

In compliance with the Open Public Meetings Act of the State of New Jersey adequate notice of this meeting has been mailed to The Daily Record and posted at the municipal building.

ROLL CALL:

Members Present: Judy Johnson, David Koptyra, Dan Nelsen (7:09), Nelson Russell, Scott Van Ness, Kim Mott, Michael Koroski, Howie Weiss

Members Excused: Joe Fleischner, John Mania, Brian Schaechter

Professionals Attending: Chuck McGroarty, Planning Consultant, Eugene Buczynski, Township Engineer, Catherine Natafalusy, Planning Administrator/Secretary

Professionals Excused: Edward Buzak, Esq., Tiena Cofoni, Esq.

MR. WEISS: All right before we begin obviously we have a very special circumstance this evening, and I suppose Kudos to Catherine and Chuck for kind of making this happen. But we're going to have a joint meeting tonight between the Planning Board, the Environmental Commission and the Open Space Committee. So for those in attendance and I thank you very much for coming we're looking forward to input from different groups that are concerned about the topic this evening. So we will obviously round table this, I just want to state for the record that it's still technically a Planning Board meeting, the meeting is going to be recorded and I think as we speak and we encourage open conversation to all of us let's make sure that we're getting picked up by the microphone and perhaps as we speak we'll just state who is speaking so that Lauren doesn't go crazy when she's transcribing it. So let's just move on with this portion of the meeting and then we'll get right to the meat of the meeting.

APPROVAL OF MINUTES

November 14, 2013 Public Meeting

Motion: Dave Koptyra
Second: Nelson Russell

Roll Call:

David Koptyra - yes
Nelson Russell - yes
Michael Koroski - yes
Howie Weiss - yes

APPROVAL OF RESOLUTIONS

Resolution #PB 11-35 – Eleventh Hour Rescue – Block 8301, Lots 11 & 12

Motion: Kim Mott
Second: Scott Van Ness

Roll Call:

Scott Van Ness - yes
Kim Mott - yes

Resolution #PB 13-28 – Toll II NJ LP – Block 4407, Lots 9 & 10; Block 3803, Lot 2

Motion: Scott Van Ness
Second: David Koptyra

Roll Call:

Judy Johnson - yes
David Koptyra - yes
Scott Van Ness - yes
Kim Mott - yes

COMMITTEE REPORTS

MR. WEISS: Okay committee reports, Judy anything to be changed anything from the Mayor?

MS. JOHNSON: Nothing from the Mayor.

MR. WEISS: John is not here. Environmental Commission?

MR. RUSSELL: Snow.

MR. WEISS: Snow excellent. Ordinance committee Joe is not here, Chuck was there anything?

MR. MCGROARTY: Not now but subsequent to what we were talking about tonight the ordinance committee will be working on that with others that are here this evening.

MR. WEISS: Perfect. I have nothing new from the Street Naming Committee. Dave anything from Open Space?

MR. KOPTYRA: I wasn't able to make the meeting.

DISCUSSION MATTER

ROUTE 46 HIGHLANDS PRESERVATION AREA REDEVELOPMENT DESIGNATION

MR. WEISS: Okay so with that being said let us move to our discussion matter which the conversation for the record is Route 46 Highlands Preservation Area Redevelopment Designation. And what we'll do we'll sit down here at the table feel free to join us and Catherine for the record should we just state who is here.

MS. NATAFALUSY: We can introduce Kathy Murphy so for the record Lauren knows.

MR. WEISS: Absolutely. Let's just go around the room and make sure that everyone just enters their name into the record. So if I start calling on you by first name Lauren will be able to know what we're doing. So why doesn't everybody who is not on the Planning Board just state your name for the record.

MS. SZWAK: Laura Szwak I live in Flanders, Open Space.

MS. MURPHY: Kathy Murphy, Budd Lake, Open Space.

MR. SMITH: Jim Smith, Budd Lake, Chair of the Environmental Commission.

MS. SEREBRAKIAN: Kay Serebrakian, Stephens Mill Road Environmental Commission.

MR. DELPIZZO: Robert Delpizzo 5 Falcon Road Chairman of Open Space and member of the Environmental Commission.

MR. WEISS: Okay perfect thanks everybody (Inaudible). So thanks for coming out everybody we appreciate it and then like I mentioned earlier I think, this is an open forum if anybody has any questions for Chuck we'll just again for purposes of the transcription just wait to be acknowledged and you know not extremely formal but formal enough that we'll have some order for the transcripts. Councilman if you'd like to join us please feel free to sit at the table. That would be Councilman Alex Roman for the record.

MR. MCGROARTY: So should we start now?

MR. WEISS: Yes Chuck please.

MR. MCGROARTY: Okay good evening what we thought we would do is talk just very briefly an introduction as to what this particular project is, answer questions, Gene Buczynski, myself and Catherine have been working on it to the extent that we can. But the intention is just if nothing else tonight just to sort of introduce it and perhaps clear up any misconceptions there may be and hopefully as we move forward everyone you know the Planning Board, the Environmental Commission and the Open Space Committee and then others as well, the Recreation Committee and others that will be you know as the well worn phrase as the (inaudible) that people . . . all of the people here in Mount Olive that have interest in this would want to be involved. I'm just going to be real brief and tell you at the risk of repeating what you may know tell you about this. We felt tonight (inaudible) while back that we look at an extension of Route 46 that had . . . it has some properties that were in bad shape. Some buildings that have been derelict and abandoned for in one case more than 20 years. So then the Highlands came along and the section that we're talking about now is approximately 17 acres and coincidentally comprises just about 17 properties. And it's in this funny shape and I'll explain why if you're maybe curious as to why it's in that kind of configuration. All of this is in the Highlands Preservation Area which all of you at the table perhaps know and a lot of you were at the Highlands Council so you know this stuff better than all of us I'm sure. The Preservation Area is more restrictive so there's very . . . there are limits as to what can occur within each of these properties in terms of trying to redevelop or revitalize. And we were concerned with a couple of properties and I'm just going to run through in a moment or two the seventeen properties which we all know but it's probably not a bad idea just to photograph and then that's it for the photographs and for the laptop for tonight. But the thought here was to do more than just try and create conditions to revitalize properties or to give incentive to property owner's maybe to do something else with their properties. Now particularly with the Highland regulations in place we thought we could (inaudible) we can try to reach out, work with Highlands to see if there's a way we can come about and make something that would be more useful to the redevelopment in this area. At the same time it has the unique characteristics of course because of the proximity right there at the lake and the Budd Lake (inaudible). So while on the one hand there is real opportunities to create redevelopment and revitalize the area, it also presents at the same moment opportunities to improve water quality at the lake or at least the outlet along the shoreline. What better way to do what we thought than to reach out to Highlands and say look the Highlands Regional Master Plan and the Town's Highlands Master Plan is replete with all of these policies and objectives for water quality and septic. They like the idea, make a long story short, they gave us a grant and said they'll work with me and we want to work with Highlands interactively on this. And so we are responsible to come up with a new . . . what our goal here is to have . . . create some divisions for this area and again of course the four acre municipal property the former municipal building property and the active beach that's there and they said well the Highlands sat with us and we will work together but we want to come up with new zoning which will replace the commercial zoning that's in place and do something perhaps more creative and integrate into that policies that are again both at the Highlands level and now at our level, the town level. Everything to well impact management to stormwater control this stuff Gene has been working on that. And maybe some innovative planning techniques that we can look at, and Highlands made it clear that we should focus on (inaudible) water quality. And so we have something in order of \$22,000 out of Highlands grant money to apply to that subject and another \$6,000 for habitat restoration. So it's not like we have this vast fortune to spend but we have another \$57,000 to do the planning. So with that that's sort of like a capsule of what we had in mind. Last September, September 19th of last year the Highlands Council passed a redevelopment approved redevelopment area designation, called up on the Highlands Council Commission (inaudible) Highlands approval of this and they were very much in favor of it and I was very pleased that the Highlands Coalition which we're not . . . I don't always see eye to eye with everything that they've argued and done, Julie Summers she spoke in favor of this plan at the Highlands Council so I'm very happy about that and the Morris County Planning Board was also very supportive. So ANJAC supported it so I mean what we're hoping is we create at least beginnings of an opportunity to do some things and we'd like to be real ambitious and say we'd like to do everything but one of the things that ultimately would be a very important aspect of the Planning of this area is for residents safety. So we're looking not just at better looking buildings and prettier development and for ratables and hopefully water quality and everything but reaching out and using this kind of planning tool down the road this would be obviously would bring in Gene and someone like Scott with his career and his expertise in traffic management and the like, obviously there's a need for pedestrian safety to cross the highway and what's really striking me is that the beach which is such an amenity is so isolated from so much of Mt. Olive. So I'll stop before I get . . . so I'll stop there. Let me run through the 18 photos we'll all know the properties but just to get a sense of it. All right and this is not quite as sophisticated as these things should be but I'll skip over the addresses and block and lot information unless anyone has a concern about them. And I think Catherine you sent to everybody, everyone has an electric version of the application we submitted with the photos and you have the Highlands staff report and the consistency review. And of course you get three documents, you can go on the Highlands website and get those documents and anything else you want

emailed (inaudible). So we start, this is as I said it starts just east of Johnson Avenue and runs down to Manor House Road. So we start at the plumbing building the old plumbing building.

MR. WEISS: That building has an approval for a . . .

MR. VAN NESS: Correct it's an existing site plan approval.

MR. WEISS: Approval for some kind of a restaurant with multiple uses.

MR. MCGROARTY: Yeah Ceil West got a site plan approval for this building and for the next property along the highway. So these two together, right now Ceil West had the approvals to redevelop these two properties. They could still do what they want to do or they can shelve that plan and come in under the redevelopment plan which gives them an advantage to expand the amount of impervious coverage. And I think after the photos if this is helpful I'll just explain why that yellow line is drawn the way it is. So also High Noon which we'll see in the photos in a moment they got a Highlands Exemption as with Ceil West and they did renovations to their property. Their certainly entitled to continue to (inaudible). Now the fact that any property is identified here doesn't mean it's in a . . . it's not in a traditional redevelopment area that we apply elsewhere in New Jersey where there's conditions of blight and there's an intention to use eminent domain to take property or the potential. That's not what the Highlands Redevelopment strategy is so the fact that the properties are listed does not reflect . . . it's no reflection on the property itself whether it's good or bad that's the judgment others can make except for this one. So you know this is . . .

MS. MURPHY: I think it's an historic building.

MR. MCGROARTY: It probably is because you know . . .

MR. VAN NESS: It will be a historic pile of lumber somewhere.

MR. MCGROARTY: I started in November of 1989 it was vacant then so I mean if it stood that long it must be historic in a sense of the structure. This happens to be a vacant . . . that's not a great shot but it's the intersection of Johnson and Route 46 it's a town owned vacant lot. It's just a small parcel but it's included in so again going down the highway heading west 7-Eleven, a gas station and here Gene and I have had to talk about this, this had shown up as a contaminated site I have not checked to see if they're free and clear now but it's operating again so . . . and they put up a convenience mart in so I don't know if they'll be coming back any time soon to do anything else. But I didn't realize this was a separate parcel but it is it's an undeveloped lot but it's adjacent to the (inaudible) which is here and then High Noon and again this renovation, well actually they tore the old building down didn't they? When they were in the process of renovating it I think they basically took the old building down and rebuilt it. They did that under a Highlands Exemption but again in the future (inaudible) more possibilities perhaps. So, and then we have the building here next to the municipal property and Alex is here this is your shop isn't it Alex?

MR. ROMAN: Yep.

MR. MCGROARTY: Now these two buildings are on the same lot, this is hard to get a good panoramic shot of the municipal building or the municipal site I should say but of course we all know it a four acre site and it's almost entirely impervious coverage except of course the beach. Great opportunities though along the outlet there for vegetative restoration and stuff and that's what we're hoping we can do with some of this. The marina access shows up as two separate parcels, the amount of stuff they have up there they need two separate parcels. And then I was surprised that we're doing this one of them has a residential unit on (inaudible) I didn't even know that was there and I was (inaudible) surprised. The last building that's involved is the First Aid Squad Building on the opposite side of the highway, I apologize the last building is the pump station. So that's it. Why are those properties in and not others and why this crazy configuration? At the risk of over simplifying it when we create under Highlands we have to create a redevelopment area we have because of the way the Highlands Act was drafted and approved we have to find within an area that we designate as redevelopment 70 percent of it has to already be impervious coverage. So what happens then is, this yellow line everything inside the yellow line counts towards the 70 percent impervious. As a matter of fact in this case we have almost 78 percent impervious. So we have it at least the threshold is 70 percent impervious. There's probably no simple easy way to explain it I don't know why they did it this way but they did, when the legislature adopted the Highlands Act that was the standard. So what happens is this yellow line is not property boundaries okay so like Lakeview Plaza is here and their property goes all the way to here. Again just initially for the sake of discussion tonight everything

within the yellow line can be built out, it would be permitted now to be built out. So for example Ceil West which, Gene help me where is it in what . . . down here right?

MR. BUCZYNSKI: Yeah right there.

MR. MCGROARTY: Ceil West actually they pretty much maxed out what they can build but if they were to take the site plan that they have, and they had some difficulties with it because DEP made them move things around to stay, again because of the kind of the exemption they had they had to keep all of the impervious coverage essentially contiguous close to each other. Whereas if they had they druthers they would have done it a little differently. They can scrap that and come back and they get a little bit more development potential here. The municipal site is almost entirely impervious coverage so there's really no restrictions there. But you can see, you know there are some parcels that could benefit from this if the owners wish to do so. But that's not really why we did it, we did it because again we had to come up with the 70 percent impervious incidentally we're counting the highway itself as part of that and we're permitted to do so. And we could have kept going I mean clearly you know we could move westward and go all the way down as far as we want on Route 46 but the more that we bring in it gets a little complicated you always have to have the balance. You know if you bring in more area than we . . . you know or if some of that area is undeveloped and then it just throws our calculations, and also just felt like no one has ever to our knowledge through Highlands no one had done this yet. So we figured if we're going to do it let's do something that's manageable first and we like the idea again the environmental angle here too is so critical to be able to do some stuff or at least lay the ground work to do some really innovative things there. That we wanted to keep it compacted (inaudible) management. So I should stop Mr. Chairman unless there are . . . I mean now we have some conversation and discussions?

MR. WEISS: Chuck maybe I have two quick questions, the little shopping mall where Dunkin Donuts is.

MR. MCGROARTY: Right here.

MR. WEISS: You didn't include that.

MR. MCGROARTY: We did at first it was back farther when we worked with the staff up at Highlands to figure out what was the right configuration. We had it in, we didn't leave it out because it's relatively and in good condition we just again if we brought that impervious coverage in somehow it kind of threw our calculations out of whack. I don't remember exactly how . . .

MR. WEISS: I would think that would help.

MR. MCGROARTY: Yeah and you know what we could but it really doesn't help us. It really wouldn't have mattered here, we could go back and do that if you wanted . . .

MR. BUCZYNSKI: It's pretty much all impervious with the building and parking lot.

MR. MCGROARTY: It is yes.

MR. WEISS: Do you know where their property line ends?

MR. MCGROARTY: It's quirky because this was . . . Manor House Road was vacated and the pump station is here and the First Aid in the back right? And they vacated it . . . oh no he got the back half for his parking lot that took place and the pump station is in the front.

MR. BUCZYNSKI: The more you think about it there's no benefit of extending it there because nothing is going to ever happen to that site. It's a new site you know it's . . .

MR. WEISS: Is it on the western edge of their property?

MR. MCGROARTY: Yeah I mean it was a case of just . . . we were initially trying to find more impervious coverage and add that in, and then again we're hoping that's (inaudible) we're over that threshold anyway. We could always put it in after.

MR. BUCZYNSKI: But its wet there too that's why it was limited when they developed that at the Planning Board stage to its wet.

MR. MCGROARTY: But we thought you know by keeping it here again the heart of it being the building that was in bad condition, we had discussions with the property owner over the past couple of years what could we do there and certainly the municipal property. The bank seems to be a site that at some point maybe some things might happen there because it seems very underutilized so it would be nice at some point for the marina to you know for improvements to be made there at the outlet to restore the edge there. And again certainly we think we have the opportunity to do that along with adjacent properties if we have control over that, we the town that is. And you know we've had . . . Catherine talked to Kathy Murphy a little bit just you know some concerns about the run of the highway here and the stormwater and the like. And it can come up tonight if not at some point I know over the years we had a discussion about maybe the potential for a boardwalk over the lake. While we didn't particularly raise that here it certainly can be on the table and I think that if there's any possibility of getting such an amenity up there the chances of getting it through the permitting process with DEP and everything else is going to be a lot easier than doing it through a Highlands Redevelopment Plan than if the town just went cold and tried to do it.

MR. BUCZYNSKI: Would that line be okay on that side by Budd Lake or do we have to extend it into the lake a little bit.

MR. MCGROARTY: No, no that would be fine yeah. Because again they realize that we're working along the shoreline there and that's why they specifically when they redid this they worked out the grant they assigned, as you know Gene and Catherine, they assigned \$22,000 out of one of the tasks we have money set aside for the town, grant money from Highlands to accomplish a lot of municipal planning departments. We have to do certain things, Mt. Olive has done all of the things that we've had to do to date the Master Plan, the Highlands Ordinance, etc. we've done all of that. These future tasks have monies assigned to them and what Highlands said was look they obviously liked this project because they said we want to earmark essentially \$22,000 out of the stormwater management or stream corridor management plan for water quality issues right here for your plan. And as I said earlier at the same time they also want to assign \$6,000 out of the habitat restoration so we can come up with some plans to almost essentially mini plans just for this area and perhaps we can extrapolate it out (inaudible) the township authority. Time table, we're not under any specific time table that we have to accomplish this but I mean we certainly want to move it along on this but the idea certainly is again to bring as many people to the table as possible so that the end result reflects the wishes and aspirations of the people in the township.

MR. BUCZYNSKI: I think tonight's meeting is still a fact finding too where if there is any items you want us to look at to be addressed you know now is a good time to get started on those to so we get some idea.

MR. WEISS: Nelson?

MR. RUSSELL: Chuck how are we going to handle things like the old plumbing store where we haven't taken in the entire lot so when we develop the plans it will be the entire lot and I'm not really sure how much is Highlands and how much isn't.

MR. MCGROARTY: Okay what we can do on . . . and tell me if I'm missing your point because I just want to make sure so I understand. The plumbing store right, the Ceil West the one we're talking about?

MR. RUSSELL: Right.

MR. MCGROARTY: Yeah you're right their entire lot is here. Now if this were built out under the Redevelopment Plan they could maximize, and I don't know I think it's these two properties I think it's this little rectangular lot and then this large one.

MS. NATAFALUSY: Yes.

MR. MCGROARTY: This is the house and this is the plumbing building. They could build out within these yellow lines and all the rest of this would be deed restricted as part of the redevelopment area. This would have to be deed restricted against any further development. That's the reason why this line is drawn this way; it does not reflect property boundaries. So anyway they could do this they could maximize their impervious in here and the rest of this would be preserved. Now they might say if I own that property I might say well thanks very much but I'm not interested and I have no intentions of deed restricting my property. I'd rather do what I did before which is use the Highlands Exemption process. And the beauty of what we're doing here is that they have a choice, and so no one is forced, like again I

compare it to the sort of conditional redevelopment planning where the town creates a redevelopment plan and that's it. Here the property owner in this case Ceil West could say you know I prefer to use my plans that I got an exemption for. There's some pros and cons. If they do that, if they go the exemption route their limited . . . they will never be able to build out to the extent of their property. They'll only be able to build out to 25 percent more than their existing impervious coverage, that's the maximum build out and their limited as you might recall with the site plan (inaudible) where they can put that. You know the advantages to going under the exemption approach is that they don't have to deal with all the rest of this stuff. But they don't have to go back to DEP and so on. But the redevelopment approach gives them some opportunities they might not ever have. Either way they won't get to build 100 percent impervious on their site and we don't want them to.

MR. BUCZYNSKI: Chuck on that property, on Ceil West I don't recall (inaudible) the approval, their approved plan didn't they develop beyond those lines to? Didn't they use some of that property beyond those limits?

MR. MCGROARTY: Oh I think they did. I think their impervious came back here. So they may want to keep it to that and their allowed to. See this is going to be kind of interesting as this evolves because of development like Ceil West when they say we're going to go with what we have and I don't think that's going to foul us up because Highlands is clear they know each of these properties has the opportunity, they said so in their reports and (inaudible) and notes. Each property has the option of going the exemption route if they want.

MR. BUCZYNSKI: Because they might feel they are more restricted by those lines than what they got approved who knows.

MR. MCGROARTY: They might. But that's where the innovation will start to come in when we sit down and try and figure out what a new ordinance will be okay and even if their exempt we can put . . . if we create a new zone, which is all right now it's all in the C-1 zone, let's just say we call it the lake something zone, you know lake (inaudible) I don't know, but the standards change. Maybe they get more, maybe they get less, maybe they get more as an incentive if they do certain things, and again we built in you know a lot of that other stuff there's a low impact development strategies there's a lot of stuff we talked about. So we've got a lot of work ahead of us but I think what I like about is I think we've got a lot of flexibility and we're offering property owners flexibility.

MR. WEISS: Dan?

MR. NELSEN: Two parts Chuck. If I recall correctly that Ceil West property when they originally came to us with the plans which I believe we approved but the Highlands knocked them down

MR. MCGROARTY: The DEP.

MR. NELSEN: The DEP.

MR. MCGROARTY: They got it eventually.

MR. NELSEN: But didn't they make them cut back their parking and therefore the size of the seating of the restaurant?

MR. MCGROARTY: What they did do Dan and Gene . . . Jim Glasson when he designed it did a nice job because he pulled parking away from the Highlands which is better. But because of the . . . and when they go the exemption route they've got to keep all of the impervious contiguous. So if they add more pavement it's got to be contiguous to the existing pavement they wound up with the parking right up against the highway or whatever. And they may be right they may have had to shrink some of the rear parking . . .

MR. BUCZYNSKI: Yeah they did.

MR. MCGROARTY: So that's a good point they may have actually been handcuffed by that.

MR. NELSEN: Right question one. Two, who drew these lines? Was that you the town?

MR. MCGROARTY: We drew the lines because we again as quirky as they look we really wanted to get . . . and what we do want to do is draw you know a line surrounding the impervious here and then

come over to this property and have this little sort of like salient if you will, it just made more sense to square it off. Now we went through a lot of variations on this and with James Humphries at Highlands and others up there but James is particularly you know he's been extraordinarily helpful to us and had suggestions as to you know what the best way to sort of incorporate the impervious. So that's why the line goes the way it does.

MR. NELSEN: I was somewhat disappointed when they, the DEP beat them up a bit and cut back their parking. Because I was looking forward to a really nice restaurant overlooking the lake I remember the plans it was really, it was kind of exciting I thought it would be great. If you have the possibility can you extend that and give them some more room into the back of their property?

MR. MCGROARTY: Yeah I just realize where you're going with that it's a very interesting question. I would say we can certainly look at why not if we compensate somewhere else.

MR. BUCZYNSKI: And we're still within 70 percent.

MR. MCGROARTY: Yeah possibly.

MR. NELSEN: I thought that was a great original plan.

MR. MCGROARTY: It would have to be reapproved by the Highlands Council I mean we'd have to discuss that with the staff but that's an interesting idea. Some of these other properties they have no interest in doing anything further Lakeview Plaza and some others to the bank which we don't own. I suppose we have that possibility that's . . . we should look into that that's a good point.

MR. NELSEN: Thank you.

MR. WEISS: Kathy?

MS. MURPHY: That would be fine as a restaurant on the road but I just don't want to see us buy into the idea that that's what we're going to get. That's what everybody sold them all when we thought we were going to have a bowling alley you know or a theater.

MR. MCGROARTY: No he doesn't mean the lake itself though Kathy he means the one at Ceil West.

MS. MURPHY: Right.

MR. BUCZYNSKI: That's already approved Kathy.

MS. MURPHY: No but I'm saying what people forget or the community doesn't realize you know like oh yeah we should have a mall because we're going to get a bowling alley and a theater. We didn't get either once it's approved it's approved and it fits within the commercial zone you can put whatever the hell you want there. So you may be thinking this is great let's get them extra over here because they're going to put up a restaurant when they may not.

MR. VAN NESS: Well this particular, if I may? This particular applicant was stymied by certain design things that they had to come up with in order to fit this property. And the reality is that what it did is it made using that property more difficult even just for a simple restaurant. So even if it later wasn't approved as a restaurant and it was approved as a retail store of some type it's still a property that has certain restrictions that aren't realistic as . . . you know I think a lot of us felt that the Highlands or DEP was unrealistic in what they wanted them to do with this property.

MS. MURPHY: Because they had to tier it . . .

MR. VAN NESS: They had to tier it and they made them connect impervious coverage and then there was an old shed that you had to use the impervious and that had to . . . it was just unrealistic. And the new rules of 125 percent and things to that effect make much more sense.

MR. MCGROARTY: Well no they did it under the 125 percent.

MR. VAN NESS: But they had to connect the existing impervious and that was the issue.

MR. MCGROARTY: But you know I see your point but the other thing to do Kathy is that's why we want to look at the C-1 zone because I mean again that's always been in place for almost 30 years.

MR. VAN NESS: And nothing has happened.

MR. MCGROARTY: Well you know and it's very . . . you know there's a broad range of things that are possible that's why we're thinking this would be an interesting sort of candidate to look at this area for a new kind of zoning. And there are certain kind of things that probably, that's open for discussion and input that probably don't know . . . one thing we will not move on I can tell you is gas stations because they're not going to be permitted under Highlands regulations. The existing ones get to stay but . . .

MS. MURPHY: I'm in favor of the redevelopment issue and that something like a gas station is exactly what I was looking for, the idea. We just shouldn't just approve the idea of a restaurant in mind but there's a whole lot of things that would fit in that area we just want to make sure that those are all (inaudible).

MR. MCGROARTY: Yeah there are certain things, and we can get into this as we move along other evenings but I mean of course there's certain things under the Highlands Preservation Area regardless of the fact that it's (inaudible) that prohibit uses, and that's . . . we don't really have a choice there. When you're in the wellhead protection areas as this area is so that's why gas stations are no longer permitted. Again the ones that are there get to stay but new ones . . . so they're limits on some of the kinds of uses. And some of the other things it's really up to the creative imagination of us here to figure out what would be the best kind of zoning that would work in this area.

MR. WEISS: Scott?

MR. VAN NESS: The property owners that want to do some type of redevelopment do they have to now go back to the Highlands anyway or do they because of this plan does the township have the authority to permit development.

MR. MCGROARTY: The answer is yes. But I'm glad you raised this discussion because if someone wants to redevelop their property again they have the choice they could go for the exemption process and now they can come to the town because again Mt. Olive has done everything it was supposed to do to this date. And many towns have not, but because it has done the Master Plan, the Ordinance, it now has the ordinance in place for exemptions and your qualified, Gene is qualified, I'm qualified, and Catherine is qualified but this will be the sort of thing as they come in that if someone came in for a 125 percent exemption I would expect that it would be Gene's review you know to determine, so they could come here and have the town engineer review it and of course the Planning Board as opposed to bringing it to the Highlands and DEP. If they go the redevelopment route they still have to go down to DEP but the advantage they have now is they have a redevelopment approval in hand. It's not like they have to convince the DEP, what they have to convince the DEP when they go down there is that they're entitled to . . . that they should be given favorable treatment to waivers for a certain number of restrictive policies and planning for the Preservation Area. Again they have the support of the Highlands Council on . . . critically in that area. If someone wants, and Gene has been investigating the connections to the water and the sanitary sewers as you may know and when you're in the Preservation Area they'll need utilities to the extent, except under very restrictive circumstances or unusual circumstances. Whereas in this redevelopment plan, now that could be waived so the fact that this whole area could be served by, at least I guess theoretically served by the Budd Lake Sewer system through MSA. They can, all of the properties can connect up whereas under . . . if they go the exemption route that is not the case they're not . . .

MR. BUCZYNSKI: Well the benefit with the sewers is we have the sewer there all the way up Route 46 to. So you don't have to extend it, the benefit of the redevelopment plan is more so the water because there's no water connections there even though Highlands says there's only three properties with wells, they all have wells. There's no potable water in that stretch so we're going to have to extend the water line.

MS. MURPHY: There's a moratorium on us through DEP with that part of the water system isn't there? Has that been lifted?

MR. BUCZYNSKI: No, no. There's firm capacity available.

MS. MURPHY: I'm sorry?

MR. BUCZYNSKI: There's firm capacity available it's enough for . . . the rough numbers so far it would be enough to do redevelopment in that area. You'd have to go to the DEP and get those approvals for the water supply but there's firm capacity.

MS. MURPHY: They're part of what Pine Crest?

MR. BUCZYNSKI: Yeah. Years ago there was a moratorium, years ago.

MS. MURPHY: Okay I didn't know if it was . . .

MR. BUCZYNSKI: But then when Lakeview came in they did improvements to the well system there and well house there which increased the firm capacity and they drilled another well.

MR. MCGROARTY: I don't think they would have given us the redevelopment approval without that. You'll note in the staff report of consistency (inaudible) that they mentioned the Pine Crest system. As Gene said they thought more properties were served but at least potentially it's there.

MR. WEISS: Laura did you have something you wanted to add?

MS. SZWAK: Yeah I did. I mean to me this is like a gateway to Budd Lake. Budd Lake is like a phenomenal natural resource that I don't think the town has really benefited from as much as we could in terms of tracking and tourism and having people enjoy and learn about the lake. That's why I like the idea of a boardwalk with the birds that you can see and different times and things like that. So I was just wondering, I can see the benefits to developers to come in you know because the coast is kind of clear in a way they still have to do hurdles but at least it's predictable. But I'm just wondering what kind of restrictions or, that's not the right word, or incentives can the town place on this to maximize the fun part. In other words you talked about water quality or low impact on development I'm just trying to see what's the benefit of doing this other than you know just attracting developments. Is there some way that Mount Olive can put some standards, I don't know what the right planning word is you know to build on what history has been there it's such a great historic place and you know that people when they're eating in a restaurant and stuff that they can appreciate what the natural features are. I guess, I first moved here 22 years ago the first thing I wanted to do is go have a picnic at Budd Lake. You can't do it there's no park you know except for the beach and that's blocked off. So being Flanders resident it's not part of our every day . . . it could be, it could be and so we've got some trails we'd like to do on the other side of the lake but this is a great little method of attracting people and to you know have them know that this is a special area. So I don't know . . .

MR. MCGROARTY: Well I think, I think that's exactly . . . you're right on the money there in that that's what we should be thinking of when doing this because I think the possibilities are, they're not endless they're much broader and wider than we have today. And when I say . . . I think number one we can come up with if the intention and the desire is to propose some architectural standards, some design standards we're free to do that. Because it's a redevelopment area we have . . . there's layers and layers of stuff under the Highlands Act that we have for the Highlands Master Plan that we've been working with not the least of which is the Lake Management Plan. And there are view shed requirements that your familiar with I'm sure that we can incorporate into the ordinance. So we can design it, we can look at 17 well one of them is the pump station so . . . but you know we can look at a bunch of these properties and think about . . . the jewel is the 4 acre municipal property. And so the category controls it and so the town actually is in the driver's seat there when it decides what it wants to do on that site. And so the potential for coming up with the kinds of architectural and design standards that may reflect the history there that's available to us now that was not available to us before.

MS. SZWAK: I guess that's what my recommendation is. Is that we work on trying to get those kinds of ideas and standards that this is like a little gateway to Budd Lake and lets you know try to encourage development that comes in to incorporate stuff . . .

MR. MCGROARTY: Absolutely.

MS. SZWAK: As well as the low impact because that's another thing I want to get some answers about is the water.

MR. MCGROARTY: Well I don't know if we have answers tonight but I will say we are required to do that and we are looking at that already. They had just released, Highlands has just released . . . we've been reading it and studying it and you can find it on their website, a Lake Management Plan Manual which I have with me. As a matter of fact they give a couple of examples and they do not name the

lakes but one of them has to be Budd Lake (inaudible). But this is a Lake Management Manual they have a Stream Corridor Improvement Manual which is a two part document so there are guidelines now that they're providing and we are using and we're going to work with them to figure out how to calculate and incorporate them. Of course there are low impact best management practices manuals out there, DEP has them they're built now. If you get a chance in the . . . Catherine has this in the office right, The Preservation Ordinance?

MS. NATAFALUSY: Yes.

MR. MCGROARTY: This is the new ordinance that we have adopted, the Township has adopted that is all the Highlands Preservation Area standards and there's lots of stuff in there that we can incorporate and will . . . we almost have to anyway but it will be incorporated into this new zone for low impact, for vegetative buffers and all of those kinds of things. But you said something else I just was thinking about that really struck me when we were first throwing this together I had an aerial of the bog and up to the State parks and you know like a lot of things when we start grand ideas and sort of scale them back. And we thought if we could get this going it may be realistic it would really be a great way to step into the next phase of things if you have connections to like some of the area farms that do you know the seasonal stuff and up to the State Park and then ultimately up to your connection trails up north of the lake and bog. Hopefully again concentrate on a better, an approved pedestrian safety access across the highway which is a whole other issue. But we picked up on it because of the scheme of the Highlands Regional Master Plan and I felt that if we can say now that that's something that's a priority for the township, they may hope to get funding somewhere to work with DOT for you know (inaudible) sense of design stuff to may be safety and pedestrian crossings. So I think this is really just the first step but I really, I like what you said I think it is different. When you drive down now or you walk down now you can't bicycle down the highway now unless you're trying to fly. Now the park, having a picnic will again . . . the town owns the beach owns the 4 acres there so . . .

MS. SZWAK: Or any restoration area along the bank you know have public access.

MR. MCGROARTY: Yeah and that's why I thought if that's reflected as I said earlier I have to believe, I mean for those that have done this for a while you know how it works. If you go down to an agency like DEP for permitting to put pylons in for a boardwalk along the lake and you say it's part of the Master Plan, not only the town but the Highlands Council is for that as an endorsement plan. Hopefully you know we get to that point we won't be going alone anyway we'll be going with them and I think that improves our chances. I have to believe that.

MR. WEISS: Chuck what is the process obviously is it the developable bulk standards for this new zone?

MR. MCGROARTY: Yes the bulk standards are used to . . .

MR. WEISS: And of course (inaudible) will be the same for all 17 properties we're not going to have (inaudible).

MR. MCGROARTY: That's correct we will do it uniformed, it should be.

MR. WEISS: I have another question too, we talked about the options like Ceil West for example have, is that an option given to just Ceil West because they have approval or will every one of these properties have an option?

MR. MCGROARTY: Good question, everyone has it yes.

MR. WEISS: For how long?

MR. MCGROARTY: In perpetuity there's no . . . that's the nice thing about it again as I said Howie's question was you know is it just Ceil West because they already got their approval or for that matter High Noon which also got an exemption and did the work already. No everyone has . . . they have the right under the law, the Highlands Act to pursue the exemption process if they want. They also have the right to develop or to pursue this redevelopment process if they want. The nice part is they're not forced to do either one. They can sit on the property as it is if they want to do improvements to the property they're going to have to make a choice.

MR. WEISS: It's just interesting that they can keep that option forever. It seems odd; it doesn't really work that way.

MR. MCGROARTY: No that's right I think as I understand it like when the Highlands Act was adopted by the legislature in 2004 it built in these 17 exemptions and the one that we're talking about the most is this number 4 which people can expand a certain amount of their property for a development project. And that right is built into the Highlands Act so unless the legislature changes it that stays as is. This is brand new, this redevelopment approach here and it just again what I like about it it gives them options to do things and hopefully can create some incentive to do things but it does not force or compel anybody to do (inaudible). I'd like to think that you know that as things move along and it would be worth pursuing because it will improve the properties and obviously our goal is to improve that whole area

MS. SEREBRAKIAN: Chuck the new zone when it is established and approved the properties within that if they were to make any changes they'd have to abide by the new zone, whatever those parameters are within that zone.

MR. MCGROARTY: That's correct yes. And that's why, not that we're trying to catch anybody but we feel that we're doing all of this and we still, that's what we think, when I say we you know I believe that's the census is that let's do something better than the C-1 zone that's there today or at least this area and see where it goes from there. But you're right Kay once you know if you own property in this area and this new zone comes into effect you're obligated to follow the new standards. And that's what we hope to build in a lot of these other things we're talking about. We'll pull them right out of the Highlands Preservation Ordinance itself if we have to.

MR. WEISS: Dan?

MR. NELSEN: I'm not sure if this is to Chuck or Kathy. Is there County or State money available for a boardwalk?

MS. MURPHY: Right now you know no not that I know of.

MS. SZWAK: You have to talk to the Government about that right?

MS. MURPHY: Yeah you can declare it hurricane Sandy maybe but I'm going to make him talk because we were talking on the way here tonight. He was talking about when the lake was filled in, he realized back in the 1960's when they widened Route 46 our beach was more than twice that size and they filled in that corner of the lake to broaden the width of Route 46. So he had an interesting (inaudible).

MR. WEISS: For the record it would be Jim Smith, thank you Jim.

MS. MURPHY: Long term resident.

MR. SMITH: It had been at that point put up from Council that to push for to have Department of Transportation also include in to a boardwalk at that time. And there was a lot of push for it except unfortunately the powers that were involved at that time the DOT kind of pushed it back onto them. And they didn't feel that there was money that was worthwhile to put into that. That was 1964 or 1965.

MR. MCGROARTY: They were talking about a boardwalk back then?

MR. SMITH: Oh yeah. Well they talked about it even before that but that's when the big push was because at that point they thought they were putting all the money into this widening process that they could possibly get a boardwalk out of it out of that time. And unfortunately there was too many other problems going on with town, we had a three man Council at the time there was other problems involved in that and it just kind of died.

MS. MURPHY: It would be nice to go back to DEP at this point and say hey look you stole our lake you filled it in you put in terrible drainage. Now last year they did retrofit a couple of drains along the highway with the cheapest retrofit that they could find when they could have done better as far as filtration. You know we've been after them you know every four years or so you really should try to maintain the drains you put in. So maybe we can go back and say let's see if we can get at least some money towards

MR. NELSEN: There should be some kind of trade off there.

MS. MURPHY: Because there just is no safe way to go on the lake and it's very limited distance between the highway curb and the edge of the lake. Without a boardwalk you really can't do it.

MR. NELSEN: That and parking, there really isn't adequate parking to make it something like (inaudible).

MS. MURPHY: Well and it's part of our open space and trails issues we'd like to connect people to . . . invite them to walk along the lake it's just plain not safe the way it is now. And that's what would require . . .

MR. SMITH: At this point I mean we have already impervious surface area that was the old municipal complex. And if you're talking on this, as far as this redevelopment is concerned, even on a first aid basis if we can at least go from the municipal lot and get up to the end there which is across where Lakeview Plumbing was we can have some boardwalk in there.

MR. MCGROARTY: Yeah and I was thinking the same thing but I was thinking along the same lines like it may be like the baby steps first you know but when you have the plan in place you know I'm confident that that will happen. And then to Dan's question you know if Kathy and whomever start reaching out and seeing if there's money out there for these kinds of, for a boardwalk even if for a section of the boardwalk you know again it's always better that you've got some foundation for it and you've got some of the bigger (inaudible) that are behind it so (inaudible). Maybe you take a section at a time, it's been done I mean certainly there's boardwalks surviving the wetland areas and so to put it along the edge of a shoreline, I mean my favorite is this this is the 2012 Highlands Annual Report and it shows a boardwalk and this is in Jefferson. Its part of the Appalachian Trail and so I mean . . . and this boardwalk area runs all the way through a vast area of Jefferson that's all wetlands. And so I mean Highlands, it was when I called them but it's there I mean so it can be done. And now that's not a lake obviously but still I think the principal is the same some of the things that seem to be obstacles we can turn them around and we can . . . we're not just disturbing the edge of the lake we want to restore the edge of the lake or improve it.

MS. MURPHY: (inaudible) tip about the Appalachian Trail, last year, I think it was last year it was in I think 2012 it was the 75th anniversary of the Appalachian Trail. The man who dreamed up the idea of the Appalachian Trail turns out is living in Mount Olive (inaudible). The Department of Interior actually contacted Thea Dunkle to say we'd like to put up a historic marker about this guy but we don't know exactly where he lived in Mount Olive. We haven't been able to figure it out either. He was staying with his friends who lived here for a few years but most of the roads in town didn't even have street names or certain much in the way of markers.

MR. NELSEN: What is his name?

MS. SZWAK: Venton MacKay (M-A-C-K-A-Y).

MS. MURPHY: He actually gave a presentation in Allamuchy he was a landscaped architect himself and he actually gave a presentation in Allamuchy about an idea that would be the trails and stuff. But you know we don't know exactly where he lived, but if we can substantiate that it's at some point we'll get that marker installed and the idea that it started around Budd Lake area.

MR. WEISS: Laura go ahead.

MS. SZWAK: I just have a question about the water. It's this side of Budd Lake it's a slope and so the water runs like crazy so it seems antipodal for a lot of development you know where it could absorb some of that stormwater. What part of this development is going to help keep that you know try to get the water to sink in instead of running straight into the lake. Because I know they're having issues about you know beach filling in and things like that, is this going to improve that? Or how is that going to work?

MR. MCGROARTY: Well let me take a shot, Gene has got that because it's beyond me. I would say I don't know . . . I'm confident that it will be better I know it's not going to better if we don't do something. And I think if we do this it gives us at least the planning authority I mean proof of (inaudible) to establish standards, you know the technical standards that Gene would be responsible for drafting and such. But you know the stormwater control measures and the well impact stuff we can do that per site. I mean we don't have that kind of standards in the ordinance today and the best you can do is maybe ask about it when it happens. You know I don't see why we . . . and I know we can put it in with

this approach so I don't know, I believe it will be better, if we don't do anything than people can still develop their properties under the existing zoning even with all of the restrictions that are out there and I don't see it getting better.

MR. BUCZYNSKI: We'll look lot by lot for stormwater filtration systems similar to . . . I think it was a big improvement at CVS I mean from a flooding standpoint and also from nutrients going into the lake. We had a stormwater facility, a filtration system from I'll say StormTech there to and we were concerned it was going to help and I think it helped. Especially from flooding that intersection used to be a mess and I haven't seen a problem since then. But those are the type of things we're going to look at on a lot by lot basis.

MR. MCGROARTY: And I think the technical stuff I mean to the extent you and others have suggestions and ideas and stuff you know from the ordinance, stuff that's out there that's being done elsewhere I mean now is a good time to start bringing all of that together and see what works.

MS. SZWAK: Well that . . . I just think that this is an opportunity to improve.

MR. BUCZYNSKI: Oh absolutely.

MS. SZWAK: And so that's what I was hoping that that . . . that's why I'm saying it that I would like to see that that kind of stand . . .

MR. BUCZYNSKI: That's what we're going to try and do.

MS. SZWAK: I don't want to assume anything.

MR. MCGROARTY: Oh no we won't be going through all of this and we won't be spending the money that Highlands has provided to us and not do it. We're committed to doing it anyway and everything is transparent you can read the consistency review of the staff reports they're telling us that that's some of the things we need to do and should do and must do. And so we have to do that in order to qualify for the monies that we're going to be getting as we proceed forward. But we want to . . . and that's why we started this whole thing in the first place. As we said the only . . . I mean it's not going to get better as it is and what could we do to make it better and you know actually way in the beginning we were thinking we'll just use the old redevelopment law to apply to certain properties because they're in bad shape and we can have them knocked down or whatever. That didn't seem . . . you know what's that's going to do that's just going to get one ugly building which is falling apart for two or three decades and get that out of there but (inaudible). And what did we do with the municipal property so that's what led us to start thinking let's look at this other stuff and that's why we (inaudible). I think it's a great opportunity to bring all of these new standards into place and make it part of the ordinance. We don't have to ask we just make it part of the ordinance. I don't know how it all fits together per site but that's why we have you know Gene as the engineer working with the Highlands staff to see how this is all going to work.

MR. WEISS: Jim?

MR. SMITH: Well the only thing I wanted to point out as Gene had mentioned with CVS we have our foot in the door about trying to take care of a lot of the literally runoff of fluent that's coming off of both Route 46, all our side streets over there, you have two major outfalls that are coming down from the new development up there behind 7-Eleven that are going directly into the lake, nothing on it just a straight run. The problem with the erosion at the beach and the outfall that's coming in there from off of Route 46 and you have plenty of outfalls all through there. We've broached the Department of Transportation, sent them a letter in fact we sent three letters trying to get them to do something as far as we provide information from what had been from the engineering firm that had put the CVS filtration system in and they came back to us with the fact that there was no monies in the budget at this time or each time. And then they came out and got all exciting last year and said that they were making major improvements on all the catch basins which basically was to keep larger objects from going into the catch basins along Route 46. It didn't stop any of the . . . whole host of goodies that go into the lake and help disturb the lake. The fact that CVS did what they did and I watched it very closely because we were very concerned with that lot. There was different chemicals that had been found on the property I think from a cleaners that had been in there and the fact that you had streams coming down on two sides of that lot. We were very concerned and stayed in with the meetings and I'm just tickled pink to see an applicant jump on that and realize that and come forth with that, that whole proposal and saw it implemented. Sorry Chuck.

MR. MCGROARTY: No I think . . . well that's the point then because as we're going forward those will be the minimum kind of standards will (inaudible) anyway it won't be subject to the graces of an applicant or whether we can (inaudible). If you want to redevelop these are the standards you'll have to meet.

MR. SMITH: It's already been done we've got an example.

MR. MCGROARTY: Yes.

MS. SEREBRAKIAN: Chuck one of the things I saw in the report that I didn't know where they're talking about the Budd Lake output and that it's a natural heritage priority site in the New Jersey Natural Heritage Program.

MR. MCGROARTY: Yeah we told them that. I think it's in the NRI.

MS. MURPHY: So we (inaudible).

MR. MCGROARTY: Yeah I mean I don't what happened there.

MS. MURPHY: Well the bog site right there across from the municipal building is part of it.

MR. MCGROARTY: Up in here yes.

MS. SEREBRAKIAN: Oh okay.

MR. MCGROARTY: I mean to be honest with you I mean it's more of that kind of stuff we (inaudible). This is a really unique area I mean it's got these environmental characteristics and potential and it's got some . . . it's got some adverse impacts with the highway (inaudible) stuff.

MS. SZWAK: The other thought that I had was the beach and you know it's the line is right at the edge, well what is the thinking about the beach? I mean are we going to keep it as a public beach because that would mean parking because you can't walk there. So you need the parking so you can't you know you have to make sure that there is parking that that's the intention or you know I know it has to remain as open space it's on the ROSI but as a beach. What's the thinking?

MR. MCGROARTY: I don't know if there's any you know thinking yet. I never envisioned that personally that there would be any effort to take that beach away. So I mean that's a (inaudible) amenity why would anyone want to do that. Or to come up with something that would need access to a (inaudible). I remember looking out of the second story window of the old building down when it was brown froth on the beach and I think that it's clean now. And so I don't know Laura but I think that those are the certain questions we all need to figure out.

MR. BUCZYNSKI: Because that site is limited to development anyway because of floodways. You know we've met with DEP back in 2002 and at that point they told us we could never demolish the municipal building but somehow it's no longer there.

MS. SZWAK: Well I guess I just wanted to say that I think the beach is a great asset and it's a great recreation facility and for all the folks especially that live up around that area I just think it's a great facility.

MR. MCGROARTY: To be honest with you if there were no beach there I think one of the things we would want to think about is how do you create one.

MR. BUCZYNSKI: Yeah.

MR. MCGROARTY: You know why would we want to give up that kind of extraordinary lake frontage.

MR. BUCZYNSKI: Yeah I don't think anybody wants to get rid of the beach.

MR. MCGROARTY: I haven't heard anybody say that, that was never in our . . .

MS. SZWAK: I just didn't know I figured that's why I'm here.

MR. MCGROARTY: No these are the kinds of things that are going to be put on the table and say look, no that's something we really want (inaudible). As far as the parking goes for it, and I know this site is used now for people to come and park at it. But we're a long way from figuring out all the solutions but I would love to see at some point we can work out some kind of shared arrangement with the bank and make a more accessible kind of pedestrian access for the bank site to the beach site for people to park and walk. So I don't know I think tonight as Gene said earlier we just started you know we have to really set . . . we really were sitting down, Catherine, Gene and myself and try to figure out all right now we've got the money but before (inaudible) we said we wanted to do all these great things now we have to figure out what the next steps are, I mean we've done a little more than that. Obviously we haven't laid all this out in terms of the tasks to get the grant but these are the kinds of questions that now we want to start all having and discussing.

MR. WEISS: Robert?

MR. DELPIZZO: Do you envision or do you have a time limit in a sense of how long this is going to take, do we have the milestones?

MR. MCGROARTY: We thought at . . . no, just a general one but no but I think that's a very critical question. We have the general one which ideally we'd like to finish it this year. But then to that point I think we can do it and we should do it. It may not be, you know because if we don't then at least my tendency was lets do a little bit more, let's start tweaking here and there and make it perfect and it will never be perfect. If we are able to do this and get it done this year I would be very happy about it. And that's why we wanted to start tonight and see what the interest is and figure out a plan to go forward and as we do that again we'd have to be, at least those of us around here at the table are folks that will (inaudible) your time we have to make sure we are in good standing when the budget gets transferred in the past. And that's why these joint meetings I think are critical and very . . .for a lot of us. They're efficient and it's a lot of funds (inaudible). So that's I guess the short answer I'm hoping we can wrap this up, I think it would be great to have it done. We got the grant, we got the grant approved on September 19, 2013, I'd love it by September 30 of this year.

MR. WEISS: Scott?

MR. VAN NESS: A property owner should decide to sell their property, does the new owner maintain the same rights?

MR. MCGROARTY: Yes. They do traditionally under zoning and they inherit the right to use any of the exemptions that apply to them under the Act. And by virtue of being in this redevelopment area they can benefit from (inaudible).

MR. VAN NESS: Second question, Alex I'll use you as an example, clearly the new zone is probably not going to permit auto repair type centers or something to that effect. Well I can't say it's clearly but I'm guessing that's probably gas stations and things like that. So let's say Alex, let's say that building was sold could the next owner then use it again as a repair shop?

MR. MCGROARTY: Yes. Because . . .

MR. VAN NESS: It's the same rules of zoning apply to that even though this is a new redevelopment district.

MR. MCGROARTY: Absolutely. This will not supersede your rights under the Land Use Law (inaudible).

MR. VAN NESS: Okay.

MR. WEISS: Chuck?

MR. MCGROARTY: Except for, I have a list of properties that (inaudible).

MR. NELSEN: West of Manor House Road is that privately owned property?

MR. WEISS: On the corner?

MR. MCGROARTY: Tell me again Dan where?

MR. NELSEN: West of Manor House Road.

MS. MURPHY: That's township owned.

MR. MCGROARTY: Well west of Manor House on the north side?

MR. NELSEN: On the north of Route 46.

MS. MURPHY: That's owned by the town, across from the bank.

MR. MCGROARTY: Well the bank is here, you mean here?

MR. NELSEN: Yeah.

MS. MURPHY: That's wetlands and the towns own it.

MR. MCGROARTY: Yeah this is in fact this is the OR zone and we're eliminating, the proposal is to eliminate the OR zone, it will become part of the public zone.

MR. NELSEN: You know as Laura said before the beach, she wanted to go on a picnic I would love to see that area where the municipal building was dug up and turned into a park and perhaps acquire some other properties somewhere for parking at that property. So you can have kind of a park/beach in the area.

MS. MURPHY: That's considerable wetlands.

MR. MCGROARTY: You can't do it. Again I think the thing is throw all of the ideas that are strewn about out on the table. This would not be the site to do it but that's not to say it can't be done and I don't know what the town's ultimate decision would be to use this property here. This as Kathy said it's so environmentally sensitive we could not . . . and that's why you know it could never be developed.

MS. MURPHY: It's pretty much ankle deep all in here.

MR. BUCZYNSKI: Yeah.

MR. MCGROARTY: But again all of different, and some maybe conflicting ideas, that's the idea I mean that's the purpose (inaudible). I mean I guess ultimately I mean the Planning Board has the jurisdiction to create the Master Plan or the amendment to the Master Plan in this case. Of course the governing body has the authority to adopt ordinances. So I mean there's clearly decisions way above at least my head that . . . in terms of what ultimately is done but I think if we start to throw out lots of these different possibilities and maybe combinations (inaudible).

MR. WEISS: So what do you suggest?

MS. SZWAK: I just have a question about just how this works. If a land owner says you know, has (inaudible) a development plan and you know and he says, he pulls a hardship says I can't do one of (inaudible), you know I can't do the low impact. Will they be able to get a waiver?

MR. MCGROARTY: A waiver or a variance it depends on how we structure this. But they'll be some . . . well let me say it this way if it's in the ordinance as it is today, now under the . . . this is the town's new Preservation Area Ordinance so that's something that sort of sits side by side with our regular zoning. I'm not sure so I don't want to give you the wrong answer but they could, if it's in our ordinance there's the potential to get a variance or waiver. But I'm not sure if they would also have to go to DEP (inaudible). Again through the Highlands Redevelopment Area this procedure (inaudible). If you're doing it outside of the redevelopment process and they want to go just for an exemption and they want to waive certain things then they have to go to DEP. I just don't know the answer to that it's an excellent question I think that's . . . we'll have to go back to the attorneys.

MS. SZWAK: It's in you know all the good planning that we do being undermined . . .

MR. BUCZYNSKI: I think they still would be required to address low impact design and best management practices.

MR. MCGROARTY: Yeah. I mean I think you know we'd have to do it and again it's got to be worked out like any kind of zoning if you make it so onerous and impossible then your defeating the purpose. But if it's scaled to work on properties that are an acre or in some cases less, many of these properties are substandard being under the C-1 zone. The property owner is going to have to be in front of the Planning Board, he or she is going to have to make a good case of why they shouldn't be exempt and if the public purpose is to improve the quality of the water and so. They might, at least in theory have a very difficult time getting a variance I would think. I mean you'd have to have a really extraordinary reason it seems to me to waive something like that. But again I think that's a good question too as we move forward, how is it all going to be structured in the ordinance. Because if it's a variance then we have a little bit more tighter control.

MS. SZWAK: Yeah it's the idea of this being (inaudible), and natural landmark you know does it raise the lake . . . does that raise the standards (inaudible) you just can't do it.

MR. MCGROARTY: Right I think it does and I think it does and I think again I kind of look at things somewhat more black and white. I feel if someone has you know comes in front of the Board and says well I really . . . you know this is going to cost me more money and whatever blah, blah, blah but on the other hand if I don't do it there may be some negative impact to the lake or to the goals and aspirations that you've identified in your town's Master Plan, Highlands Redevelopment Area and all of that and I'm balancing the two I'd say sorry. If I was a voting member of the Board I'd say you know depending on the circumstances I'd say you really got to make a good case way I'm going to allow stormwater runoff from your site or (inaudible) from your site or you're not going to control your you know all of those adverse impacts on your site because it's going to financially challenge you. I think the public good outweighs that.

MS. SZWAK: It's still a decision.

MR. MCGROARTY: It's still a decision but again I think it may also have to go (inaudible). In any event we don't have anything like it now. So status quo is really not getting anything done. So this may not be the perfect solution but if someone has a better one this is the time or anytime through the process and say let's do it differently. But again Dan's idea earlier I never thought of that, if we're able to go back and say well, wherever that might be, we could modify that yellow line a little bit for one site versus another site as long as we stay within the parameters of the redevelopment. Is that okay? Why not, I hadn't thought of that. We'll go back and ask Highlands about that.

MR. WEISS: Okay so my question is what do we do from here?

MR. MCGROARTY: Well I think we need a few days to . . . we've had some questions out . . . Gene has been researching some stuff; I've been in touch with James Humphries over there. It probably would be a good idea to set another meeting and then I think Howie you wanted the ordinance committee to start working on this?

MR. WEISS: Well I would think the first thing we should do is get the ordinance committee back.

MR. MCGROARTY: And probably you know to open the process up and have representatives from other groups there as well?

MR. WEISS: Well you know with Joe heading that committee I think it's (inaudible). We should probably . . . Joe is just away for the day?

MS. NATAFALUSY: Yes just for the day.

MR. WEISS: Let's reach out to Joe and let's set up a meeting and find out who like . . . we'll get his opinion on that.

MR. MCGROARTY: Because we also want to be able to . . . this is a little different from the traditional stuff we do with zoning and it demonstrates each step of the way that you know people that have interest in this are all on the table when we get it to that grant. So I think the next step then to your answer to your question is to set up (inaudible) set that up and get moving on it. That way we can maybe keep to that September deadline. I think we should try that.

MR. WEISS: So there's really not a reason for this group to get back together, the ordinance committee needs to.

MR. MCGROARTY: I mean the Planning Board and the Environmental Commission and the Open Space? Probably the next time we all get together as a group, a large group it may be helpful to have at least some drafting advice. Right? Because right now we're . . . none of us I think really have a clear idea what we want to see yet, we have a list of maybe the possibilities for what the zoning could be and a list of what sort of . . . a wish list for the kind of things you want to see happening there, I know some of the kind of standards that again (inaudible) through our own ordinance now plus the (inaudible) ordinance and say (inaudible).

MR. WEISS: Who on the Planning Board is on the ordinance committee? Catherine do you remember? I don't know.

MS. NATAFALUSY: Yeah I have it here. I think its Joe and Scott.

MR. WEISS: And I think this is kind of a large topic if anybody else on the Planning Board wants to . . .

MS. NATAFALUSY: (inaudible).

MR. WEISS: You'll let us know.

MS. NATAFALUSY: Yeah.

MR. MCGROARTY: Yes we can. Kathy asked if we can propose design standards and again we can because traditionally under zoning, and it depends on the circumstances, but there's limitations of what we can do we're in the redevelopment area and we have lots of flexibility now. As I understand it, again I will use the Lake Management and (inaudible) departments (inaudible). I don't know what they are I think that's why you know sitting as a group it would be helpful to sort of throw things out like that. I mean building height is going to be a critical concern because in some places you might want to let a building go up higher, in some places you may not. Scott?

MR. VAN NESS: Chuck how much impact do you think the township redeveloping the beach area could have on these surrounding properties wanting to redevelop their properties? How much do you think that could be a catalyst to help these other property owners want to do something different.

MR. MCGROARTY: Well I think it would be a catalyst Scott. I think it would, because if I see that there may be some economic incentive or if I see the municipal property being improved and its bringing people in, it's bringing people into the beach now but there may be some economic opportunity that I could capture by that it may increase the property of my own property value in this area. I always think of it like if nothing happens out there it's kind of like this you know it's uninspired, back to Laura's initial observation it's the gateway and it really is. When I say uninspiring I don't mean to be unkind but if there was something exciting on the municipal site wouldn't you think the old properties around there and say you know maybe the bank would even look at this. You know we can do better than having a bank that nobody uses anymore and all of this parking that sits there.

MR. VAN NESS: That's very valid. I mean at one point once the municipal building went away it seemed like that area kind of fizzled. Not that it got worsened because businesses are still active there but it just didn't seem to go anywhere. And then the High Noon came in and it seemed like well maybe there's something going to happen here and then the Segal property came and that one seemed like something was going to happen but that never came through. But then the economy turned to hell. But it just seems if we just are missing the one piece of the puzzle to help drive some growth here. And I'm a believer that that lake area being redeveloped could make the difference in making people pull the trigger to want to do more.

? The old Kevin Kostner building they'll come?

MR. MCGROARTY: Well I think that's an excellent point though because again if you start somewhere, it happens a lot in redevelopment areas and permit areas too I mean you start with one . . . you improve one building there's always, there's often, not always but there's often that spill over when someone else can decide well you know what maybe they're bringing in some activity, maybe there's some evening activity, maybe there's some other things going on. It opens up different possibilities.

MR. WEISS: I'm looking for somebody to blink first and the township is in a good position to do that first?

MR. MCGROARTY: Yeah.

MR. BUCZYNSKI: Just unfortunately they started . . . too bad there's no really good pedestrian access to the beach area that's the problem.

MR. MCGROARTY: Right.

MR. BUCZYNSKI: You've got to drive there, there is no parking.

MR. VAN NESS: I think that sometimes we over think that, on how to make that work. And from the occasional travel that I do I see that one of the most popular things are pedestrian traffic signals.

MR. MCGROARTY: Yeah.

MR. VAN NESS: Which would be probably much more open . . . the DOT might be much more open to something like that as opposed to a bridge or a traffic light to control the intersection.

MR. BUCZYNSKI: Yeah you know the problem you have there is . . . I think the concern that the State is going to have is the fact is the amount of traffic on Route 46.

MR. NELSEN: Yeah how will that back up the traffic?

MR. BUCZYNSKI: You know there's a lot of traffic on Route 46.

MR. VAN NESS: But the amount of . . . it's about cycling and it's about how often is it really used. I don't really think we're going to get that much.

MR. NELSEN: Will we want it to be used.

MR. VAN NESS: We do but how realistic is it going to be.

MR. MCGROARTY: And this is exactly right. There's different possibilities here, if we go to DOT with . . . we just go to DOT without anything behind us, but if we go to DOT and say you know what now we've got this whole thing going on it may not be you know I don't profess to know this stuff I mean you were the guy, it's Gene and Scott are talking about the traffic study. But I have consistently in the stuff we started with Highlands and (inaudible) said that we really want to focus on dealing with pedestrian safety here and as Scott said sometimes we over think it and make it to (inaudible). The last thing I think we ever want is a bridge like they have down in Denville. But maybe it's not right here across from High Noon to the beach, maybe it's down at the light at Wolfe Road. But that will only work if there's a good safe way to get from there to the beach and that involves maybe you know that's why this . . . we're trying to put it all as one piece. Maybe we can get some sidewalk extensions and some safe pedestrian ways. I mean DOT constantly is saying you know they do all of this contact sensitive design stuff and they have these manuals out there and all these pretty pictures and illustrations. Maybe it's going to work; it's not going to get done right away but . . .

MR. VAN NESS: It would be nice to see if this is a catalyst for them to get involved in Mt. Olive at all.

MR. MCGROARTY: And I think if we say look you know what if we're going . . . you know Scott you gave me information early on when I asked you about the accident date. I mean you've got lots of accidents at that area obviously over the years and one or two fatalities right?

MR. VAN NESS: Yes.

MR. MCGROARTY: Unfortunately. And you know if there's a way to make . . . just common sense as well, we've got this incredible amenity, we've got the lake the beach and you have the state parks beyond, you've got these places beyond that people might want to get to and should be able to get to on a bike, walking and so on. You've got this extraordinary obstacle which is the Highlands.

MR. VAN NESS: I think one of the most dangerous intersections in the town.

MR. MCGROARTY: Yeah. You know it's a terrible thing; on the other hand it's an incredible opportunity to do some creative thinking. It's a mess but you know what there's lots of . . .

MR. BUCZYNSKI: Yeah you've got two lights on each side of the redevelopment area too. So you have problems with (inaudible) and houses with the DOT. But it's something we've got to look into.

MR. MCGROARTY: Yeah and I'm not worried I mean you know there's lots of this is way it won't work but I think there may be a couple reasons why some things can work. And again it was using the existing traffic signals and improving them, or pedestrian crossings if that works. As long as it's a safe way to do it to get from that point to some other point and so it's a multi-part kind of problem.

MR. BUCZYNSKI: Because you've got a lot of residential developments on the other side of the lake so we can find a way to get the people to the lake and the lake will flourish.

MR. NELSEN: They've got the school right there I mean you know Wolfe Road?

MR. MCGROARTY: It's almost like, it's almost like this hypothetical problem you've got to come up with that's any kind of like a training exercise. We're going to have (inaudible) we're going to have a school, we're going to have all this stuff and here's the lake, here's the beach, here's the state park but you can't get from one to the other without crossing the highway, so how do you safely cross the highway? You know it's not an easy solution but there's got to be a solution. There's got to be at least some ways to doing it, and there's got to be ways, if we don't do anything what we have today is not (inaudible). I mean I used to hate coming out of the municipal building site when we worked there because it was you know . . . But you know so I think whatever we come up with has got to be better than what's there today and I think we'll probably come up with some creative ideas.

MR. WEISS: Just one thing I wanted to add, Dave I think you know you're representing the ordinance committee and we'll work with Joe . . .

MR. KOPTYRA: Yeah I have no problem with that.

MR. WEISS: I'll speak to Joe but I think we should definitely have representation from Open Space and Environmental Commission. We have to be concerned about a quorum so Dave whether you join us or you found some representation from your committee, same with Nelson we'll talk about the Environmental Commission. And that will be up to Joe Fleischner to schedule that and I think that's what we'll do we'll get representation from everybody. What about from Administration?

MR. MCGROARTY: Well we talked; did we tell Sean (inaudible)? Well you talked to the Mayor and the Mayor's representative, yeah I mean Administration we sort of started tonight so . . .

MS. NATAFALUSY: Sean does know I've been telling him . . .

MR. MCGROARTY: Yes I thought so.

MR. WEISS: Alex do you think there should be Council representation?

MR. ROMAN: Oh most definitely. Especially when the, starting the catalyst portion of it that's something that definitely would you know we'd be involved in.

MR. WEISS: Okay I will reach out to Joe and make sure that we include whoever . . . if we forget we're missing somebody Chuck you let us know.

MR. MCGROARTY: At some point I think like, well I was going to say you know the Police Department we have the benefit really to Scott who is retired now but obviously has the knowledge and expertise there to the extent that we need to be in touch with traffic safety bureau or whatever. You know Scott seems like the logical person. I think the recreation, is there a recreation committee?

MS. NATAFALUSY: Yes.

MR. MCGROARTY: Is it Jill that . . .

MS. MURPHY: Jim Farley is the committee chair.

MR. MCGROARTY: At least with respect to the beach but I don't know if they need to be for all of the zoning stuff but that's not up to me. But certainly I think you'll want their input in terms of what they do now because they do some great stuff at this lake.

MR. WEISS: Judy does Lisa have anything to do with that?

MS. JOHNSON: No, no it's Jill.

MR. WEISS: I ask only because she can kill two birds with one stone she can represent the Mayor's office at the same time. Okay we'll leave it up to Joe I'll communicate with Joe.

MS. MURPHY: Yeah Jill would be the staff person for that.

MR. WEISS: Okay. Does anybody else have anything else they want to add? Okay we seem to have a direction where we're going to be.

MR. MCGROARTY: And I guess just to close Howie if you know as we go forward we will have like thoughts or ideas or questions or objections, etc. if you want like Catherine to be the point person? Maybe say send emails to Catherine or just save them until next meeting?

MR. WEISS: Well let's actually try to deal with if the Environmental Commission has any concerns let's go through Nelson, Open Space go through Dave and then to their we'll go to (inaudible).

MR. MCGROARTY: That's a good idea.

MR. SCHAECHTER: Could we put any kind of time frame on all of this? I mean like for the ordinance committee and then where we can get a presentation back to the group and instead of leaving it open ended if we wanted to go for a target in September we need to, in my opinion, we need to set some period that we want to look for a proposed ordinance. To get into the review on that to kick that around and beat it to death so that we can finally get something to present?

MR. WEISS: I think that when the ordinance committee meets and develops a draft is pretty much when we'll come back together.

MR. MCGROARTY: Well I mean I have to keep a schedule anyway because we're working with Highlands in terms of the grant, maybe in the next day or two I can sort of draft something and run it by (inaudible).

MR. WEISS: Okay I'm hesitant to say yes or no because (inaudible). I will look to Joe to put together a meeting when we can (inaudible). But I agree we'll get back together.

MR. MCGROARTY: I think we have to have like target dates like that to say we're in almost the end of February now so by whatever date you want to have a draft or you want to some visual sessions . . .

MR. SCHAECHTER: Well that's why I said if we put up 30 days, 45 days, 60 days? Take a rough figure and we try to target with it. Otherwise things kind of get droopy and . . .

MR. MCGROARTY: Yeah we're going to do it completely I want to do it stay promptly with the grant. (Inaudible – too much talking in the background). I want that schedule kept.

MR. WEISS: Well as always Chuck thanks so much for your input.

MR. MCGROARTY: Thank you, thank you everyone.

MR. WEISS: Does anybody else have anything else to discuss with the Planning Board tonight? Scott that being said do you have anything?

MR. VAN NESS: Yes Mr. Chair motion to adjourn.

MR. WEISS: All in favor?

EVERYONE: Aye.

MR. WEISS: Thank you very much.

(MEETING ADJOURNED AT 8:40 P.M.)

Transcribed by:
Lauren Perkins, Secretary
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