

Stockton Borough Planning Board Agenda
October 5, 2021 – 7:30 PM
ZOOM Information: <https://us02web.zoom.us/j/84191114093>

Open Public Meetings Statement

Notice of this meeting has been provided to the Hunterdon County Democrat and the Times of Trenton and was posted on the bulletin board in Borough Hall according to the regulations of the Open Public Meetings Act.

Oaths of Office

Joseph Martino – Class IV (*Unexpired Term 12/31/21*)

Thomas Hunt – Alternate I (*Unexpired Term 12/31/22*)

Attendance Roll Call

Approval of Minutes – 3/2/21

Presentation of Vouchers

Open to the Public – *For discussion on any items not listed on the agenda*

Resolutions

New Business

1. Discussion: Consideration of Board's General Policy Statement: *"The Board's General Policy is to end the presentation of testimony on applications and Board discussions by 9:30 PM and to conclude all Board business by 10:00 PM. When necessary, the Chair may permit a reasonable extension of those time limits."*
2. Discussion: Planning Board Priorities List Including Master Plan Re-examination and the Housing Element and Fair Share Plan

Unfinished Business

Correspondence

Adjournment

OATH OF OFFICE

State of New Jersey County of Hunterdon Stockton Borough

I, Joseph Martino, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey; that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the Authority of the people; and I will faithfully, impartially and justly perform all the duties of the office of

Planning Board Member – Class IV

according to the best of my ability. (So help me God).*

Sworn and subscribed to before me

on _____

Joseph Martino

Address:

(Attest)

* Person taking oath has the option of including "So help me God," if he/she so desires.

Chap. 217 P.L. 1971

R.S. 41:1-1 - 41:1-3

Term Expires: December 31, 2021

OATH OF OFFICE

State of New Jersey County of Hunterdon Stockton Borough

I, Thomas Hunt, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey; that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the Authority of the people; and I will faithfully, impartially and justly perform all the duties of the office of

Planning Board Member – Alt. #1

according to the best of my ability. (So help me God).*

Sworn and subscribed to before me

on _____

Thomas Hunt

Address:

(Attest)

* Person taking oath has the option of including "So help me God," if he/she so desires.

Chap. 217 P.L. 1971

R.S. 41:1-1 - 41:1-3

Term Expires: December 31, 2022

STOCKTON BOROUGH PLANNING BOARD MINUTES
7:30 PM via ZOOM: <https://us02web.zoom.us/j/87470205222>
March 2, 2021 – Regular Meeting

DRAFT

Call to Order/Attendance Roll Call

Chairman Giocondo under the New Jersey Open Public Meetings Act called the meeting of the Stockton Borough Planning Board to order at 7:30 PM.

Present: John Bonanni
Steve Giocondo
Cheryl Kennedy
Laura Lutton
Bob Miller
Tim Nemeth
Norm Torkelson
Glenn Burrell – Alt. #1
Attorney Cecil
Engineer Pollack
Planner Slagle

Excused: Charles Soriero
Don Vandegrift

Chairman Giocondo read the following statement into the record:

"I wish to open this meeting with some information for all attendees. The Planning Board is not going to hear or decide anything about the future of the Stockton Inn site, the Stockton Park site or the Stockton School site tonight. There is no specific application before the Planning Board at this meeting.

The letter by Avon Road Partners that was mailed to Borough residents in the recent past stated '...along with our colleagues and Avon Road Partner's advisors, we have been speaking with local and state officials...' this Planning Board has not been one of those local and state officials and has never had any meetings with Avon Road Partners, it's advisors or it's legal representatives.

The Planning Board has not had a prior role in the Borough Council's decision to investigate the three sites or in this preliminary investigation about the Redevelopment Process to date.

The Planning Board is not the Borough Council or the governing body or the town board. The term governing body usually refers to the municipal form of government. In this case it would be the Borough Council that consists of a Mayor and six Council Members, all elected by the public. The Planning Board consists of nine members and two alternate members that all are appointed by the Mayor and approved by the Borough Council. There is no town board.

In addition to regular Planning Board business, there is a Borough Council resolution on the agenda that directs the Planning Board to conduct a preliminary investigation to determine whether three land parcels may qualify for designation as a Redevelopment Zone in conformance with the NJ Local Redevelopment and Housing Law. Our Planning Board Planner and Attorney will address the Planning Board when that item is heard.

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For the benefit of the public, however, let me be clear that the Board is not holding a hearing or taking any action tonight that addresses or approves any specific or conceptual change for any property in the Borough of Stockton. The only thing we will be doing is acknowledging receipt of the Council's resolution and directing our Planner to investigate the properties and prepare a written report for us with her feelings.

There is also a Council Ordinance that the Board will be reviewing for consistency with the master plan. Our Board Engineer will provide more information when we get to that item.

The agenda item 'Open to the Public' is for members of the public to discuss items not listed on the agenda. There will be an opportunity for the public to speak or ask questions about Resolution No. 2021-32 after our Attorney and Planner speak to the Planning Board Members and after our Planning Board Members discuss it. The public will be asked to keep comments to 2 – 4 minutes and to limit themselves to the process and next steps. As our Attorney will explain, this is not the time or the place to discuss how Avon Road Partners wishes to develop the properties; that time will come later in the process. We will also allow any questions or comments from the public regarding the Consistency Review of Council Ordinance No. 21-01 or any other item on the agenda."

Oaths of Office

Attorney Cecil administered the Oath of Office to Mr. Burrell.

Approval of Minutes

A motion by Tim Nemeth, seconded by Cheryl Kennedy to approve the Board's 1/7/21 minutes with no revisions noted was unanimously approved by voice vote.

Presentation of Vouchers

It was noted for the record that there were no vouchers listed on the agenda for approval.

Open to the Public

Chairman Giocondo opened the floor to public comment. Kerry Fabrizio remarked that people needed the access phone number for the zoom meeting. Several people attending the meeting provided the information.

Resolutions

It was noted for the record that no resolutions were listed on the agenda for approval.

Chairman Giocondo reordered the agenda to address item number 2 under New Business:

Consistency Review: Ordinance No. 21-01: An Ordinance Replacing Ordinance No. 17-06, Entitled, "An Ordinance of the Borough of Stockton Concerning Stormwater Management and Amending the Stockton Borough Land Use Procedures by the Addition of a New Chapter Entitled, 'Stormwater Management,' Adopted by the Stockton Borough Council on November 27, 2006."

Attorney Cecil explained the process for Ordinance review and Engineer Pollack explained how the amended Stormwater Ordinance addresses all of the new NJDEP requirements.

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A motion was made by Cheryl Kennedy and seconded by Laura Lutton finding Ordinance No. 21-01 not inconsistent with the Master Plan and recommending that it be adopted by Borough Council. The motion was unanimously approved by roll call vote.

Resolution No. 2021-32 (Corrected No. 2021-26A): A Resolution of the Mayor and Council of the Borough of Stockton Authorizing and Directing the Stockton Borough Planning Board to Undertake a Preliminary Investigation to Determine Whether Certain Areas within the Borough of Stockton Meet the Criteria for a Non-condemnation Area in Need of Redevelopment Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

It was noted for the record that both Laura Lutton and Tim Nemeth reside within 200 ft. of parcels mentioned in the resolution. They recused themselves from this matter and muted their microphones and turned off their cameras.

Attorney Cecil provided a quick overview of a redevelopment designation and a redevelopment plan. She noted how redevelopment unlocks “tools” for development options.

Planner Slagle explained the Preliminary Investigation Report (PIR) and the criteria for evaluating the parcels. She noted that the goal of the PIR is to determine what site meets or doesn't meet the criteria under the statute.

Chairman Giocondo opened the floor to public comment.

Ken Kozuhowski of 72 S. Main Street thanked the Planning Board for being transparent with the process. He requested that draft reports be made available prior to the public hearings.

Micaela Hettman of 70 S. Main Street asked if the school property included the playground area. Planner Slagle said no because it is actually on another lot owned by the church. Ms. Hettman asked if environmental issues will be reviewed in the PIR. Planner Slagle indicated that to the extent environmental issues are known they will be included in the report, otherwise the PIR will typically follow the 8 criteria in the statute.

Dennis Bertland of 22 Risler Street asked if the 8 criteria for determining redevelopment were actual standards or if it was a judgment call. He requested clarification on how the park parcel met such criteria.

Eileen Foley of 11 Bridge Street commented that before the Board proceeds with the PIR she asked them to pause in order to allow the public to better understand the redevelopment concept. Attorney Cecil explained that the Planning Board does not have the option to not proceed because it is a statutory function and she noted Borough Council has asked the Planning Board to do. She indicated the Planning Board must do the PIR and report their findings back to the Council.

Richard Burkholder of 18 Brookville Hollow Road asked the Board to look into the “Division of Land Resource Protection” for the park parcel because he believes it is in a flood area. He also expressed concern about traffic and parking in the park affecting other businesses.

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Peter Folz of 5 Bridge Street asked who pays for the PIR. Attorney Cecil noted the Planning Board does.

Ken DeBlieu of 6 Bridge Street noted he was a former Planning Board Chairman and commented that the “My Ben” subdivision project took over 10 years to get through the Board. He cautioned the Board to take their time to review everything thoroughly.

Elaine Johnson of 3 Ferry Street remarked this project is the largest thing to hit Stockton in over 20 years and she requested the Board put the PIR on hold so people can get a better understanding of the potential redevelopment.

William Brown of 19 Broad Street asked if there is any statute that would preclude the Planning Board from putting the PIR on hold. He also commented that the Master Park Plan presented to Borough Council in March seems to have been put on hold.

Attorney Cecil explained that while the Planning Board must do a PIR because Council has requested one, there are no deadlines for the Planning Board to act on it.

Alix Bacon, an employee of 24 Risler Street inquired about potential impact on the floodplain, bird habitats and endangered species. Planner Slagle noted the PIR will review land uses in conjunction with the 8 redevelopment criteria. She stated any developer that comes in will need to abide by all of the NJDEP regulations and standards. She further clarified that the PIR is just the first step in determining whether or not a property meets the criteria for redevelopment. She remarked that it does not contemplate any development potential.

Gary Hinesley of 699 Rosemont Ringoes Road asked if the Avon Partner’s escrow will pay for the PIR. Borough Clerk Hovan commented that there was no agreement made with Avon Partners regarding any escrow.

Kathy Klein of 2 Old Prallsville Road asked if the Planning Board had the authority to question why the Borough Council chose these 3 parcels. Attorney Cecil said yes but noted it really didn’t matter when it comes to the PIR because the redevelopment criteria is very specific.

Hearing no other members of the public who wished to comment, a motion was made by Norm Torkelson and seconded by Bob Miller to close the floor to public comment. The motion was unanimously approved by voice vote.

It was noted for the record that the Planning Board members unanimously consented to authorize Planner Slagle to do the PIR.

Unfinished Business

Mr. Bonanni commented that the Borough website will now have minutes from Council and Planning Board meetings posted to it.

Adjournment

A motion by Cheryl Kennedy, seconded by John Bonanni to adjourn the meeting was approved by voice vote.

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The meeting adjourned at 10:25 PM.

Maria Andrews, Planning Board Secretary

Note: These minutes have not been formally approved and are subject to change at the Board's 10/5/21 meeting.