

**THE BOROUGH OF WATCHUNG**  
**Planning Board**  
**Regular Meeting**  
**June 20, 2023**

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. Ronald Jubin, Mayor	Ms. Jackie Bodnar
Mr. Curt Dahl, Councilman	Mr. Francis P. Linnus, Esq.
Ms. Ellen Spingler, Secretary	Mr. Mark Healey, PP
Mr. Al Ellis (absent)	Mr. Richard Calbi Jr., Board Engineer (absent)
Ms. Karen Pennett	Mr. John Jahr, Board Traffic Engineer (absent)
Mr. Steve Pote	Ms. Tammy Vetusch, Board Clerk

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 then led the flag salute to the American flag. Roll call was taken and indicated a quorum to conduct business.

**OATH OF OFFICE**

Ms. Jackie Bodnar was sworn in to office as Alternate #2 Class IV Member of the Planning Board 2-year Term ending December 31, 2024.

**MINUTES**

On motion by Chairwoman Schaefer, seconded by Ms. Spingler, the Regular Meeting Minutes, May 16, 2023, were accepted and carried on voice vote. Mr. Troy Sims and Ms. Jackie Bodnar did not vote as they were not eligible.

**ORDINANCE COMMITTEE**

The Ordinance subcommittee met prior to the regular meeting to discuss an ordinance and any recommendations. The subcommittee agreed with Mr. Healy's assessment of the ordinance and asked him to present it to the board.

**ORDINANCE REVIEW**

**ORDINANCE AMENDING THE BOROUGH'S ZONING REGULATIONS, CHAPTER 28 LAND DEVELOPMENT, TO REVISE ARTICLE 28-500 REGULATING FENCES AND WALLS.**

Mr. Healy has found this amendment to not be inconsistent with the Master Plan. The Committee did have a few considerations for the Council to think about. The Committee recommends the following be looked at:

Proposed requirement that gates need to be at least 15 feet from the curb line; not sure if for esthetic reasons or to make sure when car is pulling off of road, they have sufficient room to get the car off of the street into the property to open the gate. Looking at the 15 feet if the gate opens out, is this enough room for the car to be fully off the road.

Regarding the existing ordinance; two things the Committee talked about that are not proposed to change but since they were reviewing the ordinance discussed the following:

Master Plan re-examination comment looking at fencing around pools; overall recommendation to have Construction Official look to make sure not inconsistent with the Construction Code. Zoning ordinance states you can use a building as part of the barrier to the pool, ordinarily this would not want to be addressed in a zoning ordinance as this is construction code material, make sure it is not inconsistent with the Construction Code.

Electrical fences allow up to 1,000 volts. Not something normally found in Zoning Ordinance, maybe have Construction Code Official look at this as it may already be addressed in another code.

Madame Chair motions, seconded by Mr. Speeney on the two following recommendations:

1. Mayor and Council look at fencing and swimming pools and voltage on fencing, review to make sure compliant with UCC and have a Construction Official review.
2. Look at setback of entrance gates for the purpose of not having a car encroach on a gate while waiting to open and make sure gate will not interrupt use of sidewalk.

#### ROLL CALL:

Ayes:	Ms. Spingler, Councilman Dahl, Ms. Pennett, Mr. Speeney, Mr. Pote, Mayor Jubin, Mr. Fiorilla, Mr. Sims and Madam Chair,
Nays:	
Not Eligible:	Ms. Bodnar
Absent:	Mr. Ellis

#### REVIEW OF MAYOR AND COUNCIL RESOLUTION R17

N.J.S.A. 40A:12A-6 RESOLUTION AUTHORIZING THE BOROUGH OF WATCHUNG PLANNING BOARD TO UNDERTAKE A PRELIMARY INVESTIGATION FOR THE REDEVELOPMENT OF BLOCK 7010, LOTS 5.01, 5.02, AND 5.03 AS SHOWN ON THE BOROUGH OF WATCHUNG TAX MAP AS A NON-CONDEMNATION REDEVELOPMENT AREA.

Madame Chair motions, seconded by Councilman Dahl to appoint Mark Healy for Preliminary Investigation and Report on proposed property and report back to the Planning Board his findings.

ROLL CALL:

Ayes:	Ms. Spingler, Councilman Dahl, Ms. Pennett, Mayor Jubin, Mr. Fiorilla, Mr. Speeney, Mr. Sims, Mr. Pote and Madam Chair
Nays:	
Not Voting:	
Not Eligible:	Ms. Bodnar
Absent:	Mr. Ellis,

EXECUTIVE SESSION

Resolution PB 23-R7

Weldon Materials, Inc., adv. Borough of Watchung Planning Board and The Learning Experience Holding Corp., Docket No.: SOM-L-001419-21

Borough of Watchung Planning Board adv. Weldon Materials Inc., Docket No.: A-00099022  
(Appellate Case Litigation)

Motion to accept Ms. Pennett seconded by Mayor Jubin.

ROLL CALL:

Ayes:	Ms. Spingler, Councilman Dahl, Ms. Pennett, Mayor Jubin, Mr. Fiorilla, Mr. Speeney, Mr. Sims, Mr. Pote and Madam Chair
Nays:	
Not Voting:	
Not Eligible:	Ms. Bodnar
Absent:	Mr. Ellis,

Return from Executive Session.

ROLL CALL:

Ayes:	Ms. Spingler, Councilman Dahl, Ms. Pennett, Mayor Jubin, Mr. Fiorilla, Mr. Speeney, Mr. Sims, Mr. Pote, Ms. Bodnar and Madame Chair and Ms. Bodnar
Nays:	
Not Voting:	
Not Eligible:	
Absent:	Mr. Ellis,

Madame Chair advised the public no action has been taken during Executive Session, update on legal matters.

The meeting was opened to the public, and there were no comments from the public.

The Board unanimously voted to adjourn the meeting.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Tammy Vetusch".

Tammy Vetusch  
Board Clerk