

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:** Joe Fleischner, Judy Johnson, David Koptyra, John Mania, Dan Nelsen (7:06), Kim Mott, Howie Weiss

**Members Excused:** Nelson Russell, Brian Schaechter, Scott Van Ness, Michael Koroski

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

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

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**APPROVAL OF RESOLUTIONS**

**RESOLUTION #PB 13-30 – MT. OLIVE MC LLC - (Block 6000, Lots 5 & 6)**

Motion: John Mania  
Second: David Koptyra

**Roll Call:**

Judy Johnson - yes  
David Koptyra - yes  
John Mania - yes  
Howie Weiss - yes

**RESOLUTION #PB 99-31 – ARD MT. OLIVE ASSOCIATES (EXTENSION) – (Block 4400, Lot 79)**

Motion: David Koptyra  
Second: Judy Johnson

**Roll Call:**

Judy Johnson - yes  
David Koptyra - yes  
Howie Weiss - yes

**RESOLUTION #PB 14-02 – DAVID & JUDITH DOWNS – (Block 5501, Lot 8)**

Motion: David Koptyra  
Second: Judy Johnson

**Roll Call:**

Judy Johnson - yes  
David Koptyra - yes  
Howie Weiss - yes

**RESOLUTION #PB 14-01 – ANTHONY RUCERETO – (Block 1800, Lots 48 & 49)**

Motion: David Koptyra  
Second: Judy Johnson

**Roll Call:**

Judy Johnson - yes  
David Koptyra - yes  
Howie Weiss - yes

**RESOLUTION #PB 11-20 – S & S REAL ESTATE (EXTENSION) – (Block 3207, Lot 3)**

Motion: David Koptyra  
Second: Judy Johnson

**Roll Call:**

Judy Johnson - yes  
David Koptyra - yes  
Howie Weiss - yes

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**COMMITTEE REPORTS**

MR. WEISS: For the record Dan Nelsen is here. Let's go to committee reports the first one Ms. Johnson is there anything from Mayor?

MS. JOHNSON: The Mayor has no report.

MR. WEISS: All right thank you. Mr. Mania?

MR. MANIA: Yes we started construction on Mount Playmore the concrete has been poured and we're very enthusiastic to get this project done. I think it's going to be beautiful when it's done.

MR. WEISS: Excellent thank you John. Nelson is not here from the environmental commission, Joe did you have anything?

MR. FLEISCHNER: No the discussion evolved really around the item on tonight's meeting.

MR. WEISS: Okay and of course the ordinance committee is tonight. I have nothing from the street naming committee. Dave?

MR. KOPTYRA: I was out of town I couldn't make the meeting.

MR. WEISS: And I think the open space is represented here this evening. So let's get right into our discussion matter.

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**DISCUSSION MATTER**

**ROUTE 46 HIGHLANDS PRESERVATION AREA REDEVELOPMENT DESIGNATION – LAND USE ORDINANCE REVISIONS**

MR. WEISS: Just for the record we are here to continue our conversation about the Route 46 Highland Preservation Area Redevelopment Designation to do some Land Use Ordinance revisions. This was a process that we started back in February I believe? February 20 plus or minus, we have invited the Open Space Commission, the Environmental Commission I see Jill you are here representing the recreation interest, Alex Roman you are here for Council interest.

MR. ROMAN: A whole plethora of things.

MR. WEISS: And what we'll do is when we break from this session we'll go down just for the record we'll make sure we state everyone who is here just so that we know who is here. And I thank everyone for coming out again understanding the process the meeting is being recorded so I would ask that as you have a comment if you have something to add to the conversation maybe state your name if your entered in a conversation for the first time so that they can be transcribed properly. And Catherine is there anything else that we might want to do to make it easier on the back end.

MS. NATAFALUSY: Make sure you speak into the microphones.

MR. WEISS: Right as we know there's a microphone in front of Kathy Murphy, there's a microphone here, we'll all turn our microphones around it will help pick up and get the microphones facing out we'll be able to pick up all the noise and what we'll do is we'll come down to the table and the meeting will remain in session as we come to the tables. Okay so as we go from a Planning Board meeting to an Ordinance Commission session perhaps we'll turn it to Joe as the Ordinance Committee Chairman.

MR. FLEISCHNER: Thank you Mr. Planning Board Chairman. And for the record our ordinance committee meetings are always very informal so please say what you have to say. Now does everybody have a copy of Chuck's report? And the way we're going to start this off is I'm going to ask Chuck to give an overview, a little bit of history and then we're going to pick it up from there and discuss the redevelopment obviously of the area surrounding the lake and the entire for that whole area which is a Master Plan revision, Chuck when you're ready.

MR. MCGROARTY: Good evening everybody thank you just to recap as you may recall we spoke last time about this the township put together a proposal to the Highlands Council and to make a long story

short we got a grant from them to do a study of a section of Route 46 which is behind me and I'll talk about that in a moment or two. So the intent here is to look at this particular section which is about roughly a mile it involves 17 properties of which includes the pump station for the Budd Lake Sewer Project. So from this point forward I'm just going to talk about 16 properties because that you know that really doesn't mean anything to us. So Highlands has given us a grant to do the study, the outcome of this process we will have . . . the intention is to come up with a Master Plan amendment to create a new zone district for this stretch of the highway. We will have new zoning standards and as part of the grant and it is our intention from the very beginning we will give strong emphases to the environmental features along the lake and the Budd Lake outlet which as we pointed out in our grant proposal and of course it's been in the town's NRI that that is a natural heritage site. And so this is a very important area, and then of course there's other amenities that have been discussed back and forth. So what I would do Joe and I think tonight we're just . . . this is really an ordinance committee sort of in grand scale so we're just here to talk about what we're doing. We don't believe that you know from tonight we're going to have all the things nailed down and one thing I do want to say is this is not going to be the only meeting. What we'd like to do tonight is three things if we can and they don't have to be in any linear type of discussion. But we want to talk about the goals that we would establish for this new redevelopment area which was circulated, some of which we came up with and some of which came directly from the Highlands Regional Master Plan or actually more precisely the version that the township has adopted the Highlands Master Plan for Mt. Olive. The second area we can talk about to some extent, touch on is the kind of zoning that we would anticipate out here. And here we'd like to at least touch upon the characteristics of some of the properties those that conform, those that don't and such really riveting subjects such as floor area ratio and lot size and so on and clearly we don't want to dwell on that tonight because that's the sort of thing that will put us all to sleep but it is critical and we need to at least address it. And the other area is a particular focus if we can on the municipal property the beach municipal property and Jill has provided us a narrative or synopsis of some of the key issues that she is concerned with and that will give an opportunity to talk about that. If I may Dr. Jeff Keller is working on this process as well together with myself and Gene and Catherine and we can make this known when we're going to do it and perhaps others will join us I mention this to Jill and I think she'll be interested in this, we're going to out and walk the site and Dr. Keller is going to focus on another aspect of this grant proposal that again that we advocated and Highlands told us that they appreciated that in fact they want to require it which is a Habitat Management Plan. We're going to do ultimately a Habitat Management Plan for the entire township that's one of our requirements under the Preservation Area Planning Conformance Process. But for the moment the focus is going to be on the outlet and the lake area and so Jeff is going to start working on that with us as well. And there's also the stream corridor, again there's a stream corridor protection process for the entire town and it will be zeroed in to this area as well. But we're not really ready to talk about those things tonight but obviously if anybody has concerns, questions and so on we can do that. And the last thing I just want to say for what it's worth in the Highlands the 2013 Annual Report we got a nice little write up from Highlands so if you get a chance to see it on their website. So let me just . . . I'll touch on this again you see it's got a very peculiar shape everything outlined in yellow and the reason for that is we had to establish a certain amount of impervious coverage to qualify as a Highland Redevelopment Area. Typically these are done for an individual site the members of the Planning Board will recall seeing a few of these. What we did is to design it for the stretch of the highway roughly from Johnson Avenue down to the bank which is Manor House Road. So that is, within this area that's outlined in yellow there is potential to redevelop properties to the boundaries, all the yellow so our current zoning the C-1 zoning really has no relevance to this anymore and that's one of the reasons why we want to re-codify it. And then what we're doing is creating a proposal and again we're in the discussion stages in this, we would then the zone boundary actually would extend out to the property boundaries and later you can look at this up close and talk about it but I just wanted you to know that really it doesn't affect us here just so that you know the new zone will be the entire properties but the ability to develop within that will be restricted by this lot. Does that make sense because it has taken me about 3 years to understand the how this impervious coverage stuff works in Highlands. Dan had asked a question last time which I still want to find out if we can get an answer to which is can we modify some of the impervious within certain areas, extend it like on some properties and tailor it back somewhere else. Anyway so that's what we're looking at. For the goals and objectives Joe I don't know if you want to spend any time going through them I don't know if anyone has had a chance to look at it if anyone has concerns, objections we can certainly add to this list and as you see under the Land Use I wasn't sure yet what kind of Land Use activities we're going to have that's really what we're talking about with the Ordinance Committee so I sort of just left it hanging.

MR. FLEISCHNER: Alex?

MR. ROMAN: Chuck did you ever find out if that zoning could be extended to (inaudible) of a possible boardwalk and how that would change? Is that something that . . .

MR. MCGROARTY: It doesn't have to actually. The boardwalk if the boardwalk project goes ahead that can exist independently from this. So assuming it takes place within . . . along the, somewhere along within the public right-of-way as opposed to someone's private property which is probably not a workable solution. But I mentioned it, it's mentioned somewhere I believe in the goals and objectives because if you know I don't know what the future holds for that kind of proposal but it's not a bad idea in my opinion to at least to establish it as one of the objectives or one of the goals for this new area. Now we can certainly add it a permitted use as a public use if you wish that's certainly possible.

MR. FLEISCHNER: I think I'd like to interject, I think that's something that in discussions we really have to see if that is actually . . . not from a feasibility standpoint because if I think if you really want to do something you can get it done but we have to look at that I the overall picture of what, especially around the old municipal building site, if that is actually something that will bring value to that versus other things that would bring more value and we also have to look at those types of things from a safety standpoint. Because Route 46 is right there and that's you know that's a concern that many people have with a major highway going by there. So I think that's yes I think if Chuck says that would not create an issue if we chose to go that route without specifically having to spell it out early on I think you know we should leave those types of things open because you know as we march down this road where you know what becomes feasible and what's not feasible. I mean I'm just kind of interject and maybe jump ahead where we deal with issues or the ADA the American Disability Act, once we go down that road the costs are huge when you get in that aspect. So I think you know we have to be very cautious on what we can do versus what we want to do and then with the safety issues. I don't know if that helps or hinders.

MR. MCGROARTY: Clearly the boardwalk is a subject onto itself I know it's been an aspiration in the town for many years I remember years ago it being discussed. Now the pros the cons the difficulties and so on I mean we can spend all night on that alone and really Alex to your point we can go ahead and there will be more sessions of course but if it's at least expressed as one of the objectives, one of the goals for this area then that may strengthen the town's position later on when there's discussions with DEP and permitting and so on. I don't see it as a problem in terms of a permitted use we certainly can add that to sort of a kind of public uses that can go in the ordinance.

MR. BUCZYNSKI: And you did mention it in the outline Chuck.

MR. MCGROARTY: Yes okay.

MR. ROMAN: Right but my concern is if we don't include it in the beginning phase of it it's going to get dropped off and then we'll be talking about this 20 years from now.

MR. FLEISCHNER: Well I think one of the things that we also have to be careful of when many of us that have been here a long time and John's a couple years senior to me I'm 40 years so when we talked about a lot of things that we'd love to see happen to the lake that was before Turkey Brook even existed, it was before or during the time of the growth of the apartment complexes with their own swimming pools, etc. And the town has grown where we tend to focus on the lake we have seen and Chuck discussed in his report that usage has gone down. Now obviously there is a lot of reasons you know sometimes people don't want to pay for things which they paid for.

MR. WEISS: That's Jill's report.

MR. FLEISCHNER: Jill's report I'm sorry. But those are all very, very valid and strong points because the complexion of the township has changed. We see how many, and I don't want to just focus on the lake because this is more than the lake, we see how many boats on the lake now versus what there used to be on the lake. I mean you know that has changed drastically especially I know with ice boats, 15 years ago they were all over the lake now this winter we had a pretty cold winter and there weren't many I don't know maybe two or three that I spotted. So the usage has changed and I think we have to be careful that we don't create a situation for something that would not be utilized. That's my only concern. But as long as you know we have the option within the Master Plan to do these things I think you know that has to be in the Master Plan.

MR. MCGROARTY: Yeah I think setting it out as one of the things that if it emerges as part of this whole discussion and vision and so on that it makes sense to have it then it's in there. Whether it goes forward is another question that's a question for you know the governing body, for the people, the Mayor and the funding and at some point I guess Gene will be involved trying to determine whether it's even feasible. But you know just because it's in here doesn't mean it's going to happen but having it in here is a good idea if it's at least . . . if it makes some sense you know and people want to see something

like that. So again we can talk more about any of the particular goals and objectives if you wish or we can sort of . . .

MR. FLEISCHNER: I'd like to kind of march down in the goal area for the overall area itself for the outline. What really are we focusing on to you know to kind of spiral down to?

MR. MCGROARTY: Well what we're doing is, let me just do this in the . . . okay so what we're looking at and again some of these may be expanded because it's kind of tricky we have an area that's also covered by the Highlands Master Plan Element that was adopted here in Mount Olive for Mount Olive and there's pages and pages of stuff about lake environs, lake management and many other things stormwater quality and so on and we may have to expand upon that. But in the meantime it's to get us started. Lake environs we wanted to look obviously at setting out some specific goals to say we intend, the town intends to look at this area you know like for example I wrote in that area a built environment to enhance the aesthetic of the lake area. Now if I had written that I'd probably gag reading it saying who wrote that. I don't know if that's the right way to say it but perhaps there's a way to, maybe there's some kind of a, and since Scott Van Ness is not here tonight I can say the work vernacular and he won't yell at me, but perhaps there's some sort of an overall design theme for this relatively small area that can work. And normally in zoning we don't impose design criteria and the like but in this redevelopment area I think we have more latitude. I'm not sure we can dictate what roof dimensions will be and things of that nature but it will be a function to some extent of some of the changes we're talking about in terms of building height, setbacks and so on. And I brought an example of a building that's been approved out this way which in my personal opinion is very, very nice and that's the Ceil West building. Maybe now is a good time to put that up. I happen to like it I don't know if anyone else does but this is a two-story building it's on the property, and it's not been built, of course the old Plumbing Supply and this is the same architect that designed the veterinary clinic down by Kennedy's Pub.

MR. NELSEN: Sarah Logan.

MR. MCGROARTY: Right. And so I think the sort of design element to this is really nice and Kathy Murphy had been helping and Catherine in finding some very old photos back, way back when John Mania was just a young man back around the 1900's when . . . what the Budd Lake Pavilion building looked like and such. Not that we'd want to create a museum but you know now it's kind of all over the place what's out there. And while I'm out at it brings up another property and at any you want me to stop and talk about where these properties are I'll be happy to do that. This is another property which presently, let me get my orientation correctly Route 46 is below does everybody see that? You can't really see much other than a shaded box but this is Grabowski's property this is the building that's got the old brown buildings on that have been falling in on themselves for probably a couple decades at this point, at least 20 years. In fact he's meeting with the town soon and the intention is to have him demolition those buildings and by virtue of the fact that we have this redevelopment plan in place now he will not be penalized. So that's helpful to at least start to clean up the area. So he can get rid of what's there and then come back here whomever he sells the property to and redevelop the property and not be held to that 125 percent expansion rule under Highlands because of the redevelopment center. But I mention this because he met with us Catherine and Gene and myself two years ago probably.

MR. BUCZYNSKI: At least.

MR. MCGROARTY: And I don't think I have an elevation on here, I don't. But the problem with this property and it's on the list of properties we'll talk about in a little bit it's one of ten nonconforming properties it's about a half acre property out there and because it's so constrained this was one option that he was thinking about. Now again this is under the C-1 zoning so he probably will not be under that kind of zoning when we come back. So one of the ideas is to put all of the parking out typically over the . . . you know around the perimeter of the building. But an alternative idea was to put the building, the parking underneath and have the building above. And the advantage there is you know you minimize the footprint of the building itself but then you have the parking basically at grade and the building is raised. You see these all of the time I mean it seems like every other building in Hanover like this you know all of the medical buildings. I raised that because it's a question that the committee, the Board, the public can think about now do you really want to see that? And if that's an alternative possibility, in other words to raise the building up we'll deal with building height perhaps to adjust for that, but if you raise the building up and have the parking underneath what does that do to the visual impact of this relatively small area? You know maybe that's a good solution but maybe one way to address it is to make sure that that's shielded from public view by some mechanism or another. So these are sort of some of things we want to talk about or do you put the parking behind the building? But again bear in

mind these properties, many of them butt up against residential properties on that side of Route 46 so that raises a different kind of concern.

MR. FLEISCHNER: If we were to put parking underneath though that opens up for stronger commercial use because of impervious coverage. Because now unless I didn't . . . I mean we've had problems in the past where that restaurant was going to come in but they couldn't use some of the land even though there was a concrete slab.

MR. MCGROARTY: By the way that will change now.

MR. FLEISCHNER: Right. How will that affect those other smaller nonconforming lots?

MR. MCGROARTY: Well if we go back to the impervious and I just want to make clear Joe I wasn't saying that that proposal is a bad idea but you just want to visualize it and if you really want to take this kind of a . . . it's not a unique opportunity perhaps but it's a somewhat different from what we typically do when we're looking at zoning. If we want to impose some kind of other design elements to say sure you can park at grade but coming down the highway and by the lake area we don't want to see, we don't want to see an exposed open ground floor with cars. So maybe you shield it and that's done all the time there's ways to do that. I mean they have multi-story parking decks that are shielded with creative architectural techniques so you can't really see it but it solves that problem. But to your question, we're talking about Grabowitz right?

MR. FLEISCHNER: Right.

MR. MCGROARTY: Okay so it's this property right here so . . . Oh no I'm sorry you're talking about Ceil West.

MR. FLEISCHNER: Ceil West.

MR. MCGROARTY: So Ceil West is the plumbing supply and he was going to use the house next door. He was going to combine the two. This is what . . . and I have the site . . . Catherine we have it here don't we?

MS. NATAFALUSY: I don't have the site plan.

MR. MCGROARTY: We can get the site plan but the site plan actually Joe to your point yes he had a lot of trouble; he had to tailor that building back in because he couldn't . . . DEP wouldn't allow him to do some impervious. If they come back and they choose to go with the redevelopment process they can build all the way back into this yellow line.

MR. FLEISCHNER: Okay so then that property would be feasible possibly for a restaurant.

MR. MCGROARTY: Well it's feasible now.

MR. FLEISCHNER: Well but they . . .

MR. MCGROARTY: But the problem is right now with the site plan for Ceil West . . .

MR. FLEISCHNER: Right they're restrained because of impervious, they'd have less parking.

MR. MCGROARTY: Well what happened was in Ceil West is . . . only because I've refreshed my memory with it recently, they started out with 96, 97 seat restaurant and they had to scale it down about 10 or 12 seats to reduce the parking. I think the retail on the first floor stayed about the same in terms of square footage. But yes under this option they'd have more leeway to work with if whoever wanted to build that wanted to do that. But parking is always a problem obviously but another thing is do our parking standards make sense? Now in some places they may . . . this may not solve the argument obviously you recognize this as the old and do we all not miss the old municipal building. But every picture I've seen of the bank including ones that I've taken, the bank here this parking lot is never, ever close to full, ever. In fact Jill will tell us later she . . . Dan you and I I think after the last meeting we were talking about wouldn't it be a great idea if the bank could park here and walk through and use the beach and in fact Jill I guess could work that out.

MS. DAGGON: We did that years ago.

MR. MCGROARTY: Years ago so you know she already is light years ahead of us doing that. But you can see, anyway you get the point. Some places the parking I mean clearly they need a lot of parking but Wild Geese where the Dunkin Donuts is and stuff you know we did the review of the plan when it came in it met the ordinance requirements but there's a lot of parking in it. In the front it gets used but in the back? So that's just one of the things we can look at. We're not bound for all time to the parking standards in the ordinance. Obviously we want to make things that, create standards that make sense but we can take a look at that. So I can keep going if you want on the zoning part of it or . . .

MR. FLEISCHNER: I think from the zoning aspect we need to though decide what we call this zone. And therefore once we decide then we can set the standards within that zone and I think we have to make a decision. I mean we have C-1's, we have . . . I mean are we going to create a new completely . . .

MR. MCGROARTY: I would suggest we do.

MR. FLEISCHNER: Okay that's what I'm trying to ask you.

MR. MCGROARTY: And that's what we can talk about and we can call it whatever, you know for the moment we can call it the lake redevelopment area, we can call it the lake environment zone, we can call it whatever you like but for members of the Planning Board that have been here for a bit you remember when some time ago now we created that new zone along Route 46 it starts where Jim Glasson's building is Civil Engineering and goes east and I don't remember how far down Dr. Abrams building is in it and so on. And what we did on the westbound side of Route 46 that stretch we created, we took out the C-1 zone and put a new zone district in there the Professional Business or whatever it got called. And what we did, and that maybe a nice segue into this is we looked and said you know what no one out there is ever going to get one acre lots for the most part. I mean you can't people are just not going to combine their lots and the depth is far too short to meet the C-1 standards and they butt up against the residential area, etc. so we revamped the schedule, the whole zoning and I think that's what we're talking about doing here. So if I can I want to talk for a moment about the other side.

MR. FLEISCHNER: That's where I'm going.

MR. MCGROARTY: And then I think we want to get to the exciting stuff and talk about what the beach might look like or not the beach the municipal property. But to do that let me just . . . a couple of things since I carried all of this stuff I get to at least put them up. Now clearly we've got a way to go yet but our own ordinance we have a wildlife protection ordinance and we're under . . . even though we created a new redevelopment area it's still under the Highlands Preservation Area Ordinance. And so there are three public but non-transient wells, Gene will take care of all that stuff. But you know there are a host of things that are not going to be permitted in this area. Okay and it's not permitted under our own stormwater ordinance and it's not permitted under the Highlands as well. And I can tell you what some of those prohibited uses are but you know so gas stations things of that nature are, even though they're there now they can stay but that's not going to be among the new permitted uses. So my anticipation would be the sort of things that would be new permitted uses would be things first of all that can accommodate restrictions of the well head protection that perhaps are oriented more towards the lake itself and the recreational type of things there's certain retail opportunities even office opportunities but that's one of things that we need to keep in mind. But this is for next time this is when Dr. Keller comes back he's looking at the habitat and the endangered species and such so he has spent a lot of time on that. But I just I . . . this is how sophisticated the mapping is, to the two sides of the highway the 16 properties actually I think I left the conversation out. The green are, everyone has this little chart?

MR. FLEISCHNER: Yeah we all have it.

MR. MCGROARTY: So there are 6 properties which meet or exceed the one acre standard in the C-1 zone, 6 of the 16. The remaining 10 properties which are in red are all substandard in terms of lot area so they are listed. And Alex your auto repair facility and the adjacent building which I forgot what that is now that obviously is a very old arrangement but two buildings both buildings are on Lot 77 under the current zoning two buildings you can't have two principal buildings on one lot. In fact there are two there so and again they can stay just as preexisting nonconforming uses. The marina raises a very interesting question because one of the properties which is actually Lot 2 which is nonconforming that has a residential dwelling which I'm told has been there for many years in addition to the marina. The larger part of the marina which is Lot 3 it's listed under the township tax records as vacant but in fact the boats are on both. So we have some . . . out here as you can see you can't see the lot lines but here's Lot 2, here's Lot 3 so one turns up as vacant and the other is not and how that happened I don't know. Perhaps the marina expanded without approvals I don't know. And the marina of course will be

a source of real consideration because that's right there at the outlet. So that's something we'll have to think about how we go forward. But the point of this exercise was to say if we looked at the zoning that's out there today that allows this what we call floor area ratio and I promise I'll be real brief about this, but that is essentially a way of figuring out how much building area you can put on a property. I don't mean just on the ground floor, how many square feet of building area two-story, three-stories whatever it is. And the bottom line is the .4 standard is way too high it's never going to happen most of these properties . . . and I was going to tell you about the Ceil West one, the Ceil West property that's number one right on the top now that one was going to come in with the adjacent property which there's a house next door and they were going to combine the two properties and then develop it. Now you can see, now these are very rough numbers obviously subject to lots of change no one ever gets to really build out the floor area ratio because you have setbacks, you have to allow for parking and so on. But someone could come in in theory and argue for something on the order of say this is 20,000 square foot building but in fact Ceil West came in for the building it was like a total of about 6,000. It was 3,000 for retail and about 4,000 for restaurant so 7,000 and that's what they could fit. And then we found just to go back for a moment to that Professional Business zone along Route 46 when we created that zone we came out with a . . . we changed the floor area ratio there too we dropped it down and people opposed it, some people opposed it and they had a planner Peter Steck came in and said that was ridiculous no one would ever develop it. But in fact Jim Glasson's building, Dr. Abram's building the veterinary clinic, All State all of those buildings they all came in under the new FAR that we talked about and they all fit on the site. And so in the scheme of things who cares but if we're going to create standards that make sense and this translates then to the amount of parking and impervious coverage it gets into issues that Gene could talk about and Gene will analysis for us the stormwater and all of the utilities that go with it, we have to calculate how much water usage there will be, how much gallonage I mean I don't think there's a problem with capacity (inaudible) Budd Lake System but once again we're within the Preservation Area of the Highlands so we do have to be mindful of these changes. And so what I'm getting at Joe is that tonight I'm just laying that out for anyone's reaction, discussion or whatever. I think the next time we come together we'll have some standards and you'll be looking at a very different kind of zoning chart for what is possible out there. Now the floor area ratio for example will drop down considerably, at least I would suggest that. Now the question becomes do we keep the 1 acre lot standard? Do we go with 1 acre or when you look at this area the majority of the properties at least in the redevelopment area as it is right now are substandard. Now they can remain substandard and if anyone ever wants to come in and do some improvements to those buildings or whatever, like the Grabowski property which is this right here I mean that's the one if we can get those buildings knocked down, those old abandoned buildings and someone comes back to redevelop it they're going to have a variance right off the bat because it's a substandard lot. I think it would make more sense perhaps to have two tiers or like base zoning and overlay zoning. And the base zoning would be, we haven't worked out the details yet, but there's two different ways of developing the properties out here now under this redevelopment process. One is to use . . . you can come in under the existing Highland Exemptions, and I realize you may not be familiar . . . you can basically expand on what you have already to a limited extent. That's under the Highlands they have certain exemptions that are built in and that's what Ceil West the restaurant and retail did they came in and they wanted to expand upon the existing buildings out there in terms of the impervious coverage and then they clear the site and rebuild. Or the other way to do it is with this new redevelopment process, and if you do it through the redevelopment process you get to expand. You have more development potential on the site and perhaps we can have a separate set of standards for people in those situations. If under the redevelopment process you'd be entitled to connect to the sewer system and the public water system. If you're expanding without that you probably would not be able to do that.

MR. FLEISCHNER: But wouldn't it make more sense Chuck, and Howie maybe you can comment, that we shouldn't create a situation where people are going to have to come in for a variance. We should create a situation, this is what the zone is and you mentioned a two tier I mean that's for you to work out but I don't know I think I would be more comfortable and I leave it to the Chairman of the Planning Board for how he feels. But I think we should have a set zone whether it be one or two tier, this is what it is in the zone and not encourage people to have to come in and ask for a variance. Why would we do that when we're redoing this to begin with?

MR. WEISS: I think that have people request a variance is a hindrance to future development. If someone knows they have to come in and fight for a variance then maybe they're not so likely to be coming in for a redevelopment plan.

MR. MCGROARTY: Well I think to . . . yeah I don't disagree with that, I think now is our opportunity to decide what you want and you know I've . . . I'm sure others have been in this situation, Gene I'm sure over the course of your career you probably have come across people in some towns, some places that have said, I know I have, where they said no we like it that way. Because then everybody has got to



come in front of the Zoning Board or whatever it is and we can haggle with them at that point. And that's not planning, that's not planning.

MR. FLEISCHNER: Right and then you may have seven different totally different kinds of . . . then why even have a zone?

MR. MCGROARTY: Right. One way to do it . . .

MR. NELSEN: I don't think you can really do away with variances completely.

MR. FLEISCHNER: No, no I'm not saying that but why . . .

MR. MCGROARTY: The opportunity for a variance is there Dan but if we're saying again just to use that other zone district as an example, we knew no one would ever meet the C-1 zone physically, you can't you don't have the depth, you don't have the you know every property along the highway unless people started buying properties and knocking other properties down you're not going to assemble one acre lots. And one way of doing it is to say that you can have, whether it's a half acre lot standard, if, if and this is a big if you know if your part of the redevelopment process and then you have public water and sewer as opposed to a septic system. And by the way we haven't forgotten and again that's probably not for tonight but we're talking about, and as the goals expressed and as it's in the Highlands plan and we tend to keep it in this area and focus it in this area which are best management practices for stormwater, low impact development techniques and we want to have that in there not so much as a guideline but as a requirement. So if we're talking about smaller lot sizes that we want to control too we want to be sure that we're not creating any problems. But you could have a certain set of uses that are permitted on smaller lots that wouldn't be, and then you can other uses that perhaps would be conditional uses. And one of the conditions is you have to have a larger property.

MR. FLEISCHNER: The only thing that I worry about that is we had something not at the last meeting but before we never thought of I don't remember what I'm drawing a blank.

MR. MCGROARTY: Well it was the dome.

MR. FLEISCHNER: Right it was something like we just never thought of and I think it's best for us to say we don't want to create a situation, well we're going to say these are the uses we think, oh we never thought of that use and now you're here. I would rather create a zone to prevent that.

MR. MCGROARTY: Well there will always . . . zoning always sort of follows behind the market kind of thing you know? But I agree I mean to the extent . . . I think what we've at least tonight if nothing else agree unless someone says otherwise, that the C-1 zone doesn't fit the majority of the properties out there. That's the reality.

MR. FLEISCHNER: Yes.

MR. MCGROARTY: So the question then becomes well . . . and a number of the permitted uses in the C-1 zone today are the sort of things we wouldn't encourage out here again and this is again this is a small area but it's a start. So that's about as far as I thought if we had our ordinance committee we'd start getting out some paper and looking what's . . . look at this opportunity, that opportunity but I think what we can do is go back and give some examples on how this will work. But what I wanted to get a feel for is if we're headed in the right direction by saying let's take a look see if we can better match what the character of the developed land is out there. Because most of those properties are developed of course there's a few vacant ones but most of them are developed. And then see if we can't get something you know maybe to encourage a little bit more upkeep of properties or reinvestment of properties. And again if we're going to add later, if we're going to add these other obligations that will be redevelopment opportunities come obligations to enhance stormwater management on site, water quality and so on those are important questions we're going to have to deal with. I can go on but I suspect that's enough for now unless you want to talk about . . .

MR. FLEISCHNER: No I think we're kind of, and please correct me if I'm wrong which is 50 percent of the time, we kind of all agree that it would be nice to have a zone that doesn't on specific cases where as Chuck mentioned the two tier zone where we zone it to prevent people having to come always for a variance. I think we kind of agree with that and we can take it for you to go in that direction?

MR. MCGROARTY: Now some still will . . .

MR. FLEISCHNER: Right and that's certainly everyone's right to do that.

MR. MCGROARTY: Some of those uses will no longer be permitted uses and if they want to do anything they're going to need a variance.

MR. FLEISCHNER: Right if they want to continue or someone new come in to do that.

MR. WEISS: I think a two tier zone would encourage any redevelopment to use this new development process.

MR. MCGROARTY: I think so. If we don't build the incentive in then there's no reason why someone would want to do it.

MR. WEISS: So you want to make it real encouraging, make it a big difference I would imagine. Like we talked about two tier half acre reduced it to half acre I know we're throwing out numbers if it's part of the redevelopment process and if not come up with another number maybe that other number remains at an acre.

MR. MCGROARTY: Yeah and it's the kind of uses that they're permitted as well so that . . .

MR. WEISS: And perhaps we even make it half acre we consider a third of an acre because if we go with a third of an acre we'd be covering almost every property on this list with the exception of the High Noon and the

MR. BUCZYNSKI: Which is pretty much developed already.

MR. MCGROARTY: Right.

MR. WEISS: Right.

MR. NELSEN: I think that's a good idea because if not your just sir the pot half way.

MR. WEISS: Yeah so make it real entertaining to reduce it to not even half to a third because that's what we have now.

MR. MCGROARTY: Now that raises, when you do things like that it always raises the question well does that mean the larger properties can then subdivide and create new lots. And the answer is yes but what's the likelihood out here, probably not very strong I mean the largest property out here is the one the town owns. The four acre, almost the five acre parcel at the beach and so on. But if the bank for example or some other property wanted to subdivide at some point and do something as long as it can function properly. Again I didn't want to . . .

MR. WEISS: That might be a good thing though Chuck.

MR. MCGROARTY: Yeah well that's what I'm saying I mean maybe it's underutilized the site right now. And you know again we're going to go back and talk the current ordinance under stormwater if I'm reading it correctly and this is Gene's area, but all site plans for lots over two acres in size or with 50 percent or greater lot coverage shall incorporate on-site stormwater facilities, and it goes on. So we're obviously not talking about lots of two acres but with 50 percent coverage I guess they would be covered right Gene?

MR. BUCZYNSKI: Yes.

MR. MCGROARTY: And when we had Ceil West they had the underground storage?

MR. BUCZYNSKI: Storage but you'll probably have more so in this area too.

MR. MCGROARTY: Right and did they do a stormceptor or some other . . .

MR. BUCZYNSKI: They did the stormceptor.

MR. MCGROARTY: Okay so that's what you would anticipate for more of these kinds of things.

MR. BUCZYNSKI: Yeah. They'd follow best management practices of the DEP.

MR. MCGROARTY: Right okay.

MR. BUCZYNSKI: Which is pretty much covered in our ordinance already but we can refine it.

MR. MCGROARTY: Yeah and that's what I was thinking. So that would be something that that component of it you know that Gene would be working on. And I didn't want to; you may have seen in the goals and objectives the water quality management plan, again . . .

MR. BUCZYNSKI: Remember Mt. Olive is within the County Plan it's not their own plan.

MR. MCGROARTY: Did I say wastewater ?

MR. BUCZYNSKI: Yeah.

MR. MCGROARTY: I meant water use and conservation I'm sorry and I'll defer to Gene you can describe but there was a pilot program and we already have a draft of this water use conservation management plan that actually applies to two of the Hub 14 and subwatersheds, one of which is the area we're talking about and the other one goes down further out west and it's in Washington Township.

MR. BUCZYNSKI: I was going through my files today and there was actually a water conservation usage plan that was done even prior to Highlands back in 1999 or 2000 which we'll just look at that and incorporate anything that want to put in that into this new plan.

MR. MCGROARTY: Okay and one of the other things again this will be Gene will be taking the lead on this will be to go through this, we've talked about this with Highlands staff this could serve as a model but then modify it to some extent. There are also some policy stuff in here that probably the town may not want in there which do with water rates and things like that. But the nice thing is that even though it's an obligation that we have to do as part of this grant proposal some of the work is already done.

MR. BUCZYNSKI: There's some things in there which is quite disturbing we've been dealing with Highlands and with the group in the pilot program for over two years now. The consultants they have which I don't think they're from New Jersey but they have this feeling that if you raise the rates you'll help conserve water. So we're saying you know you go to the governing body to the residents in towns and say we're going to raise rates so we can save and conserve water. So we got a lot of work to do still with the Highlands on this issue but we'll see what happens. We're supposed to meet in September we haven't met since then.

MR. MCGROARTY: I mean there are other things in here too though the low impact development and the water conservation measures and stuff that are worthwhile.

MR. BUCZYNSKI: Yeah some things we can definitely put into our plan.

MR. MCGROARTY: Not to brush over that, that will be later we're not at a point of . . . If I didn't mention earlier I think because of the first meeting we had we have September of this year as our target to get this done. Now we're not bound by that but we want to make sure, that will keep us as much on schedule as possible.

MR. WEISS: Chuck you just said September?

MR. MCGROARTY: Yeah.

MR. WEISS: My notes shows the end of the year.

MR. MCGROARTY: Yeah well again Howie we don't have any contractual obligation to finish by September I sort of plucked that out of the air last time because we got the grant September 2013 from Highlands, September 19<sup>th</sup> I think it was. So we just thought well one year sounds like a nice round number.

MR. WEISS: Sure.

MR. MCGROARTY: And we'll keep that as much as we can but it gives us some leeway too if need it. And you can tell we still have some work to do and Dr. Keller is going to working on the habitat restoration or management plan component of this as well so we still have some work to do. I think I have . . . well I've been talking all the time but I mean if people want to weigh in kinds of uses or any other things we can do that or do that later after this meeting and then we can perhaps get to some discussion on the municipal property.

MR. WEISS: Chuck is there a down side to what we're doing? Is there any negative?

MR. MCGROARTY: No Howie you know I don't think there's any down side at all and I'll tell you why in my opinion. If we don't do anything nothing will change out there and things will go on as they've gone on and I don't say that to be critical it is what it is. Or it will be now subject to the more restrictive Highlands Preservation rules and how that fits who knows. Why I think there's no down side is, and this actually came up during the Highlands Council when they met as a body Catherine and I were there for the day it was approved, and all but one of the . . . I don't what their term is commissioners or whatever they're properly known as, all but one was in favor of this project. So it was 16 or 15 to 1 or whatever. And as someone said, and by the way ANJAC came out and endorsed it and the Highlands Coalition which I personally don't always see eye to eye with at least one of the people in that organization but they came out and endorsed it, Julie Summers she said some very nice things. The reason why I don't think there's any downside is we're trying to do two things and do them together because I think it makes sense. One we're trying to create conditions that will create incentives to revitalize the properties that are out there and make some good ratables and make them clean and attractive. And the other thing is we're trying, and this will be a bit more long term, but we want to put some standards in the Master Plan and in the ordinance for restoration activities out there. And again the marina seems to control that outlet but you know we'll see as things move forward how we deal with that. But right now we don't address any of that and I think we have a good opportunity and Highlands is helping us by funding this to say let's take a look not only at development regulations but environmental controls and enhance stormwater regulations and things of that nature and see if we can't make this a more appealing location and area. We also talked . . . I mean there's some very long term stuff we talked about safe pedestrian crossing on the highway and as Gene mentioned last time I mean you have to meet certain warrants for that and the numbers, I went back and was looking at it I mean it's going to very difficult to do that. Because there's just not that volume of pedestrians waiting to cross the highway on a regular basis. I don't know if we'll every get over that hurdle but at least we want to express it, I mean at some point we want to see if we can push DOT a little bit because they're always talking about context sensitive design criteria and then working with the State Plan and doing these other things. I may never happen but if we don't at least try then we're not going to move forward at all so what we're saying is we really want to see ultimately some safe pedestrian and bicycle access across the highway to link one side to the other and then beyond. This we'd like to see some sign way designs and some bike paths and walking trails to get up to the State Park and maybe to Waterloo Village and all that sort of thing. So those are sort of grander ambitions but we feel like this is a good opportunity to put it all down.

MR. WEISS: Yeah we've been addressing the entire Route 46 corridor for a very long time and I think when we made the change last time I think (inaudible). I think he end result was that we saw some really nice improvements based on the changes that we made. So I guess the hope is that the same thing will happen here, it's not going to be perfect but at least we'll be going in the right direction.

MR. MCGROARTY: Well I can tell you, and I'll end on just this note, the Grabowski property the one we've been talking about which is this Lot 44 it's that half acre lot with the brown buildings that are falling in on themselves. And for years the town has been trying to push to get the properties cleaned up, never formerly gone through condemnation proceedings, but when we met with the owner of the property again going back a couple of years we said we're going to think about doing this new Highlands Redevelopment Plan and now we have it. And that will give a property owner, that will lessen the resistance let's say it that way for him to go in and get that site cleaned up. Because there's no reason for him to hold on to those junky falling apart buildings, whereas without this redevelopment plan he would want to do that because that's the only way he gets to do something new on the property is to keep the existing buildings. Now we're allowing him to take them out by virtue of that funny yellow line that I showed you earlier he can redevelop that site perhaps even more than he could under current conditions. So that's how we think we're creating incentives to do something.

MR. NELSEN: Mr. Chair? Chuck just looking at your conforming lots and nonconforming lots I'm a little confused, the Forever Young property?

MR. MCGROARTY: Yeah.

MR. NELSEN: You have it listed at .1 acre it's one-tenth of an acre?

MR. MCGROARTY: Yes.

MR. NELSEN: Is that what it is one-tenth of an acre that's it?

MR. MCGROARTY: Yeah at best. It's very tiny I mean I didn't scale it Dan but I went back to the original . . . I don't have the site plan in front of me but High Noon it's a very small lot.

MR. NELSEN: But they're parking also I know in the front of it where it comes to a point but then it spreads out.

MR. MCGROARTY: Well and then the First Aid property which is next door is one of the conforming lots. So the yellow right here this little triangle and there's actually a little tip piece I don't know if it still is what DOT owned. I don't know if that's still the case but the First Aid Squad is right here so you know you see like the expansive gravel and whatever out there and you think going west, and you think some of it actually may be on the First Aid Squad property I don't know. Now is it .1 acre a tenth of an acre or is it a little bit smaller, a little bit larger it's roughly that. I mean we can pull the site plan out, it's tiny.

MR. WEISS: Some of that has got to be on the adjoining property because I agree with you Dan it's . . . .

MR. NELSEN: Yeah it looks just the parking area it looks it just gets bigger and bigger.

MR. MCGROARTY: You know I'm glad you raised that because Joe I just wanted to say one other thing, one of the things we want to look was on the two is creating some more flexibility. And to Howie's point you know is there a downside I don't think so. Look at that properly, now remember they tore that whole building down the High Noon or almost the whole thing. When they came in they got a variance to do improvements to it and it was at the Zoning Board at the time if I remember correctly and you were there.

MR. NELSEN: Sure.

MR. MCGROARTY: And then I guess because of the structure and all of that they had to have to basically tear it down. Now that building is as about as substandard a lot size as you can get. When you think about the setbacks 75 foot is the front yard setback in the C-1 zone? Something like that I have it written down but 50, 75 feet whatever it is I mean that building is about you know like 3 feet from the highway right but it's been there forever, it seems to work and if today someone came in and said I want to put a tavern like about 5 feet from the highway you know you conjure up all kinds of problems with people stumbling out the door and getting wacked you know by traffic coming by.

MR. NELSEN: The Boathouse always amazed me it's one step into the street.

MR. MCGROARTY: But it doesn't happen though right? But what I'm thinking about that is do we need to have such rigid setbacks. Think about again that stretch of Route 46 particularly think about the eastbound lane right? We have a 75 foot setback from the highway it's a 20 rear so from the highway you got to set your building back 75 feet, from the residential properties behind you have to set it back 20 feet. Now if you're going to be doing a commercial building along the highway and there's going to be loading, trash, etc. in the back so wouldn't it make more sense to shift closer to the highway and get further away from the residential. And again you want to make sure it's safe, you make sure everybody is comfortable with it and so on and I think if we did that and then combined with some nice design elements it would look a lot nicer. If I had my way I'd take the power lines down too, or the electric lines and bury them.

MR. NELSEN: I can't understand why the whole state doesn't do that.

MR. MCGROARTY: Well you know I try to . . . obviously some things we just probably won't see in the near future.

MR. NELSEN: Every time you see a big storm and all the tree damage and all the lines down just figure out what it costs to do that (inaudible).

MR. MCGROARTY: Yeah I mean that does detract from the appearance of it but again I think if we start to think about the function of that area and say we don't need buildings back 75 feet. You know if we shift it closer and then we don't have a sea of parking lot along the highway either and we can work that out and figure out where the parking can go and build in a better buffer to the rear. I would rather have more of a buffer to the residential area than to the highway.

?: I'm sure the residents would.

MR. MCGROARTY: Yeah I'm sure they would to. I remember when CVS came in the residents above and of course they were behind and they were somewhat above too were concerned for obvious reasons with the lights and noise and all the stuff that goes with it. So those are . . . I just wanted to mention that . . .

MR. NELSEN: The car wash people.

MR. MCGROARTY: Yeah but you know that's another sort of thing where if we want to look at, is maybe adjusting some of those setback standards which are . . . it sounds like it's really the minutia of it it's boring and all that but its real life stuff and it matters when stuff get built.

MR. BUCZYNSKI: On High Noon I think the number is wrong I think it's more like 24 we should check that. Based on what you have here this piece right here it's not a tenth of an acre it's more like four tenths of an acre. We'll just check it.

MR. MCGROARTY: Okay we'll check it I mean I pulled it off . . . you know what I pulled it off a very old plan so maybe it changed but in any event it's small whatever it is. It's less than half an acre.

MR. FLEISCHNER: Two issues really I think we need to get to this evening I think we've covered a lot so far, I think obviously is the recreation area around the lake and then, I don't know if we want to discuss this, permitted uses within this zone. Because that becomes very critical of what we decide is going to be permitted within that zone.

MR. MCGROARTY: Right.

MR. FLEISCHNER: And it's up to you folks what you want to talk first.

MR. MCGROARTY: Why don't we talk about since Jill is here and she wrote us sort of a . . .

MR. FLEISCHNER: Yeah let's do the recreation aspect first.

MS. DAGGON: All right well I sent to Chuck and Catherine a long list of . . . All right so Budd Lake has been a recreation site since the Indians were here so it has certainly a long history. Prior to my coming in the office 15 years ago as Recreation Director I was the Beach Director for 9 years before that. So I'm intimately familiar with the lake and how it's been utilized in the past years. Has the Board had a chance to read my notes?

MS. NATAFALUSY: I sent them to the Board members.

MS. DAGGON: Okay so I always refuse to actually read to anybody because it's kind of silly if you've already read it I'm not going to read it again. But there's certainly been a lot of suggestions over time and anything that we choose to do moving forward needs to look at our demographic. Who are we serving, when are they utilizing it, ADA regulations for improvements to a site, and whether it's going to be year round or is it going to just be seasonal, and then how it impacts the environment. So there are some things that we should consider, there are some things we also have to look generating revenue for recreation properties to sustain recreation and the services that the township provides in that category. So then it's not just going to make it be pretty but it also has to be self sustaining in some capacity. So we have to consider those as well. So some of the suggestions we've had over time includes expanding more of a boating marina area. I mean I know we have the property that's in the back along the canal side of things, I don't know what's going to happen with that property but I think that there could be interest in having some boating access on that side of the lake that's easy to get to rather than up and down the canal and certainly would change how the beach is used. Over the last five or six years we've really seen the attendance of people coming to utilize the beach for a swimming area and you know family picnic area has declined significantly. So we want to find a way to be able to incorporate more activities for people to do so a boating/marina area seemed to make a good idea. And we can do you know floating docks and you know a bit at a time not on a continual basis. We currently have two

people we are working with for this summer that are interested in offering standing up paddle board lessons and water-skiing and wakeboarding lessons from the beach. So we thought that would help regenerate some interest in those kinds of activities on the beach.

MR. WEISS: Jill go back to the boating marina and expanding that.

MS. DAGGON: Yes.

MR. WEISS: What do you think is the township's position on the existing marina? Is it a positive? Is it a negative? I can give you my opinion.

MS. DAGGON: Well certainly give your opinion.

MR. WEISS: I don't think it's positive I think it's not a positive thing. I think that by expanding our boating opportunities on a municipal level it will ultimately hurt that and maybe get that to change a little. And I think that could be a main focus of what we do, is to expand public . . . there's really no public boat launch anywhere on the lake and if we make the public access to the lake open, easy, enjoyable then the marina's operations the existing marina's operations will subside thus fixing two problems at once. So I think it's very positive for us to make that a serious priority is to expand access to the lake.

MR. NELSEN: I believe that there is public access to the lake right by the Boathouse.

MS. DAGGON: Yes there's a boat ramp.

MR. WEISS: But realistically what do you do with the car after you put the boat in the lake? Yes you're right but it's terribly inconvenient it's really terribly inconvenient there's no good way to put a boat . . . there's no good way to access the lake.

MS. DAGGON: Right it's not safe.

MR. WEISS: And I've got to tell you unless you know that it's public don't be surprised if someone is out there with their hand open to charge you to do it. So I've been around a long time too I know how we used to make money in the summer but that's a different story. Go ahead Jill I'm sorry.

MS. DAGGON: That's fine. You know we're looking at it, it would not be a full service marina with you know gas station and pumps that sort of thing but really just docks that you can tie up your boat to. And as you know renting the slips then becomes a source of revenue it does not require a lot of high maintenance kinds of things. It could either be leased out for someone to run or it could be done in-house. So we have some options there for doing that and I often get phone calls from folks to try to figure out where could they put their boat in and what are the rules for boating and such. And I think we could probably do a little bit more with that. I have been told by a number of people that Budd Lake is really great for teaching people basic boating because it is a relatively, it's very visible. It's most of time flat water of course when we have high winds we do get white caps, but there's really good teaching. So it's really good for the sailing lessons that Seas offers, it's great for kayaking, canoeing lessons and some other kinds of things that I think would really enhance some of the activities we can do on the lake. It would also provide a little bit easier access for fishing. I've had calls from organizations wanting to do fishing tournaments on a grand scale but there's no place really to put your boats in easily and to park those boats even if its outside the normal parameters of a swim season there's no place for them to really put their vehicles. They could maybe drop their boats off and park some things at the fire house parking lot but then they got to walk back along the highway to get there, not very convenient for doing a fishing tournament so I think it opens up some more activities if we you know think about expanding in that direction. We also then . . . we should look at enhancing some picnic shelter areas it is a big wide sand area. Now if you compare some of the pictures that Chuck has the lake has actually crept up to where the building has been before. So that for whatever reason between loosing sand and water level crawling up higher we would have actually had water in the safe in the front office there.

MR. MCGROARTY: Really it's gone up that much?

MS. DAGGON: Yeah. So if you recall it's been a while in 2004 I think we tore down the building on that site? It was at that point when we had the 10 foot snow fence perimeter keep falling things off of people. We only had a 15 foot passage that you could walk past from the canal side of things to the

main swim area. And all that the water level has crept up much higher than that. We used to have a pretty good 150 feet of sand we probably have 75 feet of sand at this point.

MR. MCGROARTY: Yeah I don't know what age of this aerial is but obviously the municipal building, the DPW and all that was still there. So this beach area here is actually . . .

MS. DAGGON: It's up higher.

MR. MCGROARTY: Really?

MS. DAGGON: Yes.

MR. MCGROARTY: Wow.

MR. FLEISCHNER: It's from all the geese.

MS. DAGGON: Well that is one thing I do suggest I think later on in my notes is that whatever we do there we should make it be a not nice habitat for the geese. Unfortunately a lot of County parks and State parks have had to close their water recreational areas because of all of the goose droppings that are left behind and the staff really doesn't get around to picking up. The beach staff do when we're there but obviously don't when we're not there so that is something that has to be considered if we're going to open the use year round what are some of the sanitary issues that need to be addressed. So we want to make it a not pleasant place for geese to go. You know migratory geese is one thing they come and go as the ice finally melts, I haven't even seen them travel yet I think they bypassed New Jersey this time. But usually as soon as the ice melts we see geese begin to migrate back up north and we'll see maybe 500, 600 geese at a time resting on the lake but then the next day they move on and then the next batch will visit. But that's not what causes the mess at the beach that's the resident geese that are nesting in the bog area or move around from spot to spot. But it is something we'll have to consider when we look at developing the area. If we want to beef up the attendance of the swim aspect of things a very popular element in aquatic facilities is called a splash pad. And I'm sure you've seen them these are things like a playground that have water elements happening whether it's things spraying up out of the ground or coconuts dumping water on you, mushrooms that make rain fall. Staff do not have to be there because now a days they can use the lake water and re-circulate it, filter out the sediments and things before it gets to the public, Randolph has this at Lake Randolph, and then it can be discharged right back into the lake. You know water can be cleaned through UV light you don't have to use chemicals so there's a number of things, technologies that increased over the years that could make that more attractive. Obviously right along the highway you've got great visibility so that could be a source of bringing people in. It may not be a source of revenue unless it's manned but if it's open all the time you can even have sensors there that will recognize that someone is there and turn on all the water elements that they're currently playing with so you're not wasting water. Whereas you're basic amusement park has water going all the time as well as evaporation or chemicals that you go through, that would not be the case for doing something here.

MR. FLEISCHNER: Jill I think that's a great idea and I would encourage that but one of the concerns I have is when you attract people to that if you don't have some kind of staff around there's going to be kids that are then going to want to run into the lake.

MS. DAGGON: Right.

MR. FLEISCHNER: Now my personal feeling, and I know this is going to get some people all upset, I took my grandson to go to the lake once last year I would not bring him back. I thought the lake was filthy. I don't know how many people in this room have gone into the lake to go swimming . . .

MS. DAGGON: Can I address that?

MR. FLEISCHNER: Yes.

MS. DAGGON: Okay Budd Lake is very shallow okay so on average it's about 5 feet deep. The swim area is the deepest when we did the dredging in 2000 we brought it between 18 feet and 12 feet deep and so it varies. What you're seeing is some sedimentation from whatever you know flows in there but also it's just very shallow so it doesn't get to precipitate out as much as you would think. We have the water tested every week on a continual basis for years and years our average bacteria level in the swim area is between 0 and 10. We're allowed 200 parts in the samples that they take. We've had



it tested for heavy metals, we had it tested for other kinds of contaminants and it comes up as some of the cleanest water in New Jersey even though the color of it is a golden brown at times.

MR. FLEISCHNER: And therein lies the problem because it's not necessarily reality it's the perception. And this is what I also think has contributed to less use of the lake because when people get there and they see it they say you know I don't really want my five year old or my six year old sticking their head in the water. I mean I can tell you a story way back when when I raised an issue and Chuck Spangler our former Mayor jumped in the lake to prove how clean it was. What he didn't tell anybody he then went on Ampicillin for ten days and that's a fact.

MR. NELSEN: But the lake is probably much cleaner than it was.

MR. FLEISCHNER: Was much cleaner.

MS. DAGGON: I think it is it is much cleaner than it was.

MR. FLEISCHNER: Much cleaner.

MR. BUCZYNSKI: That's because of the sewer system.

MR. FLEISCHNER: Yes because of the sewer system. But again my concern is the perception and I, you know I'm from the standpoint my position is I'd like to see recreation I'd love to see paddle boats, I'd love to see those types of things on the lake and this splash kind of park in reality for young kids. But not necessarily from the standpoint of having us to put a life guard there to say okay this is what you pay to go swimming in the lake. Because so many people have access, there's so many . . . Vasa Park now has open public membership if you want to join their pool, you have the old well I'll call it the old Solar Sun Club, I'm dating myself John you remember the Solar Sun Club, and in all of the apartment complexes. So that's what people are tending to use for swimming and the numbers, as you said Jill I mean I've seen it's a drastic drop off in the number of people.

MR. BUCZYNSKI: The depth of that lake is a big drawback.

MS. DAGGON: Yes.

MR. FLEISCHNER: It is so I think in my mind what we need to do is promote the lake for those types of activities that you have really addressed other than the swimming aspect. And I would also like to just touch basically on the part where you say you know maybe we lease it out. I'd love to see somebody come in from the marina obviously clean it all up and say we'll lease the property, we'll run it, we'll control it, we'll put the paddle . . . and not for the town to get involved in at all. Because that means then we have to hire more people and yes it's nice to hire students for the summer but they're you know there's pros and cons with that. I know you know kids have worked for the town for years but . . .

MR. BUCZYNSKI: How about water temperature during the summer does it get pretty warm?

MS. DAGGON: It's gets very warm actually, I mean right now it's very cold when we do our lifeguarding class it will be . . . it's between 68 and 70 but when we get to July and we have some typical hot July days the water can get up to 82 which is like bathtub water. However there are underground springs in the swim area there's probably 30 or 40 of them and so you can feel them as you walk and swim through the water. And so we actually would send the staff out and make them stir it all up so you get you know to cool down the surface of the water because it's going to be the first six inches of water that gets to be really hot. So that we've seen it decrease though in algae blooms that we used to have which is a good thing because again it's showing we're having less nitrogen products happening coming into the water, we're not seeing a lot of algae and then having it die and then you have the coffee colored stuff you know floating everywhere. So that is indicating that the health of the lake is increasing so that that's a good thing. All right any other questions about those two items?

MR. MCGROARTY: I'll just say when you were telling me about this Jill I was thinking too I mean I was with the rowing club for a long time we rode in the Passaic River and so that's a whole other world down there. But a lake like this is just, this lake especially I mean to row crew on a lake like this is just incredible because it is relative shallow and flat and you don't have all of the stuff that normally you know somebody have to deal with if they're rowing. And it's amazing because some places I mean these rowing clubs start and then they . . . so a boathouse that can accommodate some of the rowing skulls

and people bring their shells and other stuff I mean it could have a ripple effect to in terms of what happens around it.

MS. DAGGON: I was just down in Princeton at their Regatta because my new son-in-law coaches crew for George Mason University for (inaudible) and so their up competing against 20 other universities and colleges, there were a couple thousand people watching the regatta. They were at Marshall County Park which is a wonderful park but that in itself is a source of tourism, it's a source of economic development, there are a lot of (inaudible). Now could we host 20 colleges on Budd Lake? Probably not in its current format but maybe we could.

MR. MCGROARTY: You would be . . . it's amazing I mean it's like everything else you know there's all of these little sub-cultures as it were going on that you wouldn't necessarily know about. I mean not even college groups but there are rowing clubs that again if I had a choice you know with a club to row on the Passaic River where you know one morning a dead cat floated by and that was probably a good thing as opposed to some of the stuff, you know or a lake like this it's a no brainer. People will go where the water is and if you have a lake like this I mean it's an incredible . . . because you can take you know you've got, you could do like incredible like a 2000 or maybe a 6000 meter run right across that would be great. So there's lots of opportunities like you said then bring people in and then they find out about it and then you know who knows.

MS. DAGGON: Right I agree I think it does have potential for a boathouse and rowing. And maybe when the current marina that's in the back by the canal area is ready to be redeveloped that could be a place where shells could be stored and the trucks that bring in the shells on their big racks for doing that. Or having some local competitions and then start to disburse some of the local high school groups and I know Lafayette College and Easton has a rowing program but certainly we've got other universities and colleges nearby that could utilize something.

MR. MCGROARTY: Centenary.

MS. DAGGON: Yeah Centenary certainly, CCM is close enough you know we have . . .

MR. MCGROARTY: Well the high school might even . . .

MS. DAGGON: Yep the high school and you've got Sussex Community College not that far away, Warren Community College is not that far away. So you have some sources that could utilize that and again as you said rowing is a lifelong sport you don't have to do it only when you're young it's something you can continue to do and it's a good overall exercise as well.

MR. FLEISCHNER: Kathy?

MS. MURPHY: I think you know I think a lot of the stuff for the lake certainly can be open space (inaudible) I we would love to see (inaudible) actually expand and include the marina at some point if we could get that and to make it recreation friendly area. And I think having grown up myself you know swimming in lakes all of my life to me it's not so much of an issue and the water quality is improved and I just don't think the public is that much aware of it. You have a generation that has really grown up using pools. But I think one of the biggest obstacles to the beach attendance has been it's just been so dismal down there. You know and port-a-johns people hate . . . they hate them when they're kids they're going to be barefoot and then go use the portable toilets. I think the lack of facilities has been a bigger quash of swimming enjoyment of the beach than anything. And if people saw it as a friendly place to be with proper bathrooms and you know a place where they could grab some shade and a little play area for the kids I think attendance would increase dramatically. And you know if you had a little bit of education there about it's a little bit of plant matter and just colored water as opposed to swimming in filth you know people would understand it a little bit more and I think if they were felt comfortably swimming there they would also take more enjoyment in being at the lake and seeing the birds, fish, whatever and it's the State's largest natural lake and we should always encourage the full potential use of that lake.

MS. DAGGON: Right even if it becomes marina oriented or a splash park I think we do need to have real restrooms there. And that's something that probably is the number one request we've had in the last 25 years is to have real restrooms. I mean even when the municipal building was there it was frowned upon for us to come traipsing through sandy and wet to go use the bathroom off the court. You need real bathrooms.

MR. NELSEN: I would agree with Kathy and Jill and Jill contrary to what you say I know from personal experience my daughter as a baby you know we would have my sister's house pool, she took lessons in the pool but she was always very tentative to get in the water and to swim. One day we were at the municipal building, my wife, myself and my daughter and she was maybe 4 or 5 and we said would you like to put your feet in the water? She said yeah and she was very apprehensive about going in a pool and she walked into the lake and just kept going.

MR. FLEISCHNER: How many years ago was this?

MR. NELSEN: 18 years ago.

MS. DAGGON: Yeah I taught your daughter.

MR. NELSEN: And Jill taught my daughter to swim. But that first day she walked into the lake and almost up over her head when she was a kid. We were like should we run in and get her? And it was kind of fascinating where she had the fear of pools and water crystal clear, beautiful clean pools but yet the lake, and this was I the days when it wasn't so pristine, and she went on to learn how to swim and Jill taught her how to swim. So I don't quite understand how a child . . . because you're walking out at a natural rate.

MR. FLEISCHNER: Because you just said it, she started on the land and she started walking, a pool you have to go into and you see the depth. It's a big difference from a child's viewpoint. That's why in reality everyone . . .

MR. NELSEN: But even walking down the stairs . . .

MR. FLEISCHNER: But not in a lake, but not in a lake. It's sort of like what every adult should do when they have a grandchild, lay on the ground and look up and see what their view is. It's totally different than what we see as adults, totally different you get a totally different perspective and you view the world totally different. When you're a little child that's this big and your walking into the water, my grandson did it last summer, I mean he was going to go walk all the way out into the lake he didn't care because he started on the ground and to him . . . Now it just so happens he couldn't see the bottom of the lake so you didn't know if it was only two inches deep or it was 10 feet deep you couldn't tell, how can you tell? So there's no fear there but when you see a crystal clear pool and you're going down and say oh my goodness that's the difference.

MS. DAGGON: Right I mean there are other factors I mean I have found over the years of teaching swimming that children who, or people who learn to swim in a lake environment they're bodies, their muscles develop memory to be able to swim no matter what the environment is. You learn to swim in a pool where you see your parts move they panic and forget how to swim in darker water. So that's whether you're getting your child ready to be able to go boating on the ocean or some other location that the muscle memory is not there. They're used to seeing their hands move in the water but when you have turbid water you don't do that, your body parts just move and there is not a fear. If you start learning to learn to swim in a lake and transition to a pool your actually better off. You also have a zero depth entry which that's what that's called. But pools now a days can have a zero depth entry especially for ADA compliance as well. But the beach also has sand, you can't play on concrete like you do with sand I mean I don't (inaudible) don't get me wrong I love the beach you know I think there's a lot more interesting stuff. There's cool little craw fish and cool little other kinds of creatures that live there that we do little science lessons with the staff with whatever families are there. They ask us questions we you know give them information. And certainly a nature component is a wonderful thing to have but we're looking at how are people using it today but we have to have a balance of activities and facilities to be able to make that happen.

MR. NELSEN: I think real bathrooms would be plus and I also think if you posted those numbers that you just said 10 where 200 is acceptable, if you post those numbers on a daily basis almost like the temperature of the water maybe and that would be kind informative. Because as Chuck is saying if somebody looks at that and you go wow.

MS. DAGGON: No you can get swimmers ear from your shower. A swimmers ear comes from water trapped in your ear and bacteria develops it has nothing to do with what kind of water you've been swimming in. I even try to do an educational program in the elementary schools back in the day saying that really pools are polluted. You put chemicals in them to kill life a lake is there to be able to generate life. It's a whole different perspective and we don't need a tide clock and we don't have sharks.

MS. MURPHY: Jill I think if you're able to incorporate like a splash deck in the swim area then charging for the beach would be you know people would want to come even for that splash part thing and you would have your revenue if you need to hire your lifeguards. So I think . . .

MR. MCGROARTY: I mean one thing I think if we want to . . . I mean this is where the brainstorming is really essential. I mean it's a 4 acre tract actually a little bit over 4 acres. Now there may be some . . . and Gene was talking earlier he and I were talking I mean you may need to . . . we'll be talking with DEP and there may be some restrictions but or there will be restrictions there's no question but under this redevelopment procedure we're hopeful that some of those restrictions can be relaxed. And so I suspect you know on a site like that there might be opportunities and the town might be interested in seeing maybe a public/private partnership too and so some of the things Jill as your describing maybe can be done but in conjunction with something else that may generate revenue and may or may not be related to the beach. Maybe it's a restaurant, maybe it will be office use, maybe something different you know.

MS. DAGGON: Right I mean we have brought, we stubbed out the sewer line into the municipal parking lot so where it had been for the building and that's still marked. So the sewer is brought in it does not have water so that's something that when we go to put in some sort of a facility or building there we need to look at. Now there are restrooms that are out there that are used in the State and US parks and things where it's really a self-contained unit that uses rain water or local water to be able to operate the bathroom. It has grass roof's so you don't get overheated there's all kinds of leads type self-contained buildings that are self composting you just pump them out every so often. You don't necessarily have to bring in water to have a restroom. Health Department probably wouldn't be too happy with them you still have to use hand sanitizers for cleaning up and you still couldn't do any kind of food service for a food concession which is the second requested item when we asked the public what they want there. They'd like to be able to be able to have some food. Although for the last 60 years people brought picnics there. But there are times especially I think in today's family environment time is short you know you don't always have time to grab something from home you just come right from work pick up the kids in day care and want to come to the beach and hang out for an hour or two. And all of the pizza places do deliver. So they have asked for some sort of food concession but that means we would have to look at it in term of getting some of the zoning issues because we do have restaurants relatively close by as well. There have been requests over the years for some sort of a fishing pier or boardwalks and be able to make fishing more available. I understand that we have some really wonderful fish there I only see what the heron the big blue heron that we have leaves behind for us to clean up and some of them are like this big. It's actually supposed to be one of the best ice fishing areas in the State and I know we have pectoral and all kinds of fish that are actually good for you. It's one of the few lakes that has fish that you can eat two or three times a week and not get mercury poisoning from. Whether our restrictions and other lakes in the State as to the heavy metals that the fish . . . the fish don't process some of the metals back out. But you can eat fish from Budd Lake two or three times a week and still be safe. So for whatever that's worth. You know we also talked about over time about doing some sort of playground structure. Especially if you want to be able to have it opened more often than just during the summer season. But then be aware if we also have swimming or children in wet bathing suits and sand and then plastic and hotness we have then hot sandpaper that we're working with. So if we add to that restroom building some sort of a way of be able to rinse kids and their stuff off would be prudent. One of my concerns is about is we change the use of the beach is that we've had for the last 60 years was been fenced and it has a sign that it's only open when there's a lifeguard present and we have deemed that property to be dangerous if it's not lifeguarded. And so there are issues legally that we have to really consider when we change the use of the property and the standard of care for what we allow the public to do that we're not opening ourselves up for liability. If we have established a risk that it needs to be lifeguarded and people can't be trusted to be in that water without hurting themselves then what is our legal responsibility so we're not considered negligent when we change the use. Boating doesn't really fit well right next to swimming for the most part. So if you put in more boating kinds of things you have less swimming kinds of things that should not be an issue, we've changed the use of the site. If we're going to mix swimming with other kind of activities then we do still have an issue and I'm not sure how to get around that. I know the State went through this a couple of years back they didn't have enough money for lifeguards for every beach they had been operating so they put up signs swim at your risk and they were found negligent because previously it had been lifeguarded beaches and some kids went and of course drowned and it was not good enough because previously they identified a risk there was a good chance of drowning there could still swim at your own risk means you can swim there and so they ended up having to close those beaches. If they weren't going to staff them they had to actually physically close them and barricade them so the public could not get to them. So we don't want to put ourselves in that kind of position so we have to really double

check with our risk manager and whatever other legal sources to make sure that we're not putting ourselves in a situation where we could be liable for anything.

MS. MURPHY: A sign would say for example no swimming without a lifeguard present. That's not the same as swimming at your own risk would that be a different . . .

MS. DAGGON: No because you're still seeing that it's possible to do some sort of swimming. Because we've had fencing up there and a locked gate, if you want to go swimming after hours or before hours or before the season starts or after the season is done, then you have to take considerable effort to go beyond where you know you're not supposed to go. And the measurement in a legal case for what's reasonable in terms of liability for negligence is that what would a reasonable person expect? While if it says don't go here and it's fenced and it's locked and you chose to climb the fence or circumvent the fence then you went out of your way knowing there was a risk. So then we're not negligent. But signage is not considered enough to be able to you know excuse you from negligence. So now there's different kinds of barriers that we could do I've talked to a couple of . . . Kirks Pond in Denville what they do for their park it's open all year round but the swim area then has kind of like plastic Jersey barriers so that it's like barricades are access to the swim area and to the dock that they keep in the water that you would go out and jump into the lake. All that is barricaded off, very lovely there's a little white you know beautiful little portable fencing if you will, but they can still use the playground that's at the site, they can use the picnic areas, they can use the playground, they can use the walking trails that go around that whole area and that's how they manage that. There are ways to do it we just have to make sure that what we choose to do our risk manager agrees with.

MR. KIBLER: Let me just introduce myself quickly for the folks who don't know me I'm Bill Kibler I'm with American Headwaters Association until two years ago we were the Southbranch Watershed Association we merged with (inaudible) now we're bigger and better. But Budd Lake is still our headwater so here I am. And I actually live downstream of you all in Califon so you know from just by an outsiders perspective what we see in terms of public use of the waterway throughout the watershed is if we do see this trend you were talking about where people just swimming in pools but we do still see a lot of use of other lakes and the river itself farther south of the Watershed. We see, in fact I was out with some of our stream monitors last year in early July down in (inaudible) and those folks on the river swim down there all summer long all the time. Certainly the State parks if you all have ever tried to get into Spruce Run on a weekend in the summer you know don't bother coming after 10:00 a.m. you won't get in. It's just jammed full. So if you're having the conversation I'm trying to think you know why that might be the downstream who are more willing to do that than what you've got. You've got a great facility at least a potentially great facility right here in town and it's certainly convenient for people to get to. Please don't throw anything at me but Budd Lake has a long standing reputation for poor water quality and it's tough to get rid of that reputation. I don't know what the water quality in the lake is like currently, I mean I hear what you're saying but I know that we haven't looked at it. Several years ago along with the municipality and some other partners we started a Regional Stormwater Management Process here in Budd Lake and it kind of didn't have basically nothing part of that process for us to do some background testing of Budd Lake to get an idea of what conditions are like in the lake now. I'm not suggesting resisting the Regional Stormwater Mangement Plan process but it might be worth seeing if we can do our comprehensive study and take a look at what the water quality conditions in the lake are really like. It might help with some of the redevelopment concerns that you have and would be helpful with that. I think that there's a possibility that we can find some grant funding out there to help do that to get a better look. And then once you've got that information in hand then to get that information out to the public so that they know what the conditions of the lake are really like today. You know this is not the Budd Lake of 30, 40 years ago the story is different now. So I think that might help and I would be happy to help with that if I can. The only other thing I wanted to mention is Joe started earlier when the conversation started about how little use of the lake gets now and you know maybe in the planning process you need to consider that the lake is less utilized, I'd suggest based on what I see in Spruce Run these days that you might want to consider what happens if the lake suddenly becomes popular. Because eventually, and I'm not going put a sign out on Spruce Lake and tell everybody to go to Budd Lake I won't do that to you but eventually the word is going to get out because you know I see how jam packed Round Valley and Spruce Run and the river itself to have a stream (inaudible) in the summer. And eventually folks are going to figure out that especially if you all put some effort into Budd Lake, folks are going to realize that there's a place up here that's successful, they go t the lake with boating opportunities you know a good place to take a family and when they do I suspect the lack of use will be the least of your problems. You know I would consider that as your going through this planning process that what happens when the lake suddenly becomes very popular because I would expect that it would.

MS. DAGGON: Well I would hope so, I was actually at a workshop earlier this week and saw what I consider to be disturbing information in that how much screen time children these days are exposed to. It's 7-1/2 to 15 hours a day children are either on their cell phone, a tablet, a computer at school or at home or TV and that trend is continuing and certainly is recreations mission to you know put an interruption to that. Because we have found that there's now cognitive problems with children who are in front of screens that much. So again bringing people to the lake re-educating them rebranding the lake as the place to be and the place to hang out would be very beneficial health wise to our children as well as the rest of our adult population. You'd be surprised at how many hours adults spend in front of screens as well. So we do need to get people out. So yes hopefully if we you know spruce it all up and it won't be maybe Spruce Run but it will be something that people that would want to come to and will spend more time.

MS. MURPHY: I think it should be (inaudible) for that rehabilitation (inaudible).

MS. DAGGON: Yep I agree. All right other things I've mentioned in here if we continue to really focus on offering swimming kinds of activities and more traditional beach activities than we would want to look at permanent storage for all of the equipment that we have at the beach. So whatever kind of a building is built on this site should address that. Our temporary sheds have now been there for a very long time and they get the job done but their temporary sheds. So that there are some issues that we would need to address if we had a facility building there. I mentioned earlier that shade is a concern that we only have some trees along the highway area the rest of it is pretty much open. When we had the building there the building cast a pretty big shadow towards the end of the day where people would be in the shade. Again as we develop that site we should consider where we want to put shade. Obviously skin cancer from exposure from the sun is something that we should consider. We did partner in a study with East Stroudsburg University on getting people aware of their UV exposure, etc. and we still have some of that information up at the beach so we should consider that. And then outdoor lighting if you want to expand your activities into the evening hours of course we do know that you know the work days sometimes gets longer so we need to be able to have some adequate you know early evening, maybe not all night, but early evening lighting for whatever it is that we do there will expand the use of the beach area. And I already mentioned the food concession. Some of the things we need to address before we come up . . . I mean we have wonderful ideas but we need to make sure we address the erosion issue which is part of where you know we have half the sand we had ten years ago and so why is that happening. One of the things that I have found over time is that the storm drains that are right next to the beach you know have a lot of heavy flow. When we have rain that comes down at you know 2, 3, 4 inches in a huge storm it can act like a fire hose coming out of those storm drains. About three or four years ago we had a really heavy April storm where we got 9 inches of rain, I don't know if you remember that I was up in Port Jervis trying to drive back down through Sussex County, all the roads were washed out it was an interesting way to get back home. The water level of the lake had risen so high that the docks had floated off their poles and were no longer anchored where they were supposed to be and we had water up towards the parking lot and such. And the storm drain carved a channel another additional 10 feet deeper so we had like 22 feet depth of a drop from the surface to the sand that was coming out from that storm drain. So then you would walk out about 50 feet, drop down an additional almost 18 feet deep and then come back up 6 feet later. Well that's a hazard that's a big problem and we had to rearrange where we had things so that children would not all of a sudden think they're jumping and they could you know bounce off the bottom and come back up and not be able to find the bottom. Now eventually of course over time it's filled in it's about 12 feet at this point and we do check it every season to see what our depths are and we mark it out we know where the hazards are we check after big heavy storms. So we need to look at how to mitigate that kind of erosion issue. So whether we need to have some sort of a hydrologic study done to see what those flows are and how to be able to move that around is something we should consider. We had the big concrete dock there remember that from years ago they had a big concrete dock before the dredging? Well that definitely kept water trapped in the swim area and that did build up algae and other things because we couldn't get the water to move for current. And we put the lifeguard staff out with fins and you know our various boards and things just to move water as best they can to get a current going. With the floating docks we don't have that problem so we do need to look at whatever we do there in the water how does that affect the water flow in that area because it is right at the very bottom of the lake, to make sure that that water does move around. And we have to figure out where all of our sand is going you know we had not put a lot of sand back on the beach in recent years. Last year we brought in \$5,000 worth of sand which doesn't go as far as it used to. But that gave us only about 2 inches worth of depth over half of the beach area for sand, we've lost a lot of sand to the recent tropical storms we've had including Sandy but even Irene and some of the other ones before that we've lost significant sand. But again until we can stop it from going in you know I'm reluctant to do a whole lot of build up with the area until we know we can keep that sand in place. So we need to find a good solution for that.

- ?: (Cannot hear who is talking).
- MS. DAGGON: Yes right you know a lot of the dredging that we have done is filled back in over time. When we did the dredging one of the goals for the dredging was that we go down to the natural bottom of the lake. And in the section between where that concrete dock had been and the canal they never found the natural bottom. When they got to 37 feet I said please fill it back in because there's no way we could rescue anybody at 37 feet. So what happened though then was that all of these rocks from that long island that they . . . or peninsula they put out to put the crane on was put in that area but now there's no sand there. I mean we put sand in and it just goes between the rocks. So now you can walk on giant rocks, that's not a lot of fun, and it's even hard for the sailboats to go in and out of there because they're going to scrape.
- MR. MCGROARTY: Where is that Jill? Whereabouts?
- MS. DAGGON: Between the dock and the canal.
- MR. MCGROARTY: Yeah.
- MS. DAGGON: Okay so that area no longer has a sandy bottom it has all rocks.
- MR. MCGROARTY: Is out . . . where is it? Out in here then?
- MS. DAGGON: Yeah. So okay so this is our dock right now resting from a winter position. If we go straight out this way, so from here over towards the canal it's all rocks. So you can't actually, it's not tender on the footsies it actually hurts so we couldn't do . . .
- MR. BUCZYNSKI: Is that where it went down 37 feet?
- MS. DAGGON: Yeah and I didn't find the natural bottom at that point so that we told them to stop looking for the natural bottom.
- MS. MURPHY: That problem drain isn't that opposite the gas station?
- MS. DAGGON: Yes.
- MR. BUCZYNSKI: Is that from the area of Lakeview Plaza or whatever it is?
- MS. MURPHY: Yeah that's pouring in from Lakeview Plaza and actually we're probably getting some flow coming down from Eagle Rock along the . . . their storm drains collecting from up by Eagle Rock.
- MR. MCGROARTY: This is Lakeview Plaza right here?
- MR. BUCZYNSKI: Right.
- MS. DAGGON: Yes.
- MR. BUCZYNSKI: It's the pipe that comes up there yeah.
- MS. MURPHY: You get such a tremendous flow out of it Gene it is it's like a fire hose and it's scouring you know erosion away from the beach along the beach area.
- MR. BUCZYNSKI: That's been there for years that Plaza that basin had no storm water control on there years ago.
- MS. MURPHY: Right it didn't so whether . . . I don't even know if there's a way you can like add a little bit on to the end of the drain to deflect it a certain way.
- MR. BUCZYNSKI: We'll have to look at it.
- MR. MCGROARTY: Well one of the things I mean it's identified as one of the goals obviously for this and I was just wondering if this area here this is a vacant lot and this is the basin right here right?
- MR. BUCZYNSKI: Yeah.

- MR. MCGROARTY: I mean is there something, is there any way that perhaps that basin . . .
- MS. MURPHY: If we could divert more and trap more and clean more in that area.
- MR. BUCZYNSKI: Well we'll have to look at it.
- MR. MCGROARTY: I mean everything is money but it's possible.
- MR. BUCZYNSKI: I don't believe that . . . that's not a town basin.
- MR. MCGROARTY: No, no, no that's owned by Lakeview but maybe there is some cooperative stuff that . . .
- MS. MURPHY: Maybe there's an underground filtration trap that you can put there.
- MR. FLEISCHNER: They're not going to want to spend any money.
- MR. MCGROARTY: No they may not spend the money and the town probably doesn't want to spend the money but maybe there is . . . and I don't know I mean there's places, maybe there is funding opportunities some place I don't know.
- MS. MURPHY: On the other hand let's say it cost you \$20,000 to put a little underground (inaudible) there, in the long run and it saves the beach isn't that money well spent.
- MR. MCGROARTY: Well whether the town spends it or not . . . Lakeview may not but it's their property. But they may allow, depending on you know Gene would look at it, but if there are possibilities maybe they would allow you know improvements to be done as long as it's on their . . .
- MR. FLEISCHNER: I don't think they would have a problem, I mean I can't . . . no one can speak for them but obviously if they don't have to spend any money they're not going to have a problem.
- MR. MCGROARTY: Yeah I only say that because it's an interesting opportunity that there's a basin right there.
- MR. BUCZYNSKI: You know it's amazing when you talk about how severe the water is you know of course I believe you, but that's not a big holding area. So I've got to see where else the water is coming from.
- MS. MURPHY: Well one reason is that particular pipe is actually above the water level. So when it rains you can actually see it spurting out . . .
- MR. BUCZYNSKI: The discharge into the lake you mean.
- MS. MURPHY: Yeah now further down there is definitely a lot of water coming for example off of Lakeview Estates. There's a lot of water coming out of there and the velocity is heavy because it's coming off of the hill and then it drops.
- MR. BUCZYNSKI: Well because the pipe going down Johnson Avenue is a pretty steep pipe.
- MS. MURPHY: Right but those pipes are submerged below water level you'll see the staining and the current . . .
- MR. FLEISCHNER: Kathy I'm going to cut you off there because what we're here tonight to do is not deal with the minutia of this, what would have to be done if we redevelop the beach, if we do this, if we do that. The question really for us tonight is what are things that we would be interested in doing or trying to do, and then it goes into Chuck putting this all together and then determine if in reality it's feasible. Because one of the aspects that we all have to deal with is you just touched on . . . oh it's only \$20,000, \$20,000 here, \$20,000 there all of a sudden we're at three to four to five million dollars and someone is going to ask where is the money coming from. And we live in the third highest tax municipality in Morris County so if we have to ask the taxpayers do you want to spend the money on this, that's going to be a question. I mean we know we have an opportunity to redevelop this area and we have to look at it in a macro viewpoint right now. What Jill is saying we have opportunities to do A, B, C and D around the lake. What we end up with who knows it will be based on what is feasible and



what we can afford to do. And at that point then it will be gradual, it may take 10 years to do, it could take 20 twenty years to do it I don't know.

MR. MANIA: I have to agree with you Joe I wish I could wave a magic wand and come up with all of the funding I mean all of the things you said Jill are just beautiful.

MR. FLEISCHNER: Right on target.

MR. MANIA: But again it's going to cost a lot of money.

MS. DAGGON: Right and again there might be a business out there who'd like to lease it and develop it into to this multi-use facility and we come up with whatever that agreement might be to benefit the township. I have seen examples nationally where those kind of partnerships do work fairly well, sometimes after a 20 year period it can revert back to the township or if the township wanted to have it we can renegotiate the lease at that point. Sometimes the township doesn't want it ever back they just want to keep (inaudible) about the effort. But other times the company wants to have an out so you have to look at how that's structured and that's minutia that we don't have to discuss now. But I think there is an opportunity there to let somebody else do some capital improvement I think that there certainly is or there are businesses in the boating and aquatic world that could be interested in doing something with it and would be willing to put in what's needed to be able to make that happen.

MR. MCGROARTY: I really think that that's like an unexplored opportunity. There are probably lots of, I know you talked about Spruce Run, but there are probably lots of opportunities out there where people would like to get access to a lake like Budd Lake and the town can . . . maybe we can get . . . it's a win, win here because . . .

MR. FLEISCHNER: And that's in designing of the zone that we're putting together to make those opportunities available and that's what I think where really this grant money that we have to do this enables us to do. What's actually going to go on the spot? Who knows.

MR. MCGROARTY: Well yeah and the kinds of uses we want water related or water sport type of oriented uses and there are certain limited commercial uses that make sense. We know what uses will not go in there for all kinds of reasons not least of which is because of the wellhead area. And it's probably going to be a pretty restrictive zone not unlike the Professional/Business zone it's pretty limited but what we're getting in there is pretty decent stuff I think.

MS. DAGGON: All right and the other thing last thing I just want to mention is that whatever we do for improvement in recreation areas anywhere in town including here there are new ADA standards as of 2012 that we will have to comply with. And that means getting rid of the Port-A-Johns because Port-A-Johns are temporary so it would have to be a permanent restroom; it would have to be in place at that point. But anything would have to meet those requirements. I obviously tried to make that happen with what we have available to us but moving forward a lot of people don't really realize that being ADA compliant is one thing but being inclusive is another. And we want to be an inclusive community where it's not just we meet the spec. of a requirement but what is the intent to be able to have everybody go enjoy the facility. If we put in or someone puts in boat slips you know one out of every five has to be accessible you have to have a dock area that a wheelchair could go out on or someone in a walker could get out on there and transfer into a boat. So there are some considerations that have changed from the original 1992, 1995 regulations that were out there they don't really address recreation areas. They do now address beach trails and recreation facilities. So we have to make sure that we really take that into consideration with what we do.

MR. FLEISCHNER: Makes a lot of sense. Thank you Jill.

MR. WEISS: Joe I just want to go back, how important is a playground here as you mentioned in your report.

MS. DAGGON: It depends on how you're using the property. I think the playground when it's just being a two month out of the year beach/swim facility I don't think it's important your there to be in the water you're not there to be on the playground structure. You make your own play when you're at the beach during that kind of time frame.

MR. WEISS: Well that was my question, plus the fact that the township is making a tremendous investment in great, great playground at Turkey Brook you're at the beach, you're at the water. So do we need to plan for a playground?

MS. DAGGON: If it becomes a boating facility and you've got a picnic area for families who are waiting their turn to go on the boat then you may need to have some sort of a structure for the kids to play on to keep them amused. It doesn't have to be huge but it should be something to keep them so they're not trying to go in the water where they're not supposed to, while they're waiting their turn with adults with them to go out on the boat.

MR. FLEISCHNER: Thank you Jill that was very, very in depth and greatly appreciated.

MS. DAGGON: Sure.

MR. FLEISCHNER: Chuck what else do you need?

MR. MCGROARTY: Well I mean we've got a lot here tonight and if anyone maybe just for the few moments left or whatever time you want to close but I would say that it's a lot to absorb obviously but if anyone you know as we're doing this starts to think well you know what, what about this or what about that I mean probably the best way to do it is to funnel all of that stuff through Catherine since you're here. Gene and I are going to be meeting . . . I'm going to be meeting with Highlands next week I will kind of meet with them as to a status report update and make sure we're on the right path and so on. Gene and I raised a point earlier about getting a meeting with DEP so we can explore what the limits might be on the beach area and the municipal property. And then I think what we should do is start working on the nuts and bolts of an ordinance and the Master Plan because we're going to do both at the same time. But you know again the goals and stuff that we put out there if you want to add to it, and you don't have to get it in the exact language you think that makes sense just you know whatever you think . . . you missed this point or let's emphasize this you know and just if you want to get that to Catherine as a central point and then we can work on that. I don't know if we want to schedule another meeting within a month Joe maybe give us a little more time because again we have Jeff Keller working on the habitat end of things.

MR. FLEISCHNER: We should try and meet in June some time I would think.

MR. MCGROARTY: Yeah because that will give us some more time and then we can start to look at, certainly some of the issues we had tonight.

MR. FLEISCHNER: Alex has a question.

MR. ROMAN: Under the Land Use you have restaurants that says no fast food, what's the purpose or reasoning behind that?

MR. MCGROARTY: Well that was my first brush Alex I'm not sure that . . . I'll tell you what my thing is on that and the reason I put it in there. I think we got enough fast food restaurants in town I don't know if in this one small area you really want to see a McDonalds or Burger King or whatever it is however, we probably want to be careful in how we define that. Because you know certainly at beach areas or recreation areas there are concession stands and things like that, we don't want someone to get confused . . . It's open to the floor I just think that we've got plenty of fast food restaurants all over the place and they always come with driveways now and I think the last thing you really want to do is start encouraging that kind of intensive use that has all . . . I mean litter is not a problem so much anymore at those of places because they're pretty good about keeping their facilities clean. But its traffic intensive, I'm not sure it really makes good use of this sort of unique location to really focus on the lake. But that's just my opinion.

MR. WEISS: But that could be controlled with parking standards and other bulk standards that we . . .

MR. MCGROARTY: I'll tell you right now you can put in the ordinance no drive-thru and they're going to come in and get a variance for it and they're going to get the variance I guarantee it.

MR. FLEISCHNER: Absolutely.

MR. MCGROARTY: It's up to you. You can control like everything . . .

MR. FLEISCHNER: I think a concern is depth of the property, we don't have . . . I mean yeah there's a couple of spots but the depth on that one end you don't have enough depth.

MR. MCGROARTY: Well I guess the question is is this the place for it. I mean . . .

MS. DAGGON: If we want to make it upscale then I'm not sure a fast food restaurant brings you upscale to redeveloping and for . . . you know it's not really urban redevelopment but that whole idea of make it be really a great place you want to go and hang out but you don't want to be smelling grease from the fryer while you're hanging out. And that's probably one of things that some of the beach people had mentioned to me over the years that you know is a restaurant going in here? I don't want to smell that grease from the French fries all day long.

MR. WEISS: You have to be realistic though if we're going to allow a restaurant and if McDonalds for example sees a business value here then McDonalds will look to come. We almost have to make the standard prohibitive.

MR. MCGROARTY: I think you make it prohibited by saying no fast food restaurants and that makes it . . .

MR. WEISS: Okay but that would be reasonable if it was so simple but (inaudible).

MR. MCGROARTY: Well it's very common in ordinances when you have restaurants and you can distinguish between you know take out restaurants, fast food restaurants, sit down restaurants like the Ceil West for example, again that's just my opinion you know it's ultimately . . .

MR. ROMAN: I just kind of want to find out what the rationale is because if it's you know taking it . . . a property owner I think his property would be greatly enhanced because I would see a corporation move in a whole lot quicker and develop in these areas versus . . .

MR. MCGROARTY: Well they could today, they could today a fast food restaurant is permitted as a conditional use and I haven't seen anybody come in from a personal observation point I'd say that's a good thing thus far. But you know others may disagree, I don't like fast food myself so I mean I'll be very honest I can't stand the stuff I go to A&P and I smell the Burger King it makes me sick. And that's across the parking lot. But I think that we're talking about 17, 16 properties a mile area at most, it's a limited area we've got this underutilized tremendous natural resource of the lake right there, I think you want to build something around that. And it's a big town there's plenty of room for fast food restaurants we've got plenty up and down the highways.

MR. KIBLER: The intent here is to make this kind of a destination area.

MR. MCGROARTY: Right.

MR. KIBLER: I mean it seems to me that's kind of the fundamental issue with a fast food restaurant in this area. Because you want this to be an area where people are going to come and spend some time at and the whole purpose of a fast food restaurant is to get people in and out the door. So by definition they're not destination they're you know they're designed to be transient get in the door, get out the door as fast as possible. What you want is businesses and restaurants that are going to encourage people to stay.

MR. FLEISCHNER: They want a restaurant that they can sit and watch the sun go down.

MR. MCGROARTY: I mean again that's just my . . . but that's why we're here and that's why we'll continue to discuss it it's not up to me I won't make that decision.

MR. NELSEN: Something we haven't really talked about too much is this recreation area we're talking about I hope to see a boardwalk with lighting (inaudible). The parking, there's not enough parking there I'm still looking to move Alex, Alex and old mattress place to a better location but that would be . . .

MR. MCGROARTY: Yeah Dan you're right parking in fact that was the last note I had on the back of the last page of Jill's report. I mean but again as I mentioned when we started Jill actually made me, I don't know if we have time but, but Jill worked out an arrangement years ago just sounds like without all of the official stuff that has to go with it with the bank. Because again the bank is sitting there with unused . . . it's got all of that pavement and nobody uses it.

MS. DAGGON: And weekends are the busiest time and the bank only has limited hours on Saturday's only and they close by the time we open. So it made perfect good sense to use their parking

lot on weekends in particular you know for Saturday and Sunday which is fine, other times during the week if we had an event going on or whatever again the events happen usually towards the end of the day when people get home from work and join us for an event, a movie at the park or a barbecue or whatever we have the bank closed. So the banks part of Chamber of Commerce they were more than willing to let us do that and we identified which parking spaces were least used by their customers and those are the ones that we had the staff park there freeing up parking for the patrons and then the patrons realized that actually it's easier getting in and out of the highway from the banks parking lot go out to Manor House and then turn. Rather than trying to pull out right from the beach parking lot onto the highway.

MR. MCGROARTY: And you know back to the fast food just for a second, and not to pick on fast food but we want to be careful of high traffic generators because we now have the accident counts for that stretch of the highway and we know what it's like to you know you know what it's like to come off of the highway onto Old Wolfe Road and coming on the highway too sometimes. So you know I'm not the traffic expert but introducing a use that generates a lot more turns and action off and on the highway there I'm not sure that's the place for it. And again when we think about ultimately long term trying to enhance and increase safe pedestrian access across the highway, which we may never get we've got to find out, but those kind of more intensive traffic use activities I think are probably better other places along the highway. And they're permitted in Mount Olive along Route 46 and Route 206.

MR. WEISS: Chuck did you want to use some more time this evening to talk about maybe roundtable some permitted uses and ideas if anybody has any suggestions?

MR. MCGROARTY: Sure if you'd like I mean I put down a few but restaurants, water related recreation, limited office type of uses. We have the old retail sales of goods and services but that's sort of an archaic formulation at this point I mean might be more precise in what kind of retail.

MR. MCGROARTY: Retail that supports the lake effort.

MR. MCGROARTY: Yeah or is it a convenience store like a 7-Eleven which is right across the highway is that the sort of retail or is it some other kind of retail. Or retail at all for that matter does it have to be retail there.

MR. FLEISCHNER: I think that's a big question too because in reality that is not . . . I mean there's so many retail spaces sitting empty as it is and you know what are you going . . . today people tend to go to the big box stores for retail or order from Amazon from their computer. And when they do they have like the shops in Chester or the shops off of Route 10 that's the kind of more upscale retail. The question is what kind of retail would you put in there? What are you going put in there retail wise? So I don't know if retail is appropriate in this district.

MR. BUCZYNSKI: The lot still really isn't appropriate for it.

MR. FLEISCHNER: Right I don't know what constitutes retail for this limited area.

MR. WEISS: Are there any suggestions, anybody have any ideas of what else we might want to add? So it seems like we're on the right track there's nothing . . .

MR. MCGROARTY: Yeah I mean it won't be in its final form for a while so there's time for . . .

MR. FLEISCHNER: Yeah I think you always have to think about professional buildings, professional offices.

MR. MCGROARTY: Yeah right.

MR. WEISS: Well I certainly think that before we start to develop all the standards we need to know exactly what we (inaudible) standards for.

MR. MCGROARTY: Yeah it's kind of like you know . . .but on the other hand if we're talking about the properties again the presumption here is it's predicated on having the water and sewer because they're not going to go down to a third of an acre and not have that. But when they start to get smaller like that well that eliminates a lot of things because you don't want high traffic generators (A), your parking requirements are going to change a little bit, and the reality is it's not that big an area when all said and done and there may not be too many uses that really fit well here. I guess we can take a look at that.

MR. FLEISCHNER: Can you Chuck maybe take a look at some similar areas where there's a lake and what surrounds that lake for retail?

MR. MCGROARTY: Yeah I've been doing that actually. I mean I can tell you the most popular thing that pops up over and over again in lots of them that I looked at is of course restaurants. You know and then the water related activities and the restaurants because that's what people . . . it's a wonderful place, like you were saying before, watch the sunset and stuff.

MR. WEISS: Is it crazy to assume that you'd consider residential certainly by the marina? You have a small beach lakefront bungalows right (inaudible).

MR. MCGROARTY: You know I was wondering about residential or like second or third story apartments or something. What do people think?

MR. WEISS: Take your family to a week kayak vacation?

MR. MCGROARTY: Well I was thinking more of like a permanent unit but your thinking like a vacation unit.

MR. WEISS: I just think if we're going to build a destination that's going to take advantage of the lake opportunities then maybe we will be looking spend a week at the lake.

MR. FLEISCHNER: They can go up the street and stay in one of the empty rooms in the motels and hotels here there's plenty of room there.

MR. WEISS: I think we should have just discussed it that's all.

MR. MCGROARTY: No I mean you're right I mean now is the time to throw out all of the different possibilities. You're talking about a vacation or like a bed and breakfast or . . .

MR. WEISS: I was and the only place really that makes sense would be by the marina because otherwise I'm not sure why a property looking out on Route 46 is meaningful. But listen I mean if we want to discourage the current use of the marina and moving towards a municipal use then what else can you put back there?

MR. MCGROARTY: Yeah I mean as long as we're clear to the marina is there and he's allowed to stay assuming that his expansion was lawfully done.

MR. NELSEN: In the marina area how about if we put in maybe a Nordic, medieval times kind of thing and we have a . . .

MR. WEISS: You're talking about a restaurant right?

MR. NELSEN: You know you have the medieval times that have riding the horses and jousting? You can do kind of a water theme like that.

MR. FLEISCHNER: Any other thoughts Chuck on what . . . I don't think residential really kind of . . .

MR. WEISS: I'm not saying it is . . .

MR. FLEISCHNER: No I'm thinking what your saying is we've got to throw all of these things out but I think we need to really look at what other similar . . . but we have to remember the one thing which I don't think we want to think about, you know money is money. Route 46 there's cars are whizzing by there 24 hours a day, seven days a week and that's where you know I go back to the boardwalk, I think of boardwalks I think of down the shore all the boardwalks I walked, cars aren't whizzing by at 50 miles an hour even though it's 40 mile speed limit they're going over 45 miles an hour and I just envision in my mind a couple of people saying you know what I like that 7-Eleven I'm going to get a cup of coffee and now I made half way across the highway and now there's a truck coming the other way, where am I going? Oh I know where I'm going your going up in the air and flying back into the lake so I mean it's great we want to do all of these things I mean I agree . . . I love what Jill has presented but I want to also be realistic on what we really, really can do and what we should do for the residents of the entire township.

MR. MANIA: With the constraints on it . . .

MR. FLEISCHNER: Yeah I mean Route 46 is a big constraint.

MR. NELSEN: We are where we are we're next to the highway and if you want to make this a . . . I think it would quite a showcase for the town. You know it is where it is and we're not going to move the highway, we're not going to move the lake.

MR. FLEISCHNER: Right.

MR. NELSEN: I think you could make it work.

MR. FLEISCHNER: I don't want to build something with the thought of build it and they'll come because I've seen too many things built and they never came.

MR. MCGROARTY: Well let's do this, I mean there's lots of possibilities the boardwalk may or may not happen but you know even if we put it in here as an ultimate objective I mean the problem is this is hard to compare to other places because other places when your close to water you're going to have the kind of amenities like restaurants and you're going to have often times upscale housing. Here you're right the one negative, there's a lot of positive assets here; the one negative in some respects is the highway. Because I mean as I said before when we were at Highlands that highway obviously creates a tremendous barrier and it's hard to . . . we're talking about trying to even just find a safe way across. But there may be variations on the boardwalk possibilities where as opposed to a boardwalk maybe it canters out a bit and the fishing piers that Jill had talked about. There's some really nice looking examples of that of fishing piers that go out and keeps them away from the swimming area which Joe is concerned with and perhaps fence it. I mean and I mean nice decorative fencing high enough that stops people from bolting across the highway which they could do now if you were crazy enough to do it. But I understand your point.

MR. NELSEN: People have to be responsible to cross the street.

MR. FLEISCHNER: Yeah we know about personal responsibility in the times we live in there's very little of it.

MR. MCGROARTY: There may be it may not just be one idea of a just boardwalk running down along . . .

MR. FLEISCHNER: Maybe it doesn't run along Route 46 maybe it goes the other way to the marina.

MR. MCGROARTY: Maybe it does.

MR. FLEISCHNER: I mean that to me makes more sense.

MR. MCGROARTY: Maybe it's a smaller version of it and it just angles out a little bit and then there's protective fencing so you can't get back out from it. There's lots of safety issues that trigger that too. I suspect there's lots of concerns pro and con on that and you know I guess that's why Alex the Council has put money together for a feasibility study right?

MR. ROMAN: We put a million dollars into the budget.

MR. BUCZYNSKI: Nobody said anything about doing any study yet so I don't know.

MR. MCGROARTY: Yeah but when the times comes . . .

MR. ROMAN: The money is in there it doesn't mean we have to use it but if we don't at least put it in and then earmark it for something this will never move.

MR. MCGROARTY: I mean it could be like I said we start out thinking well it's a boardwalk and it's going to run 200 feet parallel to the highway, maybe not maybe it goes 50 feet out to the lake in a very different variation.

MR. WEISS: I think when we talking north side I think we've all been talking about this.

MR. MCGROARTY: Yeah. Who knows I don't know.

MR. FLEISCHNER: You don't want to encourage people to say I'm going to run across that highway.

MR. ROMAN: I think the whizzing cars will discourage people from . . .

MR. FLEISCHNER: But there's nobody there to do it except for the three or four people that stop along the highway to fish. Once you open it up and you put a boardwalk there then you're encouraging people to go on the boardwalk and say ooh now I've got 50 people there I think I'll run across the street.

MR. MCGROARTY: Yeah but like I said if it runs the length of the highway as we've envisioned it's a different configuration and you have higher . . . you know and again we're talking high quality fence. All of this cost money but your access for that boardwalk is only going to be from the beach area then you can't exit it and cross over the highway because you'll be blocked by some type of barrier I don't know what that might be.

MR. FLEISCHNER: You have to cut those trees down.

MR. MCGROARTY: No not . . .

MR. NELSEN: I'm thinking if we could ((inaudible)) and I don't know this might be too much or you know what it would take from one end of the beach towards the other (inaudible).

MR. MCGROARTY: Look here's an example I ride my bike on the Columbia Trail all the time and I don't know if anyone has been on that but when you go up into Lebanon and you go across and you're on the trail so you're off road, and there's bridges up there which cross over the gorge. Now they have fencing on that because I don't know if anyone has ever fallen or not but that's about a 40 foot drop and your going right into the gorge and you're going to get killed. But people walk and bike but it's beautiful I mean and they did a nice job it doesn't look like you're in the Bronx you know that you're locked in. And so somebody figured out hey there's a bridge that we can cross this gorge, bikes, walkers everybody can get back and forth and it's safe. And it comes up and it curls to the top it doesn't totally enclose it like a cage and it fits the ambiance of that area perfectly. So I think something like that could work here.

?: Even having the boardwalk offset from the land itself so now you have to have (inaudible) safety anyway.

MR. MCGROARTY: Yeah right.

?: So then no one is going to look well now I have to jump 10 feet to get to the highway or something like that, now it's more . . .

MR. MCGROARTY: That's right good point. So you discourage people because the boardwalk is not linked. And I don't know if this will work I mean Gene will have to find out how this all works with the piers and the like but why not? But they put piers in water all of the time so it can be done and like . . . what's your name?

? Erin.

MR. MCGROARTY: Erin was saying that makes perfect sense keep it away from the shoreline, enough so that you don't have a natural connection to the shoreline and the highway. If I'm walking on the boardwalk and I've got 10 feet from the edge of boardwalk railing to the shoreline that means I've got to jump in the water to get to the shoreline.

MR. FLEISCHNER: Yeah luckily the water is only a foot and a half deep there.

MR. MCGROARTY: You can't save everybody I mean people have gone on the lake obviously as you know tragically when there's ice on the lake and they've drowned. We can't prevent . . . we don't want to create unsafe conditions but you know it's good to raise the objections and the limitations but you know I think if we brainstorm enough I think we'll come up with some ways to do it, possibilities anyway. And again what might emerge from this will be perhaps very different from what we first thought about but that's a good place some time.

MR. WEISS: So it sounds like you have plenty to work on, Catherine do you happen to have the agenda so we can reschedule. So maybe let's look at June 19 so anything we have scheduled try to put it on the 12<sup>th</sup>.

MS. NATAFALUSY: Okay.

MR. WEISS: So let's make the June 19<sup>th</sup> we'll do the same thing.

MR. MCGROARTY: Okay. And we'll hopefully have something more tangible beforehand so we can distribute it.

MR. WEISS: Well I think we made great progress from the last time that we met.

MR. MCGROARTY: Yeah I think so.

MR. WEISS: So tentatively we'll look at June 19<sup>th</sup> and we'll keep the first meeting in June which is the 12<sup>th</sup> right now there's nothing there but any applicant could come on the 12<sup>th</sup>.

MS. NATAFALUSY: I got a new application today by the way.

MR. MCGROARTY: And again Howie if anyone has ideas and stuff they can send them to Catherine and then . . . will that work?

MR. WEISS: That's perfect. Joe did you have anything else?

MR. FLEISCHNER: Other than to say thank you to everybody that participated and we're going to keep kicking this around until we get it right.

MR. WEISS: Okay so let's do this then let's close this workshop session and we have no other business so unless there's anything on the agenda I'll entertain a motion to adjourn.

MR. MANIA: So moved.

MR. FLEISCHNER: Second.

MR. WEISS: All in favor?

EVERYONE: Aye.

(MEETING ADJOURNED AT 9:30 P.M.)

Transcribed by:  
Lauren Perkins, Secretary  
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