

BOROUGH OF FAIR HAVEN PLANNING BOARD

Regular Meeting Minutes

November 14, 2017

1. The meeting was called to order at 7:33 by Mr. Rue, Chair, with a reading of the Open Public Meetings Act statement, followed by the pledge to the flag.

2. ROLL CALL

Present: Mrs. Dale, Mr. Ingle, Mr. Lehder, Mr. Lucas, Mr. Marchese, Mr. Rice, Mr. Hoffman, Mr. Rue

Absent: Mr. Banahan, Mr. Folker

Also Present: Mr. Kovats, Board Attorney

3. Environmental Resources Inventory

Ralph Wyndrum, representing the Environmental Commission addressed the Board. He stated that in coming up with their inventory they reviewed the inventories of adjacent towns as well as others in the state. The Commission agreed that they had sufficient expertise to do their own inventory rather than hire another firm to do it. The inventory provides an overview of the town. Dr. Wyndrum noted that one of the biggest changes since the last inventory was in the area of wildlife, with the increase in the presence of deer and red fox.

The Commission was asked by Council to review the inventory and edit it on an annual basis. Previous reports were edited, with an added section on historical and cultural factors that have changed. Dr. Wyndrum noted that air quality was one of a few areas not considered a problem in town. There was some discussion regarding how National Clean Air standards would apply to Fair Haven and how the new administration would impact. Dr. Wyndrum stated that the air problems come primarily from cars and Fair Haven residents tend to have newer cars and there are also more hybrids. It was noted that the inventory consists of pure data. No recommendations are made. It is recommended by ANJAC that the Planning Board use the data. As an example, efforts should be made to keep all water on properties and avoid run-off.

The Environmental Commission meets once/month. There are two projects this year. The Inventory and obtaining the bronze star for Sustainable New Jersey. The Commission hopes to have the Inventory appended to the Master Plan. They are aware of which sections are needed for the Council update but have been slowed by data having been thrown out. Mr. Rue asked how the PB could be of help. He was told the Inventory probably has enough points and they should have enough points for the silver star by June. They have enough committee members to do the job.

The question was raised regarding the import on the Boards. Does the Inventory create a standard in terms of what is allowed? Mr. Kovats stated that the inventory has objective data. It can be a useful tool, not a detriment. He did not see a down side to making it a part of the

Master Plan but in order to formally adopt the Environmental Inventory as part of the Master Plan several steps have to be taken.

MOTION made by Mr. Ingle, second by Mr. Hoffman to adopt the Environmental Inventory as a reference to applications pending before the Boards.

In Favor: Dale, Ingle, Lehder, Lucas, Marchese, Rice, Hoffman, Rue

Opposed: None

Dr. Wyndrum and the rest of the Commission were thanked for their work.

4. Historic Preservation Commission

Art Pavluk, President of the Commission stated that a request had been made to have discussions with the PB and ZB to clarify issues that have arisen. He stated the Commission will be making recommendations to facilitate communication between the Commission and the Boards. He noted that enforcement has been a problem. The Commission is advisory only and people do not necessarily do what they said they were going to do. They are looking for ways to report back to the Board when recommendations are not being followed. Follow-up is needed.

Mr. Rue asked what the PB could do to help the Commission get more powers. Mr. Pavluk stated that they could work through the Building Department (eg. stop work orders) or the Boards. Mr. Kovats noted the legal aspects and stated that once a Board makes a decision they no longer have jurisdiction. Mr. Lucas noted that Boards can't enforce but they can do a better job of communicating. The HPC should study an application and send a report to the Board prior to the Board hearing. The HPC does send their report to the Zoning Board although the report has not always been distributed to individual Board members prior to the meeting. Mr. Pavluk also noted that the majority of application coming before the HPC do not end up coming before the Board because no variances are involved. The PB did not hear any applications from the historic district this year.

Mr. Pavluk noted that there was a hiatus when the Commission was not operating. This came about when there was an issue in town with people objecting to being told what they can and can't do. Policing might go against the will of the town. He said that the Commission tries to be consistent but does not want to cause unnecessary problems for business.

Mr. Lehder stated it would be helpful for the Zoning Board if the Commission noted in their report which plans they had reviewed. Mr. Pavluk stated that the HPC's concerns may be the opposite of the Zoning Board's since they are concerned with preserving the past and the ZB is facing concerns about modernizing.

The Board is recommending that the HPC provide visuals along with their report. The specifics are meaningful and important.

5. ADMINISTRATIVE ITEMS

The Council approved the ordinance change related to the zoning schedule using the language recommended by the Planning Board.

Calendar – The Board discussed the meeting calendar for 2018 and decided to schedule only one meeting/month.

MOTION by Mr. Rice, second Mrs. Dale, to hold one meeting/month in 2018, scheduling the following Tuesday dates:

January 9, February 6, March 13, April 10, May 8, June 12, July 10, August 14, September 18, October 16, November 20, December 11, and January 8, 2019 (re-organization).

In Favor: Dale, Ingle, Lehder, Lucas, Marchese, Rice, Hoffman, Rue

Opposed: None

MOTION Rice, second Ingle, to accept the minutes of the October 11, 2017 meeting.

In Favor: Ingle, Lehder, Lucas, Marchese, Rice, Rue

Opposed: None

MOTION Rice, second Marchese, to accept the minutes of the October 11, 2017 Executive Session meeting

In Favor: Ingle, Lehder, Lucas, Marchese, Rice, Rue

Opposed: None

Motion approved but minutes remain confidential until the end of litigation

There were no comments or questions from the public

The hearing for the Environmental Resource Inventory will be held at the January 9 meeting. The December 12 meeting has been cancelled.

Ruth Blaser, River Rd, asked for and received clarification of the ordinance change previously discussed.

MOTION to adjourn made by Lucas, second Rice and approved unanimously by voice vote.

Meeting adjourned at 9:05 PM



Respectfully submitted,

Judy Fuller, Secretary