

**BLAIRSTOWN TOWNSHIP
PLANNING BOARD
April 18, 2011 – 7:30 PM**

MINUTES

The Blairstown Township Planning Board met in regular session on Monday, April 18, 2011, at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following members were present: Debra Waldron, Jim Sikkes, Rosalie Murray, Mayor Richard Mach, Paul Avery, David Keller, and Herman Shoemaker. Kevin Doell, Bill Seal and Dirk Herrmann, were absent. Also present were Michelle Corbett-Rivielle, Esq, representing Board Attorney, Roger Thomas, Board Engineer, Ted Rodman, and Board Secretary, Marion Spriggs.

SALUTE TO THE FLAG: was recited.

ROLL CALL: was taken.

THE SUNSHINE STATEMENT: was read aloud.

MINUTES: (As distributed prior to the meeting date.)

Minutes of March 21, 2011 regular meeting were approved, as written.

Action: A motion was duly made by Mr. Sikkes, seconded by Mayor Mach, to approve the March 21, 2011, regular meeting minutes, as written. Roll call vote: Sikkes, Murray, Mayor Mach, Avery, Keller, and Shoemaker – yes. Mrs. Waldron abstained.

RESOLUTIONS:

FARMLAND PRESERVATION PLAN

Action: A motion was duly made by Mr. Keller, seconded by Mr. Sikkes, to approve the Resolution for the **Farmland Preservation Plan**. Roll call vote: Sikkes, Murray, Mayor Mach, Avery, Keller and Shoemaker – yes. Mrs. Waldron – abstained.

PB#01-11 Jim & Sue Reiger, Block 506, Lot 8.04, 16 Polkville Rd. – Minor Subdiv. – Lot Line Adjust.

Attorney Rivielle questioned pg. 2 of the Resolution if Lot 8.04 was correct. Mayor Mach noted on pg. 4 of that resolution, there is a description of what will be done to both lots 8.04 and 8.07.

Ted Rodman arrived at 7:36 pm.

Chairman Shoemaker made the motion to approve the above resolution. Mr. Keller seconded the motion.

Mr. Keller declared the final approval should be subject to the map being corrected. He pointed out the lot numbers and Tax Assessor's List were incorrect.

Attorney Rivielle suggested a new metes and bounds description.

Mayor Mach agreed that should be done so the Resolution accurately reflects the conditions put forth.

Ted Rodman declared that the new plans should be done after the meeting based on the Resolution. He said if they've gone on the Resolution before it was approved, the applicant would be doing it again.

The motion to approve and the second, were withdrawn.

This matter will be carried until May 16, 2011.

COMPLETENESS:

None

PUBLIC HEARING:

None

CORRESPONDENCE:

BOA Minutes 3/8/11
NJ Planner – Feb./Mar. issue
St. NJ dated 3/9/11 re: database maintenance OPA

Mayor Mach stated that he forwarded this letter to the PB for review and comment re: if there are any redevelopment areas. In order to give the PB a chance to review, he suggested comments, if any, be entertained next month.

OTHER BUSINESS:

Land Use Application Checklist Update

Chairman Shoemaker sent a letter to the Township Committee on 4/11/11 recommending the Land Use Application Checklist be modified to reflect, taxes must be paid at the time an application is submitted.

RECYCLING ORDINANCE

Chairman Shoemaker announced this ordinance will be carried until 5/16/11, when Roger Thomas will explain it.

COAH

Chairman Shoemaker revealed that Jessica Guberman from Community Options is unable to attend tonight's meeting, due numerous of meetings including one with HUD to obtain grants. She will

hopefully, attend the next PB meeting on 5/16/11. Chairman Shoemaker declared that he will stay in touch with her.

Master Plan Land Use Plan Element Amendment – (Nov. 2004) Books

Chairman Shoemaker reminded board members to return the above books which they were given for review.

NEW BUSINESS:

Solar Ordinance

Chairman Shoemaker pointed out that Roger Thomas will hopefully address this ordinance at the next meeting.

Rezoning Notice

Chairman Shoemaker informed the Board that Roger Thomas is working on a notice for mailing, if there is a change in the Master Plan that would affect zoning. This would fill a void now and would be sent to the neighboring properties.

Form-Based Code

Darlene Jay, PP for Blirstown Twp. gave a power point demonstration to the Board on Form Based Codes.

She explained what it is:

They are not for every town. It is a method of regulating development to achieve a specific form. The focus is on controlling physical form of a building. Usage is secondary. It looks at streets and blocks and how they interact.

She passed out examples of what is being done, 3 from NJ and 1 from Texas. She pointed out they are very different. She referred to their simplicity which incorporates diagrams, charts and photographs.

How it works:

Code Book regulations and standards are presented clearly, using diagrams and other visuals for easy comprehension.

Optional components considered are: architectural guidelines, landscaping standards and sign standards.

How they are different from existing code:

Form-based Code (FBC) focuses on relationship between building facades and the region, between form and size of buildings to one another, and building design. Intensity is controlled through building to lines and height. Development of an entire zone is the goal, versus on a lot-by lot basis.

Why they are adopted:

Amongst the advantages of FBC is a clear definition of what is desired. Visual appeal to the common person makes it easier to comprehend. Shaping high quality of the region, makes them more enforceable than mere design guidelines.

Darlene Jay admitted the specific details are not provided. Chairman Shoemaker commented that all this is covered in existing codes. He said this is just done in a more round-about fashion. Darlene Jay responded this is done with a lot more graphics and a lot less words. She admitted that to some degree, it is a reorganization of what we have. The emphasis is on the look of buildings etc.

Whereas some of the larger towns used as an example, espouse the FBC for redevelopment protection, she explained Blairstown's need would be that new development looks decent, adds value to the community and has an individual look.

She explained that Blairstown could redo their ordinances without having FBC. She explained it is a new concept and admitted it is not for everyone. She feels that Blairstown can take and learn from it but is not sure it is the exact direction that Blairstown wants to go.

A Board member stated without an ordinance draft, Blairstown is at the mercy of new developers. She suggested that if not everything applies from Darlene Jay's presentation, at least part should be addressed.

Examples used were Dover and Haddonfield which are using this for protection in redevelopment.

Debra Waldron mentioned that stores come into Blairstown with a pre-conceived design idea. She pointed out in other towns, i.e. Clinton, they have addressed specific design standards and in Flemington, stores were made to look historic.

Comments from Board members included: they do not want - no design standard and fear cheapest way to build and cheapest construction.

Darlene Jay encouraged starting with a vision. She noted the Master Plan doesn't implement that unless it is indicated in the Zoning Ordinance or FBC. She stressed not waiting until developers come here. She cautioned before approving codes, being sure what they will yield.

Darlene reviewed the Key Principles:

Vision Centered – what is desired in the future

Purposeful – focus on areas prone to change

Place-based – what Blairstown wants and how to achieve it

Regionally Diverse – similar to Place Based

Integrated – look at building, uses, landscaping, signage and what surrounds it

Comprehensible – easy to understand

Darlene Jay admitted no one is funding FBC except Anjac, if it is a public process. That would require a workshop, which must be paid for.

A board member commented if Blairstown had a design standard, it could maintain its rural aspect.

Chairman Shoemaker stated the first step is to have the first applicant that comes into town meet the agreed upon design standard, and so on.

Size of stores and demographics, besides the poor economy, are currently a disadvantage to Blairstown Twp., as reflected in current vacant strip mall stores and restaurants which continue to fail. McDonalds, Subway and the Dollar Store were cited as examples.

A Board member asked how to get stores to change the unappealing straight look. Mayor Mach responded, generally with the application, there is some variance needed. When the store applicant comes before the Board, he suggested the Board must remain unyielding in its expectations of what they want during the variance process.

Darlene Jay pointed that 5/5/10 the Time of Decision Rule ends when zoning can't be changed during an application. Mr. Sikkes pointed out that we don't have that situation currently.

Mayor Mach questioned how much property Blairstown has in the HC or PRO zone. Admittedly, there is not much at all. He pointed out everything on the highway, has been bought.

Debra Waldron stressed Blairstown needs to be pre-emptive. She explained if someone buys property in the HC zone in an area already built on and developed, and decides to reinvent that area, there is nothing in place to protect the Township from the future, new design element.

Finally, Darlene Jay commented that in the HC, PRO, and CGI zone, non-residential zones, the Ordinance design language is vague. She stated each has the same 3 descriptive lines. She referenced Land Use Element Section 19-408 E (5). She feels they will not suffice in producing attractive buildings in the future.

In the VN zone, she pointed out the non-residential front yard setback must be 25 ft. She questioned if any of the existing non-residential buildings are such. She noted in case of fire, the current zoning would require the replacement building be set back 25 ft. She said this would look like a "missing tooth" on Main St.

Mayor Mach addressed vagueness in the design standards language. In response to Darlene Jay's comment making them non-enforceable; he explained, whereas more precise language was originally suggested, Roger Thomas, Land Use Attorney, guided away from that. Mayor Mach revealed that putting together that element in 2005, took 14 months.

Mrs. Murray asked how much time and money would be required to adopt FBC.

Chairman Shoemaker countered with a question, if the same thing can be accomplished by using the existing structure of Blairstown's existing ordinances. Darlene Jay stated that she thinks Blairstown can do this.

Chairman Shoemaker indicated, primarily, design control is what is desired.

Darlene Jay admitted to do a FBC is not cheap.

Debra Waldron stated if financially Blairstown can't do it, the Planning Board should discuss, make changes to existing Ordinances and if needed, call upon Darlene Jay.

Chairman Shoemaker requested a fax from her indicating some of the points to pursue. She agreed to do that and transmit it to Marion Spriggs, for distribution. She provided copies of her power point presentation to the PB members at this time.

Mayor Mach indicated the entire Planning Board should be present for discussion rather than forming a sub-committee. He suggested format possibly be changed for that meeting.

Chairman Shoemaker stated this will be on the Agenda for the 5/16/11 Planning Board meeting.

Mary Flynn, a Blairstown resident, asked for a website to research FBC. Darlene Jay referred her to: Form Based Codes Institute.

Chairman Shoemaker declared there will be a discussion during the next meeting to prioritize the aforementioned. Darlene Jay will not be present for this meeting.

PUBLIC PORTION:

Mary Flynn, a Blairstown resident, thinks there should be special workshop meetings.

Regarding Rite Aide landscaping, she feels there is not much growth. Mayor Mach pointed out the trees, including those in back, have probably tripled in size and the ground vegetation has spread out. She admitted she expected trees to cover the cars in the parking lot. Mayor Mach stated that wasn't planned from the onset.

Regarding the revised Sign Ordinance in 2004, despite review by the Planner, Engineer, Attorney and Zoning Official of the final version, she feels nothing happened.

She feels input by the Design Standard Sub-committee was not listened to.

Chairman Shoemaker thanked her for her input.

VOUCHERS:

Action: A motion was duly made by Mrs. Waldron, seconded by Mr. Sikkes, to approve all escrow and general vouchers, as presented. Roll call vote: Waldron, Sikkes, Murray, Mayor Mach, Shoemaker, Avery and Keller – yes.

ADJOURNMENT:

There being no further business, a motion was duly made by Mr. Sikkes, seconded by Mrs. Waldron, and unanimously carried, to adjourn at 9:23 pm.

Respectfully submitted,

Marion C. Spriggs, Secretary