

SUSSEX COUNTY PLANNING BOARD

MINUTES

September 14, 2015

The meeting was called to order by Chairman Borisuk at 4:05 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, Chairman
Michael Francis
Gene Crawford, 1st Alternate
Walter Cramp, County Engineer
George Graham, Freeholder Member

MEMBERS EXCUSED:

Dr. John Ford
Wolfgang Gstattenbauer, Vice Chairman
Dan Flynn, 2nd Alternate

STAFF PRESENT:

Eric Snyder, Planning Director
Autumn Sylvester, Ag. Resource Specialist 3
Antoinette Wasiewicz, Recording Secretary

MINUTES

A motion was made by Michael Francis to approve the Minutes of July 6, 2015 as presented. The motion was seconded by Walter Cramp. All were in favor with abstentions from Andy Borisuk and Gene Crawford. (Mr. Borisuk abstained due to the fact that he did not receive a copy of the Minutes until just before the meeting began.) Motion carried.

SITE PLAN/SUBDIVISION DEVELOPMENT REVIEW COMMITTEE REPORTS

A motion was made by Michael Francis to approve the Development Review Committee Reports for July 6, 2015, July 20, 2015, August 3, 2015, August 17, 2015 and August 31, 2015 as presented. The motion was seconded by Gene Crawford. All were in favor with an abstention from Andy Borisuk. (Mr. Borisuk abstained due to the fact that did not receive a copy of the Development Review Reports until just before the meeting began.) Motion carried.

APPEALS AND WAIVER REQUESTS

- A. RESOLUTION FOR WANTAGE STONE PRELIMINARY SITE PLAN 11A(PSP)15, ROUTE 673 (BLAIR ROAD) AND STATE ROUTE 23, WANTAGE TOWNSHIP:

A motion was made by Michael Francis to memorialize the Resolution for the Wantage Stone Preliminary Site Plan. The motion was seconded by George Graham. A vote was taken. Results were as follows: Andy Borisuk-Yes; Michael Francis-Yes; Walter Cramp-Yes; and George Graham-Yes. Motion carried.

- B. RESOLUTION FOR SUNN KIS, LLC PRELIMINARY SITE PLAN 23(PSP)14, ROUTE 669 (LIMECREST ROAD) AND STATE ROUTE 206, ANDOVER BOROUGH:

A motion was made by Michael Francis to memorialize the Resolution for the Sunn Kis, LLC Preliminary Site Plan. The motion was seconded by George Graham. A vote was taken. Results were as follows: Andy Borisuk-Yes; Michael Francis-Yes; Walter Cramp-Yes and George Graham-Yes. Motion carried.

- C. RESOLUTION FOR CELLCO PARTNERSHIP MINOR SITE PLAN 10(MSP)15, ROUTE 608 (KENNEDY ROAD,) GREEN TOWNSHIP:

A motion was made by Michael Francis to memorialize the Resolution for the Cellco Partnership Minor Site Plan. The motion was seconded by George Graham. A vote was taken. Results were as follows: Andy Borisuk-Yes; Michael Francis-Yes and George Graham-Yes. Motion carried.

DIRECTOR'S REPORT

Eric Snyder said that work is continuing on the Open Space Plan update.

UNFINISHED BUSINESS

None

NEW BUSINESS

George Graham said he has had some discussion with Michael Francis regarding new developments that have occurred in areas, particularly Hopatcong and it has been found that Sussex County has an escrow or a cash bond that is required. He asked Mr. Francis to discuss this issue.

Mr. Francis said he has been getting feedback from developers who say that they have a lot of insurance and bonding agents. Sussex County requires a cash bond which can be a large amount of money based on the work being done. He added that Morris County has very strict insurance requirements and very strict bonding regulations through a bonding agent. Cash is not an issue in Morris County. Mr. Francis said it is problematic to developers when a large amount of cash is involved. They would just as

soon go to Morris County to develop. Developers say they will lay out the cash once, but probably not twice. Mr. Graham said it is a question of cash vs. bond. Mr. Francis asked if there was a reason that the County asks for a cash bond.

Mr. Snyder said the Freeholders adopted the policy and that he suspects it was because going after insurance bonds takes a lot of work and can often entail a lot of incidental expenses. Mr. Graham said when he sat on a local Planning Board, there were escrows involved that required cash; but for a large liability possibility, a bond was required. Mr. Snyder said these are performance bonds. Mr. Francis said the County is still protected and asked why cash is so important. He also said that in 2006, requiring cash was sound reasoning, but in 2015, it is a mistake. If the County is competing, trying to establish strategy to keep residents, or trying to invite new development, it can't be asking for cash of any great amount.

Walter Cramp said this issue is under the purview of the Freeholders. The Planning Board does not vote on this. The Board may want to direct a question to the Freeholders suggesting that they revisit this existing policy in consideration of current circumstances.

MOTION:

A motion was made by Michael Francis that the Planning Board send a letter to the Freeholder Board asking them to revisit the policy of requiring cash bonds from developers. The motion was seconded by Walter Cramp. All were in favor with an abstention from George Graham.

OPEN TO PUBLIC

None

ADJOURNMENT

All business having been completed, a motion to adjourn the meeting was made by Gene Crawford. The motion was seconded by Michael Francis and carried unanimously. The meeting adjourned at 4:15 p.m.