

AMENDED MINUTES

APRIL 22, 2014

PLANNING BOARD

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

Chairman Pfeil called the meeting to order at 7:30 P.M. He then read the following statement: Adequate notice of this meeting has been provided by posting a copy of the public meeting dates on the municipal bulletin board, by sending a copy to the Courier News and Echoes Sentinel and by filing a copy with the Municipal Clerk, all in January, 2014.

MEETING CUT-OFF

Chairman Pfeil read the following statement: Announcement is made that as a matter of procedure, it is the intention of the Planning Board not to continue any matter past 10:30 P.M. at any Regular or Special Meeting of the Board unless a motion is passed by the members present to extend the meeting to a later specified cut-off time.

CELL PHONES AND PAGERS

Chairman Pfeil read the following statement: All in attendance are requested to turn off cell phones and pagers as they interfere with the court room taping mechanism.

PLEDGE OF ALLEGIANCE

ROLL CALL

On a call of the roll, the following were present:

J. Alan Pfeil, Chairman
Suzanne Dapkins, Vice-Chairman
Brendan Rae, Mayor’s Designee
Guy Roshto, Member
Gregory Aroneo, Member (arrived 7:34 P.M.)
Timothy Wallisch, Member
David Hands, 1st Alternate

Excused:

Guy Piserchia, Mayor
Ashish Moholkar, Member
Dan Bernstein, Bd. Attorney

Kevin O’Brien, Twp. Planner
Thomas Lemanowicz, Bd. Engineer
Cynthia Kiefer, Board Secretary

Ms Kiefer advised Chairman Pfeil that he had a quorum and could proceed.

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EXECUTIVE SESSION - It was determined that there was no need to hold an executive session.

APPROVAL OF MINUTES

The minutes of January 14, 2014 were approved as amended on motion by Mrs. Dapkins and seconded by Mr. Wallisch. Dr. Rae abstained as he was not present at that meeting.

The minutes of February 18, 2014 were approved as amended on motion by Mr. Wallisch and seconded by Mrs. Dapkins. Chairman Pfeil and Mr. Aroneo abstained as they were not present at that meeting.

The minutes of February 25, 2014 were approved as amended on motion by Mrs. Dapkins and seconded by Mr. Hands. Chairman Pfeil abstained as he was not present at that meeting.

The minutes of April 8, 2014 were approved as amended on motion by Mr. Wallisch and seconded by Mrs. Dapkins. Dr. Rae abstained as he was not present at that meeting.

PUBLIC QUESTION OR COMMENT PERIOD

Chairman Pfeil opened the meeting for questions or comments from the public on items not listed on the agenda. Seeing none, he closed the meeting.

DISCUSSION

SECTION 150 DEVELOPMENT DESIGN STANDARDS – General Restrictions 155.1(l) “Portable Signs”

Chairman Pfeil stated that on April 17, 2014, Mr. O’Brien had sent an update on the sign language in the Master Plan.

Mr. O'Brien said that he had included in his memo the entire paragraph from the Master Plan where the word "signage" had appeared. On the last page of the memo, he included an illustration of what the various signs consisted of so that the Board would be clear on what the terminology was.

Chairman Pfeil noted that Committeeman Roshto had sent all the board members a copy of Ordinance 324-14 for their review. He asked for questions or comments.

Mr. Hands indicated that he had struggled with this sign ordinance and the existing sign ordinance. He had gone back and forth on what a portable sign was versus a sandwich sign versus a temporary sign and how all of that interplayed ultimately within the ordinance. He struggled with why sandwich board signs had to be pulled out in such magnitude compared to some of the others in the layout of the ordinance itself. He felt that it could be placed differently in the ordinance rather than having it in a "stand alone" section within the ordinance.

Mr. O'Brien said that the proposed ordinance which is labeled Draft #3, 02/19/14, Township Ordinance 324-14, is intended to go into the current sign ordinance where all of the signage for all the zones is dealt with.

Mr. Hands said that there was an entire section dedicated, 155.7A, and he felt it could be broken out and placed somewhere else in the ordinance. He asked why sandwich board signs should stand above any other type of sign to have its own section as opposed to fitting within the "No signs permitted in" area or in the design standards. He felt that there were inconsistencies in the definitions involving sidewalk signs versus sandwich signs. At one point (page 1 Section 1), the definition for "sidewalk signs" was struck. In another spot (page 2, Section 3) where it reads "including marquee and sidewalk signs", the term "sidewalk signs" appears when earlier, the definition for that term had been struck. This is one of the inconsistencies that he saw and he felt that the document could be structured more cleanly to fit into the ordinance. He clarified that he was not commenting about the content.

Mr. O'Brien requested further clarification.

Mr. Hands asked if the board members were comfortable with the concept a specific ordinance around sandwich board signs.

Mr. O'Brien felt that the dialog this evening was to discuss the concept of sandwich board signs or A-frame signs or portable signs given the fact that the Township Committee had called for a moratorium on the enforcement of the sign ordinance until a point later in the year. The Planning Board was being asked what they would be comfortable with and what the board members would like to see in an ordinance. This could include whether these kinds of signs should or should not be allowed or they could look at the signage in a fuller way.

Mr. Hands asked if the discussion should be started with the character of the town criteria, whether it sounded reasonable, how should it worded into an ordinance, or what the best way to structure that would be.

Mr. O'Brien asked Committeeman Roshto if he had any advice for the Board as to what type of feedback the Township Committee was looking for.

Committeeman Roshto answered that the Township Committee was looking for an ordinance either as it was presented to the Township Committee (324-14) or something else or nothing. The goal from the last meeting was to have the Planning Board read and understand the document and then direct the Ordinance Subcommittee on how to craft an ordinance. If the Planning Board decided that it did not fit the Master Plan and was not a good idea for the township, the issue was over from the Board's perspective. If the board members felt positively, the Planning Board could recommend some conditions and give it to the Ordinance Subcommittee to direct them.

Mr. O'Brien paraphrased that the first discussion would be more of a philosophical one. First, the board members must decide if the concept meets the goals of the Master Plan.

Mrs. Dapkins felt that that was the first decision. If the board members were not in favor of it, there would be no sense to going any further.

Chairman Pfeil said that if the board members decide they are in favor, the issues brought up by Mr. Hands could be discussed at the Ordinance Subcommittee level.

Mr. Hands felt that it would be very laborious.

Chairman Pfeil noted that through a string of emails, the Chamber of Commerce was invited to this meeting yet there was no representation. He felt it was appropriate to get the opinions of the board members.

Mr. O'Brien felt that it was important that it was noted on the record that the Chamber of Commerce was invited.

Mr. Aroneo asked if Dennis Sandow purported to speak on behalf of the Chamber at the last meeting.

Chairman Pfeil answered that Mr. Sandow had stated that he was the liaison to the governing bodies.

Mr. Hands said that the Board had asked the Chamber to return part way through the process and it had only been a few weeks or months. It might not be enough time for them to have an opinion on the study. He wanted to hold that aspect off for a little bit longer since that point would help determine a decision as to whether the Board thinks it's right or wrong. He felt that there would not be a report until the trial was further along.

Mrs. Dapkins asked Committeeman Roshto and Dr. Rae if there were many people coming to the meetings to request these sorts of signs.

Dr. Rae answered no. It came into being through Committeeman Meringolo who is associated with the Chamber of Commerce. He brought it to the Township Committee as an ordinance that was supported by the Chamber.

Chairman Pfeil asked if *anything* was being enforced since the Township Committee voted to suspend enforcement through November.

Both Committeeman Roshto and Dr. Rae answered that nothing was being enforced.

Dr. Rae said that the prohibition against sandwich boards had been suspended and as part of the trial period. The Township Committee wants to see how things would go much like the time the prohibition against outdoor dining was suspended. It is a probation period. He noted that whenever the Township Committee discussed the proposed ordinance, they really struggled with how define a “sandwich board” in a way that would be acceptable to the township. As a result of that, the Committee decided to have the probation period. Afterwards, they could revisit the issue.

Committeeman Roshto corrected his previous statement and said that they would enforce signs if they were too big. He did not remember the exact size but the Township Committee had put a limit on the size.

Chairman Pfeil asked if the township would not be enforcing signs that were out 24/7.

Mr. Hands added that the Chamber had said they would self-police. There would be no point in having a trial period unless there was conformance to some rules.

Chairman Pfeil asked, philosophically, how the board members felt about the issue.

Mrs. Dapkins noted that, at the last meeting, someone had said that in all the towns around Springfield Avenue and Valley Road, they were not permitted.

Chairman Pfeil answered that Committeeman Roshto had sent out a list with an attachment that highlighted Berkeley Heights, Warren, Summit, Watchung—they didn’t know about New Providence.

Mrs. Dapkins asked if the Board had heard anything from the fire departments or the police department in reference to safety concerns.

Chairman Pfeil answered that he had heard nothing.

Mrs. Dapkins said that they might not even be aware that this was going on.

Mr. O’Brien said that the Board could ask Ms. Kiefer to send a note to the chiefs and ask them for comments.

Ms. Kiefer answered that she would send memos to both fire departments and the police department.

Mr. Aroneo suggested that the Board wait to see how the trial period progressed before making any recommendations.

Mr. Hands felt that in the meantime, the board members could work on the ordinance during the trial period with the assumption that if everything worked out fine, the ordinance would be ready.

Mr. Aroneo asked what would happen if the trial period didn’t go well.

Committeeman Roshto wasn’t sure the trial period would tell him anything. He felt that driving around other towns to see what they were doing would tell him a lot more. He said on one hand, they could put whatever they wanted out but they were also being told not to put anything out that potentially could look bad.

Chairman Pfeil asked what Committeeman Roshto would propose.

Committeeman Roshto answered that if the Board could come up with some standards and questions about controls, it would be a great help in crafting an ordinance. He felt it was a good idea to have these types of signs but he struggled with the enormity of what he saw in the ordinance. No permits, very large signs, any size, any style, put them anywhere—that was difficult for him to wrap his arms around. This is why he asked to bring it to the Planning Board so that some standards could be developed.

Mr. Aroneo said that it seemed to him that by crafting an ordinance in the abstract, they were making an assumption or presumption that they were going to change the ordinance anyway. He asked why they would spend time doing this unless they went through the trial period and got the results.

Committeeman Roshto said that the Township Committee seemed to be leaning towards an ordinance of some sort.

Dr. Rae agreed.

Committeeman Roshto said it was a question of whether the Township Committee, who really didn't have the resources to write ordinances, should write the ordinance or should the Planning Board write the ordinance.

Mr. Aroneo felt that the Township Committee was saying that they wanted to change the ordinance and was asking the Planning Board to present them with that ordinance.

Committeeman Roshto said that the Township Committee *had* drafted an ordinance.

Mr. Aroneo said that it sounded to him that the Township Committee had already determined that they wanted to change the ordinance.

Committeeman Roshto and Dr. Rae both answered no.

Committeeman Roshto stated, as was said earlier, that one individual on the Township Committee worked with a group of people outside of the Township Committee and presented a concept which was crafted as an ordinance. It was discussed at a Township Committee meeting. There was concern about what that ordinance would or would not do and the suggestion was to bring it to the Planning Board. He reiterated that he *thought* the Township Committee was leaning towards allowing something.

Chairman Pfeil followed with the question, "Is the Planning Board leaning towards allowing something?" He felt that discussion should be held first. He felt that, looking at the list of surrounding towns that have ordinances that address this, they seem to want to control them or not allow them. He was willing to go through the trial period but his gut reaction was that he didn't want to see any sandwich board, free standing signs anywhere in the township.

Mr. Wallisch could only think of one sandwich board sign which was located on Main Street at a small craft store. He felt that when he passed by, he had a chance to see if there were any specials and he found it informative. Based on what the store had posted, he might have even gone in once or twice. He didn't see the sandwich board as being obtrusive or obnoxious and if it helped that business, he was okay with it. He did agree that there needed to be some sort of confines as to what would be allowed and what would not be allowed. He felt a list from the Chamber of Commerce of things that they felt would be appropriate would be helpful. The Board could then craft the ordinance based on that.

Mrs. Dapkins felt that it would be difficult to enforce. Would it be a civil rights issue if the Board said the sign couldn't be a certain color, for example? At this point, she was not thrilled with the idea but did not want to take away from the township's businesses their ability to earn a living. She wasn't convinced that it would add that much to their businesses.

Committeeman Roshto wondered also how much it would add to the businesses.

Chairman Pfeil added, "...as opposed to detracting from the visual streetscape."

Mr. Wallisch said that, based on the lack of signs, the Chamber of Commerce might be saying the same thing. He felt the trial was interesting not because of what type of signs were out there but how many businesses thought it was worth their time to invest in this. He felt that the Board should base how important it was on how important the businesses thought it was.

Mr. Aroneo said that he had never been repulsed by looking at a sandwich board sign. He said that Mrs. Dapkins' comment on the First Amendment issue was one that he had not considered. He asked if there had been any such issues in controlling a sign color, etc.

Mrs. Dapkins answered that at one time the township got involved in a lawsuit regarding neon signs which the township lost. It was a First Amendment situation.

Mr. O'Brien said that the township could not control the *content* of a sign however it could control the physical appearance of a sign which is on both the planning and legal side.

Mr. Aroneo said he would be more inclined to wait until the end of the trial period. There was still a chance that the Township Committee would decide not to change ordinance and then the Planning Board would have done all that work for nothing.

Dr. Rae felt that that was a good point. Once the trial period was over, the Board would be able to craft an ordinance of what to allow and what not to allow so he was in favor or waiting until the end of the trial period.

Committeeman Roshto asked if Dr. Rae meant that the Board should wait until the end to *start* or wait until the end to have an ordinance.

Dr. Rae answered that near the end of the trial period, around the end of the summer, most of the signs would be up. He felt that those signs would be the basis—

Committeeman Roshto asked when the trial period ended in November, would Dr. Rae expect to have an ordinance in place or no ordinance.

Mr. Aroneo reiterated his belief that since there was still a chance, however small, that the Township Committee would decide not to change the ordinance, they should wait.

Committeeman Roshto said that every ordinance crafted by the Planning Board had that effect. He stated that there were five (5) or six (6) ordinances in front of the Ordinance Subcommittee that the Township Committee hadn't seen at all.

Mr. Aroneo stated that it was his belief that at the end of this trial period, the Township Committee would decide if they wanted to change the ordinance. After that, it would go to the Planning Board to draft an ordinance if there were changes.

Committeeman Roshto said that he was looking at the endgame in November. He did not want the Township Committee to extend the trial period for another six (6) months because there was no ordinance available.

Dr. Rae felt that by the end of August, or the beginning of September, the Board would have seen all the signs it was going to see and those would be the basis for the ordinance. Once the board members have that data, they could start to craft the ordinance and have it ready for November.

Committeeman Roshto stated that he had yet to see an ordinance done that quickly.

Mr. Wallisch felt that there should be some indication by the end of the summer as to whether the Township Committee will say yes or no. If they say yes, the Board could begin.

Mr. O'Brien felt that the board members had drifted over to when an ordinance would be prepared as opposed to the philosophical discussion of whether or not it was something the Board would consider.

Chairman Pfeil felt that that question had been answered and that the board members felt it was something to be considered. He agreed with Committeeman Roshto that it usually takes longer than anticipated to craft an ordinance and as such he felt that in August, the Ordinance Subcommittee should begin to decide what the township would like and what it would not like.

Mr. Hands suggested that at the end of July or the beginning of August, the Board should ask for a report from the Chamber of Commerce. He felt that the businesses would want to be able to use the signs for the holidays so it would be best to have something ready, should the Township Committee want to pursue that change.

Chairman Pfeil added that it should be put on the July meeting agenda for discussion.

Mr. O'Brien suggested that the Board ask Ms. Kiefer to send a communication to the Township Committee and the Chamber of Commerce for feedback that they would like presented to the Board.

Mr. Wallisch asked if they would be looking for feedback by then from the Township Committee as to whether they did or did not want to change the ordinance.

Chairman Pfeil noted that there was nothing to prevent the Township Committee from adopting the ordinance a month from now.

Committeeman Roshto assured Chairman Pfeil that the Township Committee would not do that.

Mr. O'Brien said that if that did happen, it would have to be referred back to the Planning Board as part of the process.

Mrs. Dapkins referred to the many requests over the past ten (10) years for off-site signage. She wondered if the Board was going to act on that. She noted that on Poplar there are three (3) or four (4) businesses that would like to put a sign on Valley Road indicating that these businesses are there.

Mr. O'Brien said that prior to Mrs. Dapkins being on the Board, the Board did recommend an ordinance to the Township Committee allowing for off-site signage. The Chamber of Commerce and Mr. Sandow gave information that indicated that somewhere around a dozen businesses in the township would benefit from it. The Township Committee had asked the Township Promotions and Enhancement Committee for feedback on that and as of the last report, they were still waiting for that feedback.

Mrs. Dapkins said that in the past there had been signs for the farm stand and she was unsure as to how they appeared. She noted that in other places in town there is off-site signage and she felt that the Board should encourage the Township Committee to look into it.

Chairman Pfeil asked Committeeman Roshto to bring that back to the Township Committee.

Committeeman Roshto answered that he could however he was unsure as to what would come of it. He thought that the Township Committee would ask the Planning Board to help with designing an ordinance if the Board believed that there would be a benefit to off-site signage. He noted that farm stand signs are currently in the ordinance and felt that the question was how much to review the sign ordinance. How far would the Board like to go? He said that there was a lot of ambiguity.

Mr. Hands added that there were areas that contradicted each other.

Mrs. Dapkins said that she thought there was a committee looking into this issue.

Committeeman Roshto said that the Ordinance Subcommittee would only look into things that the Planning Board directs it to look at.

Chairman Pfeil felt that that would be taking a small project and making it into a large project. He felt that there were a lot of other issues that had a higher priority.

Mrs. Dapkins said that when the Board worked on the sandwich board sign issue, those who wanted off-site signage would show up.

Chairman Pfeil answered that the Board could look at off-site signage during the portable sign process at the July meeting.

Committeeman Roshto stated that off-site signage is currently with the Township Committee. He thought that they were referring to the vegetable stand signs.

Mrs. Dapkins clarified that she was referring to the 14 businesses who had requested off-site signage over the past ten (10) years.

Committeeman Roshto reiterated the background of that process as Mr. O'Brien had earlier stated. He said that the Township Committee had reviewed it twice or even possibly three (3) times with extensive debate as to whether or not the township wanted these wayfarer signs. They gave it to the Promotions and Enhancement Committee to inventory all the signs that were in the township since one of the concerns was over-signage. It is in the hands of the Promotions and Enhancement Committee but he felt there was not strong support on the Township Committee.

Chairman Pfeil said that the off-site signage issue is already under review.

Committeeman Roshto reiterated that wayfarer signs are with the Township Committee and the Promotions and Enhancement Committee.

Mr. Wallisch said with that in mind, the Board should limit its investigation to sandwich board signs based on the recommendation from the Township Committee and the results from the analysis over the next couple of months.

Chairman Pfeil felt that was correct and asked for further comments.

Mr. O'Brien summed up as follows: In July the Board would look at the issue and in the meantime Ms. Kiefer would direct communications to the Municipal Clerk for the Township Committee, the fire and police departments, and the Chamber of Commerce for their input.

Mr. Hands asked if churches should be contacted as well since they too were putting signs out.

The board members were in favor of that addition and it was noted by Ms. Kiefer.

DISCUSSION **RECREATION ELEMENT DRAFT**

Chairman Pfeil moved on to the draft of the Recreation Element and commented on how well written he felt it was. He noted that there was a lot of detail and complimented the Recreation Committee on its good work.

Mr. O'Brien stated that the document in front of the board members had been forwarded to him by Lisa Scanlon, Director of Recreation. There are a number of names at the back of the document representing those who contributed to it and the it had been presented to the board members for their initial impressions, concerns, questions, etc. so that he could work with Mrs. Scanlon to complete it. He also commented on how well written it was.

Committeeman Roshto agreed that the document was very well written and hoped that they could get through it very quickly. A resident had commented at a Township Committee meeting that there were not enough recreational facilities for older people and he wondered if the element should at least touch on that. He did not recall seeing that in the element and noted that it was definitely focused on the younger residents, as it should be.

Mr. O'Brien said that there had been some discussion of passive recreation areas for walking and hiking but it wasn't specifically directed towards the elderly.

Committeeman Roshto said that the resident who spoke to the Committee was talking about being able to go out and throw a Frisbee or other *active* types of recreation but the fields were always taken up and there wasn't a large enough open area to do that. He felt that they might want to identify an area or two (2) or at least make a note in the element which recognizes that older people do like active recreation. One of the things that had been talked about is having a track and that would be a great thing for older people as well as younger.

Mr. O'Brien stated that the older residents could use it during the day and the younger ones after school and on weekends.

Chairman Pfeil felt that that was a good point.

Mrs. Dapkins brought up information that she had gleaned from the Echoe-Sentinel in reference to the school board looking into the property behind Central School. She noted that in the 1980's when she was on the school board, that concept was examined and abandoned because it was too costly to cut down that part of the hill from High Street. She suggested contacting Committeeman Meringolo to see if he could get the reports. She also noted that the wetlands were very substantial.

Committeeman Roshto said that the plan that the Township Committee saw would not affect the steep slope. The pathway would pass very close by and he had some concerns with that. There would be no change to that.

Mrs. Dapkins asked about the wetlands.

Committeeman Roshto guessed, looking at the map, that 20-25% of the property is wetlands. With the buffer and having to get waivers to develop into the buffer, it was not clear to him how they could support it.

Mrs. Dapkins said that if they encountered some endangered species, it would be greater. They had encountered the Red Shouldered Hawk in the park and they had to allow extra footage for that.

Mr. Lemanowicz said that they should assume that in a 150 foot transition area, it would be more than likely that they would encounter something endangered. He noted that over the last dozen or so years, the raptors have been doing very well for whatever reason and that Harding Township had bog turtles.

Committeeman Roshto said that there was a study done in 2007-2008 which looked at potential ball field sites. One of them was Central School and that study, although very superficial—

Mrs. Dapkins said that the study that the school board did in the 1980's was more than preliminary. It was very substantial.

Committeeman Roshto said that he would like to see that study. He asked if the Board should be putting in the 2008 study that was done on these ball fields as a background study.

Mr. O'Brien answered that if it was available, it could certainly be a background study.

Committeeman Roshto felt that they should try to find as much information as possible.

Mr. O'Brien asked if it was a township study.

Committeeman Roshto answered that it was and it was done by Justin Lizza, the township engineer at the time.

Mrs. Dapkins added that the study done in the 1980's was done by the school board.

Dr. Rae asked about the availability of that study.

Mrs. Dapkins said that she asked Committeeman Meringolo to contact the school board to see if it was still available.

Mr. Aroneo asked who would ultimately own the property for the Central School ball field.

Mrs. Dapkins answered that from what Committeeman Meringolo said, the township would lease it from the Board of Education.

Mr. Aroneo asked if the Board would then possess the land.

Dr. Rae answered yes.

Mr. Aroneo asked if it would be available for use for the elderly community for walking during the day.

Dr. Rae said that part of the discussion during the last Township Committee meeting was around that particular point. The school board hadn't formally said yes to it. The next step would be negotiation as to when and how the township could use it which has not taken place yet.

Mr. Aroneo asked Committeeman Roshto if the township had explored the possibility of making improvements to the existing field at Central as opposed to building an entirely new one.

Committeeman Roshto said not to his knowledge.

Mrs. Dapkins asked if there had been any thought given to the possibility of involving the property across the street for senior access. Maybe it could be incorporated into that, if and when that took place.

Dr. Rae said that that was something that was under consideration.

Mr. O'Brien asked Dr. Rae if he was able to discuss where the Committee was in reference to that property.

Dr. Rae said that the process was still underway and that there had not been any forward progress.

Mr. Wallisch asked if there was national, state, and local data that would indicate the population of youth over the next five (5) or ten (10) years.

Mr. O'Brien said that there are census projections and the Board of Education had made projections based on current and past enrollment.

Chairman Pfeil stated that they had been reviewed last year.

Mr. O'Brien recalled that enrollment was projected to be relatively steady with a slight decline over the next few years.

Dr. Rae agreed.

Committeeman Roshto said he reviewed the population study by the Department of Labor and for Morris County, in 2015 it projected a population decline for ages 5-19 of about 3%. By 2020, in Morris County, it would be almost an 18% decline. In 2030, it would go back up to 15%. Somerset County was not as bad. Union County was flat.

Mr. Hands felt it was certain that the elderly population would increase. The point of having more activities for the elderly would be a worthwhile inclusion to the document.

Committeeman Roshto said that the trend for 65 and older was up.

Mr. O'Brien noted that it is the faster growing segment of the population.

Mr. Hands liked the idea of focusing on that and on Open Space. He expressed reservation about the number of regulations and the overall lack of open areas for activities outside of organized sports. He wanted the inclusion of areas for simple activity, not necessarily organized sports. He asked where activities such as bike paths fit into the recommendations and expressed some frustration as to how to get some *action* out of the elements and studies.

Committeeman Roshto agreed and felt that the wording should be more "active". The Township Committee had used this draft element in its deliberations on turf fields so there was a positive that was already coming out of this element and it hadn't even been adopted yet.

Mr. Hands asked if it would just sit on a desk and be reviewed periodically. He acknowledged that the turf field issue is a very current topic. He noted that some of the proposals were much less costly than a ball field.

Mr. O'Brien said that much like any element or even the Master Plan itself, the whole idea is to set a vision and a set of goals for the township so that the Planning Board, the Board of Adjustment, the Township Committee, and the citizens as a whole are aware of the direction that the township would like to go. As part of the philosophy for whatever is done with land development, this document should be part of the thinking.

Mr. Hands wanted to see some recommendations as to exactly what that is, such as a list of things that should be done however he acknowledged that accomplishing that would be a bigger task.

Mr. O'Brien said that one of the planning components missing from this element was a list of goals and recommendations. He said that he would use the feedback from the board members and go back to the Recreation Committee to give them more planning guidance.

Dr. Rae agreed with Mr. Hands and said that they should factor in what items could be done inexpensively to improve the quality of life. He felt that things like bike paths would benefit everybody in town and especially the fastest growing sections of the community.

Committeeman Roshto asked for the Passaic River Trail to be added.

The board members agreed.

Chairman Pfeil said that it looked like they tried to do that on page 18 in the Facility Priority Needs Assessment Ranking Table which included a swimming pool and a dog park.

Mr. Wallisch said that there was no mention in there about the River Walk or the Great Swamp which has been proclaimed as a unique advantage to the area. He said there were some other things besides the formal areas that should be highlighted as far as recreation.

Several board members agreed.

Mr. Aroneo said that he was glad that Mr. Hands remembered the discussion about the bike paths and he also liked Dr. Rae's comments. He wanted to revisit the population trends among the critical age group of 5-14. He wasn't sure whether the data was trend indicating or whether it was meant to show an absolute number over the last two (2) years. The Recreation Committee showed the 2012 and the 2013 participation but it didn't really give the Board an indication of the trends and he wanted to see a little more study on making use of what the township had in existing

fields. There are a lot of competing issues such as the active versus the passive and a lot of different people to cater to.

Mr. Wallisch said that there is a size of pie to maintain and operate these recreational things and this is the purview of the Township Committee. As a member of the community, there are only so many resources that can be poured into all these facilities. There are a lot of different things that are listed on here and this assumes that they are all very successful and actively used and should be continued when maybe they shouldn't. He noted that he lives near the lake and it appeared that the membership there had gone down dramatically in the last couple of years. He felt it is a significant investment to keep that open and that they should look at some legacy programs to identify which ones no longer work. Those resources could then be used for lights on the field across the way, for example, and keep the township affordable to live in while keeping up with the amenities.

Chairman Pfeil asked if there were any suggestions or comments. He noted that it seemed like a long list.

Mr. O'Brien said that was not unexpected but with the input from the Board, this document could become a document that could be used as an element.

Mr. Hands asked what the next step was.

Mr. O'Brien stated that this was a draft and that all elements are adopted by the Planning Board. Anything that is presented to the Board must be approved by this Board. This draft was shown to the board members for their feedback so that Mr. O'Brien could go back to the Recreation Committee with the questions and concerns. He noted that he would thank them for all their hard work first of all and that the work to make this document usable as an element would be far less than what was already put into it. After that is done, the draft would return to the Planning Board. He suggested that some representative of the Recreation Committee be present at that meeting to answer questions or give a short presentation.

Chairman Pfeil asked about the anticipated timing.

Mr. O'Brien answered that he hoped to meet with Mrs. Scanlon possibly next Tuesday. He guessed that it would take a few months.

Committeeman Roshto said that he had a number of minor comments and asked, rather than taking up the full Board's time, if he could send them to Mr. O'Brien or would the Board want to hear them.

Mr. O'Brien asked if they were editorial or grammatical.

Committeeman Roshto answered that it was a little of both.

Chairman Pfeil told Committeeman Roshto to proceed.

Committeeman Roshto said on page 2, "Recently ranked #5..." that he would like a date. He felt the next paragraph, "The philosophy of the Parks..." was wordy and he wasn't sure what it was saying. He felt it could be interpreted two (2) different ways. In the last paragraph on page 2, "The Long Hill Township Parks and Recreations owns..." and he noted that they do not own them—the township owns them. On page 5, "Stirling Lake Park..." should read, "...the *facility* is staffed..."

Mr. Aroneo cited on the last page, the second to the last paragraph, "Increased emphasis on child health and childhood obesity issues are an important consideration for us in future planning." and questioned, if it was so important, why did it only appear at the end of the document.

Mr. Wallisch added that this was one of the easiest reading elements. It flowed well and was very descriptive and informative. He said it was a good piece of work.

Mrs. Dapkins asked Mr. O'Brien to relay that comment to Mrs. Scanlon.

Chairman Pfeil asked if there were any other elements that were close to review.

Mr. O'Brien answered that the Recreation Element was the only element at that stage. The Ordinance Subcommittee had some items in front of it. The Morristown Road Study would be coming before the Board on June 10, 2014. He also indicated that there were a couple of other items that would be coming up for the Board's review.

Mr. Lemanowicz added land disturbance.

Mr. O'Brien said that he had met with the Ordinance Subcommittee to discuss the environmental ordinance that had been under review for the last couple of weeks. As a group, they expressed their dissatisfaction with how the draft was structured. They agreed that they would take a step back and see if there was a better way to organize that. Mr. O'Brien and Mr. Lemanowicz were thinking of presenting a more focused ordinance to the Ordinance Subcommittee that would break the actual ordinance down to separate sections addressing each specific area of concern which would be unified in the very beginning by an overall descriptive paragraph stating what the goals were.

Mr. Lemanowicz said that presently the Environmental Ordinance and the Stormwater Ordinance are blended. Originally, stormwater ordinances were very mechanical. However, over the years, as the rules changed, they

blended. He felt it would be easier for applicants to deal with the issues if the environmental information and the stormwater information were separate items. He acknowledged that there would be some overlap however, he still felt it would be an easier read. Of course, he would do whatever the Board wanted but after the last meeting with the Ordinance Subcommittee, it seemed like there should be a better way to set it up.

Chairman Pfeil added that they had also discussed asking Mr. Lemanowicz and the Township Engineer to come to a meeting to give an overview to the entire Planning Board. He asked if that was possible.

Mr. Lemanowicz answered that he was available.

Mr. O'Brien noted that the Township Engineer was typically unavailable on Tuesday nights. He offered to ask the engineer if he could be available or if he could send a representative.

Chairman Pfeil said possibly it should be arranged for the Ordinance Subcommittee but he wanted input from the entire Board as to what the issues were that led to the creation of all the revisions in the environmental ordinance and the land disturbance ordinance.

Mr. Lemanowicz said that the land disturbance issues came from the idea that the ordinance wasn't catching everything. If a property owner wanted to do something that didn't require a subdivision or site plan or variance, they weren't reviewed against some of the ordinances and the land disturbance ordinance collects those smaller ones.

Committeeman Roshto said when the Ordinance Subcommittee started looking at this, they kept asking what was the problem that they were trying to solve. They weren't getting a good strong argument that there was a problem so the Ordinance Subcommittee decided to bring it back to the Planning Board to discuss what the Planning Board perceived as the problem or not and then take it from there. He felt that the information should be given to the board members so that they would be ready to discuss this at a higher level, more of a planning level, than talking about the land disturbance permit ordinance. They should discuss why they should change what they have today. What are the benefits? What are the risks? What are the problems? When they get to that point, they can have a discussion.

Chairman Pfeil said that those could be the bullet points.

Mrs. Dapkins felt that they would have to be careful not to get too restrictive.

Committeeman Roshto said that that was what they were finding. They felt it was getting too restrictive.

Chairman Pfeil noted that they had a very thick document and either they had to wade through it line by line or step back and ask, "What is the problem?" or "Is it being addressed now?" They needed the professionals' input on that so they wanted to bring it before the entire Board to try to understand what the problems are and then direct the Ordinance Subcommittee on how to move forward keeping in mind exactly what Mrs. Dapkins said about not making it onerous on the homeowner if there isn't an absolute need.

Mrs. Dapkins said that sometimes it defeats the purpose because the homeowner wouldn't even bother to check with the township to see if it's possible or to get a permit. Most of the permits protect the homeowner so that would not be a good way to operate.

Mr. Lemanowicz suggested that the Zoning Officer, Thomas Delia, might be able to enlighten the board members as to what the problems are since he is the first person the residents call when there is a problem.

Chairman Pfeil said that he wanted to find a place to start so that the Board could tackle the problem and find a solution. He suggested they begin discussions on May 13 and asked if there was anything else on the schedule for that date.

Dr. Rae asked Mr. O'Brien if he was confident about the status of the other elements. He wanted to know if there was a way to hurry them along.

Mr. O'Brien told Dr. Rae that the Board should let him know what elements they wanted and when and he would discuss it.

Committeeman Roshto said that last year they decided to do the Reexamination Report with the understanding that they were going to continue with a Master Plan. If they talk about doing an element here and there, he felt that they were missing the point. The point is land use and getting it right and doing it more often than 1996. He felt that although the 1996 Master Plan was excellent, they needed something like that for the future. He wanted to know when they would start talking about land use and the Master Plan as opposed to the elements.

Mr. O'Brien said that there was a committee working on that last year however he did not know the status.

Committeeman Roshto said that there was no committee at this point.

Chairman Pfeil said that currently they were just working on the elements.

Committeeman Roshto felt that if they were working on elements individually, then the bigger question was when would they work on the Land Use Element since that is the one that encompasses the majority of the Master Plan.

Mr. O'Brien said that prior to the establishment of the Master Plan Committee last year, this Board had appointed a Land Use Committee which sat individually and worked on the Land Use Element. Another approach would be to have an outside committee work on it and give the Board advice. Yet a third option would be to have the entire Board work on it.

Chairman Pfeil asked if that committee ceased to exist last year in favor of the Master Plan Reexamination.

Committeeman Roshto said that the Reexamination was done because they couldn't get the Master Plan done.

Committeeman Roshto said that the assumption should be made that there is no Master Plan Committee and that the Planning Board was at ground zero. He indicated that there was time and this was something that could be planned out over the next three (3) years. He felt that it made much more sense to set up such a plan with the directive to redo the Master Plan as a goal as opposed to doing an element here and there. He wanted to use the elements that had been passed and felt that they should be incorporated into the Master Plan.

Mr. O'Brien said that the Reexamination did give the Board guidance in its list of recommendations as to the things that they wanted to see changed.

Dr. Rae asked Committeeman Roshto what he would suggest as far as the elements were concerned.

Committeeman Roshto said that there were a couple of elements that should be done however beyond that, the Board should not take on anymore.

Chairman Pfeil asked what elements needed to get completed.

Mr. O'Brien answered that he had not brought that information with him.

Mr. Hands asked if there was a list.

Mr. O'Brien said it was in the status report. He added that only those in the status report had had any work done on them.

Mr. Hands asked if there were any new ones.

Committeeman Roshto advised the Board to say no to more elements. He felt that the ones close to being finished should be the only ones the Board should continue to work on.

Mr. Hands asked who determined whether an element needed to be created.

Committeeman Roshto answered that it was under the Planning Board's authority.

Chairman Pfeil said that the Board would revisit the status of the elements for the next meeting.

Mr. Wallisch said that if there were four (4) or five (5) out there, the Board should get them done so it could move on to land use and the Master Plan.

Mr. Hands asked if the Land Use Subcommittee should be reconvened.

Mr. Wallisch felt that they would have to do that.

Chairman Pfeil felt that a new committee would have to be created.

Mr. O'Brien said that that was one way to proceed. He added that the entire Board could work on it or it could be farmed out to an external body.

Committeeman Roshto recommended that there be a subcommittee but also there should be an external body on that subcommittee so the Planning Board would always be engaged but would have the help to develop the background material.

Mr. O'Brien said that there had been discussion as to whether there could be additional people.

Committeeman Roshto said that that was easily done and that the mayor would support that.

Mr. Hands felt that they needed a list of what elements were out there.

Mr. O'Brien said that the only external efforts that he was aware of were the Recreation Element and the Historic Preservation Element. He had no contact with the latter group but offered to do so.

Committeeman Roshto said that he was the liaison for Historic Preservation and stated that the element was 80 to 90% done. The last step was to finish cleaning up the site survey which was very labor intensive. There are 400 to 500 sites on it that had to be inventoried. That work is very close to being done and recently, another person was added who is going to take over completing the element but he needs to get up to speed. He hoped within the next couple months it would be ready.

Mr. O'Brien asked if they had the acrotarian report, the original list of historic sites.

Committeeman Roshto answered that the acrotarian report was used as were three (3) or four (4) different other data bases. The acrotarian report had a number of mistakes in it that were corrected. The official historic sites list is much better than it has ever been.

Mrs. Dapkins suggested that Committeeman Roshto might be able to get some help from Larry Fast who is chairing the Morris County Historic Committee.

Committeeman Roshto said that they are in touch quite a bit through the Historical Society.

Committeeman Roshto asked if the Planning Board wanted him to ask the mayor to create a committee.

Mr. O'Brien asked if that committee should have board members and then ask the mayor to add private members.

Mr. Wallisch recommended that they put together a plan first to figure out how to do this and then get the people on board to do it.

Chairman Pfeil agreed.

Committeeman Roshto said that he would wait.

Mr. O'Brien suggested that the Chair, the Vice-Chair, and Mr. Lemanowicz get together with him to work out a skeleton plan.

Chairman Pfeil noted that at the last Planning Board meeting, he did not get a fresh set of volunteers for the Millington Village Element/TDR Study Committee. He had asked Mr. O'Brien if members from the public or other boards could be included. Mr. O'Brien suggested a joint Planning Board/Board of Adjustment Committee could be formed to complete the Millington Village Element and to move that into the TDR Study.

Mr. O'Brien said that that would require the assent of both boards.

Chairman Pfeil said that he had spoken to Dr. Behr, Chairman of the Zoning Board of Adjustment, and he agreed to serve on the committee or get someone from the Board of Adjustment to serve. Dr. Behr was prepared to introduce a resolution at the next Board of Adjustment meeting to do that. Chairman Pfeil suggested that this Board do the same and pass a resolution to allow this joint committee to go forward.

Dr. Rae said that he felt they were fairly close to an end product.

Chairman Pfeil said they had some decisions to make and there were some points that were still unresolved.

Dr. Rae asked if the remaining members of the subcommittee (he and Chairman Pfeil) could get together, come to an agreement on the outstanding issues, and then bring it to the Board for discussion. He felt this would be the quickest way to do it.

Mr. Wallisch volunteered to participate on the committee if a third person was needed. He felt this was a responsibility of the Planning Board and since so much work had already been done, he would be willing to participate in order to complete it.

Dr. Rae felt that it shouldn't take too long.

Chairman Pfeil said that they would find a time to meet and he would ask Dr. Behr to hold off.

Mr. O'Brien said that the committee should be prepared to make a recommendation to the Board as to the future status of the Village of Millington, what possible land uses should go there, the size of the village zone itself (Chairman Pfeil interjected that that had been well worked on), and how that could contribute to the study of the Transfer of Development Rights. That study would have to review whether or not the transfer is a good thing or a bad thing.

Chairman Pfeil felt that the committee would require Mr. O'Brien's help with the TDR Study.

Chairman Pfeil asked if there was any other business. Hearing none, he entertained a motion to adjourn. Dr. Rae moved the motion and Mr. Wallisch seconded. A Voice Vote was taken and the motion passed unanimously. The meeting was adjourned at 9:22 P.M.