

**Borough of Watchung
Planning Board Meeting
Minutes April 19, 2016**

Chairwoman Schaefer called the meeting to order at 7:30 p.m. The Chair called for a roll. Present at the call of the roll were:

(X)Chairwoman Schaefer (X)Mr. Boyd (X)Mr. Desnoyers (A)Mr. Ellis
(X)Mr. Haveson (X)Councilwoman Joren (X)Mrs. Pennett (X)Mayor Pote
(X)Mr. Speeney (X)Ms. Spingler.

Linnus (X) Herits (X)

The Chairwoman indicated that there was a quorum to conduct business and stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the Open Public Meetings Act and proper notification of this meeting has been made.

Chairwoman Schaefer made motion to waive the reading and approve the minutes for the March 15th 2016 meeting. The motion was moved, seconded and carried on a voice vote. Councilwomen Joren did not vote.

The Chair called for the continuation of PB16-01 Cunha lot line adjustment. Mr. Kaplan, attorney for the applicant reviewed the resolution and had no comments or objection. Chairwoman Schaefer called for comments or questions, hearing none, she then opened it up to the public, seeing none, and the public portion was closed. The Chair seeks a motion to approve PB16-01 Cunha Minor sub-division, it was moved by Mr. Haveson, seconded by Mrs. Pennett and approved on a call of the roll: Mr. Boyd [yes], Mr. Desnoyers [yes], Mr. Haveson [yes], Mrs. Pennett [yes], Mayor Pote [yes], Mr. Speeney [yes], and Mrs. Spingler [yes].

The Secretary read resolution PB16-R5 Cunha Minor sub-division into the record. Having read PB16-01 Cunha Minor sub-division into the record, the Chair seeks a motion to accept, moved by Mr. Haveson, seconded by Mrs. Pennett. Discussion, Mr. Haveson didn't recall seeing #8 in a sub-division resolution. Mr. Linnus clarified that it was put in there as protection, usually if the ordinance does apply it's picked up by the construction official. The Chair called for further discussion, hearing none she asked for a call of the roll: Mr. Boyd [yes], Mr. Desnoyers [yes], Mr. Haveson [yes], Mrs. Pennett [yes], Mayor Pote [yes], Mr. Speeney [yes], Mrs. Spingler [yes], and Chairwoman Schaefer [yes].

Chairwoman Schaefer spoke about when government agencies spend money on capital improvements such as roads housing or apartments the Planning Board has the responsibility to review the Bond Ordinance to ensure that it's consistent with our Master Plan. In this Capital bond Ordinance there are improvements to roads, drainage, parking and demolition for the Ness Property. In the past we had approved

the generator for Valley View School and the sewer projects for Johnston and Valley Drive. Mr. Desnoyers read resolution PB16-R6 for the Capital Bond Ordinance prepared by Mr. Linnus into the record. Chairwoman Schaefer seeks a motion to accept the resolution, it was moved by Mr. Haveson, seconded by Mayor Pote. Mr. Haveson said I don't remember what the prior Capital Bond Improvements were. Chairwoman Schaefer said in 2013 there was Valley Rd and Johnston Dr. Mr. Haveson, for example in section c. Under-taking of the preliminary phase of the Ness property, will they have to come before this Planning Board? Mr. Linnus said if they need site plan or sub division they absolutely will be here for review and consent NOT an approval. Mr. Speeney, encouraged the Mayor & Council to involve the Planning Board on capital improvement plans with updates on a yearly basis so that they are informed. Mayor Pote said, we have spent more time in the last year looking at the year to year budget. In terms of the Capital Projects we have it as a "to do" looking at it more formally than in the past. Absolutely we should be taking that 5-year plan and presenting it to the Planning Board on an annual basis because it does change year to year. Mr. Speeney thanked the Mayor. The Chair called for further discussion. Mr. Desnoyers asked is this a unique bond obligation issue that is going to be sold to the public or is this part of a larger bond issue that Watchung borrows? Mayor Pote said there are others. The Chairwoman asked for further question hearing none she called for a roll: Mr. Boyd [yes], Mr. Desnoyers [yes], Mr. Haveson [yes], Councilwoman Joren [yes], Mrs. Pennett [yes], Mayor Pote [yes], Mr. Speeney [yes], Mrs. Spingler [yes] and Chairwoman Schaefer [yes].

Chairwoman Schaefer announced that this is the public hearing regarding the Quarry Area Master Plan Amendment and Mr. Healey can answer any questions or comments. Mr. Healey summarized the timeline from the initial request from Weldon to expand the quarry to encompass properties along Bonnie Burn Rd. Mrs. Pennett was asked to provide a list of trees for the screening. She decided a percentage was more favorable rather than a list, which is covered in the ordinance. The Chair called for questions from the board, hearing none, the Chair opened it up to the public for questions or comments. Mr. Ben Toscano, 185 Bonnie Burn Rd., "my biggest concern is the noise, dust and the trees. My understanding is that the set back is 250 feet on the Colorado Café track. Does that bring it back to the existing tree line in the parking lot area?" Mr. Healey replied, no it doesn't, about mid-way of the parking lot. He explained that the actual buffer is 250 feet, prior to the commencement of quarrying on lot 6 Weldon would have to come to the Planning Board for site plan approval. Mr. Toscano, "so no quarrying would take place in the current location of the Colorado Café parcel." Mr. Butler said that's correct and when we won't be able to quarry for another 6 years. Mr. Toscano said my house is very important to me and I'm concerned about site distance as well as noise. Mr. Toscano asked Mr. Weldon if he were to develop that parcel, would he save some of the natural tree line. The Chair said that would come up when he comes back for site plan approval. Mr. Healey said if they quarry within 150 feet of the buffer on lot 6 they have to come to the Planning Board. Mr. Toscano, "Is there any recourse?" Chairwoman Schaefer said there's always recourse but this is why we're

putting together the zoning ordinance. The zoning ordinance will be on next month's agenda. All we're doing is making a recommendation to the Mayor and Council. For the record notices have been sent on the Master Plan therefore this board has jurisdiction to act on it.

Mr. Healey identified, Exhibit B-1 as the Borough of Watchung Quarry Area Master Plan Amendment dated April 2016. Mr. Speeney expressed his concern about the possibility of changing the use of the Colorado Café parcel, by not raising that building. That idea has not been presented to this Planning Board to arrive at this document. I suggest the ordinance should track the recommendation of the Master Plan. I'm concerned that you're amplifying a use on the Colorado Café site we have not heard about. Mr. Butler responded, if you want us to take it down, we'll take it down. I just thought it may be a good buffer for the neighbors. Mr. Speeney reiterated that the consideration of this board and myself does not include leaving up Colorado Café. Mr. Weldon explained further. The intent the whole time has been to raise it. Recently, talk around the office has raised question if there's anything else we could use the structure for going forward. If the board thinks that it's best that it's raised, I'm not opposed to that. We were just considering our options, like could we use it for storage etc.

The Chair asked for any more comments from the public, hearing none the public portion was closed. Mr. Desnoyers asked Mr. Weldon how long the expansion extends the quarry's useful life. He replied, that they already have a couple of generations of stone, and this would prolong it possibly 15-25 more years. Mr. Bulter stated they had an opportunity to review the amended Master Plan and have no problem with it. Mayor Pote asked, in protection of the residents, how do we as a town ensure that Weldon remains in compliance with all the details? Would there be an opportunity for a periodic review? Mr. Butler, said we're going to do what you tell us to do. If you want a committee to look and see what we're doing, you can. Chairwoman Schaefer asked how long it would take to quarry 50 feet. Mr. Weldon said, in that area one blast would probably be 20 feet deep by 50 feet wide. We don't generally stay in the same area and blast. We are usually moving all around. We might blast 30 times a year. Maybe 5 times in a year in one spot.

The Chair then asked how long it would take to get to the perimeter on Bonnie Burn Rd. Mr. Weldon said to get to 130 feet it would take 6-8-10 years. Mr. Healey said right now with Google earth it gives a very accurate measurement with angles, etc. As technology advances it will become even better and easier to get measurements in real time and see where they are with respect to Bonnie Burn Rd. You could rely on the code enforcer if you felt there was a need to have a periodic review. Madame Chair asked Mr. Weldon if the code enforcer could visit the property every two years to check. Mr. Weldon said the code enforcer was welcome any time of day 365 days a year. Mr. Desnoyers asked if we are doing anything now to enforce the existing parameter because right now they're against the buffer on 2/3rds of this map along Valley Rd. Mr. Healey said right now the ordinance is unclear and this is one of the things we're

clearing up.

Mr. Linnus said a neighbor may file a complaint with the code enforcement officer, which will trigger an investigation. After discussion it was agreed that there should be something in the ordinance that provides for periodic inspection of the quarry with respect to the buffer.

No further discussion was heard on the Master Plan Amendment and Madame Chair seeks a motion to conclude and accept the Master Plan Amendment and authorize Mr. Linnus to prepare a resolution for our May 17th meeting. It was moved by Mr. Haveson seconded by Mr. Speeney and carried on a call of the roll: Mr. Boyd [yes], Mr. Desnoyers [yes], Mr. Haveson [yes], Councilwoman Joren [yes], Mrs. Pennett [yes], Mayor Pote [yes], Mr. Speeney [yes], Mrs. Spingler [yes] and Chairwoman Schaefer [yes].

Next is discussion on the zoning ordinance. Mrs. Pennett said after doing research and having discussions with the environmentalist, it's going to be very hard to screen with deciduous trees. So, what we'd like to have is 75% of the trees be conifers which includes all the different evergreens, hollies, laurels arborvitae, and 25% deciduous. I'm also recommending that you use a landscape architect because there are soil requirements for conifers. Right now there are very few conifers along Bonnie Burn. The board agreed with the environmental recommendations.

Mr. Healey wanted clarification from the board on what the ordinance should read regarding either having the periodic visits or the certification from Weldon that says they have not quarried within 230 feet of Bonnie Burn Rd. Chairwoman Schaefer said let's have both. Mr. Butler said yes we could do that. Madame Chair posed a question about doing this on a yearly basis. Mayor Pote said he thinks it should be written that the Borough has the right to inspect on a yearly basis if they choose to do so. Mr. Linnus said we as a planning board will create an ordinance which then goes to the council to put finishing touches on it as they see fit. Councilwoman Joren asked Mr. Linnus confirm the process. The Planning Board will propose a specific ordinance, then it goes to the council where it will go to the law and ordinances committee for review and recommendation. The council will vote on introducing it and then set it for a public hearing. It will come back to the Planning Board between the introduction and the public hearing adoption for consistency with the Master Plan.

We have accepted the Master Plan Amendment and we will move on next month with the zoning ordinance. Our public will be here as well and there will be no further notices.

For those members of the public who are here, the Master Plan Amendment has been adopted but there will be a formal resolution offered next month and there will be no further notice.

The Chairwoman gave an update on where we are with LPGIA (Local Priority Growth Investment Area) is that we have met with the county couple of times and have identified two PGIAs (Priority Growth Investment Areas) the Quarry and the Route 22 Corridor, Sears area. Madame Chair asked Mr. Speeney to elaborate. Mr. Speeney said the county had their planners out to take a look. The next step would be to take suggestions from their report and include them in future ordinances for those areas. The Circle and the lake area was designated as the LPGIAs. They will look at those as well with their planners and traffic people and come up with some suggestions on what we could do with future development and ordinances, etc.

With the LPGIA the County is using grant monies left over from last year. Mr. Desnoyers, asked why wouldn't other towns want to get involved? Mr. Speeney said we don't have to act on the information, but the county invests their money in our town and we don't have to pay for it. Chairwoman Schaefer said for example Franklin Township had certain sites, but felt they didn't want to partake. Bridgewater and Green Brook both have sites and are interested.

Meeting adjourned at 8:45p.m.

Respectfully Submitted,

Maryann Amiano

Maryann Amiano
Planning Board Clerk