

# BOROUGH OF WATCHUNG

## PLANNING BOARD

TRACEE SCHAEFER, CHAIRWOMAN

**Regular Meeting  
August 18, 2020**

### **OFFICIAL MINUTES Adopted September 15, 2020**

Chairwoman Schaefer called the Regular Meeting to order at 7:30 p.m. Board members present were Mr. Ellis, Councilman Martino, Mayor Balla, Mr. Speeney, Ms. Spingler and Mr. Pote. Mr. Fiorilla arrived at 8:26 pm. Also present were Francis P. Linnus, Esq., Board Attorney, Thomas J. Herits, Board Engineer, Mr. Mark Healey, PP and Theresa Snyder, Board Clerk. There were 2 members from the public present.

Chairwoman Schaefer read the statement indicating the meeting was being held in compliance with N.J.S.A. 10:4-6 of the Open Public Meetings Act, the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. She also stated that in order to comply with the executive orders signed by the governor, and in an effort to follow best practices recommended by the CDC, the meeting was being held virtually for all board members, board professionals, the applicant, the applicant's professionals, interested parties and members of the public. The Board members identified themselves for the record. She then led the flag salute to the American flag.

### **MINUTES**

On motion by Mr. Speeney, seconded by Mr. Pote, the minutes from July 21, 2020, Regular Meeting, were accepted and carried on voice vote.

### **EXECUTIVE SESSION**

Ms. Spingler read the Resolution PB 20-R10 into the record.

On motion by Ms. Spingler, seconded by Mr. Speeney, the Board entered executive session based on the following roll call vote:

Roll Call:

Ayes: Ms. Spingler, Mr. Ellis, Councilman Martino,  
Mayor Balla, Mr. Speeney, Mr. Pote  
and Madam Chair

Nays:

Not Eligible:

Abstain:

Absent: Ms. Pennett and Mr. Fiorilla

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At the conclusion of the Executive Session, the Board closed the closed portion of the meeting, and Opened the Open portion of the meeting. Roll call was taken to ensure all members were present.

### **MASTER PLAN REEXAM**

Madam Chair gave a brief description of the process of the Master Plan reexam.

Mr. Linnus said the reexam of the Master Plan was an important part of the Planning Board. Every 10 years the Board engages in the process. The Board's responsibility is to create a blueprint for the Borough mandated by N.J.S.A. 40:55D-89.

Mr. Healey lead the discussion by first expressing that the reexamintion draft was a result of significant input from the subcommittee. He began by explaining that the report was divided into the following five categories:

- I. Introduction
- II. Major problems and objectives relating to land development in the 2011 reexamination and current status of such problems and objectives
- III. The extent to which there have been significant changes in assumptions, policies and objectives forming the basis for the Master Plan or development regulations as last revised
- IV. Specific changes recommended for the Master Plan and development regulations
- V. Incorporation of redevelopment plan(s) into Master Plan and recommended changes, if any, to development regulations

Mr. Healey gave a brief explanation of the Borough's planning history and the provisions made for affordable housing and the quarry area. In 2019 the Borough adopted a new Housing Element and Fair Share Plan (HEFSP) which granted the Borough immunity from builder's remedy through 2025.

Mr. Healey explained pages 6-13 of the report which identified problems in the last reexam in 2011 and the status of those problems.

In the next section of the report, Mr. Healey discussed what changes took place within the Borough and outside of the Borough which would affect the land development. One of the changes since the last report was the Bonnie Burn Redevelopment Area.

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On question by Mayor Balla concerning the geology and environmental constraints on the this area such as springs and endangered species, Mr. Healey replied that he was not aware of any geological study done to the Bonnie Burn redevelopment area.

Mr. Herits added that the property owner did receive an LOI depicting the wetlands. A geology study was not done. He further opined that if there were springs to mitigate, this would effect the cost of construction.

In response to a statement, Mr. Herits informed the Board that Seritage was approached to put affordable housing on top of their buildings. At that site, the overall impervious coverage was decreased.

Mr. Pote confirmed that the Borough had approached Seritage on two separate occasions to put affordable housing on top of their buildings, and they said no.

The Mayor suggested an Ordinance be adopted to include a requirement for more green space on Rt. 22 and more multi-use at Blue Star.

Mr. Healey cautioned against making blanket reductions in impervious coverage amounts in the HD Zone. This could make existing shopping centers non-conforming. This is a large percentage of the tax base.

The Mayor highlighted the "Village Center" on page 22 to include the library and mixed use. He further suggested that Valley Furniture be approached to make improvements to the existing bridge.

Mr. Healey made the recommendation that the McMansion Ordinance be reviewed as it allowed for larger scale homes to be out of proportion to other homes; therefore, it impacts the character of the neighborhood.

On question by Mr. Fiorilla, Madam Chair gave an example of a McMansion on Skyline Drive and Washington Rock.

Mr. Pote added the home on Jared Court.

Mr. Speeney highlighted #7 on page 25, R-M-L VI Zone which includes the Ness Property should be changed to the R-R Zone to make it at the lowest density zone.

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Mayor Balla asked why the zone should be changed, and he suggested that the property was for Borough use. He further opined that the Borough could consider this property as future affordable housing.

Madam Chair said that if the Borough wanted to use the property for other than open space a one million dollar grant would need to be paid back.

Mr. Pote reminded the Board that the Borough paid \$8.2 million for the Ness Property. That was done to protect the community.

Under item # 8 "Quarry Area" page 26, It was recommended that the quarry provide air quality reports to the Borough.

Under item #9 "Ordinance Enforcement", Councilman Martino suggested that Home Depot needs more enforcement for their outdoor sales.

Madam Chair said zoning violations should be reported to the Zoning Officer.

On question by Mayor Balla about the rationale as to not have outdoor dining, Mr. Speeney suggested that outdoor dining was not allowed because of noise levels to surrounding neighbors.

On question by Councilman Martino concerning the Tree Ordinance and planting trees in the vicinity of power lines, Madam Chair recommended that this be handled at the Borough Council level.

Mr. Speeney gave an example of low density zoning on the Brook Hill Swim and Tennis Club.

On question of Mr. Fiorilla as to who owned the property, Madam Chair made the suggestion that the Borough pursue this as Open Space.

Councilman Martino requested that the wording on item #1 on page 27 be changed from "Watchung Chemical Engine Company, the Watchung Firemen's Club" to its proper name of "Watchung Borough Fire Headquarters".

In the discussion of the Village Center/Somerset Street section on page 27, the Board discussed the acquisition of the gas station abutted to Stafford Park.

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Mr. Linnus reminded the Board that this review and the recommendations were essentially a “wish list” from the Planning Board to the Borough Council for their review and implementation.<sup>1</sup>

Mayor Balla suggested the acquisition of property within the Village Center/Somerset Street be expanded to include any property that might become available for purchase and not just the gas station.

During the discussion concerning Route 78 Interchange at Diamond Hill Road, the Mayor informed the Board that he has spoken with a Congressman about making these changes.

### **DISCUSSION**

Madam Chair informed the Board that The Learning Experience would resume the hearings on their application.

### **PUBLIC COMMENT**

The meeting was open to the public. There were no comments from the public.

### **ADJOURN**

The Board unanimously voted to adjourn the meeting at 10:38 pm.

Respectfully Submitted,



Theresa Snyder  
Board Clerk

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<sup>1</sup> The Master Plan reflects the recommendations and considerations provided by Watchung's Planning Board after careful thought, discussion, and consideration, with the intent to best use the Master Plan and its revisions to protect Watchung's and its residents' long-term, best interests. These "recommendations" are essentially input to the Mayor and Council, from a separate and impartial third party (the Planning Board), which the Planning Board hopes the Mayor and Council will take under serious consideration. [Amended on recommendation of Mr. Pote.]