

BOROUGH OF FAIR HAVEN PLANNING BOARD
Regular Meeting Minutes – September 20, 2022

The meeting was called to order at 7:30 pm by the Vice Chairman, Mr. Rolff, with a reading of the Open Public Meetings Act statement (see attached) and salute to the flag.

Also present, Mr. Kovats, Board attorney.

Roll Call

Present: Bordelon, Busch, Koch, Newell, Paolo, Rolff, Nitka, Olson, D'Angelo

Mr. Olson and Mr. Nitka were present via Zoom.

Absent: Burkhardt, Lehder

Mr. Rolff introduced the first agenda item: *Consideration of proposed restaurant ordinance 2022-15*. Mr. Rolff reviewed the history behind the ordinance and the creation of the Restaurant Committee. The Planning Board is tasked to make sure the ordinance is consistent with the Master Plan.

Mr. Nitka, a member of the restaurant committee, mentioned a survey that was completed by town residents, with participation resulting in 800 responses.

Mr. Kovats mentioned that Heyer Gruel & Associates, as Board Planner in 2019, was engaged by the Board for two specific tasks: eliminate the ambiguity in definitions of the current ordinances for restaurants and look into standards for limiting fast food restaurants specific to the business district and its proximity to the residential area in Fair Haven. A report was generated by Heyer Gruel dated May 28, 2019. Additionally, a letter was written to the Governing Body with the Planning Board's concerns on July 26, 2019. Both documents were shared with the Board and posted on the Borough website.

Mr. Kovats stated that the role of the Board is to look for inconsistencies between the proposed ordinance and the Master Plan.

There was discussion by the Board about the proposed ordinance specific to walk-up and drive-through windows, the impact on current businesses, the impact of new technologies, chain restaurants, franchise restaurants, and legal testing of the language and definitions within the ordinance.

The Board approved by voice vote that Mr. Kovats would capture the comments of the Board in a memorandum to the Governing Body stating that the ordinance is consistent with the Master Plan.

A proposed memorandum will be written by Mr. Kovats and sent to the Board for comments and then sent to the Governing Body.

Mr. Rolff addressed the next agenda item: *Approval of minutes from the July 19, 2022 meeting*. He requested comments from Board members. There were no comments.

MOTION by Mr. Rolff and second by Mrs. Busch to approve the minutes from the July 19, 2022 meeting.

In favor: Bordelon, Busch, Paolo, Rolff, Nitka, Olson, D'Angelo

Opposed: none

Mr. Rolff reviewed the next agenda item: *Email addresses for Board members*. Mr. Rolff requested that if new emails were created to confirm the address with the Board secretary.

Mr. Rolff addressed the next agenda item: *Pending resolution authorizing the award of contract of Board Engineer*. Mr. Kovats provided an update on the pending contract.

The meeting was opened to the public. There were no comments from the public.

There was discussion regarding in-person meetings and remote participation at Board meetings.

A motion was made to adjourn by Mr. Rolff that was carried by voice vote. The meeting was adjourned at 8:35 pm.

Respectfully submitted,
Sandi Papa
Board Secretary

Public Announcement of Compliance

This is a regular meeting of the Fair Haven Planning Board. Adequate notice of this meeting has been given pursuant to the provisions of the Open Public Meetings Act. At the time of the Board reorganization in January of this year, the Board adopted its regular meeting schedule for the year. Notice of the schedule was sent to and published in the Asbury Park Press on February 2, 2022 and the Two River Times on February 3, 2022. That Notice was also posted on the bulletin board in Borough Hall, and has remained continuously posted there as required by the Statute. A copy of the Notice is and has been available to the public and is on file in the Office of the Borough Clerk. A copy of the Notice has also been sent to such members of the public as have requested such information in accordance with the statute. Adequate notice having been given, the Board Secretary is directed to include this statement in the minutes of this meeting.