

Borough of Califon Planning/Zoning Board
MINUTES
MARCH 16, 2022
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, MARCH 16, 2022 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. Arthur Owens Called the meeting to order and read the Open Public Meeting 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. Arthur Owens led the members present in the Pledge of Allegiance

III. Roll Call

Mayor Daniel: Present, Arthur Owens: Present, Leo Janas: Present,

Thomas Bedell: Present, John Lynch: Present, Jason Ruggiero: Absent

Jason Bittay: Present

IV. Approval of Minutes: Tabled until next meeting

V. Appointment of Board Engineer

1. Adoption of Board Professional Resolution for the Borough Engineer #2022-04

Motion to adopt: Thomas Bedell Second: John Lynch

No questions on the motion

Mayor Daniel: approve, Arthur Owens: approve, Leo Janas: approve,

Thomas Bedell: approve, John Lynch: approve, Jason Ruggiero: Absent

Jason Bittay: approve

2. Adoption of Resolution Specifying Charges for Engineering on Planning/Zoning Board Applications #2022-05

Motion to adopt: Thomas Bedell Second: John Lynch

No questions on the motion

Mayor Daniel: approve, Arthur Owens: approve, Leo Janas: approve,

Thomas Bedell: approve, John Lynch: approve, Jason Ruggiero: Absent

Jason Bittay: approve

VI. Public Hearing:

- Public Hearing for the adoption of the Borough of Califon Master Plan Reexamination Report. At the time of the public hearing any interested persons may appear to ask questions and present comments in support of, or in opposition to, the proposed Master Plan Reexamination Report. The Borough of Califon Planning Board may act on the Plan at the close of the public hearing or may continue the hearing to another date.

Elizabeth McManus, Board Planner was sworn in by Johathan Testa, Board Attorney

Elizabeth McManus's firm prepared the re-examination report.

Ms. McManus stated that this is a reexamination report, not a full blown master plan. This is a master plan document that will be adopted and made part of the library. The Reexamination is owned by the Planning Board, not by the governing body. The report is compliant with NJ Statutes that dictates what needs to be included in the report. It identifies the concerns and issues identified in the last reexamination. It also asks to look at any new policies or statutes that need to be looked at. The report also provides a list of recommendations to possibly addressed. These begin on page 34 of the reexamination report which is attached to these minutes. This report covers about 15 years of policy changes and includes 22 recommendations. Ms. McManus provided a brief overview of all of the recommendations.

Ms. McManus stated that she believes that these are consistent with what was discussed with Jim Kyle the Board Planner in previous discussions.

Ms. Mc Manus stated that there are two additions to the report

Jonathan Testa stated that the original draft on March 1 needed to be amended to include Electric Vehicles which was due to a newly adopted law just passed by the state in 2021.

Notice of the hearing was posted on March 3rd in the paper, the reexamination report in its original form was posted on the website and available for review at the Municipal Building.

Ms. Mc Manus read the two new additions into the record:

E. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the Planning plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

Response: As the Borough has no redevelopment areas designated or anticipated, no recommendation is necessary.

F. The recommendations of the Planning Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts and, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

Response: The Planning Board notes the most appropriate locations for public electric vehicle infrastructure is within the HB Highway Business district. Running along County Route 513, the Highway Business district includes many commercial uses where charging infrastructure could reasonably be provided. While the GB General Business district has many commercial uses, parking areas are generally smaller in scale, with less space available for charging infrastructure. There are also historic district considerations in the GB district. Provided visual compatibility with adjacent properties and historic district considerations can be adequately addressed, the GB district may be appropriate for such charging infrastructure, although less so than the HB district.

Any changes to local development regulations required can be accommodated through incorporation of the model EV charging ordinance into Califon's ordinance.

This concluded Beth McManus's direct testimony. She then asked if there were any questions.

John Lynch: He stated that he saw that the Mill Pond and Dam may be part of the report however this was not discussed in detail at the meeting. He believes that we need goals as a municipality on how to participate in the process with outside agencies. He believes that this would be a way to ensure transparency in the process. John Lynch prepared a list of points that he believed were important to include in item #3 of the recommendations.

Jonathan Testa stated that these items could be introduced into the record, if there is any objection it could be discussed. This would be a substantial change to the report. To achieve community input and consensus the dam and mill pond committee should be created. Committee members should include mill pond and dam owners, representatives from the municipality and the relative outside agencies and associations. The purpose of the committee should be to set goals, review plans, set guidance, and provide transparency. The goals and recommendations established by the committee should include but not be limited to impact on flooding, scenic beauty, historic character, real estate value, the environment, toxicity and the marine and wetland habitat. Solutions should be sought from experts and committee members and should require committee approval, and there should be a review by the municipality and the historic commission.

Thomas Bedell stated his concern that the board may be infringing on the right of the owner of the dam. Mayor Daniel stated that a number of these concerns are discussed during the process of

dam removal as he has sat in on webinars discussing dam removals. John Lynch felt that he feels it is important to provide more transparency.

There was substantial discussion between the board members regarding involvement on the dam removal.

Jonathan Testa stated that he felt the proposal was too specific. The paragraph was amended as follows.

Removal of dams along the South Branch of the Raritan River is an issue that effects all residents of the Borough. The Millpond is a central element and amenity of Califon and contributes to its scenic beauty. It is also an important part of the history of the Borough. While the issue may not be entirely within the control of the Borough, there is certainly the ability to influence the ultimate decision. Community participation and transparency should be sought and appropriate input on the establishment of goals should be provided to those agencies involved with deciding the ultimate fate of the dams, particularly in light of the contribution the millpond makes to the historic character of the Borough.

Motion to close Board comments: Thomas Bedell

Maryann, 15 1st Street, commented that if the board wants to create a committee for the mill pond there is nothing stopping this from occurring at any point.

Jonathan Testa stated that yes this could be done at either the committee level or planning board level.

Ryan, 1 1st Street. Stated he has lived at 1st street for 2 ½ years now, they own two lots. He stated that if the dam is removed it affects him. He agrees there should be transparency and the people that live on the river should have some input.

Mrs. Lynch, Stated that he agrees with John Lynch. She feels that everyone is pulling in the same direction and everyone would like to see more transparency. She wants to know where the project stands and what direction it is moving in. What are the impacts? The key is that the people know prior to the removal.

Charlie Daniel stated that there is a process that involves community involvement and he will find out what the process is.

A question was also asked where new trails may be created. Darlene Green stated that this would occur when the OSRP is created. This is all subject to future discussion.

Tom Bedell mentioned that there is a recommendation for trails. What if there is no good spot for a trail. Darlene Green clarified that this is only a recommendation, not a requirement.

Public portion of hearing was closed.

Jonathan Testa stated that Resolution entitled “2022 Master Plan Reexamination Report” with minor changes made to recommendation #3 is up for adoption.

Motion to adopt: Tom Bedell

Second: Mayor Daniel

Questions: None

Mayor Daniel: approve, Arthur Owens: approve, Leo Janas: approve,

Thomas Bedell: approve, John Lynch: approve, Jason Ruggiero: Absent

Jason Bittay: approve

VII. Public Comment: none

VIII. Comments from Board Members on non-agenda items: John Lynch mentioned that the board spoke about planning trees. He felt that this is a good idea and should be discussed where the deer have destroyed the trees. Charlie Daniel said that this specifically refers to the property that has no name. Arthur Owens stated that the appropriate trees must be planted. Trees that like water.

IX. Adjournment: Motion to Adjourn Tom Bedell

Second: Leo Janas

Prepared by Catherine Innella

Approved June 15, 2022