

MINUTES

DECEMBER 10, 2013

PLANNING BOARD

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

Chairman 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.

MEETING CUT-OFF

Chairman Connor read the following statement: Announcement is made that as a matter of procedure, it is the intention of the Planning Board not to continue any matter past 11:00 P.M. at any Regular or Special Meeting of the Board unless a motion is passed by the members present to extend the meeting to a later specified cut-off time.

CELL PHONES AND PAGERS

Chairman Connor read the following statement: All in attendance are requested to turn off cell phones and pagers as they interfere with the court room taping mechanism.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Excused:

Christopher Connor, Chairman
Charles Arentowicz, Vice-Chairman
Suzanne Dapkins, Member
Ashish Moholkar, Member
J. Alan Pfeil, Member
Guy Roshto, Member
Gregory Aroneo, 1st Alternate
Timothy Wallisch, 2nd Alternate

Guy Piserchia, Mayor
Brendan Rae, Mayor’s Designee

Barry Hoffman, Bd. Attorney (arrived at 8:05P.M.)
Kevin O’Brien, Twp. Planner
Thomas Lemanowicz, Bd. Engineer
Cyndi Kiefer, Planning & Zoning Secretary

Ms Kiefer advised Chairman Connor that he had a quorum and could proceed.

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

APPROVAL OF MINUTES

Chairman Connor asked for a motion to approve the minutes of October 8, 2013. Mr. Pfeil motioned and Mr. Moholkar seconded the motion. The minutes were approved as written.

Chairman Connor asked for a motion to approve the minutes of November 12, 2013. Mr. Pfeil motioned and Mrs. Dapkins seconded the motion. The minutes were approved as written with one abstention (Chairman Connor).

PUBLIC QUESTION OR COMMENT PERIOD

Chairman Connor opened the meeting for comments from the public on any issues that were not before the Board on this agenda. There being none, he closed the meeting.

PUBLIC HEARING/ACTION: DRAFT MASTER PLAN REEXAMINATION

Chairman Connor turned the meeting over to Kevin O’Brien, Township Planner.

Mr. O’Brien stated that the information that the Board has agreed upon over the last several months and incorporated it into the “Master Plan and Development Regulations Reexamination Report” dated December 10, 2013. He welcomed any suggestions or revisions to the document.

Mr. Hoffman confirmed with Mr. O’Brien that notice of this hearing was made by notifying the official township newspaper and by sending a copy of the notice of the scheduled hearing to the clerks in the surrounding municipalities and to the Morris County Planning Board.

Mr. O'Brien stated that he worked with Mrs. Wolfe to ensure that the meeting was properly noticed.

Mr. Arentowicz said that the letters were distributed to the towns on November 26, 2013.

Mr. Hoffman stated that he had reviewed the text of the notice of the hearing and found that it was in conformance with the M.L.U.L.

Chairman Connor asked the Board for any general discussion. He noted that this would be the last opportunity for any revisions.

Chairman Connor then opened the meeting to the public for any questions or suggestions about the Master Plan. There being none, the meeting was closed.

Chairman Connor then read the Long Hill Township Planning Board Resolution as follows:

WHEREAS, the Municipal Land Use Law requires planning boards to reexamine their master plans and the municipal development regulations at least every ten years; and,

WHEREAS, the last Master Plan Reexamination Report was adopted in 2003; and,

WHEREAS, the Long Hill Township Planning Board has prepared a new reexamination report with the assistance of Township Planner Kevin O'Brien, P.P. which has been the subject of discussion at twelve Planning Board meetings and a noticed public hearing; and,

WHEREAS, the Planning Board is of the opinion that the document referred to herein adequately addresses the matters to be covered in a reexamination report, as required by N.J.S.A. 40:55D-89:

NOW THEREFORE BE IT RESOLVED, that the Long Hill Township Planning Board hereby adopts the 10 December 2013 Reexamination of the Master Plan and Development Regulations, as referenced above; and,

BE IT FURTHER RESOLVED, that the Planning Board Administrator/Secretary be directed to send a copy of the adopted report with this resolution to the Morris County Planning Board and to the clerks of each adjoining municipality.

Chairman Connor asked for a board member to move the resolution. Mr. Pfeil moved and Committeeman Roshto seconded. A roll call vote was taken. Those in favor: Mr. Arentowicz, Mrs. Dapkins, Mr. Moholkar, Mr. Pfeil, Committeeman Roshto, Mr. Aroneo, Chairman Connor. Those opposed: None. Motion carried.

Mr. O'Brien stated that to close out the Master Plan Reexamination, copies would be signed and sealed in accordance with the M.L.U.L and distributed to the clerk, the board secretary, the adjoining municipalities, and county. A final copy will also be proved to the Board.

PUBLIC HEARING/ACTION: DRAFT CONSERVATION ELEMENT

Chairman Connor wanted to review the "Conservation Element". He noted that the Board had approved its submission however, that was several months ago.

Mr. O'Brien that the document had been unchanged since the draft was accepted. It is now dated December 10, 2013 and there have been no other changes. He then asked for any suggestions or revisions from the Board.

Hearing no suggestions or revisions, Chairman Connor opened the meeting to comments from the public. There being none, he closed the meeting.

Chairman Connor then read the Long Hill Township Planning Board Resolution as follows:

WHEREAS, the Municipal Land Use Law requires planning boards to reexamine their Master Plan and the municipal development regulations at least every ten years; and;

WHEREAS, the last Master Plan was adopted in 1996 and the last Master Plan Reexamination Report was adopted in 2003; and,

WHEREAS, the Long Hill Township Planning Board has prepared a new Conservation Element of the Master Plan with the assistance of Board Engineer Thomas Lemanowicz, P.E., and the Township Planner Kevin O'Brien, P.P., which has been the subject of discussion at numerous Planning Board meetings and a noticed public hearing:

NOW THEREFORE BE IT RESOLVED, that the Long Hill Township Planning Board hereby adopts the 10 December 2013 Conservation Element of the Master Plan, as referenced above; and,

BE IT FURTHER RESOLVED, that the Planning and Zoning Administrator/Secretary be directed to send a copy of the adopted report with this resolution to the Morris County Planning Board and to the clerks of each adjoining municipality.

Chairman Connor asked for a motion to adopt the resolution. Mr. Pfeil motioned and Mr. Moholkar seconded the motion. A roll call vote was taken. Those in favor: Mr. Arentowicz, Mrs. Dapkins, Mr. Moholkar, Mr. Pfeil, Committeeman Roshto, Mr. Aroneo, Chairman Connor. Those opposed: None. Motion passed.

Mr. O'Brien stated that, as with the previous document, a final version of the resolution will be forwarded to the clerks, to the County, and to the Board and the Township.

PUBLIC HEARING/ACTION: DRAFT OPEN SPACE ELEMENT

Chairman Connor deferred to Mr. O'Brien.

Mr. O'Brien stated that the Board had reviewed this document several times and made changes. Subsequently, the Board accepted the document earlier this year waiting for the noticed public hearing for formal adoption. He pointed out two open items. First, on page 19 in Appendix 2, "Block and Property Lists", at the bottom of the page on the left side there is a notation that says "Page 1 of 11 Pages". He noted that all eleven (11) pages will be part of the background study because that is the data that backs up what is in the report. He clarified that the adopted version will include all eleven (11) pages.

Mr. O'Brien stated that the second open item in the Open Space element is Appendix 3, "Maps", which has not been finalized at this point.

Chairman Connor asked for suggestions on how to handle that open issue.

Committeeman Roshto stated that he was asked by Mr. O'Brien to add a disclaimer to the maps in reference to the sources and what can or can not be done with the maps. After reviewing other master plans, he found that maps imbedded in the elements had no such addendums. He asked if something could be placed in the element itself that would be consistent with what Mr. O'Brien was recommending and would that be sufficient or must it be imbedded in the maps themselves.

Mr. Hoffman expressed concern about adopting documents without having the attachments which are the basis and findings for the conclusions in the document. Annexing them at a future date could create an arguable discrepancy as to why the main document was adopted without the other items being available to attach. He suggested that the resolution be reworded to state that the finalization of the attachments be delegated to Mr. O'Brien with the understanding that they be in accordance with the general findings set forth in the Master Plan element. However, the simplest path was to defer taking action unless there was some necessity to complete this tonight.

Chairman Connor asked how quickly the maps could be incorporated into the document.

During discussions, it was determined that Committeeman Roshto had the maps and that they had to be sent to Mr. O'Brien.

Chairman Connor asked if that could be accomplished within a week's time. If so, his intent was to carry it over to the December 17, 2013 public meeting for final action.

Mr. O'Brien indicated that the maps in the Master Plan all have a title block and are attributable to an individual with a firm or a name and a date and a source from where the information came from. The maps from Committeeman Roshto are public maps and would need some attribution and some place as to where the source is.

Committeeman Roshto indicated that currently his name was on these maps and he was comfortable with that.

Mr. O'Brien indicated that if that information could be provided, the issue could be resolved by the next meeting.

Committeeman Roshto said that the maps did not have a source or disclaimer on them. He questioned whether it would be sufficient to place the wording in the element as opposed to imbedding it into the maps.

Mr. Lemanowicz stated that if it was sent as a pdf file, he could imbed the wording in each map and forward them to Mr. O'Brien.

Committeeman Roshto stated that he would send them to Mr. Lemanowicz that evening.

Mr. O'Brien requested that the remainder of the document be reviewed so that the only open item would be the maps.

Committeeman Roshto asked if the Open Space Committee had reviewed the element. He indicated that he had received a document last week in which they had created some maps and questioned if any of that information had been forwarded here.

Mr. O'Brien stated he was not familiar with the document Committeeman Roshto was referring to.

Committeeman Roshto expressed concern because the document showed proposed purchase of open space properties.

Mr. O'Brien stated that the Board specifically decided not to do anything about proposed or possible open space properties. He also added that Mr. O'Neill, Chairman of the Open Space Committee, had been informed of this hearing on at least two (2) occasions, one email from him and one from Chairman Connor.

Committeeman Roshto stated he was fine with that.

Mr. O'Brien said he would get copies of the maps to the Board and to Ms Kiefer for the public.

Mr. O'Brien then asked, since there were no changes to the remainder of the document, if any formal action should be taken at this meeting.

Mr. Hoffman felt it should all be done at the next meeting in a single vote.

Mr. Arentowicz asked, given the fact that it is a special meeting requested and fees paid by the Applicant, if other business could be conducted at that meeting.

Mr. Hoffman stated that he would be leery if it were anything other than the brief time that would be devoted to this issue however the urgency of adopting the Master Plan elements before the year was out is of importance. He offered to advise the Applicant that evening that the Board had to take care of an administrative issue.

Mr. Arentowicz stated that the only thing that would be discussed on the Master Plan during the December 17, 2013 meeting would be the maps of the Open Space Element and then the resolution to adopt.

Mr. Lemanowicz indicated that he would supply the Board with the finished maps as quickly as possible so that there is ample opportunity to review them before the meeting.

Committeeman Roshto asked about the order of the agenda.

Chairman Connor felt the Open Space Element should be in the first part of the agenda if it appeared it would only take a few minutes. If there was some real discussion, it should be moved to the Reorganization Meeting, January 14, 2014. This discussion should not take any real time away from the Applicant who has requested and paid for this meeting.

Discussion ensued in reference to adopting the resolution subject to inclusion of the maps. Mr. Hoffman and Chairman Connor both voiced reservations about adopting a resolution that could possibly be changed later.

Chairman Connor asked if there were any other questions on the Master Plan. There were none.

Chairman Connor asked Mr. Hoffman for the proper wording to carry this matter over to the next meeting.

Mr. Hoffman stated that an announcement could be made this evening to the effect that for the reasons just discussed, the Board will not take action on this proposed new element until the issue involving the maps has been addressed. It is hoped that this will be accomplished by the December 17, 2013 meeting without the necessity of further public notice.

Chairman Connor then announced that this Master Plan element will be carried over until the December 17, 2013 meeting of the Planning Board.

Chairman Connor opened the meeting for public comment. There being none, meeting was closed.

DISCUSSION-STATUS REPORT

Chairman Connor asked Mr. O'Brien to give an overview of this past year and the year to come.

Mr. O'Brien congratulated the Board on meeting the Master Plan deadlines. He referenced pages 14 and 15 of the December 5, 2013 Status Report which was a short recap. In Item D "Open Issues before the Planning Board", Master Plan Reexamination had been finished this evening. In Item E, "Open Master Plan Elements Completed", Conservation had been approved however, Open Space was still open for discussion. He noted that the other items before the various boards were listed.

Chairman Connor asked if there was anything else on the Master Plan that Mr. O'Brien wanted to highlight for the next year.

Mr. O'Brien reminded the Board that Morristown Road was still an open issue. There were some ordinances and issues before the subcommittee. The Development Fee Draft Ordinance had been sent back to the Planning Board for action by the Township Committee.

Chairman Connor stated that that the latter had gone through a confusing series of changes. At this point, he felt there should be an original version, a series of approved changes, and a final version presented to the Planning Board for comments and suggestions and then finally to the Township Committee for action.

Committeeman Roshto stated that in the ordinance, it is recommended that there be a review once a year. He said it had not been reviewed for a number of years and this large adjustment will be "sticker shock" to the public.

Chairman Connor said that, in reference to the status report, it had been suggested that perhaps a summary followed by a more detail and history would be preferable. He asked Mr. O'Brien what his thoughts were on this.

Mr. O'Brien answered that the recap could be place in front.

Chairman Connor stated that the details are always in red so the changes from the last report are evident. He felt that there are usually six (6) or seven (7) changes from report to report. He asked Mr. O'Brien how long it took to complete each report.

Mr. O'Brien answered typically less than an hour.

Committeeman Roshto stated that he had sent an email to the Board Secretary suggesting that she take over responsibility for this. It was just an observation on his part that now that the Board has a part time secretary, she be given an opportunity to take ownership of this. He felt that since she is in the office, the information flow would be smoother.

Chairman Connor asked Mr. O'Brien what his thoughts were on this.

Mr. O'Brien stated that it was up to the Board however, he would still have to be part of the process since he is the author of many of the documents and the flow of them.

Mrs. Dapkins commented that when she chaired the Board, it was her experience that the Chairman would speak to Mrs. Wolfe and Mrs. Wolfe would then speak to the Planning and Zoning Secretary. She felt it was more of an executive decision, not a Board decision.

Chairman Connor agreed that if there were problems with the status report it would be an administrative decision as to how to resolve those issues. He felt the proper way to handle this was to discuss it with Mrs. Wolfe however, at this point bringing the minutes up to date is a priority for the board secretary.

Chairman Connor requested a motion to adjourn. Mr. Pfeil motioned and Mrs. Dapkins seconded. There was a voice vote and the motion passed unanimously. The meeting was adjourned at 8:46 P.M.

CYNTHIA KIEFER
Planning and Zoning Secretary