

MINUTES OF THE PLANNING BOARD MEETING
Thursday, June 24, 2021

Present:

Chairman Larry Lonergan

Mayor Jack McEvoy

Mr. Tim Camuti

Mr. Al DeOld

Mr. Jason Hyndman

Ashley Neale, Planning Board Secretary

Deputy Mayor Alex Roman

Mr. Steven Neale

Ms. Jessica Pearson

Mr. David Freschi

Mr. Greg Mascera, Planning Board Attorney

Meeting called to order at 7:31 P.M. by Chairman Lonergan. This meeting was held via Zoom Video Conferencing due to COVID-19 pandemic.

Pledge of Allegiance:

Chairman Lonergan reads Open Public Meetings Act Statement and explains how the public can raise their virtual hands to participate in the meeting.

Public Hearing

Chairman Lonergan asks if anyone from the public would like to address the board on topics not on this meeting's agenda. No one from the public came forward.

Approval of Minutes

Chairman Lonergan asks for a motion to approve the minutes from a Special Meeting held on May 20, 2021. Ms. Pearson makes the motion, Mr. Freschi seconds. All other present vote in favor.

Chairman Lonergan asks for a motion to approve the minutes from a Regular Meeting held on May 27, 2021. Mayor McEvoy makes the motion, Mr. Camuti seconds. Mr. Neale abstained. All other present vote in favor.

Hearing of the Open Space and Recreation Plan

There was discussion about procedural and noticing requirements relating to adopting this as an amendment to the Master Plan. Ms. Neale notes that notices were sent to the proper papers, and surrounding towns Municipal Clerks. She also notes notice was sent to the Essex County Planning Board.

Ms. Barbara Davis from the Land Conservancy of New Jersey introduces herself and notes she was hired by the Township to compile this plan. She comments that the New Jersey Environmental Protection Green Acres Program requires an Open Space and Recreation Plan, to apply for grant funds. She notes that the Township acquired two properties in 2020 intended for open space, and Green Acres has a funding round with an application deadline of July 15, and therefore the Council is encouraging this Plan to be adopted by the Board tonight.

There is some more discussion on procedural concerns about how the Land Conservancy was hired by the Council and typically, the Planning Board is responsible for all aspects of the Master Plan. Ms. Davis notes that the purpose of tonight would be the present the plan and get comments from the Board and the public and then the plan can be revised from there, but she recommends keeping the funding timeline in mind so the Township does not lose any grant funding.

Mr. Freschi asks Ms. Davis to speak on the implications and timeline related to the Township apply for this grant program. Ms. Davis explains that in 2019 the Township established an Open Space Trust Fund, and acquired two properties in 2020 for the purpose of open space. She notes that Green Acres has a planning incentive program that the Township would qualify for if they adopt this Open Space and Recreation Plan as part of the Master Plan. She adds the planning incentive program is a 50 percent matching for any property that is consistent with this plan. Mr. Freschi asks if the Board does not adopt the plan tonight, would that affect the grant application for this round. Ms. Davis confirms if the plan is not adopted or sent in a draft form, it would result in Green Acres denying the application and the Township would have to wait for the next round of funding in 2023.

Ms. Pearson asks Mr. Mascera what the process would consist of if changes were made to the plan tonight. Mr. Mascera notes if changes were to be made the original notices would be insufficient and therefore would have to go to another meeting and re-noticed properly.

Ms. Davis presents a Power Point presentation on the overview of the Open Space and Recreation Plan to the Board. The presentation included updated goals for the Township's open spaces, a background of open space funding, and a list of preserved land in the municipality. She continues with describing the Township's newly acquired properties, Mount Prospect Park and Peckman Park located at 25 Commerce Court. The presentation also included preserved Essex County and Township lands. Ms. Davis continues with the recreation elements of the plan, noting they interviewed the Township's recreation director and heads of volunteer programs for input. The presentation is concluded with an Action Plan containing the next steps for the future. Ms. Davis notes that the Open Space and Recreation Plan is recommended to follow the same 10-year review as the Master Plan.

Chairman Lonergan asks if anyone from the Board has questions for Ms. Davis. Mr. Freschi asks if not having concrete boundaries or a plan for the Peckman River property would influence the funding. Ms. Davis responds that it would not, and when the Township has made the determination, they would have to notify Green Acres. Mr. Hyndman also addresses concerns the boundaries are undetermined asking if the Board should include suggestions for the property as part of this document. He adds the Board should discuss options for this property and have them written into the plan to guide any future decision making. Ms. Davis notes that future plans on this specific property should include input from the Township's advisory boards, and that the plan provides conceptual ideas it is not meant to dictate exact uses for individual properties. Chairman Lonergan asks about the budget and if the action plan is prioritized, based off that. Ms. Davis notes they are prioritized based off reasonable timelines for the project. She adds it would be up to the designated committee to prioritize and budget for different projects.

Mr. Camuti questions the need for some of the language relating to the County Open Space plan. Ms. Davis notes that part of the Green Acres application is showing compliance with regional and state plans, even though they are somewhat outdated. Mr. Camuti also expresses concerns that 176 Bloomfield Avenue is mentioned in this plan but 200 is not, and considering they were sold together feels it should be included. Mr. Camuti then asks, how updating the Master Plan would affect this plan or vice versa. Mr. Mascera notes that this is only an amendment to the Master Plan and it would be incorporated into the updated Master Plan. Ms. Pearson comments that the 176 Bloomfield Avenue section is missing terminology regarding steep slopes. Ms. Pearson agrees with Mr. Camuti adding 200 Bloomfield Avenue should be included because it is over .5 acres.

There is discussion regarding the 3.5 acres that were not included in the Open Space and Recreation Plan, on the Commerce Court property regarding potential future development and affordable housing obligations.

Mr. Freschi asks if the plan could be reduced and the Board could discuss some of the elements further. Ms. Davis responds that the plan follow Green Acres guidelines so no elements can be removed without jeopardizing the approval of the grant funding. Deputy Mayor Roman comments his concerns if the Board takes too much time to review this plan, the Township will lose the funding, asks if the changes would be worth the risk. Chairman Lonergan comments he appreciates all the Board members comments, and feels the Board has an obligation to do the right thing in regards to securing the funding for the Township. Mr. Neale agrees adding he feels minor issues are holding things up and encourages the rest of the Board to look at the bigger picture.

There is discussion about how and when this plan could be revised. Mr. Mascera notes that Green Acres may have some restrictions on changing the plan in the future, which would have to be adhered to or the Township could receive consequences. Ms. Davis notes that all Green Acres guidelines would have to be followed and any revisions would need to be submitted to the State. Mr. Mascera notes this document is not a regulatory document and therefore does not bind the Board or Township in anyway as long as the terms of the grant are followed.

There is continued discussion on omitting the Peckman Park section of the plan, and if that would constitute an amendment and require new noticing. There is also further discussion on Peckman Park and the 3.5 acres not included in this plan.

Chairman Lonergan calls for a break at 9:23 PM. The meeting was called back to order at 9:30 PM.

Chairman Lonergan asks if anyone from the public would like to address the Board regarding the Open Space and Recreation Plan. Herb Lev from 45 Summit Road, voices concerns that in his opinion the Plan encourages the sale of the Mount Prospect property to Essex County. He comments that he would be very much against that idea. He asks if that being mentioned in the Plan binds the Township in anyway. Mr. Mascera notes that it would not be binding but because it will be incorporated into, the Master Plan but it would create a presumption that would have to be argued against. He notes his concern for the record.

There is more discussion on the amending of the plan. Ms. Davis advises not to make any major changes until the application has gone through the approval process. Ms. Pearson asks how long the process typically takes. Ms. Davis notes it could take anywhere from 6 months to a year. Mr. Hyndman reiterates his concerns and would notes he like to see policy recommendations included.

Chairman Lonergan asks for a motion from the Board to adopt the Open Space and Recreation Plan as an amendment to the Township's Master Plan. Deputy Mayor Roman makes the motion, Ms. Pearson seconds. Roll call is taken. Mr. Camuti votes against and all others present vote in favor. The motion passes 8 to 1.

Chairman Lonergan asks to discuss the hiring of a Board Planner. Mr. Mascera notes that a Request for Proposals will have to be prepared and published, and from there the Board could hire someone from the submissions. Ms. Pearson notes that the Board of Adjustment discussed identification cards for their members, and she would like to see this Board get them as well.

Adjourn

After a motion made by Ms. Pearson and seconded by Mr. Camuti, there was a unanimous vote to adjourn at 9:49 PM.

Respectfully submitted,

Ashley Neale
Planning Board Secretary

PLEASE NOTE: Meeting minutes are a summation of the hearing. If you are interested in a verbatim transcript from this or any proceeding, please contact the Planning Board office at 973-857-4805.