

**Borough of Watchung
Planning Board Meeting
February 21 2012**

Minutes

Chairman Speeney called the meeting to order at 7:30pm. Salute to the flag. The Chair called for a roll call. Present at the call of the roll were: Speeney (X) Schaefer (X) Haveson (X) Ellis (X) Pennett (X) Boyd (X) Beck-Clemens (X) Mobus (A) Pote (X) Desnoyers (X) Hartmann (X)

Chairman Speeney indicated there was a quorum to conduct business. The Chair stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the open public meetings law and proper notification of this meeting has been made.

Chairman Speeney sought a motion to approve the minutes of January 17th, 2012 and waive the reading. Mr. Haveson made the motion, seconded by Mrs. Schaefer. Hearing no discussion, the Chair asked for a voice vote. All were in favor and the minutes of January 17th, 2012 were approved.

Chairman Speeney discussed the requested Planning Board budget for 2012 which has already been submitted. Copies of the requested budget were submitted to the board so that they had an awareness of what the line items are. Mrs. Schaefer pointed out that last year the legal line was changed due to the reexamination of the Master Plan. Mrs. Taylor explained some of the things that came out of certain line items.

Mr. Linnus gave the new members an explanation of the process of the recommendation regarding the flag lot ordinance to the Mayor and Council. Mr. Linnus said that any time that the Council refers a zoning ordinance to the Planning Board it is called a D64 referral. He read the section from the MLUL under D26 stating that 'before the adoption of a development regulation or revision or amendment thereto, the Planning Board shall make and transmit to the governing body within 35 days after referral a report including identification of any provisions of proposed development regulations, revisions or amendment which are inconsistent with the Master Plan, and recommendations concerning those inconsistencies and any other matters that the board deems appropriate.' Then this report goes back to the governing body. Mr. Linnus said that when the board considers this referral, to be mindful that there are only 35 days to

get this back to the council. Chairman Speeney said that this is not yet a formal referral, because it is still in the discussion phase.

The flag lot ordinance draft was sent to the Mayor and Council who recommended a slight change. Councilman Pote said that the Laws and Ordinance Committee met on February 8th, and amongst the things that they talked about were the changes to the flat lot ordinance. They appreciated all the work that the Planning Board has done on this issue. The minimum access strip width on the pole was recommended to the Council as being increased from 20 feet to 22 feet with 5 feet on either side and 12 feet on the driveway. After discussion by the Laws and Ordinance committee, it was suggested that be changed to 7-12-7, rather than 5-12-5, in order to give two more feet on either side of that 12 feet. Councilman Pote said that even though 5 feet seems like a lot, when you are bordering your neighbor's property, 2 more feet might help. Councilman Pote said that the laws and ordinance committee is looking for the Planning Board's thoughts on this change before making any decisions. Chairman Speeney thanked Councilman Pote. He said that the original thinking was that the board was being generous, by relaxing that criteria because the flag was now going to go from being 1 ½ acres to 3 acres. The requirement is significantly greater for the flag area. Chairman Speeney said that approximately 5 years ago, there was a significant effort to increase the buffers of the driveways. The buffer was increased by approximately 5 extra feet. Chairman Speeney said that he still believes that a 7-12-7 is a break for those who have a 3 acre flag and he supports this. Chairman Speeney opened up discussion from the board. Mayor Ellis asked the Chair to repeat what counts and what doesn't count. Chairman Speeney said that the three acre requirement is for the flag and the pole does not count towards that. But the flag pole does count towards impervious surface. If an applicant wants to make the driveway wider than 12 feet, they must give more side yard setback. The rationale being if anyone asked for a super wide lot, they're probably not a flag lot. Mayor Ellis asked if that is a common restriction, and Mr. Linnus said that it is not common, but it is reasonable. Chairman Speeney said that Mr. Bennett is the one who caught this. There was a application for a 3 lot subdivision on Valley Drive and the applicant wanted to have a flag lot. Mr. Bennett said there is a problem with the ordinances in terms of inconsistencies. That applicant had to go before the Board of Adjustment. Chairman Speeney said that Mark Healey recognized the need to apply some parameter to the fan out. Basically Chairman Speeney said, this is the same ordinance that the Board discussed other than the extra two feet on the buffer.

Chairman Speeney sought a motion to approve the flag lot ordinance as revised by the Laws and Ordinance committee and recommended by the Planning

Board. Mr. Haveson made that motion, seconded by Mrs. Schaefer. The Chair stated that Mr. Hartman is exempt from voting and Mr. Desnoyers will be voting in place of Mayor Mobus. The Chair asked for a roll call vote, and the vote was as follows:

Speeney (yes) Schaefer (yes) Haveson (yes) Ellis (yes) Pennett (yes)
Boyd (yes) Beck-Clemens (yes) Pote (yes) Desnoyers (yes)
The motion carried.

Chairman Speeney said that he appreciated the opportunity that the laws and ordinance committee gave the board to edit this ordinance.

Chairman Speeney discussed the Priority Growth Investment Area. Chairman Speeney said that he has discussed this previously, and Watchung has 3 area designations. He said the Weldon Quarry has a PGIA designation which stays the same. There was a map from the DEP showing that most of this area was not valid. Chairman Speeney talked to Bob Bizick from the county said that they take a photograph showing that this is a mostly excavated site. The map shows approximately 2000 wood turtles in this area. The other photograph shows the town center. The next photo showed the retail corridor on Route 22. This was raised from a prior classification of an LPA to a PGIA by the state. The state said that because it was in a prior classification of planning area one that it deserves a PGIA. This area connects to the quarry and we basically have two PGIA's close together. Chairman Speeney said that this was presented to council who accepted these three classifications and sent a letter to the state accepting this. The Chair said that at this time, they have done what they can. Chairman Speeney said that he and Mayor Mobus attended a meeting with the Chamber of Commerce to go over some survey results from business people. He said that there were only 22 responses to this meeting. It turned out that many of the names on the list were outdated. Chairman Speeney and Mayor Mobus are helping them update this list. The Chair said that they really need to include developers, in addition to sole proprietors to attend these meetings. Chairman Speeney said that the zoning in the quarry calls for conference center or hotels and you need a large developer to build those sorts of things. Chairman Speeney said that the Business Partnership is fully aware of this site and what it means in terms of regional impact and jobs potential. He said that the county is well ahead of the Business Partnership with 42 sites already identified. Mr. Ellis asked on map number two, why Mobus Field is not included on the map. Chairman Speeney said that the map had shrunk due to open space and land that cannot be developed.

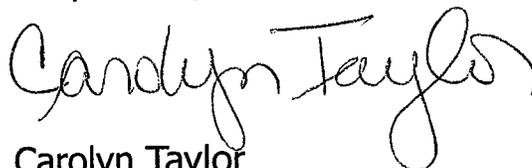
Councilman Pote reported that the Laws and Ordinance Committee has started work on the "McMansion" ordinance and thanked the Planning Board Clerk for helping assemble documents for that work.

Chairman Speeney talked about the sites on the Somerset County Senior Housing map and verified that they were existing and the spelling error on the Stirling Road site. A motion to approve the sites was made by Mr. Mr. Haveson seconded by Mrs. Pennett and was approved by voice vote.

Chairman Speeney said that the Rt. 78 interchange study report has come out and the project was not going to happen. Mr. Ellis said that he has a copy of that report and it supported the termination of the Diamond Hill Road interchange project due to the Dewberry-Goodkind study of 2007.

Hearing no other discussion, the Chair adjourned the meeting at 9:45pm until the next meeting of March 20th, 2012.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Carolyn Taylor". The signature is written in black ink and is positioned above the printed name and title.

Carolyn Taylor
Planning Board Clerk