

MEETING MINUTES OF PLANNING BOARD/BOARD OF ADJUSTMENT OF HIGH BRIDGE BOROUGH

Meeting Date: June 15th, 2015 - **Meeting Time:** 7:30 P.M.

Meeting Location: High Bridge Rescue Squad, 95 West Main St, High Bridge, NJ 08829

Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.

1. CALL TO ORDER:

This is a Regular meeting of the Planning/Zoning Board of the Borough of High Bridge. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in the Express Times on January 15th, 2015 and the notice of and agenda for this meeting were posted on the bulletin board in the Borough Hall.

2. FLAG SALUTE: Led presiding officer, Steve Dhein

3. ROLL CALL: P = Present, A=Absent

Mark Desire P, Chris Zappa P, Tom Richards P, Steve Dhein P, Don Howell P,
Keith Milne P, Doug Walker P, Brent Dugan P, John Moskway P.

Also present were Planning Board Attorney Caldwell, Planning Board Secretaries Adam Young and Barbara Kinsky, and Planning Board alternate Jon Valenta.

Tom Richards arrived at 7:36, and Jon Valenta relinquished his seat.

4. READING AND APPROVAL OF MINUTES: None at this time.

5. VISITORS:

A. Rob Fernandes - informal presentation on Arbors

As per the 2014 Municipal Land Use Law of NJ, 40:55D-10.1 - Informal review

“...The developer shall not be bound by any concept plan for which review is requested, and the planning board shall not be bound by any such review.”

Questions and Comments:

Don Howell asked about the topography of the site. Mr. Fernandes defined the slopes of the property.

Mr. Howell asked if there were storm water drains on Center Street. Mr. Fernandes responded that none were present, but he would pitch the parking lot so it would all go to the back. Currently there are no plans for storm water drains in the parking lot, but there will be storm water pits for the roof water.

Steve Dhein asked if there were any plans for buffer planting around the parking lot. Mr. Fernandes said he will do something but does not have a plan in place as of this time. He explained that he has spoken to nearby residents about this issue. Further discussion ensued regarding the view of the building in regards to land placement. Mr. Dhein also inquired if any units will be A.D.A accessible.

Mr. Fernandes commented that the first floor will be A.D.A accessible, and there will also be two COAH units in the building.

Mr. Fernandes asked if the Planning Board will meet in July. At present time they plan to meet, but with summer schedules there is no guarantee.

Brent Dugan asked Mr. Fernandes how lighting for the parking lot will be handled. Mr. Fernandes responded that he would prefer to leave that to the lighting engineers, he also stated that the lighting engineers are aware of how to buffer lighting pollution for surrounding residents.

6. PUBLIC COMMENTS: *AGENDA ITEMS ONLY. OPEN COMMENTS HAVE BEEN MOVED TO ITEM 10*

It is the policy of the Planning Board that all public comments on an issue shall be limited to one minute (1) per person per *agenda* subject. Comments may be made only on subjects pertaining to current Borough agenda. No debating between residents. Comments should be addressed to Chairman and Board Members at the public microphone.

Jon Valenta stated support for Mr. Fernandes's Arbors project.

7. WRITTEN COMMUNICATIONS:

A. Zoning Officer/Whited correspondences

B. Arbors abstract print

8. UNFINISHED BUSINESS: None at this time.

9. NEW ORDINANCES: Ordinance #2015-23 and Ordinance #2015-26

A. A review of Ordinance #2015-23 for consistency with the Highland's regulations and the Master Plan.

Motion to accept Ordinance #2015-23 as being consistent with the Highland's regulations and the Master Plan: Motion: Walker Second: Richards

Mark Desire __Y__, Chris Zappa __Y__, Tom Richards __Y__, Steve Dhein __Y__, Don Howell __Y__, Keith Milne __Y__, Doug Walker __N__, Brent Dugan __Y__, John Moskway __Y__.
Eight ayes, one nay, motion passes.

Questions and Comments:

Doug Walker asked if the Borough had notified the Highlands of the change. Mayor Desire and Deputy Clerk Young both responded that Highlands was notified. Mr. Walker also inquired how this will impact High Bridge with the change in COAH numbers. Steve Dhein stated that COAH is currently in flux. Mayor Desire informed the Planning Board that he and Councilman Chris Zappa attended a meeting with other Hunterdon County towns and how to handle the new COAH rules. He stated that high Bridge is ahead of the game in this matter. He stated that High Bridge will remain a part of that coalition of towns in regards to COAH.

B. A review of Ordinance #2015-26 for consistency with the Master Plan.

Motion to accept Ordinance #2015-26 as being consistent with the Master Plan: Motion: Walker Second: Howell

Mark Desire __Y__, Chris Zappa __N__, Tom Richards __Y__, Steve Dhein __Y__, Don Howell __Y__, Keith Milne __Y__, Doug Walker __Y__, Brent Dugan __Y__, John Moskway __Y__.
Eight ayes, one nay, motion passes.

Questions and Comments:

Chris Zappa asked for clarification about this \$50 fee. He asked if the presentation given this meeting by Rob Fernandes would fall under this in the future if this ordinance passes. Mr. Dhein replied that he would be required to pay the fee.

Brent Dugan asked for an explanation of the purpose of the \$50 fee. Mr. Dhein explained that the fee is to guarantee that it is going to occur, and the fee will be credited going forward. Mr. Dugan asked that if the person does not move forward with their project, then the fee is not returned and if so where does this money go. Mr. Dhein affirmed that the fee is not returned. Attorney Caldwell explained that this money would be put in the general fund, because it is an application fee. Mr. Dugan asked if this fee also applies to residents. Mr. Dhein responded that a resident should first check with the Zoning Officer. Mr. Dhein clarified that this fee does apply to commercial and residential development. Explanation ensued with hypothetical examples given by Mr. Dhein.

Mr. Zappa asked if a resident had an avenue to find out their information for free. Mr. Dhein replied that the resident could use the Zoning Officer to get information without a fee. Mr. Zappa asked what the purpose of coming to the Planning Board would be. Mr. Dhein explained that if the Zoning Officer found the plans not in compliance with zoning laws then that homeowner would need to apply for a variance. He explained that the informal meeting could be used to allow the homeowner a way to get an idea of what the direction of the

Planning Board would be leaning before paying the variance fees. Further explanation ensued regarding this matter.

10. PUBLIC COMMENTS:

It is the policy of the Planning Board that all public comments on an issue shall be limited to five (5) minutes per person and no person may make more than one (1) comment per subject. Comments may be made on any subject pertaining to Board issues. Comments pertaining to Public Hearings should be saved for that section of the agenda. No debating between residents. Comments should be addressed to Chairman and Board members at the public microphone.

Christina Whited presented a prepared packed to the Planning Board. She believes that her store was closed unlawfully. She has a letter from Mr. Hoffman to show providence and she contends that she is grandfathered. Ms. Whited explained her position and had her supporters stand.

Janet McCann, Margaret Rincken, Jennifer Warren, Danielle Cain, Thomas Donnelly, Ross Taylor, Gail Brogan, Judith Elser, Marian Paternodi, Denise Hickson, Jon Campbell and Kimball Well all spoke in support of Ms. Whited's shop, Inside Out.

11. DISCUSSION:

A. General Requirements and Procedures for the Board(s) and/or Council to make decisions regarding the Land Use Laws as it relates to "Notices of Violations".

Steve Dhein explained the purpose of the Planning Board. He then explained the job of the zoning officer and how he works within a borough or town.

Mr. Milne asked how Ms. Whited should proceed given her situation. Mr. Dhein explained the process she should follow through Borough Hall. Ms. Whited expressed concerns regarding losing her claimed grandfathered status. Attorney Caldwell explained that she would not lose this status if she was able to prove that it is valid. Then Mr. Caldwell summarized the process that Ms. Whited should follow. Discussion with the Planning Board ensued regarding the understanding of this process. It was the recommendation of the Planning that Ms. Whited follow the proper procedure through the governing body.

B. Discussion of new e-mail procedures – pb@highbridge.org

Mr. Dhein explained the procedures of the new email system. Adam Young explained that we are still testing out the system. Mr. Milne inquired about the type of information that should be sent in an email. Mr. Dhein responded that email should not be the solitary means of communication for all issues, as it can be interpreted differently by the reader. Mayor Desire stated that anything put in these emails can be subject to OPRA.

12. ADJOURNMENT: Motion to adjourn: Walker Second: Richards Voice vote: All Ayes
Motion to adjourn passed.

Next Meeting Date: July 20th, 2015

Meeting Location: High Bridge Rescue Squad, 95 West Main St, High Bridge, NJ 08829

Meeting Time: 7:30 P.M. **Adjournment:** 9:13 P.M.

Respectfully Submitted,

Planning Board Secretary Adam Young