

TOWNSHIP OF BERKELEY
PLANNING BOARD

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4 IN THE MATTER OF:
5 REGULAR MEETING
6 -----
7 Pinewald Keswick Road
8 Bayville, New Jersey
Thursday, June 4, 2015
6:00 p.m.

9 B E F O R E:
10 Robert Winward, Chairman
11 Brian Gingrich, Member
12 John Bacchione, Councilman
13 Frederick Bell, Member
14 Domenick Lorelli, Member
15 Nick Mackres, Member
16 Richard Callahan, Member

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23 -----
24 LINDA SULLIVAN-HILL & ASSOCIATES
25 CERTIFIED COURT REPORTERS
46 SOUTH LAKEVIEW DRIVE
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2 APPEARANCES:
3 DASTI MURPHY, MCGUCKIN, ULAKY,
4 CHERKOS & CONNORS, ESQS.
5 620 W. Lacey Road
6 Forked River, New Jersey 08731
7 BY: GREGORY MCGUCKIN, ESQ.
8 Attorneys for the Board
9
10 Kelly Hugg, Secretary
11 Ernie Peters, Engineer
12 James Oris, Planner
13 Stanley C. Slachetka, Planner
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6 Carol Luciano 36
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1 MR. WINWARD: Okay. We'd like to
2 call to order the June planning board meeting.
3 Kelly, could you do the roll call and
4 declaration of quorum, please?
5 MS. HUGG: Mr. Mackres?
6 MR. MACKRES: Present.
7 MS. HUGG: Mr. Gingrich?
8 MR. GINGRICH: Here.
9 MS. HUGG: Mr. Lorelli?
10 MR. LORELLI: Here.
11 MS. HUGG: Councilman Bacchione?
12 MR. BACCHIONE: Here.
13 MS. HUGG: Mr. Bell?
14 MR. BELL: Here.
15 MS. HUGG: Mr. Callahan?
16 MR. CALLAHAN: Here.
17 MS. HUGG: Chairman Winward?
18 MR. WINWARD: Here.
19 MS. HUGG: We have a quorum.
20 MR. MCGUCKIN: Kelly, has our new
21 member been sworn in yet?
22 MS. HUGG: Yes, he took the Oath of
23 Office with Beverly this morning.
24 MR. WINWARD: Okay. We'll now have a
25 salute to the American flag and a moment of silence

1 after.
 2 (Salute to the flag and moment of
 3 silence.)
 4 MR. WINWARD: Okay. This meeting was
 5 advertised in the Asbury Park Press and the Press of
 6 Atlantic City and posted in the Clerk's Office on
 7 bulletin board as required by the Open Public
 8 Meeting Act.
 9 Please be advised there is no smoking
 10 in this building in accordance with New Jersey
 11 legislation.
 12 Okay. We have some resolutions.
 13 Maureen Mahoney and Hope Springs. Do you have them,
 14 Kelly?
 15 MS. HUGG: Yes, I do. They are
 16 signed by the secretary.
 17 MR. WINWARD: Okay. We need a vote
 18 to accept them.
 19 MS. HUGG: Okay. Mr. Mackres?
 20 MR. MACKRES: Yes.
 21 MS. HUGG: Mr. Gingrich?
 22 MR. GINGRICH: Yes.
 23 MS. HUGG: Mr. Lorelli?
 24 MR. LORELLI: Yes.
 25 MS. HUGG: Councilman Bacchione?

1 MR. BACCHIONE: Yes.
 2 MS. HUGG: Mr. Bell?
 3 MR. BELL: Yes.
 4 MS. HUGG: Chairman Winward?
 5 MR. WINWARD: Yes.
 6 And the Hope Springs?
 7 MS. HUGG: Mr. Mackres?
 8 MR. MACKRES: Yes.
 9 MS. HUGG: Mr. Gingrich?
 10 MR. GINGRICH: Yes.
 11 MS. HUGG: Mr. Lorelli?
 12 MR. LORELLI: Yes.
 13 MS. HUGG: Councilman Bacchione?
 14 MR. BACCHIONE: Yes.
 15 MS. HUGG: Mr. Bell?
 16 MR. BELL: Yes.
 17 MS. HUGG: Chairman Winward?
 18 MR. WINWARD: Yes.
 19 Okay. We have some vouchers
 20 submitted for payment. So, I'm going to read the
 21 four amounts and then we're going to vote on them
 22 collectively.
 23 We have Dasti, Murphy, McGuckin,
 24 Ulaky, Cherkos & Connors, \$4,948.90. We have
 25 Remington, Vernick & Vena for \$7,143.50. We have

1 Linda Sullivan-Hill for 965 and T&M Associates for
 2 \$5,557.18.
 3 Do we have a motion to accept these
 4 vouchers and pay them?
 5 MR. MACKRES: So forth.
 6 MR. GINGRICH: Second.
 7 MR. WINWARD: We need a roll call.
 8 MS. HUGG: Mr. Mackres?
 9 MR. MACKRES: Yes.
 10 MS. HUGG: Mr. Gingrich?
 11 MR. GINGRICH: Yes.
 12 MS. HUGG: Mr. Lorelli?
 13 MR. LORELLI: Yes.
 14 MS. HUGG: Councilman Bacchione?
 15 MR. BACCHIONE: Yes.
 16 MS. HUGG: Mr. Bell?
 17 MR. BELL: Yes.
 18 MS. HUGG: Mr. Callahan?
 19 MR. CALLAHAN: Yes.
 20 MS. HUGG: Chairman Winward?
 21 MR. WINWARD: Yes.
 22 Okay. Next on the agenda is a
 23 discussion regarding resolution 15-190-R. It's a
 24 request of planning board review of potential
 25 development of block 857, lot 11.03. And our board

1 attorney is going to address this.
 2 MR. MCGUCKIN: Thank you,
 3 Mr. Chairman. We did have a discussion with the
 4 board planner and the township planner's office.
 5 Also had an opportunity to discuss the issue with
 6 the owners of the property, which is the Berkeley
 7 Housing Authority. As a result of those
 8 discussions, we ask that this matter be tabled.
 9 There's a question as to whether or not the
 10 statutory criteria can be met for what was requested
 11 of the board planner at this time. And based on
 12 those discussions, I ask that the matter be tabled.
 13 MR. WINWARD: Make a motion to vote
 14 on that?
 15 MR. MCGUCKIN: Yes. Okay.
 16 MR. WINWARD: Do we have a motion to
 17 table this?
 18 MR. MACKRES: So forth.
 19 MR. WINWARD: And a second?
 20 MR. BELL: I second.
 21 MR. WINWARD: And a roll call.
 22 MS. HUGG: Mr. Mackres?
 23 MR. MACKRES: Yes.
 24 MS. HUGG: Mr. Gingrich?
 25 MR. GINGRICH: Yes.

1 MS. HUGG: Mr. Lorelli?
 2 MR. LORELLI: Yes.
 3 MS. HUGG: Councilman Bacchione?
 4 MR. BACCHIONE: Yes.
 5 MS. HUGG: Mr. Bell?
 6 MR. BELL: Yes.
 7 MS. HUGG: Mr. Callahan?
 8 MR. CALLAHAN: Yes.
 9 MS. HUGG: Chairman Winward?
 10 MR. WINWARD: Yes.
 11 Okay, then. We have two applications
 12 on the agenda that have asked to be carried.
 13 L&S Lacey Associates, LLC and Brian Gillikin for a
 14 minor subdivision.
 15 So, that brings us to our discussion
 16 of the 2015 master plan.
 17 MR. MCGUCKIN: That's correct, Mr.
 18 Chairman. We should carry those matters to take a
 19 motion to carry them to particular dates because of
 20 the statutory requirements as to when the board must
 21 act.
 22 I understand that L&S Lacey
 23 Associates, LLC, which is the applicant who
 24 requested the adjournment, they have asked that the
 25 matter be carried to July 2nd.

10

1 So, I would ask for a motion.
 2 MR. MACKRES: Motion to carry
 3 L&S Lacey Associates, LLC and Brian Gillikin --
 4 strike that.
 5 Motion to carry L&S Lacey Associates
 6 until July 2nd, 2015 and Brian Gillikin until
 7 August 6, 2015.
 8 MR. WINWARD: Do we have a second on
 9 that?
 10 MR. GINGRICH: Second.
 11 MR. WINWARD: Roll call, please.
 12 MS. HUGG: Mr. Mackres?
 13 MR. MACKRES: Yes.
 14 MS. HUGG: Mr. Gingrich?
 15 MR. GINGRICH: Yes.
 16 MS. HUGG: Mr. Lorelli?
 17 MR. LORELLI: Yes.
 18 MS. HUGG: Councilman Bacchione?
 19 MR. BACCHIONE: Yes.
 20 MS. HUGG: Mr. Bell?
 21 MR. BELL: Yes.
 22 MS. HUGG: Mr. Callahan?
 23 MR. CALLAHAN: Yes.
 24 MS. HUGG: Chairman Winward?
 25 MR. WINWARD: Yes.

1 Okay. Now we'll proceed, Stan,
 2 please, with the master plan re-examination report.
 3 MR. SLACHETKA: Thank you,
 4 Mr. Chairman, members of the board. This is a
 5 public hearing on the adoption of a master plan
 6 re-examination report. The board members all should
 7 have, I think, hard copies of the report. And the
 8 report has been on file pursuant to the requirements
 9 of the Municipal Land Use Law for public inspection
 10 ten days prior to the public hearing. And the
 11 reason for that is that the re-examination report
 12 makes specific recommendations as to amendments to
 13 the township's master plan. And so, therefore, a
 14 public notice and formal public hearing on this is
 15 required.
 16 This is a -- this master plan and
 17 re-examination report is being funded by a grant
 18 from the New Jersey Department of Community Affairs
 19 as part of their post Sandy Planning Assistance
 20 Grant Program. And the township received close to
 21 \$300,000 in grant funds for a variety of different
 22 planning projects related to post Sandy recovery and
 23 improving the resiliency of the township in relation
 24 to potential future storm events, similar to the
 25 event that we experienced with Superstorm Sandy.

12

1 Some of the other projects that are
 2 being undertaken as part of this program include the
 3 preparation and adoption of a flood plain management
 4 plan which will be adopted and will probably be
 5 presented to you shortly, because it's going to be
 6 adopted as part of the master plan.
 7 This master plan re-examination
 8 report, the development and establishment of a
 9 geographic information system, electronic mapping
 10 system to support the Department of Public Works,
 11 OEM, or Office of Emergency Management, and the
 12 township's planning functions providing detailed
 13 information with regards to land uses, critical
 14 facilities, environmental -- environmentally
 15 sensitive areas and a very detailed mapping on
 16 future storm events within the township, which
 17 served as support to this master plan. And some of
 18 the data information that was generated out of that
 19 GIS system we're using to provided the technical
 20 foundation for the recommendations that are
 21 contained in this master plan.
 22 Other projects include an update of
 23 the emergency operations plan for the township and
 24 an update to the hazard mitigation plan for the
 25 township; a permit automation and improvement

1 process to help speed the issuance of permits,
2 particularly for those people impacted by Sandy, as
3 well as we have a debris management plan that we
4 were working on with the township as well.

5 Because of the funding of this
6 project, this master plan re-examination report
7 specifically focuses on the need to improve
8 resiliency and recovery within the township and to
9 make the township more resilient and less impacted
10 by future storm events.

11 The fundamental focus is to -- in the
12 future, we know that these events will take place.
13 We know that there are areas of the township that
14 will -- that are vulnerable and will continue to be
15 vulnerable to storm events. The idea is to, through
16 land use decisions and zoning, to mitigate loss to
17 those impacts.

18 Fortunately enough, and as a
19 foundation to this re-examination report, the
20 township over the last five to ten years has been
21 engaged in a variety of different planning
22 activities and undertaking a comprehensive planning
23 program that creates a much more resilient and
24 sustainable community. That includes the township's
25 recently approved plan endorsement from the New

1 Jersey State Planning Commission, as well as an
2 approval from the New Jersey Department of
3 Environmental Protections under their CAFRA program
4 supporting the township's land use planning
5 framework, which includes a center based approach to
6 development with the establishment of a Town Center
7 One, Town Center Two and a variety of different
8 cores and nodes within the township.

9 In concert with the establishment of
10 those centers, a mechanism to direct development
11 away from environmentally sensitive areas and
12 towards areas where existing infrastructure exists
13 within the township, includes the township's
14 transfer development rights program. Then there's a
15 variety of other ordinances and plans that the
16 township has adopted over the last number of years,
17 including the most recent update to the land use
18 plan element and circulation plan element in 2009,
19 which establishes a very, very strong planning
20 foundation and a structure to move forward.

21 So, because of that, the
22 recommendations that are contained in this plan are,
23 really, are fine tuning of the township's overall
24 land use plan. There are recommendations that are
25 specifically focusing on some improvement in the

1 efficiency and clarification to provisions in the
2 development, regulations and zoning ordinances of
3 the township.

4 There are a variety of different
5 recommendations that are contained that recommend
6 further studies and evaluation of the town's
7 planning documents, including an update to the
8 circulation plan of the township to improve
9 circulation, fill in some of the gaps of the roadway
10 system within the township and look at other
11 transportation alternatives, such as the Western
12 Boulevard extension, to improve circulation and
13 provide opportunities for evacuation and movement
14 post storm events.

15 So, that's just one example of one of
16 the general recommendations, which I'll go through.
17 I'll highlight several of them that are really
18 important. There are quite a number of other
19 recommendations that are included. And I don't want
20 to take the time to kind of bog down the activities
21 of the board this evening. But they are spelled out
22 in very specific detail starting on page 31 of the
23 master plan re-examination report. And again, you
24 know, I'll highlight a couple of those in just a
25 moment.

1 In addition, there is an executive
2 summary that's been prepared, which not only
3 describes and highlights some of the recommendations
4 but also provides an overview of how these
5 recommendations fit into the overall planning
6 framework of the community, specifically with
7 regards to resiliency and recovery.

8 Several months ago, the township
9 prepared and adopted and approved a strategic
10 recovery planning report which highlighted the
11 impacts of Sandy, the recovery efforts that were
12 undertaken to date and created a series of
13 recommendations, including the recommendation for
14 this adoption of this master plan re-examination
15 report.

16 This master plan incorporates and
17 includes all of the various recommendations that
18 were contained in that strategic recovery planning
19 report. And that report provides, as well, a
20 technical foundation for this master plan.

21 We have two presentation boards which
22 are reproductions of maps that are in the master
23 plan -- the master plan re-examination report. I
24 don't know if you want us to mark those.

25 MR. MCGUCKIN: Yeah, I think it would

1 be appropriate.

2 MR. SLACHETKA: Sure. No problem.

3 MR. GINGRICH: Turn them sideways a
4 little bit.

5 MR. SLACHETKA: Yeah. Sure.

6 The first of these is a flood hazards
7 map, as identified, flood hazards, Berkeley
8 Township, Ocean County, New Jersey. What would you
9 like to mark it? MP-1.

10 And then the second map is the land
11 use plan map, which, again, is part of the
12 re-examination report. And I'll mark that MP-2.

13 (The Flood hazards map was marked as
14 MP-1 for identification.)

15 (The Land use plan map was marked as
16 MP-2 for identification.)

17 MR. MCGUCKIN: What was MP-1 again?

18 MR. SLACHETKA: MP-1 is the flood
19 hazards map. And MP-2 is the land use plan map.

20 And looking at the MP-1, the flood
21 hazards map, which shows the various flood hazard
22 areas within the township based on current FEMA
23 information, one of the -- without dwelling on all
24 the details of the mapping, I think it's important
25 to note that most of the areas where those flood

1 hazards exist are east of Route Nine.

2 And if, in fact, you look at the
3 strategic recovery planning report and the data
4 information that has been prepared as part of the
5 GIS, looking at potential future storm events at the
6 properties located to the east of Route Nine are in
7 the most vulnerable areas of the township.

8 A benefit -- and, again, as I
9 mentioned, that the township's existing land use
10 plan and zoning ordinances, actually, as I
11 mentioned, establish a sound planning framework in
12 relationship to the hazards that are exhibited
13 within the township.

14 The areas east of Route Nine, for the
15 most part, are in lower density or in conservation
16 areas, both on the existing master plan documents,
17 as well as in the township zoning. So, to the
18 extent of looking at coastal impacts, there are
19 going to be areas located in this general location
20 that are going to be vulnerable to future storm
21 events. Those are existing development areas.

22 There's not an intent to reduce or
23 retreat or move from those areas, but to make them
24 more resilient moving forward and to utilize the
25 existing lower densities and conservation areas as

1 part of the overall mitigation strategy. And,
2 again, the township's overall land use planning
3 framework, the comprehensive planning framework, has
4 been to direct growth and development into the
5 various centers that have been identified and away
6 from environmentally sensitive or vulnerable areas
7 within the township.

8 Just want to highlight some key
9 recommendations that come out of the proposed master
10 plan. And specifically, as we noted, the land --
11 with regards to the overall land use plan map, we
12 are not making any fundamental alterations or
13 changes. There's some technical corrections and
14 some minor revisions to reflect existing conditions.
15 But for the most part, the land use plan map that is
16 in the 2009 land use plan element essentially is the
17 new land use plan map that's recommended as part of
18 the re-examination report.

19 Couple of items with regards to that.
20 The pulverizing site had been previously identified
21 as a potential TDR, transfer development rights,
22 sending district. That's not included this time
23 around because that was not included in the final
24 transfer development rights element that was adopted
25 as part of the master plan. And then the LI

1 district more accurately reflects the existing uses
2 in the zoning versus what was expressed in the 2009
3 master plan.

4 The one thing, one important
5 recommendation with regards to the land use plan and
6 the overall proposed zoning framework for the
7 township is that in the highway business districts,
8 the HB districts along Route Nine, what is
9 recommended currently in those districts, in those
10 HB districts, multifamily residential housing is
11 permitted in those districts. And the HB districts
12 are both on either side of Route Nine, on the
13 western side and the eastern side.

14 As we noted, the eastern side of
15 Route Nine is particularly an area that is
16 vulnerable to future storm events, especially major
17 storm events, moving forward. So, what we are
18 recommending as part of the zoning plan moving
19 forward is that the multifamily residential uses be
20 eliminated from the HB district. That strictly
21 those HB, which is the highway business district, be
22 limited to nonresidential commercial uses. And this
23 would serve two important goals and objectives for
24 the master plan. First of which, it would emphasize
25 and reemphasize the original intent of the center

1 base development, which would be to include where
 2 multifamily residential would be appropriate, would
 3 be in the centers and not outside of the centers.
 4 It also would move more significantly -- more
 5 significant residential populations away from more
 6 vulnerable areas. And then it would also serve as
 7 an improvement from the standpoint of circulation
 8 to, again, concentrate the development where it is
 9 already recommended and called for.

10 I should point out, this is not
 11 moving new residential development that was planned
 12 for in the HB districts into the centers, but just
 13 simply limit, as it's called for right now, the
 14 multifamily residential development in those centers
 15 and eliminate it from the highway business
 16 districts. So, essentially, it's creating -- it's
 17 improving the land use planning framework for the
 18 community and also helping to improve the resiliency
 19 of the township as well.

20 There's a variety of different, other
 21 recommendations with regards to the zoning, which
 22 are really technical in nature. Based on the
 23 discussions that we had with the subcommittee and
 24 with the zoning officer of the township, we
 25 identified a variety of different technical

1 corrections and changes and improvements within the
 2 general recommendation that -- and this was an
 3 important thing that came out of the committee's
 4 deliberations -- was that the idea was to clarify
 5 and simplify the township's ordinances. So, that is
 6 recommended within the confines. The overall -- an
 7 overall arching goal is, in the future, to look at
 8 areas where the ordinance can -- the ordinance
 9 language could be less confusing, more clear and
 10 more direct in terms of the intent. But there's
 11 some areas regarding conditional uses, specifically
 12 lot coverage requirements in the HB zone district.

13 Looking at the subdistricts that are
 14 described in the R-60 and RF residential zone
 15 districts, and looking at the residential two-family
 16 zone, where there's some contradictory language and
 17 there's some need for clarification and update of
 18 the language. And that specifically, without going
 19 through all the details about it, those are
 20 specifically recommended, as well as a boundary
 21 clarification for what's called corridor, note C,
 22 which is one of the receiving districts, to make it
 23 consistent with what is expressed within the TDR
 24 plan element, which was adopted by the planning
 25 board.

1 Then, finally, as I recommended or
 2 noted, there are a variety of different
 3 recommendations with regards to looking forward in
 4 terms of new planning studies and analysis to help
 5 the community moving forward to being more
 6 sustainable and more resilient moving forward. And
 7 one of those being the adoption of a -- the
 8 preparation and adoption of a community
 9 vulnerability analysis as part of the -- as a
 10 follow-up to the post Sandy planning assistance
 11 grant work that we're doing right now.

12 And then, finally, we also are
 13 recommending a continued implementation of the
 14 township's transfer development rights program as
 15 part of the, part of the overall planning framework.
 16 So, essentially, we're reinforcing or reaffirming
 17 the various planning objectives that have been
 18 established. Doing some fine tuning. Addressing
 19 some of the issues or concerns that were raised by
 20 the subcommittee in our discussions and
 21 deliberations, particularly in the areas where
 22 there's a need for the increase in ratables, which,
 23 again, the revisions to the HB district, I think,
 24 goes hand-in-hand with that, providing more
 25 opportunities for the increase in ratables and

1 nonresidential development in the highway districts
 2 where they belong. And, overall, providing a
 3 planning framework that provides an improved
 4 resiliency and potential for better recovery within
 5 the township moving forward. So, having said that,
 6 that is the presentation on the master plan.

7 One last note, though. DCA,
 8 Department of Community Affairs, who's our funding
 9 agency -- and this is funded, as I said, entirely by
 10 a grant from the Department of Community Affairs,
 11 the township did not have to pay for this master
 12 plan re-examination -- we've provided them with a
 13 copy of this draft for their review and we received
 14 feedback that they're favorably disposed to this.
 15 They are, basically, if the planning board adopts
 16 this, that it is consistent with the requirements of
 17 the grant, and they would be inclined to approve of
 18 the proposed re-examination report. That's it.

19 MR. WINWARD: Okay. We'd like to now
 20 open this up to a public discussion. If there's any
 21 members of the public that have comments, to go on
 22 record.

23 MS. BOZINIS: Hi, how are you?
 24 Cheryl Bozinis, 74 Pleasant Valley Court.
 25 My question tonight just centers

1 around creating a new ordinance or changing an
2 existing one. Jim told me a couple months ago that
3 in order to change an ordinance, it needed to be
4 presented with the master plan re-examination
5 report. So, that's why I'm here tonight. Here we
6 are.

7 You guys changed an ordinance back in
8 September, 14-25-OA, to allow for 100 percent
9 affordable housing financed by means of tax credits,
10 along our highway business zone. So, I'm asking the
11 re-examination committee, which I believe is
12 comprised of John and Domenick and Nick, I'm asking
13 that when you guys meet after this master plan is
14 adopted tonight, that you consider changing the
15 specific ordinance that I just mentioned back to its
16 original form, taking out the 100 percent affordable
17 housing component, because we don't need it.

18 I think that when you guys did
19 approve it back in September, you just didn't have
20 the right numbers. You might have been misinformed.
21 But we now know that we almost double our COAH
22 obligations. So Greg can back me on that.

23 MR. MCGUCKIN: We have met our
24 obligations more than twice. That's correct.

25 MS. BOZINIS: Oh, right. We almost

1 double. And so, I'm just asking that when you do
2 meet, that you change the ordinance back or create a
3 new one without that verbiage in it. Is that
4 possible?

5 MR. MCGUCKIN: Well, why don't we let
6 Jim answer that. I think the answer was given in
7 testimony.

8 MR. ORIS: Through the Chair, if I
9 may.

10 Ms. Bozinis, yes, the answer is
11 the -- after the master plan update is complete,
12 there are several ordinances that will be looked at
13 in terms of zoning. There are several areas of the
14 community that we're going to look at. And
15 Mr. Slachetka had mentioned that the highway
16 business zone is one of those areas, which is the
17 area that you're speaking of with regard to that
18 specific ordinance.

19 MS. BOZINIS: Right.

20 MR. ORIS: So, to answer your
21 question, the governing body, through their
22 administrative law committee, would take a look at
23 the master plan update once it's approved by the --
24 if it's approved by the planning board.

25 MS. BOZINIS: Right.

1 MR. ORIS: And they would implement
2 the recommendations. So, just maybe I -- maybe I
3 misspoke when we spoke, but the intent is that we're
4 looking at all of the zoning in town. This area is
5 one of them, as a part of the master update.

6 MS. BOZINIS: Okay.

7 MR. ORIS: And once the master plan
8 update is complete, then we're going to
9 comprehensively look at all the zones and make
10 ordinance amendments consistent with the master plan
11 update.

12 MS. BOZINIS: Okay.

13 MR. ORIS: And that would come from
14 the subcommittee of the governing body --

15 MS. BOZINIS: Okay.

16 MR. ORIS: -- to the planning
17 board --

18 MS. BOZINIS: Okay.

19 MR. ORIS: -- as a recommendation.
20 That recommendation will be consistent with the
21 master plan update.

22 MS. BOZINIS: Okay.

23 MR. ORIS: And maybe Mr. Slachetka
24 will want to say a few more words.

25 MS. BOZINIS: Okay.

1 MR. SLACHETKA: Yeah, and I think
2 what's really important, just so the record is
3 straight, it's not just affordable housing that
4 we're recommending be eliminated from the HB
5 district, but all provisions for, for multifamily
6 housing. So, it's not just targeting affordable
7 housing, but we're looking at all multifamily
8 housing within the HB district.

9 MS. BOZINIS: Okay.

10 MR. ORIS: The whole area.

11 MS. BOZINIS: So, forgive me here
12 because I'm just trying to, like, wrap my head
13 around this. So, the town centers, will they be --
14 could they be opened to 100 percent affordable
15 housing, then?

16 MR. ORIS: Yeah, so the town -- the
17 town center areas are where Town Center One and --

18 MS. BOZINIS: Right.

19 MR. ORIS: -- Town Center Two are
20 where the master plan is recommending that --

21 MS. BOZINIS: The multifamily units,
22 right.

23 MR. ORIS: -- housing, specific
24 housing units would be directed to.

25 MS. BOZINIS: Okay.

1 MR. ORIS: Right now, there are areas
 2 of the community where multifamily housing is
 3 permitted, which would include an affordable housing
 4 component.
 5 MS. BOZINIS: Right.
 6 MR. ORIS: This, in the current
 7 master plan that -- the update that's in front of
 8 the planning board tonight --
 9 MS. BOZINIS: Uh-hum.
 10 MR. ORIS: -- again, the
 11 recommendation is to eliminate that use in the HB
 12 zone.
 13 MS. BOZINIS: Right.
 14 MR. ORIS: That's not necessarily
 15 stating, and I think Mr. Slachetka indicated we're
 16 not -- we're not stating that we should move any
 17 development, affordable housing development,
 18 multifamily housing development, to the town
 19 centers. But there are, in the current town center
 20 districts, multifamily housing is one of the uses.
 21 MS. BOZINIS: Right.
 22 MR. ORIS: Low density, low density
 23 residential --
 24 MS. BOZINIS: Okay.
 25 MR. ORIS: -- as well as multifamily

1 residential, are a permitted use in those town
 2 center districts. So, it's not like we're moving
 3 from one area to another. We're just saying, the
 4 master plan update recommends in the HB zones --
 5 MS. BOZINIS: Uh-hum.
 6 MR. ORIS: -- that that should not be
 7 used, residential multifamily housing should not be
 8 in the HB zone.
 9 MS. BOZINIS: So, okay, let me just
 10 make sure I understand. So, the ordinance that I'm
 11 talking about, it still applies, though, to the
 12 multifamily units in the two town centers with this
 13 new master plan, though, right? That's my concern.
 14 I want -- I'm asking for that affordable housing
 15 component to be taken out. It didn't need to be put
 16 in in the first place. And if you guys go back and
 17 review those numbers, you'll see that. That's all
 18 I'm asking.
 19 MR. ORIS: Right.
 20 MS. BOZINIS: Yeah.
 21 MR. ORIS: So, I think I better
 22 understand your question.
 23 MS. BOZINIS: Okay.
 24 MR. ORIS: When the ordinance is
 25 crafted, then that would be, the specifics of the

1 ordinance change --
 2 MS. BOZINIS: Okay.
 3 MR. ORIS: -- for that specific zone.
 4 MS. BOZINIS: Right.
 5 MR. ORIS: Okay. This kind of, the
 6 master plan sets the framework for future zoning and
 7 ordinance changes.
 8 MS. BOZINIS: Okay.
 9 MR. ORIS: So, this document is going
 10 to set the framework for recommendations.
 11 MS. BOZINIS: Okay. Right.
 12 MR. ORIS: Then there will be a
 13 subsequent recommendation from the governing body
 14 about ordinance amendments consistent with the
 15 master plan.
 16 MS. BOZINIS: Right. So, it's
 17 possible. Okay. Thank you. So, it's possible then
 18 that with recommendations, I guess, from what's been
 19 changed with the master plan, you may consider
 20 changing this ordinance; is that correct?
 21 MR. ORIS: That is correct.
 22 MR. SLACHETKA: I do want to clarify,
 23 though, that we are not -- this -- the master plan
 24 is not recommending any changes in the current
 25 zoning within the town center areas. In fact,

1 actually, the Town Center One is governed by a
 2 redevelopment plan. And so, that's the -- that
 3 governs the types of uses, what the mix of uses are.
 4 That is not being recommended to be changed.
 5 MS. BOZINIS: Okay. My concern was
 6 just that this ordinance is like an umbrella over
 7 those two town centers. So that's why I was just
 8 asking that you consider just taking those words
 9 out. They weren't there to begin with. That's all
 10 I'm asking, that you consider that, revisit the
 11 numbers, where we sit with our COAH obligations and
 12 just take those words out.
 13 MR. ORIS: Okay.
 14 MS. BOZINIS: That's all I'm asking.
 15 Is that possible? Yeah?
 16 MR. ORIS: Yes.
 17 MS. BOZINIS: Thank you.
 18 MR. ANTON: Yes. My name is
 19 Charles Anton, 40 Symphony Avenue. I just have a
 20 couple questions on the master plan. I think it's
 21 terrible that the State is not giving us more, what
 22 do you want to call it, help in developing
 23 Route Nine. There's a paragraph in here on page 12
 24 that says, recommendation from 2008 re-examination
 25 report. It says, back in 2003, we were addressing

1 Route Nine. And it said they decided to move
2 forward in 2008. And then it says, our vision in
3 2020 is to receive, you know, get these goals of
4 Route Nine to be a, you know, emergency route and
5 everything, you know, for traffic. And it says, the
6 last thing says, to date, the New Jersey Department
7 of Transportation has not prepared a plan. However,
8 this remains an ongoing priority.

9 Well, to me, that's a lot of years
10 gone by. If that many are passed now since 2003,
11 2020's not, you know, around the corner. If we
12 don't see something get going by the State, I mean,
13 you know, we got all these lawyers and stuff here.
14 I mean, I would think they'd be on the state every
15 day to find out what's going on, whether we can't
16 get some better roads in here to get traffic through
17 the town. Because the last few days, if you look,
18 travel on Route Nine, it's terrible. It's getting
19 worse and worse. I mean, every summer we go through
20 this.

21 MR. MCGUCKIN: I can tell you that
22 Mayor Amato and the Freeholders have repeatedly
23 demanded, requested, begged the State of New Jersey
24 to conduct a traffic plan for Route Nine
25 improvements from the Lakewood border to at least

1 down to Tuckerton.

2 Those requests have fallen on deaf
3 ears. We have repeatedly made those requests. I
4 know this administration has done so here in
5 Berkeley Township. I know other towns along the
6 Route Nine corridor have done the exact same thing.

7 MR. ANTON: Well --

8 MR. MCGUCKIN: The state says they're
9 broke. They have no money. And they're not going
10 to send it to widen Route Nine at this juncture.
11 Though, all I can tell you is that unless we
12 continue to demand and ask and seek to pressure
13 them, it's never going to happen. So, never say
14 never. The effort will continue. And that's all I
15 can tell you.

16 MR. ANTON: I mean, they had to start
17 at it up north in Monmouth, you know, Middlesex
18 County, Monmouth County. They went right to
19 Lakewood, like --

20 MR. MCGUCKIN: Stopped right in the
21 middle of Lakewood.

22 MR. ANTON: And they stopped right
23 there. I mean, I understand going through a town,
24 if you don't do around, you know, go around it like
25 they did over in the Princeton area. But, you know,

1 that's tough to go through a town. But this was --
2 this was rural area ten years ago. Not as quite as
3 built up as it is now. They should have foreseen it
4 and kept going Route Nine.

5 MR. MCGUCKIN: Every member of the
6 current administration, I believe every member of
7 this planning board would completely agree with you.

8 MR. ANTON: And the only other
9 question I had is, I've looked through this 80 pages
10 or whatever it is. Made a copy of a couple. But
11 they say that your town center, the first, number
12 one is Beachwood Plaza. And then it keeps talking
13 about a second town center. Where, where exactly is
14 the second town center?

15 MR. ORIS: Through the chair, if I
16 may. Town Center Two is generally in the area of
17 the Shop Rite.

18 MR. ANTON: Oh, okay.

19 MR. ORIS: That's the area known as
20 Town Center Two.

21 MR. ANTON: And then what about the
22 light industrial?

23 MR. ORIS: It's actually off of
24 Hickory Lane is the best way for me to explain it.

25 MR. ANTON: In the back, okay.

1 MR. ORIS: Yeah.

2 MR. ANTON: All right. That's all I
3 have. Thank you.

4 MS. LUCIANO: Carol Luciano.
5 103 23rd Avenue, South Seaside Park.

6 I have just a few questions. Could
7 you please explain the difference between island
8 residential A and island residential B.

9 MR. ORIS: Ms. Luciano --

10 MS. LUCIANO: Yes.

11 MR. ORIS: -- while Mr. Slachetka
12 looks at that, I'm assuming you're referring to the
13 land use.

14 MS. LUCIANO: In South Seaside Park.

15 MR. ORIS: Right. Is there --

16 MS. LUCIANO: It would be --

17 MR. ORIS: For the board's
18 information, the land use plan map.

19 MS. LUCIANO: It would be between --
20 yes, correct, the land use plan, MP-2.

21 MR. ORIS: So, on the land use plan
22 map, there's an inset.

23 MS. LUCIANO: Correct.

24 MR. ORIS: And if I remember right,
25 the land use plan map was MP-2.

1 MS. LUCIANO: MP-2, correct.
 2 MR. ORIS: And on there, there's
 3 designations by color.
 4 MS. LUCIANO: Yes.
 5 MR. ORIS: So, I'll let Mr. Slachetka
 6 explain that.
 7 MS. LUCIANO: Okay. Thank you.
 8 MR. SLACHETKA: And this actually
 9 goes back to recommendations that were contained in
 10 the 2009 master plan document.
 11 And, essentially, the idea, the
 12 difference between the designations was to reflect
 13 the different lot sizes and characteristics of each
 14 of those specific areas within the island district.
 15 Essentially, what it called for is, what they
 16 categorized at the time was provide context
 17 sensitive residential and commercial standards for
 18 this unique island neighborhood.
 19 What this master plan set recommends
 20 is a re-review re-examination of that recommendation
 21 with additional public input in the process to make
 22 sure that whatever changes in the zoning that take
 23 place, if any --
 24 MS. LUCIANO: Uh-hum.
 25 MR. SLACHETKA: -- would accurately

1 reflect both existing characteristics, but also
 2 provide adequate public input into the process.
 3 So, essentially, that's the basic
 4 difference between the different residential
 5 districts is looking at the lot sizes.
 6 MS. LUCIANO: Okay. And those zoning
 7 change would take place how? At the zoning board
 8 meeting?
 9 MR. SLACHETKA: No, no. That
 10 would --
 11 MS. LUCIANO: Right.
 12 MR. SLACHETKA: -- take place -- that
 13 would have to, again, have to be introduced,
 14 ordinance would need to be introduced by the
 15 governing body. And, again, after a sufficient
 16 public input. And then that ordinance would be
 17 referred to the planning board for the planning
 18 board's review and comment. And then there would,
 19 finally, there would be a second reading public
 20 hearing on the ordinance pursuant to the
 21 requirements of the Municipal Land Use Law.
 22 MS. LUCIANO: Okay. And my next
 23 question is regarding the mixed use, because our
 24 condominium is being changed from residential on the
 25 previous map, land use map, as you state is current,

1 to mixed use.
 2 MR. SLACHETKA: Which one? Which?
 3 I'm sorry. Which one?
 4 MS. LUCIANO: It's on the corner of
 5 23rd. In your report, you have a current land use
 6 map.
 7 MR. SLACHETKA: Yes. And, again,
 8 that was a land use category that was recommended as
 9 part of the land use plan element.
 10 MS. LUCIANO: Uh-hum.
 11 MR. SLACHETKA: We didn't change
 12 that, because we didn't look into that in detail.
 13 That would have to be part of any reassessment and
 14 re-evaluation of the zoning in that area. So,
 15 again, the idea here is, what we want to do is have
 16 zone districts which are consistent with the
 17 characteristics of the area.
 18 MS. LUCIANO: Uh-hum.
 19 MR. SLACHETKA: But, again,
 20 providing, reflecting appropriate public input. So,
 21 essentially, what we did do was just carried over
 22 the prior recommendations, because --
 23 MS. LUCIANO: Right.
 24 MR. SLACHETKA: -- we feel that this
 25 area needs further study and evaluation. So, we

1 made no change.
 2 MS. LUCIANO: All right. So, I mean,
 3 I understand the land use is not specific to the
 4 zoning. But mixed use, what type of characteristics
 5 can things be there, or that's determined by zoning?
 6 MR. SLACHETKA: Yeah, that would,
 7 that would be determined by zoning. Typically, when
 8 you call mixed use, it's like uses that include a
 9 combination of residential and commercial uses.
 10 That's typically the common understanding of mixed
 11 use, retail maybe on the first floor and residential
 12 on the upper floors. But the specifics are not
 13 spelled out. This is just a general land use
 14 category that's being recommended. But it's,
 15 essentially, we're not changing the prior
 16 recommendation. So, that's the recommendation
 17 that's on the books right now in the land use plan.
 18 MS. LUCIANO: Right.
 19 MR. SLACHETKA: As I said, this
 20 re-examination report is recommending another look
 21 at that, a re-evaluation of those recommendations
 22 from the 2009 report.
 23 MS. LUCIANO: Okay. And when you
 24 refer to the island's unique character, can you
 25 give, like, a more specific? Like, what are you

1 looking to create?
 2 MR. SLACHETKA: And actually,
 3 that's --
 4 MS. LUCIANO: Because we are very
 5 unique.
 6 MR. SLACHETKA: And that's -- that is
 7 just language that's included in the prior master
 8 plan re-examination.
 9 MS. LUCIANO: Okay.
 10 MR. SLACHETKA: We just noted what
 11 the prior master plan said.
 12 MS. LUCIANO: All right. Okay.
 13 Thank you.
 14 MR. FULCOMER: Jim Fulcomer, 356
 15 Roberts. A question on South Seaside Park and
 16 Pelican Island. Are there any recommended changes
 17 in this master plan update in regard to those two
 18 areas?
 19 MR. SLACHETKA: Actually, we were
 20 just -- as I was just saying, the land use plan map
 21 that's included in this master plan re-examination
 22 report essentially just reflects and carries over
 23 the recommendations in the 2009 report, but
 24 recommends a reassessment or re-evaluation of those
 25 recommendations with appropriate public input.

1 MR. FULCOMER: All right. Now, the
 2 present -- the area that the young lady just talked
 3 about, the condominiums, are those zoned now for
 4 residential use, as she indicated? And that there's
 5 just a standing recommendation that it be changed to
 6 mixed use; is that correct?
 7 MR. SLACHETKA: That's what the 2009
 8 master plan re-examination report said. They
 9 recommended it be, the land use category be changed
 10 to mixed use.
 11 MR. FULCOMER: But that hasn't
 12 happened yet, has it?
 13 MR. SLACHETKA: No. In fact, none of
 14 the -- none of the recommendations that were
 15 included in the 2009 report have been implemented.
 16 MR. FULCOMER: Right. I would just
 17 say at this point that most of the people that I
 18 know who live in that area that is currently
 19 residential, would be very upset if it were changed
 20 to mixed used. I don't think -- let's say if I were
 21 in a condominium and everybody was in a condominium
 22 top to bottom, I don't think I would like the bottom
 23 floor turned into commercial use. I think that
 24 would upset me greatly. I think that would upset
 25 other people.

1 Most people, in my experience, who
 2 are in strictly residential areas that are
 3 residential generally don't like the encroachment of
 4 commercial activity into their residential zones.
 5 So, I just mention that. Because, actually, South
 6 Seaside Park, except for the narrow area along
 7 Route 35, is very residential. And I think there
 8 would be -- people would be very upset if the
 9 residential character of the area were diminished in
 10 any way.
 11 MR. ORIS: Through the Chair. Mr.
 12 Fulcomer, so, again, as Mr. Slachetka had stated,
 13 the recommendation of this master plan carries
 14 forward the 2009 recommendations and specifically
 15 references the need for additional public input from
 16 the residents of the island area, island district.
 17 So, the master plan update recommendations will
 18 allow that type of input that you're talking about.
 19 And, as a matter of fact, I believe, I know Berkeley
 20 Township would want to make sure we get that type of
 21 input from our residents on the island.
 22 MR. FULCOMER: But that
 23 recommendation is to change a residential area into
 24 a mixed use area.
 25 MR. ORIS: It's consistent with the

1 2009 update. So --
 2 MR. FULCOMER: I understand. But
 3 maybe the 2009 update was a mistake and that
 4 recommendation should not have been made. I just
 5 bring that to your attention.
 6 MR. ORIS: Thank you for your
 7 comment.
 8 MR. FULCOMER: Thank you.
 9 MS. DOLOBACS: Hi. Pat Dolobacs,
 10 107 Beach Drive, South Seaside Park. I talked to
 11 you guys last month about Bay Beach. Is there
 12 anything in the master plan at all about our bayside
 13 beaches or an area for a boat ramp or a pier? Is
 14 there -- has anything been incorporated at all?
 15 MR. SLACHETKA: Not specifically.
 16 However, the master plan re-examination report calls
 17 for an evaluation of new open space and recreation
 18 areas in the township as part of an update of an
 19 open space and recreation plan element. So, that,
 20 obviously, would be something that could be
 21 considered as part of that exercise, as part of the
 22 update of the open space and recreation plan.
 23 MS. DOLOBACS: Okay. I don't know if
 24 this is out of line. But as we talked about last
 25 time, there are least four bay beaches on the

1 mainland. Is there any way of putting in something,
2 verbiage saying that South Seaside Park, you know,
3 not just the township, but something in the verbiage
4 where South Seaside Park would be considered?

5 MR. ORIS: Ma'am, as Mr. Slachetka
6 indicated, evaluation of recreational open space
7 throughout the entire community is recommended. I
8 understand or I respect your comment. What you're
9 asking for is specific to South Seaside Park.

10 MS. DOLOBACS: Right.

11 MR. ORIS: The generic comment for
12 the entire town covers that. So, from a, you know,
13 the actual document that's in front of the planning
14 board tonight, in my view, I believe that covers the
15 fact that the entire community, including the island
16 district, will be looked at for additional
17 opportunities. Having said that, that needs to be
18 married with available public land. So, when you
19 look at the areas in South Seaside Park and areas
20 where you would like to create bay beaches or boat
21 ramps --

22 MS. DOLOBACS: Right.

23 MR. ORIS: -- the town would need to
24 have the available land to do so. So that would be
25 a part of an overall review. But currently, we

1 would need to look at what town owned property is
2 available, which I don't believe there's that many.
3 There's right-of-ways and areas of road that have
4 been used as waterfront access. But we really would
5 need to look at what property is inventoried and
6 owned by the municipality. We can't commandeer and
7 use private property, of course.

8 MS. DOLOBACS: Right.

9 MR. ORIS: So we would need to look
10 at that when we look at the entire town for
11 recreation and open space.

12 MS. DOLOBACS: I guess I'm just
13 saying, I hope that you will consider South Seaside
14 Park when you do go ahead and do this.

15 MR. ORIS: Absolutely. We most
16 certainly will.

17 MS. DOLOBACS: Thank you.

18 MR. BACCHIONE: Ms. Dolobacs?

19 MS. DOLOBACS: Yeah.

20 MR. BACCHIONE: Through the Chair.

21 MR. WINWARD: Yes. Go ahead.

22 MR. BACCHIONE: The town council at
23 the last meeting adopted a resolution to ask the
24 State to lease to Berkeley Township the Wheelhouse
25 Marina property which has the boat ramp. So, that

1 would be a boat ramp that Berkeley Township
2 residents would --

3 MS. DOLOBACS: And there would be a
4 pier there probably for crabbing, too.

5 MR. BACCHIONE: There's a pier there
6 as well that needs repair but it's -- we're going to
7 throw it at the State and see if the State will
8 consider leasing that to Berkeley Township. So it
9 will give you the boat ramp and a pier.

10 MS. DOLOBACS: I will say this: I
11 sent a letter to council at least two years ago,
12 suggesting that when, you know, the Wheelhouse went
13 down and it was the building there, I said it was a
14 small building, but we could use it as a rec hall.
15 The area was there for parking, for fishing, for
16 boating. And nothing was ever done. In fact, I
17 never got an answer back.

18 MR. BACCHIONE: As you know, we lost
19 the building after Sandy.

20 MS. DOLOBACS: Oh, I know that. It
21 was -- it was a good thing it was lost.

22 MR. BACCHIONE: And the north side of
23 that property has been rehabilitated --

24 MS. DOLOBACS: Right.

25 MR. BACCHIONE: -- by Berkeley

1 Township.

2 MS. DOLOBACS: Right. I do know
3 that.

4 MR. BACCHIONE: So, we're considering
5 the rest of it.

6 MS. DOLOBACS: That's good.

7 MR. BACCHIONE: If the State agrees,
8 then you'll have your boat ramp.

9 MS. DOLOBACS: All right. Thank you.

10 MR. MACKRES: Through the Chair.

11 MR. WINWARD: Yes. Go ahead.

12 MR. MACKRES: Going on Councilman
13 Bacchione's comment on that, ma'am, we did also look
14 at that in committee. The main purpose of the
15 master plan being redone was for Hurricane Sandy and
16 what it could do to help in the future to, you know,
17 mitigate major storms like that again. So, it was
18 looked at for zoning. Zoning could change certain
19 areas.

20 We looked at roadways. Of course,
21 you'll have information on that later. We looked
22 at, you know, all the coastal flooding areas. So,
23 you see these maps, a lot of detail has gone in
24 there.

25 One of the other major things we

1 looked at was on the island, face the bridge, if it
2 ever was an issue, how could we get emergency
3 personnel over there. So, that was one of the
4 things Councilman Bacchione was talking about. But
5 now you start going into great details. And this is
6 higher arching and higher view. And those details
7 would have to get Office of Emergency Management,
8 the police, the fire, everybody get involved. It
9 gets much, much more detailed. So, we stuck at the
10 higher level view, you know, a play on the words.
11 You know, we're stuck at the 30,000 foot level of
12 the master plan, what we're doing over here, you're
13 asking us to go down to the --

14 MS. DOLOBACS: Fifteen.

15 MR. MACKRES: Yeah, 15 to --

16 MS. DOLOBACS: Ten would be better
17 but I'll take 15. Thank you.

18 MR. MACKRES: So, we did look at it.
19 So, thank you.

20 MR. FULCOMER: Yeah, I just have one
21 question. Berkeley Fish Market has been purchased
22 by the State of New Jersey for Island Beach State
23 Park, is that my understanding. So, that should be
24 rezoned, shouldn't it? Since it would be a part of
25 Island Beach State Park, that no longer would be a

1 mixed use zone. I guess that's what it is now,
2 right?

3 MR. ORIS: Again, Mr. Fulcomer,
4 rezoning would take place at a later date. These
5 are recommendations that were carried forward from
6 the 2009 master plan update. And it allows and we
7 fully anticipate additional specific public comment
8 about zoning changes. But, you know, the land use
9 plan itself is not -- we're not looking at it and
10 specifically saying, oh, that one, that property
11 with respect to the old Berkeley Seafood should be
12 changed.

13 MR. FULCOMER: Well, if the State
14 owns it, shouldn't it be changed? It's not going to
15 be used for mixed use, right? It's going to be a
16 state function.

17 MR. ORIS: Correct.

18 MR. MCGUCKIN: Well, we can't change
19 a master plan based on who owns what. So, I think
20 what Mr. Oris indicated is, the zoning will be
21 looked at based upon current conditions. But the
22 master plan doesn't review property just because a
23 particular entity purchased it.

24 MR. FULCOMER: All right. So, you're
25 just saying that you have to change the zoning

1 ordinance as a whole to do that --

2 MR. MCGUCKIN: Correct.

3 MR. FULCOMER: -- specifically?

4 Well, since the change has been made, I think you
5 should make some recommendation on that.

6 MR. MCGUCKIN: Thank you.

7 MR. FULCOMER: Thank you.

8 MR. ORIS: Mr. Fulcomer, if I may.

9 What the State's purpose of the property hasn't been
10 determined yet, correct? I have not heard what
11 they're going to use it for.

12 MR. FULCOMER: I heard rumors but
13 rumors don't count for anything.

14 MR. ORIS: They could use it as a
15 field station. They could use it -- they could
16 build some sort of nature conservatory, observatory.
17 We don't know what they're going to use it for yet.
18 When we get to that juncture of what they would
19 propose for the property, then we would more closely
20 look at the zoning to match what they propose for
21 it.

22 MR. WINWARD: Do we have any other
23 members of the public that would like to speak on
24 this matter?

25 Seeing none, we'll close the public

1 portion at least. The board members may have some
2 questions for our professionals.

3 MR. BACCHIONE: Yes, through the
4 Chair for our planners. I'm familiar with riparian
5 rights and riparian grants. I'm not familiar with a
6 riparian zone. Maybe you can define that and
7 what -- after the definition, maybe give us an
8 example of an existing riparian zone here in
9 Berkeley, if there is one.

10 MR. SLACHETKA: Essentially, riparian
11 zones are zones or areas related to the flood hazard
12 areas throughout the township. The ordinance that
13 was adopted by the township as a part -- as an
14 implementation of the State planning endorsement,
15 included, essentially, what we would commonly call
16 like a stream corridor ordinance, riparian zone
17 ordinance, which, essentially, just governs those
18 areas that are, you know, specifically vulnerable to
19 the flooding around the stream corridors. Nothing
20 unique or new about that, that aspect. And this has
21 been on the books now for the last several years.

22 In fact, actually, the planning board
23 reviewed it as part of their requirements from the
24 Municipal Land Use Law. So, that, essentially, is
25 what we're referring to when we say riparian rights,

1 we're talking about the reported riparian areas,
 2 really talking about those flood hazard areas.
 3 MR. BACCHIONE: So, there's no actual
 4 riparian rights --
 5 MR. SLACHETKA: No.
 6 MR. BACCHIONE: -- or riparian
 7 grants?
 8 MR. SLACHETKA: No.
 9 MR. BACCHIONE: All right. Thank
 10 you.
 11 MR. MACKRES: Same subject. This is
 12 this is for road access and transportation. Two
 13 topics. The one is Mule Road and one is widening of
 14 Route Nine.
 15 Mule Road, we discussed this. I just
 16 want you, Mr. Slachetka, to get more information on
 17 this -- to get more information on this. I know
 18 some of the board members asked about it. You know,
 19 the talk is, it will probably never get done.
 20 There's environmental issues. There's a list of
 21 items. I know there's many of them. And can you
 22 just educate us on this, because it was a gigantic
 23 issue, and it would take -- we had an easier time
 24 probably with Route Nine than Mule Road.
 25 MR. SLACHETKA: Well, a couple

1 things. First of which in looking at the kind of
 2 overall circulation pattern, the subcommittee was
 3 very, very clear about its concern about the free
 4 flow of traffic and making sure that there was
 5 specifically some east/west connections, as well as
 6 opportunities to travel north/south as a bypass to
 7 Route Nine.
 8 I know we talked about the Western
 9 Boulevard extension, which has been a consistent
 10 recommendation and focus as it related, also relates
 11 to the implementation of Town Center One as being an
 12 important part of that circulation effort. We did
 13 talk about some areas, the areas that are west of
 14 the Parkway in the Pinelands. One of the things
 15 that, while we didn't make specific recommendations
 16 with regards to that is, that area of the township,
 17 besides being in the Pinelands area, is relatively
 18 low density. I know that what we would like to do
 19 is be able to maximize, connect at a circulation
 20 connections. I think what the real critical issue
 21 here, from the township's perspective, is to
 22 prioritize. And we would focus the efforts on the
 23 areas where we think that we're -- where we have a
 24 reasonable and realistic opportunity to kind of
 25 create those connections that are essential for the

1 free flow of traffic.
 2 One thing that the township probably
 3 wants to do or should do in the future is update
 4 fully and comprehensively a circulation plan
 5 element. Again, that's not something that this
 6 re-examination report does. But there is an overall
 7 recommendation to do that. And then I think then we
 8 can consider Mule Road in that context. But I think
 9 what's really critical and important for the
 10 township is identifying and prioritizing those gaps
 11 and those connections that are absolutely essential
 12 and then go for the, if not the low hanging fruit,
 13 the fruit that is -- that's really important to the
 14 township. And then look at other opportunities,
 15 whether it's Mule Road or other places, where we can
 16 add even some further redundancies and connections.
 17 MR. MACKRES: Thank you.
 18 MR. SLACHETKA: You're welcome.
 19 MR. GINGRICH: Through the Chair.
 20 MR. WINWARD: Yes. Go ahead.
 21 MR. GINGRICH: For a lot of this
 22 Route Nine, et cetera, talk, wouldn't the DOT have
 23 to get involved to some length?
 24 MR. SLACHETKA: To a tremendous
 25 length, yes.

1 MR. GINGRICH: To get this going?
 2 MR. SLACHETKA: Yes, it's under the
 3 state jurisdiction.
 4 MR. GINGRICH: And as long as they
 5 sit on their hands, we're kind of stuck, correct?
 6 MR. SLACHETKA: Well, we can't force
 7 the State to do things that they're not ready or
 8 willing or able to do at this stage.
 9 MR. GINGRICH: So, we're kind of
 10 stuck until they decide to make a move on this,
 11 correct?
 12 MR. SLACHETKA: That's pretty much
 13 the case.
 14 MR. GINGRICH: Thank you.
 15 MR. MACKRES: Second part I had.
 16 MR. WINWARD: Go ahead.
 17 MR. MACKRES: This goes back to
 18 Route Nine. A neighboring town, and we talked about
 19 this, much of it made it on here, even if it's
 20 supposed to make it on here or not, was the setback
 21 requirements for Route Nine. Neighboring town move
 22 their setback requirements to about 100 feet on
 23 Route Nine. And so -- which allow -- and they did
 24 that about 20 years ago. And that allows
 25 development to occur so that in the future, if you

1 do widen Route Nine, it won't cost as much. And
2 some big developers have already widened that road
3 through certain intersections. So, that town has --
4 it's going to cost them less money in the future and
5 be far easier for them to widen Route Nine.

6 Does such a requirement setback, does
7 that go on this master plan, does it get discussed,
8 or does it go down the road somewhere else for
9 further review?

10 MR. SLACHETKA: I think it's got to
11 be part of more comprehensive evaluation of the
12 Route Nine corridor, the design of the Route Nine
13 corridor.

14 I think one of the concerns you have
15 in just doing that out of context is, what if the
16 State, you know, what if the plans don't require
17 that, you know, and you're creating, potentially
18 creating a burden on property owners that may not be
19 necessary based upon the implementation of the
20 design of the cross section for the road at that
21 location.

22 There are also very many smaller
23 sized lots that are not very deep located along
24 Route Nine. And then we have to be very careful
25 about creating a large arbitrary, you know, setback

1 that might be burdensome to those property owners.
2 So, without having a comprehensive plan in place
3 from the State and the appropriate context, I think
4 making that change right now, increasing setbacks
5 would -- I would recommend against that.

6 MR. MACKRES: Okay. To further
7 review that, that would probably go to the
8 circulation plan?

9 MR. SLACHETKA: And that could be
10 part of -- that would be part of a comprehensive
11 circulation plan among it as well.

12 MR. MACKRES: Thank you. That's all
13 I have.

14 MR. WINWARD: Any other questions for
15 the professionals?

16 MR. SLACHETKA: Mr. Chairman.

17 MR. WINWARD: Yes.

18 MR. SLACHETKA: I was remiss in my
19 presentation. I did want to thank the members of
20 the subcommittee for participating in the
21 deliberations. Tremendous, valuable time and great
22 input from everybody. And we really appreciate it.
23 It was a job that I think the whole board benefits
24 from. And I would just like to personally thank
25 their efforts on behalf of the board and the

1 township.

2 MR. WINWARD: Thank you. Okay.
3 We're going to need a motion and a second for
4 recommendation of adoption of the master plan
5 re-examination report.

6 MR. GINGRICH: Through the Chair.

7 MR. WINWARD: Yes.

8 MR. GINGRICH: We were just given
9 this today. A vote maybe should be put off one
10 month so we can read it.

11 MR. MCGUCKIN: It's certainly up to
12 the members of the board how you want to handle it.
13 Is there a time frame, Jim or Stan?

14 MR. SLACHETKA: Well, I know that
15 there is a strong interest by the township to get
16 the ordinances prepared to implement the -- some of
17 the recommendations. And we do have a -- there is a
18 requirement under the terms of the grant to have
19 this completed by the end of July. But beyond that,
20 I think it's -- beyond just the grant requirements,
21 I think that the township desires a relatively, you
22 know, quick action so that this way they can get
23 about the business of adopting the ordinances that
24 are necessary.

25 MR. MCGUCKIN: Assuming the Board

1 voted tonight, we would still have to adopt the
2 resolution, which wouldn't take place until our July
3 meeting anyway.

4 MR. SLACHETKA: That's true.

5 MR. MCGUCKIN: So, if the board chose
6 to adjourn this matter for a vote in July,
7 theoretically, we could prepare the resolution for
8 the meeting. And then if the board changes their
9 mind or chooses not to vote on it or wish to amend
10 it, then we would have to table it. But,
11 theoretically, it could be done the same night at
12 that point. Unless the board feels differently, I
13 could prepare a resolution and bring it with me.
14 And you can decide that night if you wish to adopt
15 it or not.

16 MR. WINWARD: Do we have any comment
17 on the matter?

18 MR. BELL: I tend to agree. We need
19 time to read this. We literally just got it
20 tonight.

21 MR. WINWARD: Okay. Let's have a
22 motion --

23 MR. BELL: We haven't had a chance to
24 look at it.

25 MR. WINWARD: -- to vote on this and

1 resolution at the July meeting.
 2 Do I have a motion?
 3 MR. GINGRICH: I'll make a motion.
 4 MR. WINWARD: And a second?
 5 MR. MACKRES: I'll second it.
 6 MR. WINWARD: Roll call.
 7 MS. HUGG: Mr. Mackres?
 8 MR. MACKRES: Yes.
 9 MS. HUGG: Mr. Gingrich?
 10 MR. GINGRICH: Yes.
 11 MS. HUGG: Mr. Lorelli?
 12 MR. LORELLI: Yes.
 13 MS. HUGG: Councilman Bacchione?
 14 MR. BACCHIONE: Yes.
 15 MS. HUGG: Mr. Bell?
 16 MR. BELL: Yes.
 17 MS. HUGG: Mr. Callahan?
 18 MR. CALLAHAN: Yes.
 19 MS. HUGG: Chairman Winward?
 20 MR. WINWARD: Yes.
 21 (Matter concluded.)
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 23
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 25

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 2 C E R T I F I C A T E
 3
 4 I, LINDA SULLIVAN-HILL, a Notary
 5 Public and Certified Court Reporter of the State of
 6 New Jersey, do hereby certify that the foregoing is
 7 a true and accurate transcript of the proceedings as
 8 taken stenographically by and before me at the time,
 9 place and on the date hereinbefore set forth.
 10
 11
 12
 13 Notary Public of the State of New Jersey
 14 My Commission expires January 26, 2016
 15
 16 Dated: July 30, 2015
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