

September 20, 2012

A regular meeting of the Allendale Planning Board was held in the Municipal Building on September 20, 2012. The meeting was called to order at 8:02 PM by Mr. Quinn, Chairman, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following members answered to roll call: Mr. Quinn, Mr. Sirico, Mr. Strauch, Mr. Fliegel, Ms. Sheehan, Mr. Sasso, and Mr. Scherb. Mr. Dunn was absent so legal representation was given by Ms. Donna Tamayne who has filled in for Mr. Dunn in the past.

Absent: Mr. Barra, Mr. Walters, and Mr. Zambrotta

On a motion from Mr. Strauch, seconded by Mr. Sirico, the minutes from the August 16, 2012 meeting were approved. Mr. Quinn abstained as he was not present at that meeting.

Mr. Quinn stated that on the agenda for that evening was the review and recommendation of Ordinance 12-17 which is an ordinance to amend Chapter 270 of the Code of the Borough of Allendale entitled "Zoning." Mr. Quinn asked Mr. Snieckus if he was involved in the process of making the ordinance. Mr. Snieckus said he was not. Mr. Strauch said he knew about the changes and could explain the ordinance to the Board as it came before the Land Use Committee. Mr. Strauch continued that when a house in town is being sold John Wittekind who is the Code Official goes to inspect the home. He looks for things like smoke detectors and has a checklist that he uses to inspect certain items before issuing a temporary Certificate of Occupancy (CO). This is only valid for thirty days which used to be tight but manageable. Mr. Strauch explained that today people can't get a mortgage in thirty days. Stephanie Tenghi who is the Zoning Board Chair and is also a real estate attorney suggested giving more time as thirty days is not enough. After the Land Use Committee discussed it the members decided to double the amount of time to sixty days. Mr. Quinn asked if it was for the new owner but Mr. Strauch said it was the responsibility of the seller. Mr. Quinn remarked that it sounded as though it was more for the seller to make sure deficiencies in the house were corrected before the new owner moves into the home. Mr. Strauch agreed and added that Allendale is not as stringent with the checklist as some other towns. Mr. Quinn asked if sump pumps were on the list and Mr. Strauch said that they are now. Mr. Strauch asked the Board members to please call the Borough Hall and make appointments for the sump pump inspections. He felt it was setting a good example for all members of all Boards in town to have their sump pumps inspected as quickly as possible.

Mr. Quinn reiterated that the matter before them was to vote on whether the wording of thirty to sixty days for the inspections would be acceptable or not to the Board. Mr. Quinn asked if there were any questions from the Board. No one had questions so Mr. Quinn introduced Ms. Tamayne who had a resolution. Ms. Tamayne read the Resolution recommending adoption of amendment to Zoning Ordinance Chapter 270, entitled Ordinance number 12-17, "Zoning". A copy is on file at the Allendale Borough Hall.

On a motion from Mr. Strauch, seconded by Ms. Sheehan, Zoning Ordinance Chapter 270 entitled Ordinance number 12-17, "Zoning" was passed by the Board.

Mr. Quinn said that he had a discussion with Mr. Snieckus on changing some of the language in the Master Plan when it comes to the various zones in town. He gave examples of the Foreit property which needs to be zoned multifamily, Trinity Episcopal Church behind the Borough Hall which is zoned multifamily but should not be multifamily, and the Arlton Road property which is not multifamily either. Mr. Quinn asked Mr. Snieckus what the process would be to change these zones. Mr. Snieckus explained to the Board that it would be a good idea to update the Land Use Plan. It is attached to the Master Plan and is a map that indicates the various uses which the Zone Plan follows. The properties were changed in the Land Use Plan but now need to be changed in their zoning so they are not zoned multifamily if they are not multifamily. Mr. Snieckus said there were two ways to go about clearing up the language. One way would be to design a resolution for the Town Council and recommend that certain things need to be addressed in the Land Use Plan. The other way would be to recommend the specifics by ordinance to the Town Council. Mr. Quinn said he liked the latter idea and Ms. Sheehan and Mr. Sirico agreed. Mr. Quinn was worried about COAH regulations and how they would change in the future and wanted to make sure the zoning was correct in the areas so that the Town would get full credit. Mr. Snieckus reminded everyone that Allendale does have a Certified Housing Plan so Allendale would get those credits. Mr. Snieckus said his concern was with the sites that were zoned multifamily and what could potentially happen to those sites in the future if nothing was done to change the zoning.

Mr. Sirico asked Mr. Strauch if he had any comments. Mr. Strauch felt the zoning changes needed to be made as Northern Highlands is zoned housing and so are sections of Crestwood Lake. If the Board didn't make changes it could be scary for the town as some of the parks could be made into houses in the future. Mr. Strauch also stated that Allendale has satisfied the Mount Laurel obligation by 101%. Mr. Snieckus added that Allendale is on the third round which is not where a lot of towns are in the process; Allendale is way ahead of most towns. Mr. Strauch added that there was a dire need for the special needs housing and the town has been very proactive in that area and that Allendale received extra credits for it. Mr. Sirico added that it was a two for one deal. Mr. Strauch felt the Planning Board had the time to do it now and the Land Use map should reflect Allendale's long term values which include the schools staying schools and the parks staying parks.

Mr. Quinn said he understood that finances are finances but wanted to see this done as quickly as possible. Mr. Fliegel asked Mr. Snieckus about religious properties and whether other towns had them zoned as such. Mr. Snieckus said they are not specifically zoned as religious and that most towns do that zone by zone. Mr. Sirico asked if they should zone the churches as religious uses as Guardian Angel for example has a large property. Mr. Snieckus said he would look at that particular use and get back to the Board. Mr. Snieckus also mentioned recreational zones as Allendale doesn't have any of those types of zones either. Mr. Sirico asked about the Celery

Farm. Mr. Snieckus suggested making it a RCW zone which stands for Recreation Conservation Wildlife zone. It requires a lot of acreage and it has certain buffer ideas for development around the zone.

Mr. Quinn will not be attending the October and November meetings due to his daughter's wedding and vacation plans. There has been nothing submitted yet on Northern Highlands application for lights. Mayor Barra has not approached the Zoning Board yet as he will wait to see which Board the application goes to before asking for help. Mr. Quinn mentioned that there are still some development escrow deficiencies from Calm Development and the Sebastian property on Albert Road. Mr. Strauch mentioned that the Sebastian property approvals have long since expired and the owners would have to resubmit plans and start all over. Mr. Sasso and Mr. Sirico asked if the taxes were paid on the property but Mr. Strauch didn't know.

On a motion from Mr. Strauch, seconded by Mr. Sirico, the meeting was adjourned at 8:28PM.

Respectfully submitted,

Diane Knispel