

EAST AMWELL PLANNING BOARD MINUTES
7:30 PM East Amwell Municipal Building
March 14, 2018- Meeting

Call to Order, Attendance and Pledge of Allegiance

This meeting of East Amwell Planning Board was opened on March 14, 2018 at 7:30 P.M. The following notice was read, "In compliance with the Open Public Meetings Act, this is a regularly scheduled meeting pursuant to the annual meeting notice as published in the January 18, 2018 issue of the Hunterdon County Democrat, a copy of the agenda for this meeting was forwarded to the Hunterdon County Democrat, filed in the Township Clerk's Office and posted on the bulletin board on March 8, 2018."

Roll Call and Agenda Review

Present: Mark Castellano
Roger Delay
Frances Gavigan
Gail Glashoff
Dick McManus
Don Reilly- *Chairman*
Rick Wolfe
Rob Gilbert
Planner Slagle
John Buckwalter Alt. #1
Tim Willey Alt. #2

Absent: Joe Nyce (Arrived at 7:59pm, left at 8:05pm)
Attorney Norman

Chairman Reilly welcomed Krista Parsons as the new Planning & Zoning Board Administrator. The Administrator position will be voted on once the resolution is completed.

Citizen's Privilege to Speak on Items not on the Agenda

A motion by Mr. Reilly, second by Mr. Willey to open to the public was unanimously approved. Sue Posselt approached the Board to consider ECO Housing (Elder Care Housing Opportunity) in East Amwell. She stated there are a lot of residents who are getting older and do not want to leave this Township. The committee thanked her for her suggestion and duly noted. No other members of the public were present; a motion by Mr. Delay, second by Mr. Wolfe to close the public was unanimously approved.

Review of Minutes

A motion by Mr. Delay, second by Ms. Glashoff to approve the Board's 2/21/2018 minutes with no revision noted was approved.

New Business- Other

Discussion: COAH Settlement

Chairman Reilly stated that COAH will remain on the agenda until it is completed. A Fairness Hearing is tentatively scheduled for April 19 to be held at Somerville Courthouse, but has not been confirmed. Planner Slagle explained the role of the Planning Board after the Fairness Hearing. Township has entered into a settlement agreement with Fair Share Housing to resolve to declaratory judgment action on our affordable housing litigation. This comes after a long extended period. The Township, Fair Share Housing Center and Thompson Realty will all have signed off on agreement. The governing body will then provide a resolution. At the hearing, the judge will go through and ask questions and anyone can speak up. The hearing is open to everyone, including the public. Once everyone is an agreement, the judge will ask the Special Master to prepare a compliance report. The compliance report will outline all the items the Township will have to do in order to comply with the settlement agreement. This will most likely be given on the day of the hearing. The items outlined in the agreement will come back to the Planning Board for preparation. It will include; Housing Element and Fair Share Plan Master Plan, which includes mechanisms and background information as well. Planner Slagle has been working on it now as this is standard and is something she can work on now. It also will include Zoning Ordinance Master Plan Amendment, review other ordinances to ensure compliance and are up to date and to review Administration and the need to implement a Housing Administrator. We have 120 days to do this. Chairman Reilly stated the elements were agreed upon during the settlement so there should not be any more debates/negotiations.

Ms. Gavigan suggest additional meetings be held if need be due to the time frame of 120 days. Planner Slagle stated that was not necessary to notice any new meetings. We can call a meeting two weeks ahead of time if an additional meeting needs to be held.

Township Committee Adoption of Ordinance 18-02- An Ordinance of the Township of East Amwell to Dissolve the Board of Adjustment and Vest Its Powers in the Planning Board Update on Responsibilities by Atty. Norman

Due to Atty. Norman's absence, Planner Slagle explained the memo that was provided by Atty. Norman. She discussed the responsibilities of both Planning and Zoning and what board members can hear certain types of variances.

Due to not charging professional fees for Planning Board, Mr. Wolfe suggested that we amend the ordinance and change it so this can be done. Mr. Wolfe will look into this.

Mr. Nyce expressed his concerns regarding the Board of Adjustment Meeting last night. He felt it would have been beneficial to recognize the board for their service. He also wanted to state his opinion on the memo received by Atty. Norman regarding the Planning/Zoning Board. He feels that the board is a different orientation now and we should be able to recognize both organizations. Mr. Nyce stated that Zoning acts as an advocate for the resident by looking at the Master Plan where Planning strictly obeys the Master Plan as they are the ones who created it. Chairman Reilly acknowledged Mr. Nyce's opinion but stated that the PB was not the advocate for an applicant. Chairman Reilly stated the board will need to listen with an open mind and make a decision consistent with the Master Plan, our ordinances and the public interest.

Ms. Gavigan stated a takeaway for her from Saturday's class was the Zoning Boards and its annual reports in which they engage with the Planning Board to see where items may need to be adjusted and or amended. We may want to look into data from over the years that could be beneficial to them for the Planning Board.

Mr. Wolfe advised that there are a lot of new members on the board and there is a lot of information you have to know. He would like to ensure the attorney is at our next meeting to educate the board members, as we need more education. We aren't quite sure what the difference between Zoning and Planning are at this point. Having the attorney at the meeting will be very beneficial.

Mr. Delay stated that there has to be a balance. The individual must balance with the Township. The Master Plan is laid out in general to provide guidance. We need to let the resident present the facts and we base our decision off the facts. The board must come in with an open mind.

Planner Slagle advised this will be a learning process and we will learn things as we go along, but we will be relying a lot on our Professionals; Planner, Engineer and our Attorney. However, the applicant must present specific proofs that are a part of MLUL and Case Law.

Mr. Wolfe advised to reach out to the Township attorney if you feel that you may have a conflict with any applicants. We do have four alternates if there is a conflict, so do reach out if you feel there is a conflict.

Chairman Reilly has advised that the Planning Board has always has a tremendous attendance and compliments everyone, even the new members, as they are all committed and dedicated.

Ringoes Village Study Recommendations-

Chairman Reilly stated that the Township Committee is creating a committee to study this issue. Mr. Wolfe discussed how the Township Committee meeting has set up an order of priority. First was to get Zoning and Planning Board together, which will become effective 3/15/18. Second, there will be a webpage and resident communication committee. They received a lot of emails regarding communication, regarding this last storm they had about communication. An ordinance was introduced last month. Next they have introduced a recreation committee. An ordinance will be introduced at the next township committee meeting and finally the Ringoes Village Study. This will come up over the next couple of months. They will be seeking a lot more input before they introduce an ordinance. Approximately in the next two months, there will be a draft coming to the Planning Board.

Mr. McManus brings up the Zoning issues with home occupations. People want to integrate work and home life more and more. The definition we have now is very constrained, and we may want to look at how people really live in today's age. Mr. Wolfe will look up the definition and look further into this.

Oral Reports:

FOSPC- Mr. Wolfe stated they are going to start in earnest to target unpreserved farms to see if they can get more farms into preservation. Most owners do not understand what preservation is. Mr. Wolfe would like to approach this from the economic perspective.

Environmental Commission- Ms. Gavigan stated she had a fair amount of discussion about environmental resource and they want to get some of the Chairman's time to take a look at things. They have an original one that was 1975, which she has a paper copy and she is going to scan it and can send to people. There are also other resources that have information for updating and or reviewing to see what needs to be done with the Master Plan or Sourlands. Plus side, is the watershed will not be changing. Ms. Gavigan will be attending a workshop this weekend. If she gets any information, she will scan and share it.

PB Secretary- no report was given

Chairman- no report was given

Correspondence

Twp. of Hopewell, 2/28 Notice of Public Hearing on Redevelopment Plan on 3/12/18 at 7pm was provided to all board members.

Open to the Public

A motion by Rob Gilbert, seconded by Gail Glashoff to open to the public was unanimously approved. Sue Posselt wanted to know who Mr. Castellano was as his wife will be in charge of the Communication Committee and she also stated that she is happy to see that the Planning Board chooses their own secretary, attorney and planner. She had heard East Amwell was having issues finding secretaries, but was happy to hear familiar names. A motion was made by Roger DeLay and seconded by Tim Willey to close to the public and was unanimously approved.

Presentation of Vouchers

Ms. Glashoff questioned why there was still a balance on the invoice for Christopher Norman. There was discussion of a payment being approved by the board already and possibly this was an escrow account. Chairman Reilly stated that he is confident in the CFO doing her job. A motion by Ms. Glashoff, second by Mr. Delay to authorize Chairman Reilly to sign off on the vouchers listed on the agenda was unanimously approved.

Adjournment

Chairman Reilly adjourned the meeting at 8:37 PM.

Krista Parsons, Administrative Officer