

Borough of Pine Hill
Meeting
Planning and Zoning Board of Adjustments
October 09, 2014

- Call to order:** Call to Order by Mr. Felix James 7:30pm
- Pledge of the Flag:** Led by Mr. James
- Sunshine Law:** This is a regularly scheduled meeting of the Pine Hill Planning and Zoning Board. This meeting has been duly advertised and is in full compliance with the Sunshine Law.
- Roll Call:** Mr. Felix, Mr. Ford, Mr. Shultz, Mrs. Bruno, Mr. Hagy, Mayor Green, Councilmen Robb, Mr. Greer
Absent: Mr. Waddington, Mr. Castor, Mrs. Ciotto
Professionals: Solicitor Mr. Sitzler, Planner Mr. Hall P.P.
- Approval of Minutes:** Motion made by Mr. Hagy to approve minutes of September 11th meeting second by Mrs. Bruno. Roll call, all "aye" Motion Carried
- Memorialization of Resolution 2014-14:** Motion made by Mr. Shultz approving resolution #2014-5 Cellco Partnership d/b/a Verizon Wireless Pine Hill Borough (Mt Clement) temporary tower during painting: second by Mrs. Bruno Roll Call, all "aye" Motion Carried
- Master Plan:** Mr. Bob Hall: Mr. Chairman I would like to address the board I'm Bob Hall from Pennoni and Associates; the board's planner. The Sub Committee and I have prepared this plan for adoption hopefully tonight after the public hearing. I would like to acknowledge members of the subcommittee Chairman James, Mayor Green, Councilman Robb, Kevin Waddington and Ray Hallworth all meet with me at least two

times during the process we started the process in early June and here we in October and hopefully it can be adopted. The plan report is really just a review of the prior reports being the 2002 reexamine report, which was done by the board and also the 1993 Master Plan itself so this is an update of the Master Plan in a sense. We do it at least every 10 years which is mandated by the state for really three reasons, first the master plan really explains the policies, goals and objectives of the borough in terms of land development and it is good practice to keep this up to date with evolving legislative statutes that come about and also the economic, physical and social characteristics of the borough. Also the second reason in my view any use variances case that comes before the board here can constitute yourself as a zoning board and every use variance case the applicant is obliged to review the master plan and to reconcile the application that they present with the master plan. So this would be very important to use in the board in terms of modifying any application, imposing new conditions on the application or in fact to deny the application so the master plan is very important. Third as I mentioned there is a legal mandate from the state to review this at least every 10 years. If it is not done the zoning ordinance could be challenged in a court of law and the judge could find just because it hasn't been reexamined that the zoning ordinance is no longer reasonable and we have never been in a position like that and we don't want to get into that position so we are doing it now. The board could also in a period of less than 10 years reexamine the plan at any time when it feels there have been significant changes in the situation or the events that have happened in the borough or any issue that may come up that was not expected for a revision of the master plan. The plan itself identifies certain problems and from 2002 there were several problems noted, in the earlier reexamine some of them have been resolved and some persist, the ones that have been resolved are that storm water management standards for new development have been put into place by ordinance, the storm water management mapping of the facilities that is basins, pipes and inlets have been nearly completed if not completed by the borough. Third the certification of our housing plan was done and is certified till the year 2018 however the state is now proposing new rules "COAH that is" proposing new rules that should be adopted in November of this year taking effect I think within two or three months, at this point the numbers in Pine Hill do not really change that much but we will probably go through a recertification process in 2015 to get recertified under the new rules that is assuming that there will not be any litigation against the ruling at the state level. If that happens I couldn't tell you what the time table would be but at the worst I would say process wise we would have to simply repetition to the state to get certification I think what will amount to is a resolution by Council and probably resubmittal of our itself it shouldn't be too difficult to obtain. So we have done all these things since 2002. The problems that persist are three, one was found to be a decline and lack of private investment of Erial Road which is really main street in Pine Hill. That problem continues today and the recommendation in this reexamination report is to really look at Erial Road and to see why the retail business service development hasn't occurred as we had hoped and what we can do to stimulate that. The second problem that still persists is some buffering requirements between residential and nonresidential uses that can be done thru an ordinance amendment in the future, and the third would be the under-utilization of lands which was termed as the major transportations corridors which are Blackwood-

Clementon Road, New Freedom Road, Berlin-Cross Keys Road and Erial. The three problems that still persist the goals and objectives really continue to be relevant to the borough and they will be readopted tonight if you adopt the reexamination plan they are very general broad brush and still valid to the community. The last part of the plan makes specific recommendations if you have them with you start on page 12 and run thru page 14, I'm not going to read them all but wanted to mention a few the more important ones in my opinion. First the master plan should include some mapping at this point there is no map of where the various land uses are or should be. There is no map of the type of roads no map of community facilities, no recreation or conservation areas they are described in the plan but it is kind of hard to figure out exactly where they are if you don't have a map. The other recommendation is to look closely at area roads more importantly major corridors to encourage business growth in the central business districts to promote retail and business services along that corridor, also recognizing that there are significant number of residential uses in that zone the CBD today those uses and not permitted uses but one of the problems that could occur is that is the home owner wanted to expand or add on to the home they would have to end up before the zoning board for a use variance since it is not a permitted use so I think the CBD should at least recognize at least that there are homes there and try to make any process for growth of those homes a little easier. The reexamine plan also recommends various changes to the ordinance to revise application fees and escrows to clarify the permitted uses of the LBD that's the limited Business District and the CBD districts. Also clarify conditional uses in all districts the ordinance we have today is a little vague on conditional uses and that should be specified. Again these are relatively straight forward ordinance amendments that should hopefully occur in the future, the reexamine report is something the board will adopt and pass on to the council for recommendation to take action on some of these recommendations. The reexamine report also found that there is a need for additional senior housing in the borough and that we should review recreational facility and contributions requirement in the ordinance because there could be some legal issues for what they are. We should also map the environmentally sensitive areas of the borough that is wet lands, flood plans, stream corridors, and ponds, slopes and so forth. Also we need to stay toned to COAH regulations which we said should be adopted next month and from there not sure where we go at this point but we need to monitor them. Also review policies and objectives for some things that are relatively new and not mentioned specifically in the ordinance such as housing needs for aging population, charter schools, and houses of worship need to be addressed, wind and solar, renewable energy facilities, wireless communication facilities, hospice and other health care related facilities all need to be looked at. Lastly the reexamine report recommends two areas be considered for redevelopment, the entire length of Berlin-Cross Keys Road and the entire length of Blackwood-Clementon Road those areas for the most part are developed but we think they are under-utilized. There are some areas along Berlin-Cross Keys Road there is some vacant property that for some reason whatever has been approved can't get off the ground. There is some additional vacant land in that corridor that should be reconsidered through the redevelopment process hopefully to stimulate some economic development in that area. The reexamine report goes on to address other requirements in the statute but they are all relatively straight forward and included

in the plan at this point. I did since our last meeting contact our staff person at COAH and she explained to me what I had briefly mentioned before the board before they are all waiting for the rules to be adopted, so it is an important piece of regulation we need to pay attention to. I also talked to John Greer at Public Works and he indicated that the storm water management facility mapping was complete at this time but it is an ongoing process as new facilities are constructed they will also be added to the map. So that is my brief summery going back a couple of months working with the sub-committee to bring it to this point, tonight is the public hearing so you need to open it to the public for any public comment but if the board has any question of me I'm ready to give answers.

Mr. James: Motion to open the floor to the public

Mr. Hagy: I make the Motion Second by Mr. Ford " No Public Comment"

Mr. Ford: Motion to close Floor to the Public Second by Mrs. Bruno

Mr. James all those in favor: All "aye" floor closed to the public

Mr. Stizler: The board now has the option to adopt the reexamination report in its entirety or ask that changes be made. Given the fact that there has not be any discussion is the board is in agreement there has to be a resolution drafted confirming that fact that the board is in agreement with the findings of the sub-committee and that resolution to be forwarded to the Mayor and Council.

Mrs. Bruno: I do have a question all the recommendations that are being made for these changes that are mentioned in the in the master plan, at this point we adopt that and it goes to Council who is it that will implement these changes?

Mr. Hall: I think in most cases it will be me or someone from my firm that will draft the test or changes and then give to the borough attorney to put in an ordinance format. We are going to submit a proposal and that will include categories of items to be implemented and the fees associated and if the borough approves it through their budgetary process we can begin to draft the ordinance amendments, create maps for review and investigate more thoroughly the areas mentioned in the reexamine report. We are prepared and willing to work with the board, the board's action tonight is simply to adopt the plan, pass it on to council and hopefully we will continue to move.

Motion by Mr. Shultz to adopt the reexamination report, second my Mrs. Bruno.

Roll call vote: All aye motion carried

Mr. Stizler: The resolution will be available at the next meeting to be forwarded to Mayor and Council, the County and the surrounding communities, everyone you sent notices to.

Mr. James: Motion to open the floor to the public, motion made by Mr. Hagy Second by Mr. Ford

No Public; Mr. Hagy motion to close floor to public, second by Mr. Ford all aye motion carried.

Old Business:

New Business:

Mr. James does anyone have any new business, reminder the next meeting is November 13th at 7:30

Motion to Adjourn:

motion made by Mr. Hagy, second by Mr. Ford, all others "aye" motion carried.