

Borough of Watchung
Planning Board Meeting
December 15th, 2009
Minutes

Salute to the Flag.

Chairman Speeney called the meeting to order at 7:35 and stated that notice of this meeting had been posted in Borough Hall, filed with the Borough Clerk and given in the way of notice to the Courier News, Echoes Sentinel, the Reporter and Star Ledger in conformance with the N.J.S.A. 10:4-6 et seq.

Present at the call of the roll were: Speeney[X] Boyd[X] Havas[X] Haveson[X] Addario[X] Pennett[A] Schaefer[X] Beck-Clemens[X] Panzarella[A] Ellis[X] Pote[A] Also present was Atty. Ben Wetzel, representing Board attorney Frank Linnus.

The Chair sought a motion to waive the reading of and approve the minutes of September 15, 2009 as published. Mr. Havas made a motion to approve seconded by Mr. Haveson. Hearing no discussion, the Chair asked for a voice vote. Everyone voted in the affirmative, with the exception of Mr. Boyd who abstained.

Somerset County Business Partnership Economic Toolkit presentation by Mike Kerwin and Peter Wright.

Mr. Kerwin, the CEO of the SCBP came to the microphone and said he wanted to have a dicussion at the local level about what could be done by working together to deal with the econonomic crisis. Mr. Kerwin explained that as we head toward a fiscal recovery, there is no guarantee that Somerset County would be taking the lead into that recovery due to some inherent competitive disadvantages based on our tax structure and other factors. The Partnership engaged on an affordability campaign partnered with the Courier News. There were a number of articles in the Courier on the tax crunch in NJ and an affordability forum culminated that campaign on October 2nd, 2009. Mr. Kerwin explained that in 2010 they would be pursuing four principles, which were reforming the collective bargaining system, pension reform, reforming the tax structure and an alliance on property taxes. He explained that SCBP was the only organization in Somerset County that actually lobbies. Mr. Kerwin explained that they advocate for infrastructure. They were successful in getting the Route 22 Boulevard project designated as a major investment project for Somerset County. That project was then extended eastward to include the Chimney Rock Road exchange portion. Mr. Kerwin suggested that Watchung could partner with neighboring communities to push to extend this momentum further eastward. Mr. Kerwin talked about a Freeholder initiative that engages the SCBP basically as project managers who then engage the consultants. Trying to identify emerging industries in Somerset County could be the source of jobs in

the future. Mr. Kerwin stated that through an analysis they have identified the following as up and coming technologies of the future. Nanotechnology, Geospacial and Bio-pharmaceutical support. Mr. Kerwin said it depends on how much the Freeholders can invest in actually implementing a business plan to go out to those industries. He said that there is some collaboration they can do with the College and the Vo-Tech. Mr. Kerwin said that the question now is what can individual towns do inspire economic vitality. He explained that each town has it's own strength. Bridgewater is focusing on Route 22, Hillsborough has concentrated on making Hillsborough more business friendly by tweaking some of their zoning ordinances, and reorganizing their construction department. Bernardsville and Montgomery have focused on sustainability.

Mr. Kerwin suggested that an economic development plan being a part of the Master Plan might today be just as important or more than the elements that we used to think were most vital. Mr. Kerwin said that to that end, the Somerset County Business Partnership has put together a toolkit. He said there is one more portion of that kit still to come out, and he asked the Borough to think about pursuing this avenue. Mr. Kerwin asked if the Board had any dialogue. Mr. Haveson suggested that this state needs manufacturing and is a strong advocate of reinforcing and refocusing of vocational schools.

Chairman Speeney asked Mr. Kerwin if the SCBP would give support to the Borough in preparing an economic development plan and if so, what fees would be incurred. Mr. Kerwin responded that there was no fees involved. Mr.

Kerwin said however, if the Borough wanted to take this to the next step, a planner would be needed to put together the plan if it was formally added to the Master Plan as an element. The Chair said that the re-examination of the Master Plan was required in 2011, and that in 2010, they would be doing some background work to begin that process. Chairman Speeney said that the Quarry site could be the focus of a plan, as well as Route 22. Mr. Kerwin offered that in Somerset County, there are many redevelopment sites. Mayor Ellis said that he had found out that lobbyists are very costly. He offered the suggestion that possibly Watchung might be able to share a planner with another town such as Warren. Mr. Kerwin thought that was a very good idea, having had experience with other towns coordinating their Master Plans in a regional group. The Mayor announced that the Blue Star Overpass project was slated to begin in January, and that the relationship we share with Scotch Plains has been very good. Mr. Kerwin he said that he liked the idea of working with the Borough as they begin the Master Plan re-exam. He said that he would communicate to the Freeholders that the Borough is interested in hopefully moving in this direction. The Mayor and Chairman Speeney told Mr. Kerwin and Mr. Wright they appreciated this presentation, and thanked him for their time. Mr. Kerwin thanked the Board as well for giving their time.

Correspondence from Map Investment

Ben Wetzel said that Map obtained their approvals in 2007. They are subject to the permit extension act so there is no

discretion here, we are not granting an approval since this is a statutory matter. Mr. Wetzel said Mr. Linnus will be sending a letter to let them know that yes, they are extended by statute through 2010. Chairman Speeney said a letter was received from the litigants, which basically said they would go with the landscaping plan unless the courts uphold their appeals. Mr. Wetzel said that there might need to be a discussion in the future in executive session regarding this correspondence.

Mr. Wetzel said that the Borough has amended it's land use ordinance in regards to the height of buildings. Because of that, there will be a substantial number of residential structures that are rendered non-conforming. He said that there is a letter from Borough Attorney Albert Cruz which is basically a draft ordinance which essentially loosens up the current non-conforming ordinance. The two issues when you have a non-conforming structure are either rebuilding it or expanding it. This particular ordinance only really deals with expansion. Mr. Wetzel said that he and Mr. Linnus reviewed it in depth, and they found one particular portion of it to be ambiguous. Mr. Wetzel said that at this point, they are not quite clear on where the Mayor and Council wants to go with it. It does not really include a provision for rebuilding non-conforming uses. Mr. Wetzel said that in order to have a focused discussion with the Planning Board on this ordinance, they will get in contact with Mr. Cruz to try and resolve that ambiguity and refine the scope of where he is headed. Chairman Speeney said there has been correspondence from Councilwoman Joren on the board's

opinion of this draft. The Chair said that the primary issue is height and how it is measured. The Chair said that the Council doesn't want to change it, and Planning Board doesn't want to change it. Chairman Speeney said the issue is how do we assure this grandfather clause for those homes that are already existing where there might be an addition. Those people would have to go before the board of adjustment. Chairman Speeney said that John McDonald, Dan Cronheim and Ed Bennett raised the flag on this issue. They said that this ordinance makes approximately 50% of the homes non-conforming leaving them failing the height restrictions right now; meaning all of them would have to come before the board of adjustment. The Chair said that he did not necessarily agree.

Mr. Wetzel said that if a house is more than 50% destroyed and it is non-conforming, this draft ordinance does not provide for it to be rebuilt. This is what needs to be discussed with Mr. Cruz. The Mayor suggested this go to sub-committee and another meeting take place. The Chairman agreed to meet again with the ordinance committee at their convenience.

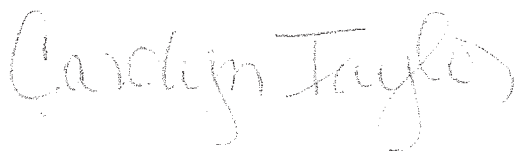
The Chair opened up the meeting to the public. Hearing no one from the public come forward, closed that portion of the meeting. The Chair asked if the board had anything else to discuss.

Chairman Speeney asked the Mayor whether the landscaping architect is an issue at Watchung Square Mall, and the Mayor suggested the Chair send a letter to Mr. Davino. The Chair agreed to do so.

Mayor Ellis said that there was an initial meeting in Trenton with the Fair Share Housing who was the organization who was objecting to the Borough's plan as it was written. The Mayor said there were several things said at the meeting that were positive and they are in the process of putting together a few more studies that will suffice their complaint. There will be another meeting probably after the first of the year. The Mayor said that the Borough was close to getting the sub certification. All arguments have been presented to the judges on the COAH third round rules.

The Mayor said that he had a meeting with the Governor Elect's transition team for the specific reason of discussing COAH and the Mayor shared some thoughts on how things work so that person would have a better understanding. Chairman Speeney wished the Mayor well with his upcoming surgery. The Chair announced that the Board would do the reorganization for 2010 at the regularly scheduled meeting of January 19th, 2010. Hearing no further discussion, the Chair wished the board happy holidays and adjourned the meeting at 8:45PM until the next meeting of January 19th, 2010.

Respectfully Submitted,



Carolyn Taylor
Planning Board Clerk

approved 1/19/10