

CHESTER BOROUGH
LAND USE BOARD
April 9, 2020

The Regular meeting of the Chester Borough Land Use Board was held at the municipal building located at 50 North Road on April 9, 2020.

Opening Statement

Chairman Kenneth Kasper called the meeting to order at 7p.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. The Land Use Board will hold a regular meeting by remote business and was previously posted. The meeting will be open to the public remotely. Details for public participation was posted on the website at chesterborough.org. The public can register at Zoom.us and to join:

https://us02web.zoom.us/webinar/register/WN_f_e7deZDTjam8RdyyHRFmw. Webinar ID 426 388 824 Password 073706

SALUTE TO THE FLAG

ROLL CALL

Present:

Mayor Janet Hoven, Class I
Kerry Brown, Class II
Kenneth Kasper, Class IV
Anita Rhodes, Class IV
Donald Storms, Class IV – late
Chris Heil, Council Representative, Class III
Stan Stevinson, Class IV
Edd Creter, Class IV
Adam Sorchini, Alternate # 1
Michael Ferrone, Alternate #2

Absent:

Paul Ferriero, Board Engineer
Stan Quintana, Alternate #3

Also Present:

Steven K. Warner, Esq., Board Attorney
David Banisch, Board Planner
Steven Bolio, Board Engineer
Sarah Jane Noll, Recording Secretary

Pledge of Allegiance

Minutes – None were circulated.

Business:

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The following applications were carried to the next regular meeting of the Chester Borough Land Use Board:

- Tack Veterinary Holdings, LLC Amended Site Plan Application 114 US Highway 206 North - Block 103, Lot 51 – ***Carried to May 14, 2020***
- Amended Preliminary and Final Major Site Plan and Variance Application The Carwash at Chester, LLC 45 Maple Avenue Block 131, Lot 5 – ***Carried to May 14, 2020.***

Ordinance Review – Redevelopment Plan @ Larison’s Turkey Farm

Ordinance No. 2020-05 Master Plan consistency Review as per 40A:12A-7.e.

David Banisch reviewed his memo dated April 8, 2020. It is his purpose to offer the Land Use Board with his professional planner’s opinion pertaining to the Land Use Board’s review authority as to whether Ordinance No. 2020-05 is, or is not inconsistent with the Chester Borough Master Plan in accordance with a review of a proposed Redevelopment Plan in N.J.S.A. 40A:12-7.e. which provides that:

“e. Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. This report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate. ...”

He reviewed the History of the Redevelopment and Background and went over the Chester Borough 2019 Master Plan Housing Plan Element and Fair Share Plan which included a list of the lots that were the subject to the redevelopment plan in 2014 and found that Ordinance No. 2020-05 is not inconsistent with the Land Use Board’s 2019 Housing Plan Element and Fair Share Plan. There is a high level of consistency between the Chester Borough Master Plan Housing Plan Element and Fair Share Plan and Ordinance No. 2020-05.

He then reviewed the 2002 Master Plan and found that Ordinance No. 2020-05 is not inconsistent with the 2002 Chester Borough Master Plan.

He reviewed the 2008 Periodic Reexamination Report. He has analyzed the Turkey Farm litigation which has been resolved and is the subject of continuing planning development. The OP Zone should be reexamined and rezone the area. He is recommending updating Block 101, Lots 13, 14, 15 & 16 and concluded that *Ordinance* No. 2020-05 is not inconsistent with the 2008 Periodic Reexamination Report.

He reviewed the 2014 Highlands Periodic Reexamination Report, Land Use Ordinance and Master Plan Element. This report identifies 36 units of affordable housing; etc. He concluded that it is his opinion that Ordinance No. 2020-05 is not inconsistent with Chester Borough’s 2014 Periodic Reexamination Report recommendations, the Highlands Land Use Element and Highlands Land Use ordinance.

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He then advised that as set forth in his review, it is his professional opinion that the Board may find that Ordinance no. 2020-05 (Redevelopment Plan for Block 101, Lots 13, 14, 15 & 16) is not inconsistent with the Borough's Master Plan.

Questions of the board – There were no questions at this time.

Kerry Brown advised that no one has called in to the meeting.

Public Portion

Chairman Kasper asked if there was any public input; and since there was no response thru Zoom, it was assumed that there was no one other than the board members; professionals and Secretary present at the meeting.

Edd Creter moved to transmit to the governing body a report that Ordinance No. 2020-05 is not inconsistent with the Land Use Board's 2019 Housing Element and Fair Share Plan; Stanley Stevinson seconded the motion which was passed by the following roll call vote:

AYES: Mayor Janet Hoven; Kerry Brown; Kenneth Kasper; Anita Rhodes; Donald Storms; Chris Heil; Stan Stevinson; Edd Creter; and Adam Sorchini

NAYS: None

Steven K. Warner, Esq., Board Attorney pointed out that only nine members can vote; no alternates.

COMMUNICATION/DISCUSSION ITEMS - NONE

PUBLIC COMMENT - NONE

Adjourn – The meeting was adjourned at 7:25 p.m. by a motion made by Kerry Brown and seconded by Anita Rhodes.

Sarah Jane Noll
Recording Secretary