

**WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
February 13, 2017**

Approved

CALL TO ORDER Call to order at 7:30

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

***Statement by Presiding Officer:** Adequate notice of this meeting was posted on January 12, 2016 on the Township bulletin board and sent to the Township Clerk, Echoes Sentinel and Courier News per the Open Public Meetings Act. All Board members are duly appointed volunteers working for the good and welfare of Warren Township. We plan to adjourn no later than 10:00 p.m.*

ROLL CALL

Mayor Garafola (excused)
Committeeman DiNardo
Mr. Toth
Mr. Kaufmann
Mr. Lindner
Mr. Argiro

Mr. DiBianca
Mr. Pasi
Mr. Scuderi
Mr. Gallic (arrived at 7:38)
Mr. Villani

- **Announcements:**
None

- **APPROVAL OF MINUTES:**

January 9, 2017

Motion was made by Mr. DiBianca, seconded by Mr. Lindner to approve the minutes.

Roll Call

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Scuderi, Mr. Pasi, and Mr. Villani.

Abstain: Mr. DiBianca (did not attend)

Against: None.

- **PROFESSIONAL STAFF REPORTS:**
Alan Siegel, Esq., Planning Board Attorney
John T. Chadwick, IV, P.P., Professional Planner
Christian Kastrud, P.E., Professional Engineer
Maryellen Vautin, Clerk

No reports

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■ CITIZEN'S HEARING: (Non-Agenda Items Only)

Mr. Villani asked if anyone was present to discuss non agenda items. Seeing no one come forward that portion of the meeting was closed.

■ AGENDA Items:

Case PB 17-01

Paladuga and Vummam

Block 34, lots 36.01 and 36.02, 38 and 40 Blazier Road

Minor Subdivision

Mr. Joel Cohen came forward as the attorney for the applicant. Mr. Steven Warner, the board attorney, swore as witnesses. Mr. Paladugu from 38 Blazier Road, Mr. Glass from 40 Blazier Road (applicants), and Mr. John Chadwick, the Township Planner; and Christian Kastrud, the Township Engineer were all sworn in.

Mr. Cohen went over the application. The parcels are next to each 36.01 and 36.02. The back yards are deep. Mr. Glass's property at lot 36.02 is on the municipal property line with Bridgewater. The side street is Forest View Drive, Bridgewater. They are proposing to combine the rear lots of the two lots to create a new single family lot. It will be known as 36.03, it will be in Warren Township fronting Forest View Drive, Bridgewater. They already have worked out a developer's agreement with Bridgewater. Forest View Drive is serviced by Warren Sewer and an application is with the authority. There is public water in the street. There are currently four houses on Forest View on the Bridgewater side of the street.

Both Mr. Paladugu and Mr. Glass agree they were asking the board to approve a conforming lot from their backyards.

Mr. Warner clarified that Mr. Gallic was present for the whole testimony and could vote. Mr. Cohen agreed.

Mr. Villani asked if the board had any questions. There were none and he went to the memo from Mr. Chadwick. Mr. Chadwick went over his report dated January 27, 2017, he agrees there are no variances. There are variances but they are unaffected for Warren. Mr. Cohen had addressed the items in Mr. Chadwick's report on utilities. No wetlands are present. Mr. DiBianca asked about on lot 36.01 with the width minimum just under 150 feet. The subdivision doesn't change anything so it is not a problem.

Mr. Kastrud went over a report dated February 3, 2017 and he believed that the approval should include required permits for road opening permits from Bridgewater Township, Sewerage Authority approval from Warren Township, any engineering for the road. The applicant agreed to those stipulations. Mr. Kastrud stated the clearing limits appear to conform with Warren Township ordinances. They don't want any lot clear cut, the applicant can agree to the clearing limits shown on the plans. The environmental commission report also addressed the tree clearing limits. Mr. DiBianca also asked about possible issues with water going to neighbors properties. Mr. Kastrud stated that the proposed conditions, grading, etc. although they don't have exact location of the home, they wanted to show they could develop the property within reason and showed a future drainage feature at the rear of the property. It has not been fully designed, but will

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be when an applicant would apply to the building department. The soil movement application will require to be approved by engineering before construction will accept the permit application. Mr. Kastrud brought up that a portion of the driveway grade is greater than 10% so that would need to be curbed in that area, but recommend curbing the entire driveway. The applicant will stipulate to curbing the entire driveway. Mr. Kastrud stated that on the survey there are two four inch pipes that leave lot 36.01 and drain northerly or downhill onto lot 35, probably inadvertently done. That needs to be corrected and the applicant stipulated to that correction. The metes and bounds will be submitted for the Engineering Department to approve and new lot numbers shall be approved by the Engineering Department. .

The only other report was from the Fire Marshall who had no comments.

There was further discussion on the Environmental Commission report that Mr. Kastrud had covered.

Mr. Villani asked if anyone in the audience was here for this case, seeing no one he closed this portion. The waiver requested was for showing the number of trees on the property. It is pretty wooded and the ordinance for clearing limits will be reviewed during the soil movement application.

There were no further comments from the board or professionals. The board went into discussion. There were no further comments. Mr. Villani asked for a motion. Mr. Gallic made a motion to approve, seconded by Mr. DiBianca.

Roll Call

Roll Call

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Gallic, and Mr. Villani.

Against: None.

Redevelopment Area Public Hearing

181 Mt. Bethel Road, Block 78, lot 12

Mr. Villani opened the hearing and stated that Mr. John Chadwick will present the study hearing on the In Need of Redevelopment for block 78 lot 12. Mr. Villani stated that the limit of the meeting that night is only whether or not the property should be deemed in need of redevelopment not what it will be used for.

He asked to limit each person to three minutes when the open to public portion of the meeting begins. Mr. Villani asked Mr. Warner, the board attorney, to give a legal definition of In Need of Redevelopment. Mr. Warner stated that the Township of Warren by resolution 2016-278 authorized and directed the Planning Board to conduct a

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preliminary investigation including holding a public hearing that night to determine whether the study area identified is or is not an area in need of redevelopment under the criteria set forth in the local redevelopment and housing law.

If the board deems it as In Need of Redevelopment, the board makes a recommendation to the Township Committee and the Committee can accept or reject the recommendation. The only issue before the Planning Board is whether or not the property meets one or more of the statutory criteria for designating it as an area In Need of Redevelopment.

Mr. Chadwick was introduced by Mr. Villani as the Planner and Zoning Officer for Warren Township for many years. Mr. Chadwick is the advisor to the Township on zoning and planning laws. Mr. Warner swore in Mr. Chadwick.

Mr. Chadwick addressed the board and went over the two phases of redevelopment. One is to determine whether it meets the criteria to be designated as In Need of Redevelopment. What that does it gives the municipality a lot more control over the process. Mr. Warner asked for Mr. Chadwick's qualifications. Mr. Chadwick has an undergraduate degree from Rutgers, a graduate degree in City and Regional Planning from Pratt Institute in Brooklyn, NY. He is qualified as an expert planner in all of the superior courts in the state of New Jersey, and has worked in Warren Township for many decades. And he has been accepted by land use boards in New Jersey as an expert in the field of professional planning; several hundred. Mr. Chadwick was accepted.

Mr. Chadwick stated the redevelopment process has been a tool that the Township has used as part of its planning process for many years. Woodland Acres was a redevelopment district. The town controlled how it was built and the architecture design. Zoning can set the size and uses for a redevelopment district/zone. The Township Committee can enter into contracts with whoever is either rehabilitating or redeveloping property. It gives a lot of control on what goes on. Later kinds of uses, building, architecture, rehabilitation; whatever the program winds up can be decided—we are not there.

The step today is how you measure whether a property is In Need of Redevelopment and this is laid out in the local redevelopment and housing law. It is in items A through H. It is whether or not a property is deteriorated, derelict. The King George Inn meets that criteria through examination of building permits that never were completed, and violations issued. The town has not authorized the Construction Official to go into the building because that action would result in a declaration that the building is unfit. When it is unfit, then there is no choice; it would have to come down.

The sections A, D (of the local redevelopment and housing law) deal with deteriorated structures. Section H deals with smart growth, and planning aspect and gives the Township much greater control on what happens. Mr. Chadwick concludes that the property meets the criteria in terms of deteriorated property and meets the smart growth criteria and he recommended to the board is to deem as in need of redevelopment.

Mr. Warner asked if the property is on the state register of Historic Sites or Historic structures. It is not. Any reference to historic in Mr. Chadwick's report refers to the fact that the property is in the Historic Neighborhood Business District.

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The area was rezoned as a Historic Neighborhood Business District a few years ago. This contains the design standards for the town.

The property meets criteria A, D, and H and Mr. Chadwick recommends the board deem it in need of redevelopment. Mr. Chadwick has been working with this property for approximately 15 years trying to get a vibrant business there. It has been vacant.

Mr. Warner went over the criteria. Criteria A is the generality of the buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

Criteria D is areas with building or improvements which by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

Criteria H is the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Mr. Chadwick states the property meets Criteria A, D, and H.

Mr. Villani asked if the board had any questions. Mr. Gallic asked Mr. Chadwick about the building officer going into the building and it would be deemed unfit and torn down. Mr. Chadwick discussed it with the Construction Official and they concluded that if he went in the building, it would result in derelict construction and it would need to be demolished. The township does not own the building and will not invest in it. The town wants to get the best options and control.

Mr. DiBianca asked about the Historic District in zoning sense and asked if it would remain if deemed in need of redevelopment. Mr. Chadwick felt it would be enhanced as they could be more specific in design.

Mr. Lindner asked about the Historic District and when it comes back to the Planning Board it already is zoned as a historic sensitive area and the board can comment on that esthetically. Mr. Chadwick agreed, and the redevelopment plan is introduced by the Township Committee, public hearings are held by Planning Board, Planning Board then may suggest it is a good ordinance, or may suggest it is not a good ordinance.

Mr. Warner reminded the audience that the Township Committee asked to consider this property without the power of eminent domain, a non-condemnation area.

Mr. Villani invited the public for questions and comments. Mr. Rory Britt from 22 Sneider Road, the Chairman of the Historic Sites Committee, came forward and was sworn in. He stated that the Historic Sites Committee generally agree with the report from Mr. Chadwick but asked what the possibility was of rehabilitating or reusing the building as it is. Mr. Chadwick stated they don't know. They are not sure what the state inside is the building. It is only a maybe. Mr. DiBianca stated the owner could knock it down now.

Mr. Britt asked if the Planning Board deems it in need, and the Township Committee accepts it; what is the obligation of the property owner. Mr. Chadwick said the property

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is just In Need of Redevelopment. If the owner would apply for a demolition permit there may be some processes that go on. Mr. Britt asked at what point would the Township Committee move forward if deemed in need.

Committeeman DiNardo answered that it would most likely go to the committee and then they would take the recommendation and then would recommend it goes back to the Planning Board. Mr. Chadwick stated the steps aren't set yet. There are some issues with litigation, although the timing would be this year.

Mr. Lindner put on the record that he and Mr. Britt are on the Historic Sites Committee and the Warren Township Building Department does not permit a building permit (demo) unless they give Mr. Britt notice that an application is being processed.

Mr. Warner suggested swearing in each person speaking and swore in Mr. Maximilian James Hayden III and he resides at 984 Cherry Valley Road, in Hopewell. Mr. Hayden explained that his father ran the King George Inn and his mother still lives in Warren. His family lived in Warren many years and explained the history of his family in Warren, including selling land to the Township at a reduced rate. His family helped the King George Inn gets sewers. They had bought the Inn and worked at making into a nice restaurant and doubled the kitchen and added a banquet hall in the 1960s. They added the crow's nest later with a great view and did further work. He explained they were there with 1178 signatures on the Change.org petition because they care about history and about the Inn. He is a historic preservationist. He is the Hopewell Township Historic Sites Chairman.

There is a sense of History with the building even if it is not designated a Historic Site. Mr. Hayden feels the basic integrity of the building is there. He works with Historic Grants and has been working with buildings with less integrity.

Mr. Hayden asked that they (Planning Board/Township) ask for the preservation of the building. He wishes the Historic Committee was a Commission as it would have more power to preserve. The Inn has not been moved although many other old buildings were. He suggested to maintain it as a tavern.

Mr. Villani responded that if it goes to as In Need of Redevelopment, it has the best chance to keep the historic nature. If will comes back in the future the Planning Board and Mr. Villani would appreciate the concerned people to come back again and the issues could be considered. Mr. Hayden requests a team approach and a conversation and thanked Mr. Villani.

Mr. Fred Grapstein from 8 William Penn Road was sworn in by Mr. Warner. He is in the real estate business and asked what the implication of a No vote would be. Mr. Warner stated that whatever the board determines and recommends to the Township Committee and it is sent to the Committee and the Committee can accept or reject that recommendation.

And if it is a No, the potential outcomes are unknown. Mr. John Chadwick stated the Township would lose its leverage as to what the outcome of the site is. Redevelopment gives the municipality much control of the site; whether new construction, what it looks like, down to the paint. Mr. Grapstein asked about Eminent Domain. Mr. Warner stated the resolution from the Township Committee gave authorization for the study other than the use of Eminent Domain. It has been the policy of the Township not to use Eminent Domain.

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Mr. Grapstein stated the property was bought in 2013 and was allowed to become dilapidated and repairs were minimal. He feels people buy real estate and allow it to become dilapidated and maximize return by redevelopment.

Mr. Chadwick said the property has been in decline long before 2013. Mr. Grapstein would like a small hotel with fine dining restaurant to get the original use back it was intended.

Mary (Betty) Grossweiler came forward and was sworn in by Mr. Warner. Ms. Grossweiler talked about things that have been torn down, like the school house on Mount Bethel Road. She was very upset that the King George Inn may come down. She has been in town 63 years. Her husband lived here his whole life and they have seen bad changes.

Ms. Nancy Puhar, 1129 Myrtle Ave, Plainfield was sworn in. She has memories of King George Inn growing up and looked at Erskine maps that do show a building prior to the Revolutionary War, and has seen very old newspapers that refer to the Mount Bethel Inn. She is interested in preserving history for the future residents and students. The site is historically significant.

Mr. Gregory Fitzgerald came forward from 19 Olsen Drive was sworn in. Mr. Fitzgerald went over the fact that the meeting was about the designation of the site In Need of Redevelopment. The preservation of the building is a priority for all that attended and signed the petition. He asked if the designated the site as In Need of Redevelopment would it give the town more ability to preserve the historic building, than if declaring it not a redevelopment site.

Mr. Villani and Mr. Chadwick said yes. They will recommend that there is an influence of the King George Inn. It is an important property for the Township. Mr. Fitzgerald asked if an adaptive reuse is considered then when accepting bids does that preclude a demolition on the building. Mr. Chadwick stated that the property remains in private ownership so the bid process will be a private process.

Ms. Cindy Wagner Carlson from 25 Christy Dr came forward and was sworn in. Ms. Carlson lives in Warren and has for many years and discussed the changes and that Mount Bethel was the place on the map and remembered delivering milk as a little girl to the Inn. She suggested that the scouts might be able to work on (possible Eagle Projects, the property and preserve the site and it could be used for public use.

Susan Oxy, from Hillsborough Township came forward and was sworn in. She asked if there is anything to ensure that the property does not get in worse condition. Mr. Villani went over the steps again to the Township Committee, and working with a developer, and back to the Planning Board.

Mr. Chadwick explained that the town has enforced the property maintenance and it is a back and forth process.

Mr. Sean Turner from 74 Mountain Avenue came forward and was sworn in. He voiced his concern and asked when the board will establish a date for further hearings. Mr. Chadwick stated the next step could take a while. There will be public hearings but there are a lot of other issues. Hearings will be noticed.

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Mr. Villani asked for a five minute break at 8:50. The meeting was called back into order at 8:58.

Mr. Villani announced that Richard Kaufmann will be resigning from the board after almost 14 years of service. Mr. Villani conveyed how much they enjoyed working with him. Mr. Kaufmann said he admired the professionalism of all the people he served with over the years and it has been an honor to serve the community.

Mr. Villani asked if there was anyone else that would like to speak on the King George Inn. Ms. Joann Ball from 30 Red Hill road came forward and was sworn in. She discussed that in 2011 Torino had a restaurant there and were hit by Irene and opened again in 2012 and were hit by Sandy. She asked if the owners looked for relief from Hurricane Sandy, she feels they should have qualified for financial aid. Mr. DiBianca guessed it would be the owner who would have to apply for aid.

Susan Page Convery, from Basking Ridge, although she lived in Warren from 1962 to 2008, was sworn in. She feels the redevelopment is a good idea, but nothing can be done to keep the owner from demolishing the King George Inn, unless the Township purchases it. Mr. Villani said the board may approve the In Need designation and it will go to the next step. He suggested that when the Township Committee has their meeting she should go and discuss it.

Mr. Villani suggests that if it comes back to the Planning board they will try to put something together does not eliminate the feeling and look of what the King George Inn was.

Ms. Leslie Ellerbush from 73 Feguson Road came forward and was sworn in. She supports what the others have said and is probably the 7th generation in her family to live here. The Ralph Terrill house was a family home and she knows the town very well. She would like the town to take possession of the property. She is also on the Mount Bethel Cemetery Committee, and they appreciate the town mowing it. She went over some of the historic milestones. The Inn is one of the few remaining things in town that was beautiful and Woodrow Wilson came through Mount Bethel and stood on the porch of the old Inn while campaigning. She feels the area is beautiful and should be preserved.

Christine Smart came forward from 41 Morning Glory Road and was sworn in. She spoke of the chapel down from the King George Inn built from stone from the river bed and how the people got together to build a church. She hopes the town can get together again to build the Inn back. Ms. Smart spoke about teenage issues and suicide. She suggests that a youth center would be great.

Mr. Villani asked if anyone wanted to come forward. Seeing no one else he closed that portion of the meeting. Mr. Villani addressed the attendants and Warren residents and that they are inclusive. There is access to the board members or the Township Committee. At the next step, he offered to come back and they will work to get the best they can out of the situations and thanked all for coming.

The board went into discussion. Mr. DiBianca stated it was great to see everyone there that night and invited all to continue to attend meetings. Mr. Lindner stated that the 8th grade has toured all the historic sites in Warren and this gives a sense of what Warren is about.

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Mr. Villani asked for a motion.

Motion was made by Mr. Toth, seconded by Mr. Kaufmann for the property to be deemed In Need of Redevelopment.

Roll Call

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Gallic, and Mr. Villani

Against: None.

■ **SCHEDULE OF NEXT MEETING:**

February 27, 2017 (cancelled) and March 13, 2017

- **ADJOURNMENT** Motion was made by Mr. Gallic, seconded by Committeeman DiNardo. All in favor. Meeting adjourned at 9:30.