrained land and the Township Master Plan says that we should try to acquire environmentally constrained land because you shouldn't build on it. But if you have already built on it, we want to try to put it back into open space because it is for everybody's betterment to allow flood plains to be flood plains and critical slopes to be critical slopes.

Mr. Roshto said that you can't build on environmentally constrained lands but we are suggesting that we buy environmentally constrained lands. He said that he was not seeing the benefit because, if you can't build on them, why do we want to buy them?

Mr. O'Brien replied, the ones that have been built on already such as the ones in the flood plain that have homes on them that are repeatedly flooded – they are on environmentally constrained lands.

Mr. Connor asked the Board for its preference in wording for the last paragraph. He said that he was looking at the original wording and the revised wording and he did not have any problem with the original wording.

Mrs. Dapkins agreed.

Mr. Connor suggested to Mr. O'Brien that he go back to the original wording.

Dr. Rae said that he was in favor of it, but if that is the way the members feel, we should just go up and down the document and say "yes" or "no", rather than just blithely saying go back to the original. He agreed that the Board needs to move forward.

Mr. Connor asked the Board if they wanted to revise No. 6 or go back to the original No. 6. The majority of the members were in favor of the new wording.

Referring to Item 1B – "Recommendations", Mr. O'Brien noted Items 1-5 and said that Items 3 & 4 have been revised.

Referring to Item 1B (3), Dr. Rae said that it wasn't clear to him what "an indispensable part of our community" meant – whether we want people walking up and down the river or walking down to the river freely.

Mr. O'Brien replied that, amongst the conversations he has heard as we have talked about this is the idea to make the river part of the Township's consciousness, whereas right now people only worry about it at particular times when it is a good time to worry about it rather than thinking of it as a recreational asset or a part of the Township that is there all the time – something that could be used recreationally, for natural purposes, or trails and walks. He felt that that was the intent in making it indispensable, however he agreed that it could be more artfully written.

Mr. Wallisch said that, theoretically, it is accessible now through public lands, so we just need to develop those public lands so that you can actually use it.

Dr. Roshto said that, for him, it is making it *more* accessible – not just accessible. For example, in Millington putting in a canoe ramp and allowing people to go down it cleaning up the trees, etc., so that it is *more* accessible. He agreed that the word choice of "indispensable" could be improved, but the idea is that we want it to be part of the fabric of our Township, so he felt that something needs to be added on to it.

Mr. Arentowicz suggested "Make the Passaic River *more* accessible through public lands and part of the fabric of Long Hill Township".

Mr. O'Brien replied that you may not want to limit it to public lands in case somebody wishes to set up a canoe livery service or something like that which would more than likely be on public lands but may have to be a lease or something like that, or maybe on private land.

Mr. Connor said that we could just say "Make the Passaic River more accessible for a variety of users".

Mr. O'Brien said that he might make a better sentence and then add another line concerning Mr. Roshto's language, which is more artfully written. He suggested leaving it open now with minor adjustments to be made later. He asked the members if they had any problem with Items 1B (4 & 5).

Mr. Roshto had a question with Item 1B(1) and asked why we are singling out the Town Center?

Mr. O'Brien replied that it was because in past versions of the Master Plan, the Town Center was also seen as a recreational center where commercial recreational activities could occur. He said that that is still the case but he did not think the emphasis is quite as strong as it used to be. He said that you could certainly omit the reference to the emerging Town Center because it does specify a particular area.

Mr. Roshto said that he did not necessarily have a problem leaving it in but he would like to know that it is aligned with the Valley Road Business District Element. He was also concerned that it might be detracting from possible other areas such as Millington, Stirling, or Gillette.

Dr. Rae referred to the second paragraph on Pg. 7 and said that it goes into detail on what we should do around the Town Center and it mentions a Master Plan Goal, so we might want to take that out as well.

Mr. O'Brien replied that he felt that the phrase would be as strong without the last words. He said that we will then put a period after "sensitive areas".

Mr. Lemanowicz said that that may actually be trying to say two different things rather than saying that the environmentally sensitive areas are somehow the same as a Town Center. He said that that might be saying "Expand open space with environmentally sensitive areas" and also "Expand open space within the Town Center along Valley Rd." – that may have been alluding to a streetscape, little pocket parks, or something like that within that business district. In other words, he said that they are not saying environmentally sensitive areas within the Town Center, they are saying environmentally sensitive areas and within the Town Center.

Mr. Sandow said that the recreational opportunities and open spaces in the Town Center area is a holdover from the Town Center having residential uses and this would go along with those residential uses. Since we have changed that part of the Master Plan to eliminate the residential uses, he said that we may not need recreational opportunities there.

Mr. Roshto said that that was what he thought..

Mr. O'Brien asked if there were any further comments on "Recommendations". There being none, he moved on to "Introduction" on Pg. 6.

Dr. Rae felt that the only major change there was to take one phrase and move it up to the top where he felt it made more sense in the first paragraph. There were no objections.

Mr. O'Brien moved on to the second paragraph.

Dr. Rae said that most of his comments were editorial, hopefully clarifying things. He said that it was the next paragraph where the Board might wish to have some discussion in light of what Mr. Roshto brought up.

Referring to the second paragraph, Mr. Wallisch quoted "Preservation is the only sure strategy of ensuring that properties with critically important, natural qualities are protected to the benefit of future generations of Township residents". He asked if we had a lot of examples of homeowners "mangling" the property" – making it so that those critically important natural qualities are not protected to the benefit of future generations? He said that this implies that the only way to do it is to buy it. He said that we could also work with the existing homeowners to make sure that there is conservation out there as well.

Dr. Rae said that, to the point that Mr. Arentowicz made about combining certain properties and leveling them to bring them back to their natural state to alleviate some of the problems such as flooding, it is more to that.

Mr. O'Brien said that any development on a flood prone property is going to continue to flood.

Dr. Rae said, although there has been development on some of these properties, we would like to buy them and return them to a natural state.

Mr. O'Brien agreed.

Mr. Roshto said that he tended to agree with Mr. Wallisch. He said that he is generally opposed to words that move you totally in one direction or the other and he did not know if it was the only sure strategy. He felt that there could possibly be other ways to solve the problem.

Mr. O'Brien said that you could say that preservation is one strategy of ensuring that properties.....

Mr. Roshto said, or it is an important strategy or something.

Mr. Connor was in favor of using the word "important".

Mr. O'Brien said that "Preservation is an important strategy of ensuring that properties..." He then moved on to the third paragraph. In response to Mr. Roshto, he said that he did not consider typos to be worth the Board's time to point out at this point, they will be taken care of in the course of things.

Dr. Rae said that we may want to strike the whole thing, given the prior discussion.

Mr. O'Brien felt that it carries over from the very early discussions back in 2007-2008 when the Valley Rd. Master Plan was being written in a particular way and this dovetailed with that and it really doesn't do anything for us at this point.

He then referred to the "Goals" on Pg. 8 and said that, in Items 1-9 there is one minor change.

Mr. Wallisch referred to Item 1a and asked if the Town Center area should be stricken.

Mr. O'Brien replied that that would be his suggestion, but it is up to the Board. (There were no objections to removing the reference to the "Town Center").

Mr. Connor felt that Item 1 and Item 1a almost say the same thing. He said that he would suggest deleting Sec. 1a in its entirety. The Board members agreed.

Mr. Roshto referred to Item 1c and asked what could be done to encourage the continued expansion of passive recreation in the Great Swamp?

Mr. O'Brien replied, "Working with the Refuge at a Township level identifying areas that they may wish to consider, keeping track of the development applications that come through the Township and alerting the Refuge as to what is going on". He felt it is more meant to encourage that partnership with the Refuge and it is not as well written as it should be.

Mr. Roshto said that he liked everything that Mr. O'Brien had said, but he did not feel that the document says that.

Mr. O'Brien suggested something along the lines of "Encourage the Township's continued cooperation with the Great Swamp management area".

Mr. Roshto added, "In such things as ..." (what Mr. O'Brien had just listed).

Mr. Wallisch said that it is also creating additional activities – whatever those might be.

As a point of clarification, Mr. Sandow said that you can't do that. He said that the Swamp is divided into 2 pieces – the west side is called the Management Area and the east side (east of New Vernon Rd.) is called the Refuge Area. He said that the Management Area is for active management of wildlife by the staff – the public is not invited into the Management Area except for special tours – that is where we build and nurture things and create artificial environments for things that the experts in the Refuge know how to do. He said that the other (east) side where all the trails are, that is open to the public and you are supposed to go and hike there and take a look at what is there, but they don't attempt to manage the environment. They don't cut down trees, for example. That is done in the Management Area which includes about 500 acres. He suggested changing to the Great Swamp National Wildlife Refuge without getting specific into the word "Management Area". He said that the words "Management Area" do not belong in here.

After further discussion, Mr. O'Brien suggested the words "Encourage the Township's cooperation with the Great Swamp National Wildlife Refuge".

Mr. Lemanowicz questioned if that would put the Board into a conflict with the previous discussion – if we have it in the Master Plan that we are going to side with the Great Swamp – and specifically with Indoor Soccer?

Mr. Moholkar said that this statement is around the National Wildlife Refuge and not the Great Swamp Watershed Association.

Mr. Wallisch said that we are talking about the Federal portion that we are going to work with.

Mr. Roshto referred to the word "facilities" in Item 1d and asked if we name parks?

Mr. O'Brien replied, "We do", so there may be a better way to say that. He said that we don't want to stress parks because this is not a recreation document.

Mr. Roshto said that it is also not the facilities document.

Mr. O'Brien agreed. After discussion, he suggested "Maintain and improve existing Township owned open space".

Mr. Roshto said that there are some areas that we own as open space and we intentionally don't improve them – we leave them natural. He said that now we are saying that we are going to maintain and improve existing Township open space.

Mr. O'Brien replied that you always maintain space such as going through the Hicks Tract and taking down trees as a maintenance issue even though it is a natural area.

Mr. Roshto said that there are other areas in our Township where they are not maintained and are left natural.

Mr. O'Brien suggested "Continue to maintain and improve where appropriate".

Mr. Roshto asked if we can use parks here. When talking about this, he felt that we are talking about the Hicks Tract and Riverside Park as an open space area as opposed to those Green Acres that are next to people's property.

Mr. Connor said that we are certainly talking about that and, clearly, we are going to get a Recreation Element that is going to talk about the recreational use.

Dr. Rae said that we've got open space, recreation (that can be active or passive) and we seem to have an element that is going to come out on recreation and one on open space, but this one seems to be mentioning a lot of recreation.

Mr. Connor said that the agreement we have with the Recreation Director is once we have a finalized draft, they will proceed on completing their recreation piece of it but they did not want to go forward on the recreation piece, including some of the numbers, so we are all working off of the same numbers. He said that they are waiting for us to finalize what open space looks like so they can complete what recreation looks like to make sure that there is a fit and not overlaps.

Dr. Rae asked what is open space. He suggested that a definition should be part of this. He was confused about as to what the recreation is and then the open space. Is it one and the same or is it different?

Mr. O'Brien replied, "Yes". He said that we have tried really hard to keep them separate but it is difficult because originally the document was written for both and, at some point, we decided to split them in two. He said that the bad part is that recreation occurs on open space and what we have done is to take all of the open space and remove all of the active recreational lands because they are improved and we are solely working with the unimproved lands.



Mr. Roshto saw it from a slightly different perspective. He said that he saw the open space as just any space that we haven't developed in a significant way. He said that he actually sees Riverside Park, granted it has some areas that we have developed for active recreation, as open space. He thought that anything in the Township where you can go as a public individual and enjoy that area is open space. He felt that it makes perfectly good sense that we are talking about using open space for active and passive recreation where the Recreation Element, to him, is going to talk more about how to use those areas, as opposed to it is one or the other.

Dr. Rae agreed that this should cover all of the open space that we have no matter what its use, but he said that he would feel less confused if the Recreation Element then said from the open space we have certain amounts of it which are recreational for active and passive – then it makes a much clearer division and it would make this clearer if we didn't mention active or passive recreation, it is just here is the current open space that we have in the Township (total) and here are our plans for getting more. The other one would then say, out of open space we have so much that is active and passive recreation and then talk about the plans for that.

Mr. O'Brien said that open space would include passive recreation because you can walk through them provided that they are accessible to you. He said that active recreational space is definitely counted another way.

Mr. Connor said that his view of Riverside Park is that the fields and the improved area are active and are part of recreation. The wandering through the area that goes on the edge near the river is open space and passive.

Mr. O'Brien said that we have removed all of the active (developed) recreational areas from the open space document and they will be dealt with on the recreational side.

Dr. Rae said that, if that is the way you want to go, that is fine but he would like an explanation of it somewhere so that it is clear. He felt that right now it is muddled and there is no real definition for it. He said that he was under the impression that this was all of the space that we had.

Mr. Roshto agreed.

Mr. O'Brien said that the Board had made the decision to split them in two and it is just too confusing to have them dealt with in both of the documents.

Mr. Roshto said that splitting the elements in two made sense to him but defining what open space is as only certain types of open space did *not* make sense to him. To him, open space is open space and that includes any area in the Township where he could go as a resident and enjoy that space. He just felt that we need to agree on a definition and put it in.

Mr. Sandow said that there are 48 acres excluded from open space because they are active recreation and that amounts to somewhere around the order of 2% of the total of open space. He said that the 3 "biggies" are the Little League ball field (which is hard to enjoy unless you are a child playing ball), Stirling Lake and the Stirling Lake parking lots, and Riverside Park. He also added Meyersville field and the playground areas only at the 3 schools add up to about 48 acres or about 2% of the universe. He said that, if you ring those active areas in, you don't leave much for the Recreation Element, so he felt that a definition that says open space includes all the lands that are accessible to the public for passive recreation would probably be an appropriate fine tuning of the definition without it impinging on the active sites, in his opinion. As far as the schools and this building, he said that we took the total acreage of the lots, subtracted out the building and parking areas, and declared the rest (back toward the river), or in the case of Central and Millington Schools, the back of the lots, to be open space net of the buildings and the developed programs. He said that we could do the same for Riverside Park – we could draw an imaginary line and carve out the soccer fields and the basketball courts separate from the woodland in the back and that would put another couple of acres into this pot and reduce the 48 acres we have withheld by a little bit but, other than the back end of Riverside Park, there really isn't much else in the 48 acres that is truly passive recreation – it is all pretty active. He said that the segregation is very clean and perhaps the definition is not.

Mr. Connor said that this is an issue that was addressed by the Open Space Committee in trying to define what open spaces they were responsible for and what the Recreation Commission was responsible for. He said that general agreement as to the scope as Mr. Sandow has discussed – this is probably a very late time to change the rules. Although we can do anything we want, he felt that we should keep the rules as they are.

Dr. Rae said that, maybe we can keep the rules as they are, but maybe we should at least state what the rules are.

Mr. Connor said that he had no problem with that, but he did not see at this late date changing basically a fundamental assumption on how we split this thing up.

Mr. Roshto said that we haven't changed anything – we are going to define it. He said that, if we define it as described, where it excludes certain open spaces are excluded because it is active, then we have to make changes to this document. He said that, as Mr. Sandow said, there are things in here that talk about active recreation and we now have to remove those. He said that, if we incorporate in the broader scope that open space is open space – it is those areas where you can go and some is active and some is passive, then we can do whatever we want in this document and we won't have to change what is already written.

Mr. Connor said that we have had a committee work on this for about a year and come back to us. He said that he understood what the issue is, it is just that we keep deciding and putting it back to the committee again and he would really like to get an element done.

Mr. Roshto said that he was proposing that we *not* make changes and you are proposing that we make changes. He said that, if we make a statement in here that open space does not include active recreation, then we have to go through the document and remove those areas – the one we are talking about right now, which the goal says open space for active and passive recreation, we now have to remove that word. He said that he was suggesting that we *not* remove anything and leave it the way it is and define open space as open space and let the recreation element talk about the uses – talk about identifying open space areas that we can use for recreation and complement this document, as opposed to changing a definition. He said that it did not make sense to him.

Mr. Connor said that he was not an expert on this document.

Mr. Hoffman said that he thought that the definition of open space necessarily has to conform, if not exactly coincide with the statutory definition of that term which appears in the MLUL which states that “Open-space” means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such areas may be improved with only those buildings, structures, streets and off street parking that such areas may be improved with only those buildings, structures, streets and off street parking and other improvements that are designed to be incidental to the natural openness of the land”. He said that he would think if a bench were to be provided along a trail, which is a passive recreational facility, that is the type of structure of a very limited sort that falls within the definition. He said that a ball field, soccer field, or whatever is not essentially there to facilitate access by the public to a passive or unimproved section of the Township.

Mr. Sandow said that the two words which Mr. Hoffman read that we didn’t pay attention to very much is “or private”. He said that, every time you get a 5 acre lot with a house on it, you’ve got 4 ½ acres of open space. He said that it is for the private enjoyment of the owner and that qualifies as open space. He said that we are fixated as if only land which is owned by the public or a government entity qualifies as open space.

Mr. Hoffman agreed with Mr. Sandow. He said that the definition in the MLUL clearly says “public or private”.

Mr. Connor said that that was discussed by the committee and, in trying to inventory every piece of land and decide where the line is between open space and private property, they chose not to do it and just ignored privately owned property and they understand that.

Mr. Sandow said that he understood that it is almost impossible to inventory it but, on the other hand, we are swinging so far into those last 48 acres that have swing sets and ball fields that we are ignoring the thousand or two extra acres of back yards that we have in the Township.

Mr. Connor said that he felt that we are going over things that have been discussed in the past by the committee. He said that we need to resolve how we want to do this and he was open to whatever resolution the Board wants to make.

Mr. Roshto referred to Item 1 and said that the goal says “Provide open space for active and passive recreation for the benefit of all Township residents”. In the conversation we are having, he asked if it was the intent to remove the word “active” and provide open space for passive recreation?

Mr. Connor said that that was his intent but that might not be the intent of the Board and he could not speak for the Open Space Committee.

Mr. Hoffman said that, if you have a parking area adjacent to sections of the Great Swamp to facilitate access with fencing, that’s open space – it is facilitating the passive use. A ball field is not open space, in his opinion.

Mr. Connor said that he would support deleting “active” and just say passive recreation. He said that there may be other portions of this that have to be reflected, but that was his thought.

Mr. Roshto said that there is a very strong push by the Open Space Committee to identify open space lands for active recreation. So, if you remove that line, you are no longer encouraging them to do that work.

Mr. O’Brien said that you could do that in the Recreation Element. He said that, up until now, the philosophy of the Board has been that open space and recreation were two different areas that needed to be addressed.

Mr. Roshto said that it was strange to him that we have an element for open space and we are excluding large amounts of open space that we may be able to utilize for certain other things, like recreation. He said that we could have written here that we want to use open space to build more public facilities and we wouldn’t be arguing that it has to go to the facilities element (or whatever the name of the element is). He said that they are separate things and leave them that way, but the wording to him makes sense (what we are saying). He said that taking half of it out is changing this goal dramatically.

Mr. Wallisch felt that it is okay with active and passive solely because it is saying to provide open space and that is what we are trying to do. He said that that is the sentence and the preposition is “for active and passive”. It is not that it is going to provide active facilities, all we are doing is providing open space to be used here or here. He did not see an issue with the way it is written.

Dr. Rae said that open space can be open space that nobody walks on because it is environmentally sensitive and it can also be for active recreation or passive recreation. He said that there is an obvious problem here because we are talking about it and we have very different ideas and so we should come to a decision on what we want and then have that decision reflected in the document. He felt that a couple of definitions would carry the day.

Mr. Wallisch said that, if you continue that and also take into account Mr. Sandow’s statement about it is specifically government owned and specifically this, just so there is no confusion, and leave it with active and passive - so if you put a brief definition of what the element means by “open space”.....

Dr. Rae replied that that is everything – active, passive.....

Mr. O’Brien said that, if this Board broke them in half – originally this was an Open Space and Recreation Element and it was much longer than what it is now because we went through all the active recreational space.

Mr. Roshto said to let him try rewording it because he felt the Board is getting hung up on the word “open space”. He said that he will make a statement without the words in it and see if people agree – “Identify land that is capable of supporting active or passive recreation for the benefit of our Township residents”. He asked the members if they agreed or disagreed with that statement.

Dr. Rae said that this could be a misunderstanding and there is also another element which is the land that is environmentally sensitive that we wouldn’t want to use for active or passive recreation – wetlands or whatever – that would have to be included in there too.

Mr. Roshto replied that he was trying to understand where the Board’s head is at. He said that he was not actually trying to rewrite it. He said that if everybody believes that we should remove the words “active recreation” out of here, maybe we all think we should remove *both* our and, as Mr. O’Brien said, put it in the Recreation Element. He said that he was fine with it.

Mr. Connor said that that supports what the Open Space Committee is doing and that they want to acquire open space land. He said that what we do with it is a function of the Recreation Committee or the Environmental Commission. He felt that that is more correctly the goal of the Open Space Committee, not to promote recreational development, but to have the land available for the options of passive or active recreation – or nothing. He suggested that it read “Provide open space for the benefit of all Township residents” and remove the words “active and passive”.

Dr. Rae said that you might want to add in the 48 acres or so that have been excluded because, to him, that is open space too.

Mr. O’Brien said that, up until now, the direction he had been given was *not* to do that. He said that he has sent the Board members the last several iterations of the document. He felt that it would change the document to include the recreational space in the calculations that are here and it would be against what the Board’s express direction has been up until now which is that open space is natural open space and recreation is developed land. He said that you can change those definitions and Mr. Hoffman has read a definition from the MLUL that talks about the natural open lands that are undeveloped.

Mr. Hoffman said, with the exception of incidental things, to make usage and access to those parcels more available.

Mr. O’Brien said that what you have done is shown how difficult it is to separate open space and recreation because they are one and the same in and of each other and part of the tortured history of this document has been to separate them.

Mr. Roshto asked Mr. O’Brien what harm it does to leave it in there.

Mr. O’Brien said that he saw no harm and, in fact, he would suggest that when recreation is written that we carry that same goal over. This way they both say the same thing because open space and recreation work together.

Mr. Connor asked what the harm would be to taking out “active and passive” and just say “open space for the benefit of all Township residents” without defining active and passive?

Mr. Roshto felt that the harm there is that it won’t support “b” – “To encourage and promote the development of the Passaic River Greenway”.

Mr. O’Brien said that the goals, as Mr. Roshto pointed out a while ago, are high level goals and a high level goal *is* to provide open space for various opportunities.

Dr. Rae asked what the harm would be in going back and saying that open space is open space no matter what you use it for. He said it is called open space and it tells you all the open spaces available and it lays out the goals for getting more open space. Then in the Recreation Element, the Recreation Committee can say that of all of the open space that we have, here is what we are using and here are our plans for future use.

Mr. Connor said that that is one of the reasons that the Recreation Committee wants to wait until this document is in at least semi-permanent form before they start writing their element. He said that they want to know what the ground rules are.

Dr. Rae said that the way he had just suggested, they could get started on it right away because this is an open space document and this is all of the tracts of land that are available right now as open space and so the Recreation Commission can then carve out whatever they need from that and write about that.

Mr. O'Brien replied that that has already been carved out and identified and our chart at the back shows where those recreational areas are, so their work is actually a subset of this work where they take that 48 acres and say okay, here is our recreational space and this is what we use it for and this is what we want to use it for and these are our goals and objectives.

Dr. Rae asked why we can't just make this open space and take out all reference to active or passive recreation. He said that we can define open space whichever way we want.

Mr. Wallisch felt that, if you read the rest of the goals (1-9) they are just examples of how they intend to use the open space. He said that, if you just read Item 1 (a-d), it sounds like we are talking about recreation, but in its entirety with the rest of the other 8, they are just saying open space for this and this is what our goals are. Either that or they can just simply say we want open space and we don't need 1-9.

Mr. Connor said that, in other words, "Encourage and promote the development of the Passaic River Greenway" – a lot of that is going to be passive recreation and it would fall under open space. He said that "c" is under open space and "d" "Continue to maintain and improve existing Township facilities" probably drops out. He said that it would make some changes but he did not think it would make a significant change in much of this. He said that much of it doesn't really worry about what *type* of open space.

Dr. Rae did not think it makes that many changes either, but it clears up any potential inconsistencies between the two elements and makes it clearer to him.

Mr. O'Brien said that the Board has a choice and it can certainly remove any active recreation description or words.

Mr. Connor asked Mrs. Dapkins for her thoughts.

Mrs. Dapkins said that she did not see a problem with leaving it the way it is. She said that she was trying to understand what the two Committeemen have been trying to tell us for the past 40 minutes but it was not helping her. She said that her vote would be to leave it as is.

Dr. Rae said that open space to him is everything. He said that the Recreation Element is a subset of this and so, whenever we start muddying the waters by talking about active and passive recreation in here, it is an inconsistency and there is the potential for confusion. He said that he only wanted to make it clearer so that you have open space and then a subset of it which is dealt squarely by the recreation and that was the only thing he was suggesting.

Mr. O'Brien asked if it would help if, perhaps, in the Introduction (which is Item 2) a paragraph be added that clearly defines exactly what open space is for the purposes of this document?

Dr. Rae replied that that would be fine.

Mr. Wallisch suggesting adding a note that active is dealt in the Recreation Element.

Mr. Moholkar said that, before you strike the whole thing, take this section and make sure it is properly reflected in the Recreation Element, if it is currently not. He said that we don't want to strike it and find that they don't have a place to start from.

Mr. Connor replied that they have already started.

Mr. Arentowicz said that the real question becomes the 48 acres that are now active recreation, that at one time were open space, get included in the total of this element.

Mr. O'Brien replied that they are in the chart designated as active recreation.

Mr. Connor felt that was fine to make sure that everybody is working off the same number.

Mr. Roshto said that Appendix 1 is agreeing with the proposal by Dr. Rae that open space means all of the things he had listed.

Mr. O'Brien replied, "No" and said that the developed space is removed from open space. He said that the recreation land is removed from open space.

Discussion of the Appendix followed.

Mr. Roshto felt it was confusing where the Appendix says "Public Open Space Table" and then we list non-open space in it. He said that, if that is the definition, it should be taken out of the table.

Mr. Connor felt that there needs to be a note because he felt it is a fairly important piece.

Mr. Roshto said that it is fine to leave it in the table, but don't call it a "Public Open Space Table" – call it the "Public Open Space and Non-Open Space Table", or whatever you want. He said that that is what is confusing here, and the definition.

Mr. Connor said that somebody can give it a creative title and that he felt that the attachments are useful.

Mr. O'Brien moved on to Item 4 – "Inventory Of Existing Open Space & Recreational Land – June 2013". He said that the words "Recreational Land" should probably be taken out, as well.

Mr. Roshto asked if we are not repeating ourselves with this introduction? He asked if it wasn't what we said at the start.

Mr. O'Brien replied, "Yes, essentially". He said that it sets up the list and can be made a lot shorter.

Mr. Roshto said that he would strike the first two sentences.

Mr. Connor said that where we say it is back in the Executive Summary. He said that it is not that unusual to be redundant with the Executive Summary. He preferred to keep it the way it is. The Board agreed.

Moving on to the second paragraph, Mr. Wallisch read the sentence stating "They may also contain significant environmental constraints and typically have limited upland area that may not be suitable for passive recreation". He asked what that meant.

Mr. O'Brien replied that people would not normally have access to those places even though they are public and open because of environmental constraints. He agreed that he did not see what that really does for us and said that we can remove that sentence if the Board so wishes. The Board members agreed to remove the sentence. He said that he would have to correct the first sentence in that paragraph *from* "The Township owned acreage total, however, does not represent contiguous or largely contiguous tracts of land" – it does. He said that the qualifier in the next sentence that was there before which was that many parcels of land have been dedicated to the municipality as a result of consolidation of lots and lot clustering, so the Township gets the open space that is sometimes used for water storage and sometimes is just open space. He said that that only reflects those properties, not Township properties as a whole.

In response to Dr. Rae, Mr. O'Brien said that the intent of that paragraph is to show that there are some non-contiguous parcels out there that you can't do very much with because they may be surrounded by privately held land in the case of cluster development. It is just identifying that there are some that you can't do very much with. Whether that helps or not – maybe we don't even need it. He acknowledged that it could be written better. He suggested in the first two sentences going back to the original language and, perhaps, we can write that result of density modification subdivision activity in a more comprehensive way.

Mr. Connor was in agreement to clarify and move forward.

Mr. Wallisch said that, after Mr. O'Brien explained it, it made a lot of sense.

Mr. O'Brien said that this Board has not had a lot of activity with density modification subdivisions. He said that he would try to restate in a better way the density modification subdivision activity. He then moved on to Table 1 "Public Open Space" which is a summary of Appendix 1 and summarizes the various ownerships of (only) public open space.

Referring to Item 4A – "U.S. Government Lands", Mr. O'Brien said that it describes what those are.

Mr. Wallisch read that "A new Great Swamp management plan will be prepared during the next five to ten years" and asked if that will be done by the Planning Board or the Federal Government.

Mr. O'Brien replied that it will be done by the Federal Government.

Mr. Roshto asked why we combined the Township and Board of Education on one line item as opposed to separating them?

Mr. O'Brien replied that they could be separated but they are both municipally owned.

Mr. Roshto replied that they are controlled and managed differently.

Mr. O'Brien agreed. He said that, in the interest of keeping things simple, he put them both together but he could separate them. He noted that there are a couple of places in there where they would have to be separated, but if the Board wishes, it could be done. He said that the school has roughly 19.7 acres of open space and the Township has 448.

Mr. Roshto said that that was fine and suggested leaving it as it is.

Mr. O'Brien referred to Items 4A – "U.S. Government Lands", Item 4B – "New Jersey Lands", and Item 4C – "Morris County Lands". There were no comments on any of them.

Mr. O'Brien said that Item 4D – "Township Lands" was removed because the focus on this document is on publicly owned open space.

With regard to Table 2 - "Significant Township Public Open Space Tracts", the Board had no comments.

Mr. O'Brien referred to Item 5 – "Planned Open Space" and said that Items 5A "Passaic River Greenway"; 5B "Proposed Central Greenway"; and 5C "Stirling/Gillette Bike Path Extension" are items that have been in our Master Plan since 1996 and have continued on and we felt it best to restate them here because they would take advantage of open space. He said that they were seen more on the passive side than active recreation.

Referring back to Table 2, Mr. Roshto asked how the names were created. He asked if they are historic in some way or were they just made up by an individual?

Mr. O'Brien replied that he could not answer the question and would have to go back and see where they came from originally. He said that he could provide the information if the Board so wished.

Mr. Roshto said that, if someone just created them, he would like to take a shot at his own names for properties near his house as opposed to "Hidden Valley".

Mr. O'Brien said that they may have been named by the developers.

Mr. Connor felt that that was the case.

Mrs. Dapkins said that, in past practice, the developer would come to the Board and suggest a name and the Board would agree or disagree.

Mr. Arentowicz commented on his own development and said that it *was* called "Colonial Woods".

Mr. Roshto said that he would like to know specifically the Shawnee Path and Hidden Valley ones since he did not recognize those names.

Mr. O'Brien replied that he did not know how deep and buried in the mists of time they are, but he would make a reasonable attempt to find out.

Mr. Connor felt that the first place to start is with the Open Space Committee and ask them where they got that information.

Mr. O'Brien moved on to Item 6 – "Plan Recommendations".

Mr. Wallisch asked if the Passaic River itself is public or private.

Mr. O'Brien replied, "Public". He said that the municipal boundary runs down the middle of the river and our half all the way around is public land, as is the other side.

Dr. Rae referred back to Item 5B and said that he added the word "emerging" before the words "Town Center" and we may want to strike that so that it would just be the "Town Center".

Mr. O'Brien agreed to do so.

Mr. Wallisch asked the Board members what they thought about putting something in there about the open spaces that we have that do require some maintenance whether it is street clearing or whatever the case may be.

Mr. O'Brien said that in Goals 3d it states "Continue to maintain and improve existing Township facilities". He said that the recommendations were meant as specific action type items that the Board or various committees of the Township could take.

Mr. Wallisch then said, "Never mind".

Mr. Connor asked if there were any problems with the recommendations. There were none. He then said that Sec. 7 “Township Committee And Board Members” was a standard inclusion in the past but questioned if it is really needed.

Mr. O’Brien said that it is up to the Board but it was standard in the past to thank the many volunteers for their hard work.

Mr. Sandow asked to comment on the recommendations. He said that he was troubled by the Greenway and the bike recommendations because they state that we will utilize the power line R.O.W. and the railroad R.O.W. and since 9/11 he was not so sure that power companies and railroads want us to develop along their R.O.W.’s and make access easier for people on their R.O.W. As a practical matter, he said that the power line R.O.W. is rather rough and steep and the railroad R.O.W. from Millington to Stirling to Gillette is pretty much inaccessible except to the 4-wheel trucks that the railroad has to get at their equipment. It seemed to him that to suggest that we would develop that into a smooth pathway or bicycle path (which involves paving) is a stretch to think that the power company and the railroad would allow that to happen on their R.O.W.’s unless, of course, we checked it with them first. He felt that it is speculative and extreme to think that we would go along with it just because we put it in our Master Plan. He felt that we will have to find land and support somewhere other than the utilities.

Mr. Roshto said that he saw Mr. Sandow’s point.

With regard to the Passaic River Greenway, Mr. Sandow said that most Board members do not remember that in 2002 Len Hamilton, MaryAnn, and Walter and a whole bunch of people actually went out and signed the River Trail for about 4 ½ miles from Valley Rd. all the way around to South Main Ave. and put wood chips down and built little bridges across creeks and it was all gone in a year because, as a practical matter, wood chips will wash away. To suggest that that is a realistic goal for us is, in fact, to commit the DPW to an extraordinary expense to keep the trails alive. He said that that is the way rivers are. He said that there is nothing left of the trail except for possibly a few little markers on trees 10 years later. Not only that, he said that that stretch from Valley Rd. to So. Main Ave. is 4 ½ miles with no intermediate access and so to get wood chips in to the trail you have to drive along the trail 2 ½ miles from either direction to cover it with wood chips and in the next flood they are gone. He said that it sounds like a noble goal but, pragmatically speaking, you are expecting a great deal of maintenance cost to support that trail if it ever is built and the Township Committee has got to be able to find that money without raising taxes.

Mr. Roshto replied, “Capital improvement plan”.

Mr. Sandow replied that, if it washes away a year later, you can’t re-capitalize wood chips every year.

Mr. Roshto said that he did not know if wood chips are the right thing. He said that he actually found one of the markers laying on a trail while hiking a year ago, but he also believed that we need to do something but we have to figure out what that maintenance cost is as opposed to just not doing it.

Mr. Sandow said that he appreciated that it is a noble goal, but pragmatically speaking there is a cost and everything that we put into a Master Plan has associated costs.

Mr. Connor still felt it was a goal, but said that Mr. Sandow is right.

Mr. Roshto asked Mr. O’Brien if it carried any stronger weight if he mentioned the need for maintenance. He said that it is a valid point that we are saying to start a project but don’t maintain it.

Mr. O’Brien replied that maintenance is identified in a couple of places. He said that this is talking about planning to develop in the future because it doesn’t exist in its entirety right now, so he felt that in this area, since we are talking about a planned open space, you don’t have to necessarily talk about maintenance unless you choose to because it is a hope or dream at this point. He said that it is up to the Board. If it feels it will help identify priorities for the Township to say that we should maintain these facilities.....but he felt that it is covered.

Mr. Connor felt that the other question in Item 5c - “An additional extension may utilize the railroad right of way to provide a bicycle/pedestrian path through the center of Long Hill” – does that stay?

Mr. O’Brien replied that people can walk along the railroad R.O.W. – it is not prohibited. He said that, if they cooperated with you to allow a trail, that is a goal down the line. Whether you want it or not would be up to the Township.

Mr. Connor asked the Board if it wanted to keep Sec. 7 which is a “thank you” to all who volunteered.

Dr. Rae felt it could be stricken.

Mr. O’Brien said that it is standard language in all of the documents the Board’s have prepared, but it is up to the Board.

Mr. Connor then suggested leaving it in. He said that he felt we have direction and asked Mr. O’Brien to make the suggested changes and send it back to the Board. He asked the Board members, if they had any additional changes they wish to make, to let the other Board members and Mr. O’Brien know. He said that his intent is to have one

more shot at this at a public hearing. He said that he would like to discuss this and the other element at a public hearing, so that two of them will get passed and done.

Mr. O'Brien said that he will accept all of the changes that were made this evening but not all of the changes that were made to the already written document. He said that he will work on anything that was changed this evening and add language which will be in a track changes document so that you can see the changes from what was already processed.

Mr. Roshto asked Mr. O'Brien to please add Mr. Sandow to the list since it is being kept in the document since he contributed as well.

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**DISCUSSION**  
**MASTER PLAN RE-EXAMINATION PROCESS**

Mr. Connor said that he would like to skip down to Item 12 on the agenda which is the Circulation Study which is the first study that has been completed.

Mr. O'Brien asked Mr. Connor to reconsider. He said that he had explained something with the Chair about the Master Plan Re-Examination which will set up a subsequent meeting. He said that, at the last meeting, the Board discussed completing the Master Plan as it is currently underway with the subcommittee and the various bodies working on it for creating a new Re-Examination for the end of the year with the understanding that the Master Plan Subcommittee and other bodies of the Township would continue to work on their aspects of the Master Plan with a full Master Plan to be developed sometime in the coming year. If the Board wishes to do that, he said that he had sent two items out to the Board. The first was the 2003 Master Plan Re-Examination which is what is current today. He said that he wanted the members to see what our Re-Examination looked like. He said that he also sent out a list of required items that must be in a Re-Examination according to the M.L.U.L. and, among those required items, are two items – Item C and Item D. He said that the first one starts out by reading "The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the Master Plan or development regulations at last revised"...and it goes on to give a number of items to look at. He said that the second one, Item D, states "The specific changes recommended for the Master Plan or development regulations, including underlying objectives, policies, and standards, or whether a new plan or regulation should be prepared". He said that, should this Board decide ultimately that a Re-Examination is the property route to use to get us to the end of this year, this Board will be working on Items C & D and providing that information from its point of view to be put into a Re-Examination Plan. He said that the other ones are fairly pro-forma and the Board will, of course, be reviewing them. He said that what is needed from the Board and the Township are Items C & D. He suggested that the Board give that some consideration and, perhaps, when the Chair calls for that discussion, the members will at least have some understanding of what he is looking for. He asked if there were any questions about those two items.

Mr. Connor asked, if members wanted to look at Items C & D in this particular document, are they specifically in sections or are they dispersed throughout the document?

Mr. O'Brien replied that they are typically in sections and the members will be able to find Items C & D in this document. He said that, on Pg. 15, of the 2003 Re-Examination is an item called "Changes In Problems And Objectives Since 1996" and that would be Item C. On Pg. 18, under "Recommended Master Plan Changes", those items that are listed below that are the changes that the Board wished to make. On Pg. 21, the recommended development regulation changes suggest changes to both the Master Plan and the Zoning Ordinance.

In response to Mr. Connor, Mr. O'Brien said that the Board may wish to concentrate on Pgs. 15-21 of the 2003 document.

Mr. Connor asked the Board if it wanted to adopt having a Re-Examination or if it wanted to do that later.

Dr. Rae said that he would be in favor of a Re-Examination as long as we decide to move forward as discussed with a Master Plan within a year.

Mr. Wallisch and Mrs. Dapkins agreed.

Mr. Connor said that he felt that the Board can give Mr. O'Brien direction and he did not feel a Resolution is needed to do that. He said that the direction of the Board is that it wishes to pursue the Re-Examination with the goal of having a complete Master Plan within the year and make that part of our public record. He asked Mr. Hoffman if he had any problems with that.

Mr. Hoffman replied that he had not problems at all with that.

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**DISCUSSION**  
**CIRCULATION STUDY**

Mr. O'Brien said that he understood from Ms. Harrington that this was an update of the existing background study in the existing Master Plan. He said that it was sent out some time last week.

Mr. Connor described the Circulation Study. He said that it shows that there hasn't been a significant increase in traffic and there has been a somewhat minor reduction in accidents and indicates that we are pretty much at status quo. He admitted that he had only taken a cursory look and there are probably other conclusions that could be made.

Mr. O'Brien said that he felt it is a good background study that the Board can use to write the element as well as to come up with goals.

Mr. Roshto asked if the data that was in the 1996 Background Study also be included for historical purposes and for trend analysis?

Mr. O'Brien replied that you could do that and it would probably be very helpful.

Mr. Roshto agreed. He then referred to the first table under "Road Jurisdictions" and said that it mentions the County classifications and the paragraph under the table says that the County Road Classifications were taken from the County's data. He said that those classifications were from 1992 data and he wondered if they exist today – if the County actually classifies them this way today and, if they don't, put back the date or remove them.

Mr. O'Brien replied that these should be the current classifications. He said that they appear to be correct but said that he would check that.

Mr. Roshto said that it is identical to the 1996 background study. He said that he just wanted to know what the reference was for it and put the date of that referenced document in here.

Mr. O'Brien said that roadways don't have a tendency to change classification often or frequently but he said he would check it.

Mr. Arentowicz said that there are some inconsistencies in that we refer to it as the Township – is it Long Hill Township? He said that the tables refer to Table 1 and Table 2, but then in some places Table One is spelled out and Table Two is spelled out and then they are again numbered. He said that there is a lot of editing that needs to be done to make the document consistent.

Mr. O'Brien suspected that it is the first draft by the committee and he felt that the Chair will communicate with them.

Mr. Connor said that the tables are probably different because he suspected that they were probably taken from other documents and each has its own development. He said that he will also check.

There being no further business, the meeting adjourned at 10:26 P.M.

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DAWN V. WOLFE  
Planning & Zoning Administrator