

SUSSEX COUNTY PLANNING BOARD

MINUTES

DECEMBER 1, 2014

The meeting was called to order by Chairman Borisuk 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, Chairman
Dr. John Ford, Vice Chairman
Michael Francis
Wolfgang Gstattenbauer
Gene Crawford, 1st Alternate
John Risko, Engineering Alternate
Rich Vohden, Freeholder Director
George Graham, Freeholder Member

MEMBERS EXCUSED:

Daniel Conkling
Dan Flynn, 2nd Alternate

STAFF PRESENT:

Eric Snyder, Planning Director
Alice Brees, Principal Planner
Antoinette Wasiewicz, Recording Secretary

ALSO PRESENT:

Autumn Sylvester, S.C. Planning
Tom Drabic, S.C. Planning

MINUTES

Mr. Risko requested that the sentence in the middle of the second paragraph on page six, "Mr. Risko said he did not believe having a shorter sight distance for walking pedestrians was safer than losing sight distance for vehicles." be clarified to say, "When you shorten the sight distance for vehicles coming down the road, you also shorten the sight distance for seeing the pedestrians in the relocated crosswalk."

A motion was made by Wolfgang Gstattenbauer to approve the Minutes of November 3, 2014 as clarified by John Risko. The motion was seconded by Rich Vohden and carried unanimously. All were in favor with abstentions from John Ford, Michael Francis and Gene Crawford. Motion carried.

SITE PLAN/SUBDIVISION DEVELOPMENT REVIEW COMMITTEE REPORTS

A motion was made by John Risko to approve the Development Review Committee Reports for November 3, 2014 and November 17, 2014 as presented. The motion was seconded by Rich Vohden and carried unanimously. Motion carried.

PLANNING STAFF REPORT

Applications not yet seen by the Development Review Committee for November 2014 included an "Incomplete" Final Combined Site Plan/Subdivision.

APPEALS AND WAIVER REQUESTS:

- A. RESOLUTION FOR MARTORANA SITE PLAN #15(CSS)12, ROUTE 616, NEWTON:

Eric Snyder said that John Risko asked that he amend the Resolution so he put some language in it. On page three, fourth paragraph, the sentence, "Mr. Risko said he did not believe having a shorter distance for walking pedestrians was safer than losing sight distance for vehicles." was removed. The following sentence was added, "Mr. Risko said the Engineering Division did not support the waiver of sight distance as it would decrease safety for motorists and pedestrians."

MOTION:

A motion was made by Wolfgang Gstattenbauer to accept the Resolution for the Martorana site plan with the change noted above. The motion was seconded by Rich Vohden. A roll-call vote was taken. Results were as follows: Andy Borisuk-Yes; Wolfgang Gstattenbauer-Yes; Rich Vohden-Yes and George Graham-Yes. Motion carried.

DIRECTOR'S REPORT

- A. LAND DEVELOPMENT STANDARDS:

Eric Snyder reported that he was unable to make his presentation at Newton's Planning Board meeting for the Martorana site because they did not have a quorum. Therefore, the access issue has not been resolved.

Mr. Snyder said he is still working on the Land Development Standards. There are a number of sections that could use different language. Some sections say "should," some sections say "shall," and some sections say "must. He is cleaning them up so that they begin to make more sense and are better connected. He is also going to put

language in that will give this Board the opportunity to provide site plan approval rather than just waivers. The Board's ability to approve site plans will clarify that and bring it in line with what is done at the local level. This is what was done with the Martorana Resolution earlier in the meeting. When asked, Eric said he is not doing away with the Development Review Committee. Where there are waivers involved, and they are already before the Board, the Board will approve the subdivision or site plan with the waivers. The Development Review Committee will continue to see applications that do not require waivers.

John Risko said sometimes plans might change as a result of the waiver request or whether or not a waiver is granted. He wants to see that added to the Standards because often the applicant thinks an approved waiver means the whole site plan is approved. Mr. Snyder said that's why those specifics are laid out in the Resolution of Approval, so there is no question in anybody's mind whether they received or did not receive an approval. Rich Vohden asked if an LLC has to have an attorney in order to come before the Board. Eric said anybody with some sort of corporate vehicle has to do so. An individual can come and argue his or her own waiver. Andy Borisuk clarified that the completeness of an application will still be determined at the Development Review Committee. Eric said, "Yes," except if the Board decides not to grant a waiver, then there may be additional information required to make the application complete.

UNFINISHED BUSINESS

None

NEW BUSINESS

A. COMPLETE STREETS DISCUSSION:

This discussion was on the agenda last month but because many of the Board members were not present, it was carried to today's meeting. The Complete Streets Study has been through a number of reviews between Planning and Engineering. The Draft came out of the Study that was done through T.P.A. for complete streets in the County.

Complete Streets, the Economic Study and changes that have been discussed regarding access, etc. in centers all have their foundation in the County Strategic Growth Plan which was adopted in 2005 and received Plan endorsement from the State Planning Commission in 2007.

In looking at the Economic Study, there are some issues the County has by virtue of our location; there are some issues we have by virtue of our rudimentary transportation network; and there are issues that we've long had with regard to the age cohort in the population - those fresh out of college until they turn 35. That cohort has become a lesser and lesser proportion of the County population as time goes on. The national trends that Jim Hughes has identified in his report certainly affected Sussex County. We do not anticipate a change in those national trends because there is nothing here that suggests that there is a reason for a change. Lower gas prices are

going to make it less of a burden on people commuting out of Pennsylvania and the County for jobs to the east and to the south. How much of an impact that will have is not yet known. You can't base a long term plan on that because it's going to change. The question then becomes, "What can government do to contribute to the viability of Sussex County?" The County is taking a look at the way we look at development; and doing our best to facilitate the review of those development proposals and to provide intelligent comments.

Centers are the kinds of places where many people would now like to live. The specific age groups that appear to be most interested are millennials and those baby boomers who are retiring. Neither group wishes to spend time cutting grass all afternoon. Some among the baby boomers are having more and more trouble driving and in Sussex County if you can't drive you're nearly a shut-in. Sussex County is one of the oldest counties in the state and the median age is increasing with time because the older generation is not offset by enough of the younger generations.

Eric said we need to set up our rules so that intelligent land development is encouraged. Things such as the discussions we've been having where pedestrian access is considered an important factor as opposed to an afterthought.

Most of what is talked about in Complete Streets is going to happen in centers. There are relatively few people who need bicycle lanes in rural areas. There are relatively few people who need sidewalks in Lafayette. But in Newton, Sparta center, Stanhope, Byram and places like that where you do have either a complete community or the beginnings of a community, there needs to be an understanding and a facilitation of that development. Eric said he believes a large part of the future of Sussex County is improving its viability as an attractive place for all populations.

The Complete Streets policy is not about putting in sidewalks everywhere---it is not about retrofitting things everywhere. We understand that in some cases retrofitting a development is an extraordinarily expensive project. The policies that we can consider in the course of putting together a project are whether or not pedestrian issues need to be addressed. If they do need to be addressed, whether or not you're able to do so is determined by virtue of cost, time and permitting issues---all the practical questions that have to be answered in the context of any kind of a proposal

Eric asked the Board for their comments.

John Risko said it was important to know the legal implications. He also said there is also the issue of having buy-in from the municipalities when dealing with centers. Eric said the Study does talk about dealing with towns and dealing with neighborhoods. It is a series of steps---a process rather than a thing in and of itself. It is something that we can adopt ourselves or we can offer it as a suggestion for other municipalities to look at. If a community is adamant against doing something, that's one thing. If a community is indifferent to doing something, that's another thing. We have, in our Standards, where we think it's necessary that proper provision be made for pedestrians, we are obliged to do something. He pointed out the case where Sparta, by its zoning and site plan approval, moved the grocery store beyond reasonable walking

distance from Knoll Heights. They then permitted a 711 at the old Shell Station. The people from Knoll Heights are going to walk to the 711, not Stop and Shop. The issue then becomes the safe traversing of our road by those people whom we reasonably can assume are going to take that route. John said we're also looking at revising our Standards so that if something is in the Town Center before the formal application is made, we have a pre-application meeting with County Staff and include the municipality. Michael Francis talked about the importance of early dialogue. It not only takes the mystery out of the process, it saves time and money.

George Graham said he was concerned about "one size fits" all thinking in the new economy of Sussex County in the period between 2015 and 2035. Mr. Snyder said if we want Sussex County to be viable, one of the principal requirements of those we are trying to attract is walkability. He agreed that one size doesn't fit all. He said this is a thought process that says you will pay attention to these things as best you can. If we want to be part of turning the trend around or at least arresting it to some extent, we have to do something different.

Rich Vohden said there are walkable communities in other counties that are thriving but Sussex County does not have those areas. Even our centers don't have the type of housing that would attract the younger generation. There are no smaller units, moderate rental units, jobs or transportation. Until we have mass transportation, or more developed centers, it will be hard to require sidewalks. Developers and business owners look at demographics.

Eric said if a town wants to see that kind of development, they would have standards that require sidewalks. Rich said we have control over County roads and we can only make recommendations to the municipalities. Andy Borisuk said the biggest factor boils down to jobs. People are flocking out of the county because they want to be close to the jobs. Eric said if we don't provide people options at the local level or the county level, if we, by our rules, do not facilitate options, those options will not be available and any positive impact that those options might have will not be felt in Sussex County.

John said it is true, we only have control over what is in the county road and our mission is between the curbs. It is more a municipal function for a pedestrian plan. There are two state statutes that define those two points. He doesn't know that we need a new policy which might be interpreted as one size fits all than rather in our standards if somebody has a development in a center, we sit down in advance and see if everybody is on board with a set of sidewalks that you're going to make a developer build. If it is a commercial property there are state statutes that the developer is going to have to maintain them, it falls to the municipality to maintain those sidewalks. They have to have an ordinance or something that directs who will maintain the sidewalks. When you have a project, you can get a grant to build them, but nobody is going to pay for the maintenance. Eric said in an appellate division decision in the State of New Jersey, other than one or two family homes where the owner is the resident, it's the property owner who is required to maintain, shovel and repair sidewalks. Tom Drabic said there was a presentation by the regional transportation project Committee and a very successful developer said successful developments are

doing well where people are demanding efficiency. They want walkability, they want to be able to park their cars and walk to convenience stores, entertainment, out to dinner, etc. Eric said the issue is, "Is New Jersey a good place to live and work?" How do we work together to make that happen. He thinks it is important that we do as much as we can. We'll see what comments come out on the Complete Streets Study. Eric asked for comments and said we will have more discussion with regard to the Economic Plan, comments are due by the 15th of December.

B. RAIL-TRAIL CROSSING STUDY – AUTUMN SYLVESTER;

Autumn Sylvester made a presentation of a draft report of major trails in the County for consideration by the Board. The project is not complete yet, but will be the subject of further discussion

Eric said this study is being offered for information. When the Strategic Growth Plan update was being discussed, Vic Morotta raised the issue about the Appalachian Trail crossings. Others raised the same issues. This is the reason why the inventory was done. Bill Koppenaal will be working on a resurfacing project on County Route 519 this year or next. He asked for information on this area. Autumn said it was dangerous being on the road while collecting the data. Cars were whizzing by. Eric said we have a situation that exists. It is a matter of paying attention to the fact that it exists. People use the trails. Andy feels that the average trail user is probably a more alert and more aware pedestrian than the average pedestrian and this is probably why you don't hear of too many accidents.

George said High Point State Park has Friends of High Point and there is the Friends of the Paulins Kill Valley Trail, and not only do they raise money but they also enable the State to get access to grants that they wouldn't ordinarily get. He asked if the trails have anything like that. Rich said the horse trail riders have been pressuring our legislators and the County for years for signs, because the horses panic with fast moving traffic. The Transportation Planning Authority has TAP (Transportation Alternative Planning) Grants to provide funding for signs, etc.; however, unless it is a \$500,000.00 grant, the administrative funding are so high, it's not worth taking it for any less. He added that when you put up these signs there is a liability because they are being done after the fact, without sight distances.

Michael Francis suggested that Eric contact the local Environmental Commission that controls the trails and the Lake Hopatcong Foundation. He said the Lake Hopatcong Foundation has given tens of thousands of dollars to support trails. Autumn said they are actually developing their own trail around the lake. She said she went to a meeting regarding this and said that they are acquiring land to connect their trail to one of our trails in Byram, from the Stanhope side. George suggested that, perhaps by the next meeting, there be a specific recommendation as to what we will do with regards to this study. The Board felt the study should be shared with the towns. Autumn provided the Board with hard copies of her Power Point Presentation and the Narrative.

C. 2015 MEETING DATES FOR COUNTY PLANNING BOARD AND DEVELOPMENT REVIEW COMMITTEE:

A motion was made by Wolfgang Gstattenbauer to accept the 2015 Meeting Dates for the County Planning Board and Development Review Committee. The motion was seconded by John Ford. A roll-call vote was taken. All were in favor.

OPEN TO PUBLIC

None

ADJOURNMENT

All business having been completed, a motion to adjourn the meeting was made by Wolfgang Gstattenbauer. The motion was seconded by John Ford and carried unanimously. The meeting adjourned at 5:32 p.m.