

Agenda  
9/6/18

**BOROUGH OF WATCHUNG  
PLANNING BOARD  
TRACEE SCHAEFER, CHAIRWOMAN**

**Regular Meeting  
July 17, 2018**

**OFFICIAL MINUTES  
ADOPTED AUGUST 21, 2018**

Chairwoman Schaefer called the Regular Meeting to order at 7:30 p.m. Board members present were Mr. Desnoyers, Mr. Ellis, Councilman Sopko, Ms. Pennett, Mayor Pote, Mr. Speeney, Ms. Spingler and Mr. D'Annunzio. Also present were Mr. Frank Linnus, Esq., Board Attorney, Tom Herits, Board Engineer, Ms. Shiffman, PP and Ms. Snyder, Board Clerk. There were 7 members from the public present.

Chairwoman Schaefer 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. She then led the flag salute to the American flag, and the Board members identified themselves for the record.

**OATH OF OFFICE**

Because Mr. Alan Haveson moved out of town, it was necessary for him to resign from the Planning Board. Chairwoman Schaefer explained that they had worked very hard to keep Mr. Haveson on the Board because of his past involvement and his wealth of knowledge. It was with regret, his resignation was accepted by the Board. Chairwoman Schaefer gave commendation to the great contributions Mr. Haveson had made to the Planning Board throughout his many years of service. The Board thanked him for his service and wished only the best for him.

As a result of Mr. Haveson leaving the Board, Mr. Christopher D'Annunzio took an oath of office moving him up from an alternate to fill Mr. Haveson's unexpired four year term ending December 31, 2020.

**APPROVAL OF MINUTES**

On motion by Mr. Desnoyers, seconded by Mr. Speeney, the minutes for the June 19, 2018, Regular Meeting were accepted and carried on voice votes.

*e: m+c, TEA*

## **OTHER BUSINESS**

In the last few months, the Planning Board discussed the dangers of the easterly most entrance of the Sunoco station, and although they do not have jurisdiction to make changes to the property, they did adopt Resolution PB18-R7 which was a formal "request" for the owners to consider closing that entrance and provide striping in their driveway to direct cars to the other openings. Councilman Sopko was in contact with them, and they were proactive and were present at the meeting.

The owners, Mr. Ranbir Singh and Vinny Singh, were willing to work with the Borough. The son, Vinny Singh, spoke on their behalf. He explained to the Board that they cannot close the easterly most entrance because the tankers delivering gas cannot access the station from the other entrances. The turn is too tight. He did offer to put up flashing "Do Not Enter" and "Wrong Way" signs at that entrance and include striping on his driveway with arrows or wording to direct customers to the other exits, making the traffic flow one way. The Board did request that he consider narrowing the entrance in addition to the other changes. The Board suggested a letter be written to Mr. Bennett that Mr. Singh's signage is at the request of the Planning Board.

## **REDEVELOPMENT PLAN**

Chairwoman Schaefer gave a brief description as to why the Planning Board was asked by the Borough Council to do a preliminary investigation into the redevelopment of Block 7402, Lots 19.01 & 19.02 and Block 7403, Lots 5 & 10 (hereinafter referred to as the Study Area) for classification as an "area in need of Non-Condensation redevelopment". The Mayor and Council voted on a resolution on June 7<sup>th</sup> directing the Planning Board to begin this investigation. Ms. Marcia Shiffman was retained to write a report about this location's viability to be an area in need of redevelopment. Mark Healy also gave input putting the report together.

Mr. Linnus explained that this investigation as to whether the Study Area is in need of non-condensation redevelopment was the first step in the process.

On Saturday, July 14, 2018, the AD HOC Committee met at the Study Area to walk through the property. In addition to the AD HOC committee, Ms. Shiffman and Mr. Healy were also present. Mr. Speeney read a report into the record of the committee's findings from that day.

Chairwoman Schaefer explained to the members of the public present, that the meeting was not a public hearing. The public hearing would be on Tuesday, August 21<sup>st</sup>. She then introduced Ms. Shiffman and allowed her to give her presentation.

Ms. Shiffman walked the Board through her report, highlighting what she thought the most significant parts.

Ms. Shiffman explained that the introduction tells what a non-condemnation area is and what goes along with it. She explained that the Study Area is a combination of four lots. The report served as a statement and map.

Ms. Shiffman listed eight criteria for redevelopment area determination. She said that in order for an area to be in need of redevelopment, only one of the criteria is required to be met. She highlighted two of the criteria as applying to this investigation. Of the eight conditions listed on page 4 of the report, the following two were what Ms. Shiffman considered applicable:

(c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or entity, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, and that by reason of its location, remoteness, lack of means to access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

(e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

Ms. Shiffman described the Study Area and emphasized that wetlands was a major concern for the site. Just that day she received a letter from DEP that classified the wetlands on the site as intermediate wetlands which would require a 50 foot buffer. She will include this update as part of her revisions.

Ms. Shiffman brought up another major concern for the Study Area. Although utilities are available to the site, it does not have access to sanitary sewer. As per her report, currently, "the Somerset County Wastewater Management Plan Map shows the site as being within the Middlesex County Utilities Authority service area as future sewer service area. It also abuts the Berkeley Heights Water Pollution Control Plan area." Mr. Herits, P.E. was mentioned in the report as to saying that the sewer would have to be served from Berkeley Heights. This would be an amendment to the wastewater management plan.

Ms. Shiffman described the surrounding site conditions and the buffering required. She went through a series of maps included in the report both historical and present showing the conditions of the site. She informed the Board of the zoning in the area with special attention to lot 10 which the Borough was sued as a builder's remedy causing the lot to be rezoned. Pages 25-28 of the report list the zoning requirements and conditions for the site.

The Master Plan Reexamination Report discussed the extension of the sewer. Included in the discussion was the 2005 Reexamination Report where the Board was pursuing sewer connection with Berkeley Heights for the purpose of serving the ZV Tract.

Ms. Shiffman went through pages 30-34 which covered site history and property owners. She summarized her findings.

On question by Mr. Desnoyers, Ms. Shiffman said she would look into the tax records to see if the house has been vacant for 10 years.

On page 37, Ms. Shiffman explains that "condition of title" has hindered the Study Area from being developed because of deed restrictions which would need to be lifted.

On question by Mr. Speeney, Mr. Linnus, Esq. said that an overlay on current zoning would be discussed if there is a redevelopment plan.

On question by Mr. Desnoyers, Ms. Shiffman said the county can make the changes to the wastewater and BNE is working with the Borough. BNE is currently under contract to purchase the property. Chairwoman Schaefer said if the Board approves, BNE will come before the Board and have to prove sewer or the project goes no where. Mr. Herits, P.E., suggested they go before PARSA to relinquish and at the same time ask if Berkeley Heights could do sewer.

The meeting was open to the public.

Mr. William Butler of Westfield, NJ represented Weldon Quarry. He was there to gather facts. He gave compliments to Ms. Shiffman for her excellent report. He requested copies of the Ad Hoc Committee's report and Ms. Shiffman's report.

Mr. D'Annunzio and Board members gave condolences in the passing of Mr. Richard Weldon, Mr. Butler's client.

The public portion of the meeting was closed.

**ADJOURN**

On motion by Mr. Speeney, seconded by Ms. Pennett, the Board unanimously voted to adjourn the meeting at 9:19 p.m.

Respectfully Submitted,

*Theresa Snyder*

Theresa Snyder  
Board Clerk