

CHESTER BOROUGH
LAND USE BOARD
July 16, 2019

The Special meeting of the Chester Borough Land Use Board and the Chester Borough Council was held at the municipal building located at 50 North Road on July 16, 2019

Opening Statement

Chairman Kenneth Kasper called the meeting to order at 7:04 p.m. Adequate notice of this meeting was given as required by the "Open Public Meetings Act" as follows: notice was sent to the Observer-Tribune and Daily Record, posted on the bulletin board in the Borough Municipal Building and filed with the Borough Clerk.

Opening Statement for the Council

Mayor Hoven called the meeting to order at 7:00 p.m. This meeting is being held in compliance with the provisions of the Open Public Meetings Act, P.L. 1975, Ch. 231. It was properly noticed and has been posted and certified by the Clerk.

ROLL CALL of Board

Present:

Kenneth Kasper, Chairman
Mayor Janet Hoven
Anita Rhodes
Chris Heil
Jennifer Cooper
Donald Storms
Adam Sorchini, Alternate #2
Michael Ferrone, Alternate #3

Absent:

Kerry Brown
Stan Stevinson
Edd Creter
Steven Bolio, Board Engineer

Also Present:

Richard Marcickiewicz, Board Attorney
David Banisch, Board Planner
Sarah Jane Noll, Secretary

Roll Call of Council

Present:

Mayor Janet Hoven
Karen Ferrone
Kyle Holman
Russell Goodwin
Christopher Heil
Gary Marshuetz

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Timothy Iversen

Absent:

None

Also Present:

Brian Mason, Borough Attorney

Denean Probasco, RMC

Highlands Council Planner, Corey Piasecki

Margaret Nordstrom, Administrator

Salute to the Flag

The salute to the flag was led by Chairman Kasper.

Business:

Janet Hoven advised every one of the purpose of this meeting. She turned it over to the Highlands representatives Humphreys; Corey and the Borough Planner David Banisch.

Highlands Center Designation Discussion with Highlands Council Planner, Corey Piasecki and Borough Planner, David Banisch

Mr. Banisch explained that the purpose of this meeting is to identify two additional parcels for investigation as part of a possible “Non-condemnation Redevelopment Area” and to provide a Resolution for the Mayor and Council's consideration authorizing inclusion of the two lots. The highlands center designation will fulfill its commitments in the affordable housing. An updated wastewater management plan off of Oakdale Road is being pursued with the DEP. In order to do this there must be a center designation and to establish enough waste water capacity. A Center will facilitate the wastewater management.

Corey Piasecki then reviewed the center designation. There will be a designation and once approved, the borough will have a greater control over planning in that zone. Enhanced level of planning.

David Banisch talked about exceptions in the Borough. Corey Piasecki spoke about designation areas.

The Legal shield was explained. The Legal Shield stipulates that municipalities who conform to the Highlands Master Plan are protected and are a Beneficiary to the legal shield.

Mayor Hoven explained that she wanted the Land Use Board present because they are responsible for the zoning further explaining that once the Borough is in, it can be changed. Highland grants have funded this study. Mayor Hoven explained the reasoning for the need for a large plant which will improve some of the human markers in the Borough. There are small lots in the Borough which need sewage. Several of the Borough council members asked questions. All existing houses are exempt. Corey Piasecki felt that there is no drawback to creating the center. The key is that the size of the sewer system determines the growth in the Borough. The question is ‘What is it that the borough wants to have?’ This is all coming together at the same time. Once the size of the wastewater that the Borough needs, it must be stuck to.

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Questions by the land use board.

Adam Sorchini asked what has to be done to make it all happen. Corey Piasecki explained the process which is being advocates of good planning. Upon the request of Jennifer Cooper Corey Piasecki explained the protection zone. The Goal is to protect the Highlands Environmental Resource areas; another goal is providing zoning for the affordable housing; conserving and preserving is a goal. Protect the health and safety of the residents and the water quality. There is a problem with the pollution of one of NJ streams; the Black River. The Highlands Council must confirm that the zoning is consistent with the Highlands Regional Master Plan. Anita Rhodes questioned the reasons why one would withdraw from the Highlands. Mr. Piasecki explained that a couple of municipalities have withdrawn from the highlands and the reasoning for that.

Michael Ferrone asked what controls there are. Mr. Piasecki explained that local zoning is the control and is entirely up to the Borough to plan its future. Richard Marcickiewicz, Land Use Board attorney asked the time constraints that the Land Use Board has? Mr. Banisch explained the 2 phases which he had explained to the Land Use Board in May. This should be addressed over the next couple of months. Redevelopment sites will be discussed in the fall by the Land Use Board. Jennifer Cooper asked if the center can be some or all of the Borough. It was explained that it is currently the entire borough. Mr. Piasecki explained this at the request of Councilman Marshuetz. The borough as a whole is a center; it looks like a center and acts like a center; therefore it is a center. This has to be brought to the Highland Council. James Humphreys of the Highlands explained that ultimately the Highlands Council has to approve the center.

Public Portion

Jennifer Cooper moved to open the meeting to the public; Anita Rhodes seconded the motion which was passed unanimously by the all. There was no one in the public who wished to speak.

Anita Rhodes moved to close the meeting to the public; Jennifer Cooper seconded the motion which was passed unanimously by all.

Jennifer Cooper moved to close this portion of the meeting with the Highlands representatives; Anita Rhodes seconded the motion which was passed unanimously by the Board and Council.

The Highlands Represented were thanked for coming and making their presentation.

The joint meeting continued by addressing the redevelopment zones.

Resolution # R2019-92

Janet Hoven then reviewed the Redevelopment zones which are in the Banisch report and then explained the resolution

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The following are to be added to the redevelopment zone.

235 Route 206 – for veterans

263 Route 206- add them and authorize they be added to the resolution.

The following property will be considered at another time.

42 Oakdale road – owners would like this property added to the redevelopment plan

Old School House – Route 513

The Land Use Board will prepare a report; hold a public hearing and present its findings. They will then make a recommendation to the Council.

There was discussion on the property at 235 Route 206 being put into the redevelopment plan. The borough would have to have a pilot. Gary Marshuetz asked that it be added by putting it in the redevelopment plan rather than have a change in zoning. Mr. Banisch explained.

Mr. Goodwin moved to amend the list to include 235 Route 206 and 263 Route 513 and refer it to the Land Use Board; Gary Marshuetz seconded the motion which was approved unanimously by the Council.

Land Use Board attorney Richard Marcickiewicz had forwarded two statutes regarding the determination of need for redevelopment.

- **40A:12A-5 Determination of need for redevelopment.**

and

- **40A:12A-6 Investigation for determination as redevelopment area, public hearing, notice. redevelopment area, public hearing, notice.**

Minutes – None were available for this meeting.

Resolutions: None

Public Comment - None

Communication/Discussion Items:

Adjourn: A motion was made and seconded to adjourn the Land Use Board 8:45 p.m.

Sarah Jane Noll
Secretary of the Chester Borough
Land Use Board