

THE BOROUGH OF WATCHUNG
Planning Board
Regular Meeting
December 13, 2022

OFFICIAL MINUTES
Adopted 1/17/23

Chairwoman Tracee Schaefer called the Regular Meeting to order at 7:30 pm

ROLL CALL

Ms. Tracee Schaefer, Chairwoman	Mr. Paul Fiorilla
Mr. Donald Speeney, Vice Chairman	Mr. Troy Sims
Mr. Keith Balla, Mayor	Ms. Yvette Nora (absent)
Mr. Pietro Martino, Councilman (absent)	Mr. Francis P. Linnus, Esq.
Ms. Ellen Spingler, Secretary	Mr. Mark Healey, Board Planner (absent)
Mr. Al Ellis (absent)	Mr. Richard Calbi, Jr., PE, PP (absent)
Ms. Karen Pennett (absent)	Ms. Theresa M. Snyder, Board Clerk
Mr. Steve Pote	

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 regular meeting minutes from November 15, 2022, were accepted and carried on voice vote with Mr. Fiorilla abstaining.

ORDINANCE REVIEW

ORDINANCE AMENDING THE BOROUGH'S ZONING REGULATIONS TO ESTABLISH AN ANNUAL PERMIT TO ALLOW OUTDOOR DINING AT FOOD ESTABLISHMENTS THROUGHOUT THE BOROUGH.

ORDINANCE AMENDING THE BOROUGH'S ZONING REGULATIONS TO ALLOW OUTDOOR DINING AS A PERMITTED ACCESSORY USE TO FOOD ESTABLISHMENTS THROUGHOUT THE BOROUGH.

On motion of Mr. Speeney, seconded by Ms. Spingler, the draft letter to the Laws and Ordinances Committee for the outdoor dining ordinances was approved and carried on voice vote.

ORDINANCE AMENDING BOROUGH CODE, CHAPTER 28 LAND DEVELOPMENT,
AND ESTABLISHING ZONING REGULATIONS FOR THE ELECTRIC VEHICLE
SUPPLY/SERVICE EQUIPMENT THROUGHOUT THE BOROUGH OF WATCHUNG
PURSUANT TO P.L. 2021, C.171.

On motion of Ms. Spingler, seconded by Mr. Speeney, the Board directed Ms. Snyder to draft a letter to the Mayor and Council indicating the proposed Ordinance is not inconsistent with the Master Plan and recommends the adoption of same based on the following roll call vote:

By D26 referral, the Governing Body introduced an Ordinance for make ready charging stations and referred same to the Board for consistency review requesting the Board provide recommendations before second reading. The draft Ordinance was based on the state-wide model ordinance which mandated some conditions.

Chairwoman Schaefer opined that the Ordinance was consistent with the Master Plan because of the inclusion of the “Green Plan” in the reexamination report. Mr. Speeney agreed. He recommended clarification of the definition for “on-street parking” and whether on-street parking would have make ready spaces.

In response to Board Member Pote’s question of whether the requirement was retroactive and would affect the Bonnie Burn project, Chairwoman Schaefer responded that the Ordinance would only be for projects moving forward. Mr. Pote also raised a concern about enforcing limitations to the amount of time a person could utilize a make ready space. Mr. Speeney suggested that signage would be very important in clarifying the type of charging station it was and the amount of time a person could be parked in the space.

ROLL CALL:

Ayes:	Ms. Spingler, Mayor Balla, Mr. Speeney, Mr. Pote, Mr. Fiorilla, Mr. Sims, and Madam Chair
Nays:	
Not Eligible:	
Absent:	Councilman Martino, Mr. Ellis, Ms. Pennett, and Ms. Nora

EXECUTIVE SESSION

Resolution PB 22-R12
Weldon Materials, Inc. v. Planning Board of the Borough of Watchung and Bonnie Burn
Redevelopers Urban Renewal, LLC- Docket No. SOM-L-001567-21

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

ROLL CALL:

Ayes:	Ms. Spingler, Mayor Balla, Mr. Speeney, Mr. Pote, Mr. Fiorilla, Mr. Sims, and Madam Chair
-------	--

Nays:

Not Eligible:

Absent: Councilman Martino, Mr. Ellis, Ms. Pennett, and Ms. Nora

The Board entered open session. All Board members were present.

On motion of Mr. Speeney, seconded by Mr. Pote, the Board approved Mr. Linnus' continuous representation in litigation not to exceed \$15,000 based on the following roll call vote:

ROLL CALL:

Ayes:

Ms. Spingler, Mayor Balla, Mr. Speeney, Mr. Pote,
Mr. Fiorilla, Mr. Sims, and Madam Chair

Nays:

Not Eligible:

Absent: Councilman Martino, Mr. Ellis, Ms. Pennett, and Ms. Nora

DISCUSSION

Chairwoman Schaefer commented that Board Member Pennett's father had passed away, and that the Board sent a sympathy gift to her home.

Chairwoman Schaefer thanked Mayor Balla for his years of service on the Board and wished him the best.

Mayor Balla thanked the Board members for their volunteer service and expressed his enjoyment in working with everyone.

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

ADJOURN

The Board unanimously voted to adjourn the meeting.

Respectfully Submitted,



Theresa Snyder
Board Clerk