

**MINUTES**

**PLANNING BOARD**

**TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**

Regular Meeting

September 7, 2016

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder in the Public Meeting Room.

Mr. Einbinder confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted in Town Hall, Board Office, and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

**Roll Call:**

Members present were Mr. Einbinder, Mr. Hall, Ms. Kingsley, Mr. Bocchino and Mr. Cunningham. Mr. Willard, Board Attorney, was also present.

**Adoption of Minutes:**

August 17, 2016

A motion was made by Mr. Einbinder, seconded by Mr. Hall, to adopt the Minutes of the Regular Meeting of August 17, 2016 as presented. The voice vote was unanimous.

**Adoption of Resolution:**

Resolution memorializing the action taken by the Planning Board on August 17, 2016, recommending the designation of the area consisting of Block 1901, Lot 35, located at 100 Locust Avenue, as an area in need of non-condemnation redevelopment as defined by the New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* The determination by the Planning Board was based on the findings of the preliminary investigation prepared and presented by Harbor Consultants, Inc.

A motion was made by Mr. Einbinder, seconded by Ms. Kinglsey, to adopt the above Resolution. The voice vote was unanimous with Mr. Einbinder, Mr. Hall, Ms. Kinglsey and Mr. Bocchino voting in favor. There were none opposed.

**Referral:**

Township Council Resolution No. 193-2016 authorizing the Planning Board to undertake a preliminary investigation utilizing Harbor Consultants, Inc. in order to recommend to

the Township Council whether the properties identified as Block 702, Lot 17, Block 702, Lot 13, Block 702, Lot 18, the Sherman Avenue Right-of-Way, the Lone Pine Drive Right-of-Way, the Sherman Avenue Easement/Right-of-Way (located on a portion of Block 702, Lots 13, 14, 15, and 17), in the Township of Berkeley Heights, or any portion thereof, as identified on the map prepared by Harbor Consultants, Inc., dated June 21, 2016, revised through August 16, 2016 (collectively, the “Study Area”), are an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5. (Township Council Resolution No. 193-2016 amends and replaces Resolution No. 153-2016 by adding the former movie theater property, Block 702, Lot 13, to the Study Area.)

Michael Mistretta, Harbor Consultants, stated that the preliminary investigation of the properties including the Kings property and the hotel site was previously authorized. Mr. Mistretta distributed an exhibit showing the property as it is to be amended to include the movie theater site. He stated that the investigation will also include the rights of way. The owners of the hotel site have submitted an application to have their approvals extended but have agreed to participate in the redevelopment study.

**Consideration of Resolution:**

Resolution memorializing the action taken by the Board on September 7, 2016, with regard to the proposed preliminary investigation referenced above.

A motion was made by Mr. Einbinder, seconded by Mr. Cunningham, to adopt the Resolution prepared by Mr. Willard approving the amendment of the area for investigation. The voice vote was unanimous with Mr. Einbinder, Mr. Hall, Ms. Kinglsey, Mr. Bocchino and Mr. Cunningham voting in favor. There were none opposed.

**Referral:**

Proposed Ordinance which was introduced by the Township Council at the Public Meeting on August 9, 2016, regarding the adoption of a Redevelopment Plan for the property identified as Block 1301, Lot 26, located at 290 Plainfield Avenue (the Township Library) pursuant to the Local Redevelopment and Housing Law. The Ordinance, along with a copy of the Redevelopment Plan for the Berkeley Heights Township Library prepared by Harbor Consultants, Inc., is submitted to the Planning Board for its review and recommendation in accordance with N.J.S.A. 40A:12A-7(e).

The Planning Board is directed to make and transmit to the Township Council, within 45 days after referral of the above referenced Ordinance, a report including an identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Mr. Mistretta presented the Redevelopment Plan dated July 15, 2016 with respect to the Library property. He stated that the Board is being asked to determine if the proposed ordinance with respect to this property is consistent with the Master Plan and to advise the governing body if it has any recommendations on the Redevelopment Plan. These properties have previously been accepted by the Board as an area in need of redevelopment.

Mr. Mistretta reviewed the Redevelopment Plan including the procedures for adoption of the Plan, the land use plan, redevelopment site planning and design standards, transportation and circulation plan, existing zoning, relationship to adjacent municipalities, and the approvals process and procedures.

Mr. Mistretta stated that he believes the Redevelopment Plan is consistent with the goals and objectives of the 2007 Master Plan.

### **Open to Public**

The meeting was opened to the public for questions or comments regarding the Redevelopment Plan.

Stephanie Bakos, Director of the Berkeley Heights Library, stated that over the years the neighbors have attempted to get the town to sell a piece of the property and there was never any interest.

The hearing was closed to the public on the motion of Mr. Einbinder, seconded by Mr. Cunningham and carried by unanimous voice vote.

Discussion took place regarding the Redevelopment Plan. Mr. Willard advised the Board on the procedure to be followed.

It was the consensus of the Board that the Redevelopment Plan is consistent with the Master Plan and that the Board had no recommendations at this time with respect to the Plan. The Board Secretary will be directed to advise the Township Council accordingly.

### **Adjournment:**

A motion was made by Mr. Einbinder, seconded by Ms. Kingsley, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 8:40 p.m.

Regina Giardina, Secretary Pro-Tem