

Borough of Califon Planning/Zoning Board
MINUTES
AUGUST 18, 2021
7:30 PM

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING BOARD OF THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY WILL HOLD A REGULARLY SCHEDULED PUBLIC MEETING ON WEDNESDAY, AUGUST 18, 2021 AT 7:30 PM. THE FOLLOWING IS AN AGENDA FOR SAID MEETING AND FORMAL ACTION MAY OR MAY NOT BE TAKEN ON A PORTION OF THIS AGENDA. THE PUBLIC IS INVITED AND MAY ATTEND SAID MEETING SUBJECT TO THOSE AREAS OF CONSIDERATION DESIGNATED, IF ANY, FROM WHICH THE PUBLIC MAY BE EXCLUDED PURSUANT TO SECTION 7B & 8 OF THE LAWS OF 1975.

I. CALL TO ORDER & OPEN PUBLIC MEETING STATEMENT: Chairman Art Owens called the meeting to order at 7:35 pm and read the OPMA statement

This is a regularly scheduled meeting of the Borough of Califon Combined Land Use Board. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act as follows: Notice was sent to and published in the Hunterdon County Democrat and the Hunterdon Review and the notice of this meeting was posted on the bulletin board in the Borough Municipal Building and filed with the Borough Clerk.

II. PLEDGE OF ALLEGIANCE: Chairman Owens led the meeting

III. ROLL CALL

Mayor Daniel absent	Arthur Owens present
Leo Janas present	Gill Smith absent
Thomas Bedell present	John Lynch present
Jason Ruggiero present	

Also present: Jim Kyle, Planner Catherine Innella, Planning/Zoning Secretary

V. OLD BUISNESS

1. Approval of Minutes of July 21, 2021: these minutes were tabled until the next meeting.

VI. NEW BUSINESS

1. **This hearing will be carried until September 15, 2021. No further noticing is required.**

Hearing: APPLICANT/OWNER: Califon Group, LLC
LOCATION: 101-103 Philhower Avenue, Borough of Califon
BLOCK(S): 31 LOT(S): 1

Applicant is seeking use variances to convert #101 Philhower Ave from one apartment and four offices on the second floor, and a retail store on the first floor into two second floor apartments and retain the retail store on the first floor. The applicant also proposes to convert #103 Philhower Ave. from two apartments and two offices into a two-family dwelling. The site plan also generates bulk variances; regarding impervious coverage, floor area ration and front yard setbacks.

2. Discussion of Professional Services Proposals pertaining to the Master Plan Re-Examination from Planning/Zoning Board planner, Jim Kyle, Planner will be present to answer any questions.

Jim Kyle explained that they have provided a Proposal for professional services dated August 11, 2021. The Master Plan Reexamination is something that needs to be completed. The proposal outlines the scope of work that needs to get done. The first part is they will utilize the latest master plan reexam, look at the issues that were discussed in that report, talk about the extent of any changes that have gotten done in relation to those issues, if they have gotten worse, better, etc. The second part is they will look at new issues, in addition to land use issues, policy issues that we may want to cover we should also go thru the ordinances as well. This was last looked at 14 years ago. Typically, they speak to the zoning officer to see if they have any recommendations. Some examples are to look at definitions that need to be updated, solar facilities, time of application rules, electrical vehicle charging requirements, etc. The planner will look at all of these things and then provide a summary to the board. They will typically provide a draft and then come in to go over it with the board. There are a variety of ways this step can occur; they can go ahead and just prepare the draft and then talk about issues, or they can go over ideas with the board first and then put the draft together. This will be left to the board to decide.

The proposal for the Re-examination of the master plan as well as the OSRP proposal have cost proposals included. The lump sum proposal is for budgeting purposes of \$7350. The planner will take the proposals to the Highlands Council to see if they can get grant funding for these tasks. The cost may be less depending on the number of meetings.

Given that this hasn't been done in Califon in some time it will be a fairly in-depth process and is fairly pro-formula. The land use law tells us specifically what must be covered in terms of requirements.

Art Owens brought up the point that Califon has no ordinances pertaining to rental units however Califon has rental units. Specifically conversions from one family to two family. Jim Kyle said that many of the towns they work with are looking at putting together ordinances that regulate Air B&B;s as well. Art Owens said that we need to have a way to address rentals because it effects how the homes are taxed. Jim Kyle pointed out that some of this is an enforcement issue as well. Many homes may be grandfathered because they have been multi family for so long.

Jim Kyle suggested that he sits down with the board to lay out some of the concerns prior to them preparing the draft. They will also look at ordinances that have already been created by other towns so that we aren't reinventing the wheel.

John Lynch suggested that we look at the street lighting ordinance. There is a Hunterdon county ordinance that we can look at which addresses this especially where LED's are concerned.

Leo Janas said that we should also look at Cannabis. At this time the Borough has said no to everything in large measure because the state has not formulated their plan yet. The Township Committee is forming a subcommittee to research this. If it is determined that the borough wants to allow cannabis in some aspect there will most likely be zoning that will need to be looked at.

Art Owens suggested an ordinance that talks about people encroaching on a road's right of way. Jim Kyle stated that this sounds like an enforcement issue however if it is something that is occurring frequently it doesn't hurt to identify it.

Leo Janas brought up the Dam issues in town. Art Owens stated that Raritan Headwaters may be interested in helping. Tom Bedell said this comes under multiple agencies especially since it is historic.

Jim Holland from Shannon's fly and tackle attended the meeting, he introduced himself and stated that he was attending to simply observe. He spoke briefly about what he knew about the Coles Mill Dam. Chairman Owens asked that he wait to speak further until the public comment section of the meeting.

Jim Kyle said that if anyone thinks of anything else to let him know.

Jim Kyle said that he received an email from Laura, the Municipal Clerk regarding budgeting. Basically the Land Use Board has a budget. The two proposals eclipse that budget so what was recommended is that the board review the proposals and then make a recommendation to the governing body who will discuss how to fund the work. The planner will take the proposals to the Highlands council to hopefully get some resolution fairly quickly that funds can be allocated for these projects. Jim Kyle stated that the highlands is pretty flexible regarding their grant money. The borough has about \$50,000 in grant dollars however the Highlands wants confirmation that certain tasks have been completed by the borough prior to reallocating the money. The Municipal Clerk will submit a letter to the Highlands Council.

Jim Kyle reviewed the second proposal provided by his office pertaining to the Open Space and Recreation Plan. The goal is to have an OSRP that is compliant with the NJDEP regulations. The Green Acres Program has a set scope of what they want to see in a plan. With the adoption of a plan it opens the borough up to cost sharing on acquisition and other funding that we can get from the state. Typically they pay 50% of an acquisition cost if we have an OSRP. The goal

here would be to prepare a plan that meets these requirements. We will work with the borough, the environmental commission, whoever wants to basically get involved. Part of the plan is mapping the existing open space. Luckily the county has a fairly robust inventory of open space and is available in GIS format. The other part is targeting properties for acquisition as well. We will talk about conservation objectives, mapping of streams, floodplains, wetlands, steep slopes etc. There will be a set of maps that will go into the plan showing these things, There are certain requirements, such as a ROSI that will be filed with DEP. Any public funds that are spent on properties for acquisition become part of the ROSI and have to be guaranteed public access and used for recreation purposes. The land becomes encumbered once it is on the ROSI. Art Owens brought up that the borough has been working with the county for quite a while for the area surrounding the park. This negotiation has stalled.

One of the other requirements is also that there is an Open Space Tax. Depending on how the referendum was worded, it can be used for various purposes.

Active recreation needs will also be addressed in the OSRP.

There is also a public participation requirement, how this is done is up to the board. We must hold at least one public hearing to adopt the plan. It's a good idea to invite the public for comments and thoughts.

It is Jim Kyles hope that we will get most of these plans complete by the end of the year.

The Board Secretary mentioned that we can place something in the Califon Cryer. The board would like to place a small blurb inviting the residents to come and participate in a workshop at the November 17th meeting.

The cost proposal is fairly standard for an OSRP. This will also be submitted to the Highlands council.

There were no questions from the public.

Motion made by Tom Bedell to accept the proposal dated August 11, 2021 for the Reexamination of the Master plan and recommend to the council that it be approved and funded so that the Board can proceed.

Jason Ruggiero seconded the motion

Art Owens asked if there were questions on the motion and there were none.

Roll Call Vote

Leo Janas yes

Arthur Owens yes

Thomas Bedell yes

John Lynch yes

Jason Ruggiero yes

Motion made by Tom Bedell to accept the proposal dated August 11, 2021 for the Open Space and Recreation Plan Element and recommend to the council that it be approved and funded so that the Board can proceed.

John Lynch seconded the motion

Art Owens asked if there were questions on the motion and there were none.

Roll Call Vote

Leo Janas yes Arthur Owens yes
Thomas Bedell yes John Lynch yes
Jason Ruggiero yes

VII. PUBLIC COMMENT: none

VIII. COMMENTS FROM BOARD MEMBERS:

Comments from the Land Use Board, Non-Agenda Items, Other Business to come before the board. Tom Bedell asked if there is a regulation governing a hedge or a tree which has limbs overhanging a neighbor in regards to pruning. Jason Ruggiero and Art Owens said they believed that anything over your property line can be trimmed. This is believed to be a state law.

IX. ADJOURNMENT

Motion to adjourn: Thomas Bedell

Second Jason Ruggiero

Meeting adjourned at 8:30pm



Prepared by Catherine Innella, Board Secretary

Dave approved 12-15-21