

SUSSEX COUNTY PLANNING BOARD

MINUTES

January 7, 2013

The meeting was called to order by Eric Snyder at 4:00 p.m. The meeting is held in compliance with the Open Public Meetings Act, NJSA 10:4-2 of 1975, as amended. Present were:

MEMBERS PRESENT: Andy Borisuk, Vice Chairman
 Michael Cecchini
 Dr. John Ford
 Michael Francis
 Rich Vohden, Freeholder Member
 John Risko, Engineering Alternate

MEMBERS EXCUSED: None

STAFF PRESENT: Eric Snyder, Planning Director
 Alice Brees, Principal Planner
 Neal Leitner, Senior Planner
 Antoinette Wasiewicz, Recording Secretary

ALSO PRESENT: None

REORGANIZATION:

Michael Cecchini nominated Andy Borisuk as Planning Board Chairman. Hearing no other nominations for the position of Chairman, the nominations were closed. The Board unanimously approved the nomination.

Andy Borisuk called for a nomination for the position of Vice Chairman. Michael Cecchini nominated John Ford as Vice Chairman. The motion was seconded by Richard Vohden. Hearing no other nominations for the position of Vice Chairman, the nominations were closed. The Board unanimously approved the nomination.

MINUTES

Eric Snyder advised the Board that the Minutes for the meeting for November 5, 2012 did not need to be reviewed or approved as minutes because it was not an official meeting. There were only four members present when a quorum requires five members. However, the notes of the unofficial meeting will be reviewed by the Board and made part of the public record.

SITE PLAN/SUBDIVISION REVIEW COMMITTEE REPORTS

A motion was made by Michael Cecchini to approve the Development Review Committee Report for November 5, 2012 as presented. The motion was seconded by John Ford and carried unanimously.

APPEALS AND WAIVER REQUESTS

A. WOODPORT 80, LLC, SITE PLAN 49(PSP)10, ROUTE 605, SPARTA TOWNSHIP:

Eric Snyder said that during the unofficial meeting on November 5, 2012 there was a presentation on a sight triangle easement issue for Woodport 80, LLC. Staff has suggested as an amendment to the original approval, a de minimus change, going from 218' to 200', and that this matter could be acted on by the Board by recommendation of the staff without having to have another whole presentation. Mr. Snyder said Dennis McConnell approved of this approach as well.

Mr. Snyder prepared a draft Resolution which was provided to the Board members. A motion was made by Michael Cecchini to approve the Resolution granting the waiver to amend the sight triangle easement from 43' x 218' to 43' x 200'. The motion was seconded by John Ford and carried unanimously.

DIRECTOR'S REPORT

Eric Snyder reported that the Administration submitted the map showing sewer service areas to DEP. An agreement on the map was reached with DEP and all the towns prior to submission. There will be a Public Hearing before the Board of Chosen Freeholders on February 13, 2013 to adopt the map. Mr. Snyder said the map was the regulatory piece; the rest of the plan will be worked on through 2013. He added that a process has been set up for approvals for areas that weren't on the original map but have been provisionally added. They will need to go through the 208 Policy Advisory Committee but in expedited fashion.

Mr. Snyder said the Governor's Office requested that the State Plan be pulled off the State Planning Commission agenda of the due to Hurricane Sandy and the need to consider the potential impact of other storm events on the overall development policy of the State.

An application came to the Planning Division for a Shell Station with a 7-11 in Sparta. The site is across the street from Knoll Heights and the old Stop 'n Shop. A few weeks ago a man was struck by a garbage truck and died. He was walking from Knoll Heights

to a medical facility. There have been many discussions about municipal planning decisions that result in unsafe circumstances. In this case, Sparta Township approved a zoning scheme and approved plans to carry that zoning scheme out that moved the only grocery store out of town, across a busy state highway, from senior citizen housing. Instead of being able to walk to the grocery store, crossing only Knoll Road, now they have to cross Rt. 181, walk in the shoulder of County Route 517, which has a 50 mph speed limit, to get to the first piece of sidewalk to get them to the shopping center. Mr. Snyder said he has had unproductive discussions with Mr. Troast. The only reason that situation exists is because of municipal zoning.

With this Shell application, a pedestrian wishing to shop at the convenience store must cross County Route 517. There is no crosswalk nor are there pedestrian signals. These kinds of provisions should be required in all cases where destinations are created through the county and municipal site plan approval process. Where the County has jurisdiction over access and drainage, they also have an obligation to require provisions that would alleviate a potential safety hazard. Traditionally, the County has followed the municipal lead with regard to site plan approvals and, in particular, sidewalks and other pedestrian elements. Mr. Snyder said the Planning Board, in its review and approval authority, has the responsibility to address this as a general matter. He said this is a policy call that would go from here to the Freeholders. It is also a political issue that will not be easy. Mr. Risko said the full intersection is under the jurisdiction of DOT. Engineering's comments were that they add pedestrian crosswalk and signal to their application.

Mr. Snyder said this issue needs to be discussed as a policy. The Planning Board needs to think about what it does as a regional agency, weighing in on issues that are overlooked or are larger than any given town. By law, when the town adopts a Master Plan Amendment or a Zoning Ordinance Amendment, they have to file it with the County. This is so that the County can make comments. For the last 40 years, the County has been told to stay out of municipal business. He said this needs to be reconsidered. It is not only municipal business as evidenced by the current situation.

John Ford asked if the Planning Board has a responsibility to address the safety of citizens. He said sometimes lights are not put in until there are enough deaths. Andy Borisuk asked if the County could approve the gas station but not the convenience store. Mr. Snyder said the convenience is internal to the site and is not County jurisdiction. The County's jurisdiction is with the County road and drainage and its concern is for people to get across the County road safely. Michael Francis said the County needs to let other Planning and Land Use Boards know the County's concerns. Towns that want to redevelop or rehabilitate an area should be obligated to work with the County to address the planning issues. Mr. Snyder suggested the Board consider this approach and discuss it further at the next meeting.

Common Waters, a three State, six County group which deals with watershed issues in the Upper Delaware has received a grant from the Regional Plan Association to do adaptation studies. As the title indicates the group is focused on water quality. Their principal concern is that the health of the forest contributes directly to water quality.

Adaptation is a critical element in considering the impact of a changing climate. They are looking for a letter of support from the Planning Board. After discussion, the Board approved of a letter to support the effort. Mr. Snyder said he will prepare the letter. Michael Francis talked about the problems Hopatcong Borough is having with a 400 acre preserve.

UNFINISHED BUSINESS

Rich Vohden said last month there was one meeting of the Development Review Committee where no one from the Planning Board showed up. At the least two members should attend. He suggested that Neal Leitner send out an e-mail which the Planning Board will respond to. John Ford said he would be glad to attend the meetings but that he has never received an e-mail notification. The e-mail distribution list will be checked to see that the e-mail addresses are correct.

NEW BUSINESS

A. 13-19 WOODSIDE AVENUE, LLC, SITE PLAN 18(PSP)12, ROUTE 621, NEWTON:

A motion was made by John Ford to memorialize the Resolution for the 13-19 Woodside Avenue, LLC Site Plan. The motion was seconded by Michael Francis. A vote was taken. Results were as follows: Andy Borisuk-Yes; Michael Cecchini-Yes; John Ford-Yes; Michael Francis-Yes; Rich Vohden-Yes; and John Risko-Yes. Motion carried.

B. 2013 MEETING DATES FOR COUNTY PLANNING BOARD AND DEVELOPMENT REVIEW COMMITTEE:

The 2013 Meeting Dates for the County Planning Board were provided to the Board members. A motion was made by John Ford that the Schedule of Meetings for the Planning Board for 2013 be adopted as noted. The motion was seconded by Michael Cecchini and carried unanimously.

A motion was made by John Ford to adopt the Schedule of Meetings for the Planning Board Development Review Committee for 2013. The motion was seconded by Michael Cecchini and carried unanimously.

OPEN TO PUBLIC

None

ADJOURNMENT

All business having been completed, a motion to adjourn the meeting was made by Michael Cecchini. The motion was seconded by John Ford and carried unanimously. The meeting adjourned at 4:38 p.m.