

**BOROUGH OF FAIR HAVEN PLANNING BOARD**  
**Regular Meeting Minutes – March 21, 2023**

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

Roll Call:

Present: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson

Absent: Paolo, Olson

Also present: Mr. Kovats, Board attorney; Police Chief McGovern; and Councilman LaBarbera

Mr. Rolff stated that the administrative items would be reviewed first. He introduced the first item: *Approval of minutes from February 21, 2023 meeting*. Mr. Rolff asked if there were any comments from the Board. There were no comments.

MOTION by Mr. Rolff and second by Mr. Nitka to approve the minutes from February 21, 2023 meeting.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson

Opposed: none

Mr. Rolff introduced the next agenda item: *Approval of February 21, 2023 Executive Session minutes*. Mr. Rolff asked for comments from the Board. There were no comments.

MOTION by Mr. Rolff and second by Mr. Nitka to approve the Executive Session minutes from February 21, 2023 meeting.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson

Opposed: none

Mr. Rolff introduced the next agenda item: *Resolution for award of contract to Board Attorney*. Mr. Rolff asked if there were any comments from the Board. There were no comments.

MOTION by Mr. Rolff and second by Mr. Nitka to approve the resolution of award of contract to Mr. Kovats as Board attorney.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson

Opposed: none

Mr. Rolff introduced the next agenda item: *Nominations and Election of Chair*.

MOTION by Mr. Nitka and second by Mr. Bordelon to elect Mr. Rolff as Chairman of the Planning Board.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson  
Opposed: none

Mr. Rolff introduced the next agenda item: *Nominations and Election of Vice Chair*.

MOTION by Mr. Rolff and second by Mr. Anderson to elect Mr. Paolo as Vice Chairman of the Planning Board.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson  
Opposed: none

Mr. Rolff introduced the next agenda item: *Appointment of Board Engineer*. Mr. Rolff explained that the Board will meet in Executive Session to discuss the appointment of the Board Engineer.

Mr. Rolff introduced the next agenda item: *Policy on Remote Participation*.

Mr. Kovats explained issues to consider for Remote Participation including:

1. Adequate technology;
2. Subjective determinations made by the Board including whether a quorum needs to be physically present;
3. Executive Sessions – privacy and the ability to log in and out of public sessions; and
4. Limits on the number of Board members that can dial in remotely.

The Board considered adopting a remote policy.

MOTION by Mr. Rolff and second by Mr. Anderson to not have a policy for remote participation by the Board for meetings.

In favor: Busch, Newell, Rolff, Nitka, Anderson  
Opposed: Bordelon, Koch

Mr. Rolff introduced the next agenda item: *Update on the process and timing for the review of the Police Department Plans*.

Mr. Rolff stated that the Technical and Design Review Committee (TDRC) had met with the Police Department and Council. Mr. Newell, the Board designee on the TDRC, affirmed that the committee had met a few times and had reviewed issues including noise, lighting, and landscaping. Ms. Koch suggested that Councilman LaBarbera was in the audience and was available to answer questions.

Mr. Rolff invited Councilman LaBarbera and Police Chief McGovern to address the Board.

Councilman LaBarbera reviewed the major safety concerns about the current police station. He also confirmed that the TDRC had met and that many issues from the meetings have been incorporated into

the Police Department plans. He also mentioned that over 150 participants from the public attended the Open House to review the Police Department plans.

Councilman LaBarbera explained why a special meeting would be necessary for the Planning Board to review the Police Department Plans. A meeting date of April 3, 2023 was discussed. Councilman LaBarbera explained that architectural and engineering plans would be distributed for review by the Board on Friday, March 24, 2023.

MOTION by Mr. Newell and second by Mr. Rolff to hold a special meeting on April 3, 2023 to review the Police Department Plans.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson  
Opposed: none

Chief McGovern shared his full support of the project.

Mr. Rolff introduced the next agenda item: *Consideration of new Ordinance 2023-02 – Amend Chap 30- Revise Zoning Regs to Protect the Character of Existing Neighborhoods.*

Mr. Kovats explained the process for the Board’s consideration of Ordinance 2023-02 and role in determining if the ordinance conflicts with the Master Plan. The first reading of the Ordinance took place at the last Council meeting. The Planning Board is requested to comment within 35 days of the first reading.

Mr. Rolff asked for comments from the Board. Mr. Bordelon asked about how grade will be measured.

The meeting was opened to the Public.

Mr. Lehder of 174 Buttonwood Drive provided the history behind the proposed changes to the current ordinance. Mr. Lehder is the Zoning Board Chairman, former Planning Board Chairman, and volunteered on many Land Use committees.

There was discussion with the Board regarding definitions in the proposed ordinance including front yard setback, prevailing front yard setback, first floor elevation, habitable floor area, average existing grade, basement, and attic.

Mr. Neczesny was also present at the meeting and is the Vice Chairman of the Zoning Board.

Mr. Rolff opened the discussion to the Board. The meeting was then opened to the public.

Brian Lowrie of Navesink Fine Home Builders, commented on the ordinance.

MOTION by Mr. Rolff and second by Ms. Busch to send a letter to the governing body stating that nothing objectionable is contained in the ordinance.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson

Opposed: none

Mr. Kovats stated that he would send a letter to the Governing Body stating the same.

The meeting was opened for public comment. Ruth Blaser of River Road asked about subdivisions.

Mr. Lehder commented that there is a perception regarding permitted subdivisions. Subdivisions are typically legally conforming and stated that consistency in development is important.

Mr. Kovats suggested that the Board would move into Executive Session to discuss the appointment of the Board engineer.

MOTION by Mr. Rolff and second by Mr. Newell to move into Executive Session to discuss the appointment of the Board Engineer. The Board is expected to return to the regular meeting within a half hour without taking action.

In favor: Bordelon, Busch, Koch, Newell, Rolff, Nitka, Anderson

Opposed: none

The Board moved to Executive Session at 8:55 pm. The Board returned from Executive Session at 9:40 pm.

MOTION to adjourn was made by Mr. Rolff that was carried by voice vote. The meeting was adjourned at 9:41 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 and the Two River Times on February 9, 2023. 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.**