

The regular meeting of the Delaware Township Planning Board was held on the noted date, in the Delaware Township Municipal Building, 570 Rosemont Ringoes Road (County Rt. 604), Sergeantsville, New Jersey; supported by the virtual ZOOM notice, as advertised. Chair Rosalind Westlake opened the meeting at 7:30 p.m.

### PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

### STATEMENT

Chair Westlake read a statement noting that the requirements of the Open Public Meetings Act have been satisfied. Notice of this meeting was properly transmitted to the Hunterdon County Democrat, Trenton Times, and Star Ledger, posted on the Delaware Township bulletin board and filed at Town Hall; all on January 6, 2021.

### ROLL CALL

Present:	Class I	James Waltman
	Class II	<del>Elliot Gray</del>
	Class III	Joe Vocke
	Class IV	Joan Bailly, <del>Dave Bond</del> , Larry Coffey, Kathy Katz, Richard Macomber, Rosalind Westlake
	Alternate	Mark Wright, Tim Drew
	Liaison from	Chuck Cline, <del>Caine Fowler</del>
	ZBA	
	Advisor	<del>Christian Bench</del>
	Administrative Officer:	Kathleen Klink
	Attorney	Steven Goodell, Esq.
	Engineer	C. Richard Roseberry, P.E.
	Planner	Nicholas Dickerson, PP

Absent: shown by strikethroughs

### APPROVAL OF MINUTES FROM THE MEETING of January 2, 2021

Prepared minutes were distributed to members for review. Member Macomber made a motion to approve the minutes from the noted meeting. Member Waltman seconded the motion, and members unanimously approved the minutes as written.

### Correspondence: BILL LIST

Members reviewed the Bill List, as follows.

#### **Bill List**

Legal Bills: Parker McCay, P.A.

For Professional Services through December 31, 2020, #3125641                      \$96.00

Member Coffey moved to approve payment of this bill, Member Waltman seconded the motion.

#### **Roll Call Vote**

Aye: Waltman, Vocke, Bailly, Coffey, Katz, Macomber, Wright, Drew, Westlake

Nay: None

Absent: Gray, Bond

**Bill List, Escrow Charges,**

Legal Bills: Parker McCay, P.A.

19/29 and 29.01, Opdyke, #3126813

\$697.00

Member Coffey moved to authorize payment of the noted bill(s) from the appropriate escrow account, Member Waltman seconded the motion, and members unanimously authorized payment.

CORRESPONDENCE – Old Business, to include Memorializations - none

CORRESPONDENCE – New Business, to include Applications

- Master Plan Review, presented by Board Planner Nick Dickerson

Mr. Dickerson stated that he has been a professional planner in New Jersey for six years. He stated that he has been a planner in Northeast Pennsylvania and has also done planning for a non-profit organization. He stated that he has worked on master plans and reexaminations for years. He stated that he hopes to identify items for review and outline the steps to take next.

Mr. Dickerson presented a power point starting with an overview of the process. Following are some highlights from the power point presentation, which was distributed to members following the meeting.

The definition of a Master Plan is that it is a blueprint of the future, with recommendations based on elements that a municipality wants to see for the future. Mr. Dickerson noted that when a municipality applies for grants, extra points are often given if a recommendation is made through the master plan.

Mr. Dickerson stated that the New Jersey MLUL, Municipal Land Use Law defines the elements to be reviewed, including a land use element. Other elements were shown in the power point. He noted that some towns tailor the master plan to their specific needs.

Mr. Dickerson stated that a Reexamination is done every ten years, given by the State as a reminder to review the Master Plan. He noted that risks are taken if no reexamination is done, i.e. challenges to the Township. He noted that the data is compiled by the Board with any changes since the last reexamination. The reexamination plan is then adopted by the Planning Board.

Mr. Dickerson discussed the required Elements, as follows

- Land Use
- Housing Element and Fair Share Plan
- Circulation
- Utility Service Plan
- Stormwater Management
- Community Facilities
- Recreation
- Conservation
- Economic Development
- Historic Preservation
- Development Transfer
- Educational Facilities
- Green Building and Environmental Sustainability

Mr. Dickerson stated that the Board must go through the goals and objectives to see what is relevant. He noted that there could be changes to some problems, at the county level and state level; one example is the adoption of the new State stormwater regulations. He also noted that there may be new items in the MLUL. He noted that the State Master Plan and Regional Master Plan call for Electric Vehicle charging infrastructure.

Mr. Dickerson noted other new items, found on page 9 of the power point:

- Statement of Strategy

- EV charging

- Climate Change resilience – Hazard Vulnerability Assessment

Delaware Township Existing Plans are found on page 11 of the power point.

- 1994 - Last full Master Plan revision

- 1999 – Open Space and Recreation Master Plan Components

  - 2021 – being reviewed

- 1999 & 2007 – Farmland Preservation Supplement to the Open Space Preservation Master Plan Component

- 2005 & 2008 – Housing Element

- 2005 & 2009 – Land Use Element

- 2005 – Stormwater Management Plan Element

- 2004 & 2005 – Circulation Element

- 2000; 2006; 2012 – Reexamination Reports

Mr. Dickerson noted that the Planning Board can research if there are any other updates not listed above.

Mr. Dickerson noted that some Goals and Objectives were identified in 2012, as follows:

- General topics – land and water

  - Agriculture

  - Housing

  - Commerce and Industry

  - Recreation

  - Community

  - Transportation

  - Solid Waste

Mr. Dickerson stated that the Township needs to identify how it will move forward and then authorize Colliers to figure out a scope to move forward with that intent. Some items that can be done by Colliers are as follows:

- Data collection – EX -census, Annual Reports of the Board of Adjustment and the Planning Board

- Internal coordination, using members of the community which could be a subcommittee of the planning board, or various boards and commissions, and other community members

- Public engagement, as permitted with covid 19 rules; surveys, interactive maps, public hearings, workshops, etc.

  - Final reexamination would then be the subject of a public hearing.

## Questions

Liaison Cline, liaison to the Board of Adjustment, noted that there is a new requirement for the master plan focusing on climate change. Mr. Dickerson stated that he can help with that. He noted that there is an emphasis on community vulnerability. Mr. Dickerson also noted that there can be an amendment to the Land Use Plan or the Master Plan. He noted two other additions concerning Electric Vehicle charging stations and a new Statement of Strategy

Liaison Cline noted that any changes should be applicable to a rural community. Mr. Dickerson stated that adaptation plans can be developed. He stated that he was involved with a regional plan in the Upper Delaware River Basin. He noted that there can be mitigation strategies, particularly as it involves flood issues for streams, and other high-water events.

Mr. Dickerson noted that more people are working from home, making jobs less city-centered. He noted that this may make a difference for future planning.

Liaison Cline noted that there is a Recreation Element of the Master Plan. He noted that there is an application before the Board of Adjustment for a commercial tennis training facility. Mr. Dickerson stated that such a facility would apply to this Element.

Chair Westlake stated that the Open Space Committee is working on the OS and Recreation plan. She noted that the Plan is being reexamined with additional review of the section for the Dilts Park. She noted that members of the Master Plan Committee include Coffey, Macomber, and Westlake.

Chair Westlake questioned the plan for municipal utilities, should that be revisited.

Mr. Dickerson noted that the reexamination of the Master Plan can facilitate grant-seeking. Chair Westlake noted that the Recreation Commission is applying for \$26,000 from the County Open Space money.

Mr. Dickerson noted that there are grant professionals at Colliers that can facilitate grant writing.

Administrative Officer Klink questioned if Elements could be done by individual groups in the Township and finalized professionally. Mr. Dickerson noted that this is a common approach by municipalities.

Member Macomber questioned the timeline. Mr. Dickerson stated that the MLUL provides a guided timeline. Mr. Dickerson stated that the last reexamination was adopted on September 4, 2012. Mr. Dickerson stated that there is some time to get a thorough look of the plan before it is due on September 4, 2022. He noted that this amount of time allows for a serious evaluation and not just a re-adoption.

Mr. Dickerson stated that he could help provide an outline with recommended changes to the Master Plan. He noted that an Element may need revising, while another may need to be re-written. He noted that he can assist on the process moving forward.

Chair Westlake stated that the Board can devise some scenarios so that we get some proposals for fees.

Member Macomber questioned the use of material from other municipalities. Mr. Dickerson noted Delaware Township is not dealing with as many issues as other communities have. He noted that finding similar municipalities for codes and demographics can be useful.

Mr. Dickerson discussed EV charging stations. He noted that most people with a house and garage can use the garage for a station. He noted that businesses could install one parking spot as a charging station. He noted that the Township could look at certain facilities that would have the capacity for a station, such as the police station.

Chair Westlake stated that we will stay in contact.

Mayor Waltman stated that the Township Budget has suffered some losses, due to covid 19 and this year's winter storms. Mayor Waltman stated that he is hopeful that there could be some reparation for covid expenses. He asked that some cost be deferred to next year's budget, if possible.

It was noted that the Planner would be used to clean up the verbiage. Member Coffey agreed that in the past the Plan was written by volunteers to be reviewed by the professionals.

There was further discussion about the items to be included. There was a discussion about the Stormwater Ordinance Amendment to Chapter 230-114, #2021-01, which has no conflicts with the State Proposal. Member Bailly concurred that if the ordinance defers to NJ DEP, no changes need to be made by the Township.

## COMMITTEE REPORTS

### **Scheduled Committee Meetings**

Subdivision and Site Plan Review Committee - second Wednesday, 7:00 p.m., as needed per applications submitted. *Member Bailly to report.* Members: **Bailly**, Katz, Westlake; with Easement Monitoring Committee of the Environmental Commission  
No meeting

Agricultural Advisory Committee – first Tuesday, 7:00 p.m.; *Member Coffey to report*  
Members: Bond, Coffey, Bench

Member Coffey reported that there was a “partial” meeting due to limited attendance. He noted that outreach should be considered using the internet and Facebook.

Open Space Committee – third Wednesday, 7:30 p.m., except January 14 and February 11;  
*Member Coffey to report.* Members: Westlake, alternate Coffey

Member Coffey reported that Coordinator Fullerton has accepted a position with the County. He reported that the Lee Lau project should close soon; as should the Curtis project. He noted that the Yerk property on Route 523 may look into using the Hunterdon Land Trust for financial support.

It was further noted that the Coordinator position was advertised and that two applications have been received to date.

**Non-Scheduled Committee Meetings, please give me notice for proper newspaper notification, if needed**

Master Plan Committee – *Member Westlake to report*; members: Coffey, Westlake

Member Westlake reported that other committees and Boards will be asked to work on Elements of the Master Plan; including the Board of Education. Member Macomber volunteered to help.

It was suggested that a letter be sent to various committees, Boards, and groups. Said letter should contain the Elements of the Master Plan with a request for help; especially in consideration of that group's expertise.

Ordinance Review - *Member Coffey to report*; members: Coffey, Katz, Westlake

Nothing new

Quarry Compliance Committee – *Member Bond* (Board Representative)

Member Katz stated that the Quarry Compliance Committee meeting will be rescheduled so that Member Bond is available to attend.

Stormwater Management Committee – *Member Gray*

Not present

**LIAISON REPORTS**

Board of Adjustment – second Thursdays, 7:30 p.m., *Liaison Cline*

Liaison Cline stated that the Board began an application for a use variance for an apartment in an existing garage for a family member. He noted that the Board has approved these types of applications in the past with a deed restriction concerning the residents. Liaison Cline further noted that a new court decision has occurred that says that these types of deed restrictions may not be enforceable. This court decision allowed that the use variance can be granted, but that the people using the structure cannot be restricted. He noted that the court case is slightly different, but the outcome of its decision could be troubling.

Environmental Commission – third Wednesdays, 7:30 p.m., *Liaison Katz*

Member Katz reported that at the EC's next meeting of March 17, there will be a bluebird presentation. She noted that this speaker came two years ago and that it was a great presentation.

Member Katz further noted that the Towpath Trek clean-up is scheduled for March 20. She noted that it is set up to follow social distancing and that it is set to begin at 8:30 a.m.

Member Katz stated that the Environmental Commission has expressed interest in the development of an oversight committee to plan the future development of Dilts Park

Subsection for Dilts in Master Plan

EC has own events calendar

Historical Advisory Committee – second Wednesdays, 7:30 p.m., *Liaison Vocke*

Nothing to report

Shade Tree Commission – fourth Thursdays, 7:00 p.m., *Liaison Coffey*

Oversight plan

**Meeting opened to the Public for Comments or Questions**

There were no comments or questions from the public.

**Meeting opened to the Board for Comments or Questions**

There were no further comments from the Board Members.

NEXT MEETING: April 6, 2021

Goal: Divide out the Master Plan elements

ADJOURNMENT:

It was moved, seconded, and unanimously carried to adjourn at the noted time.

Respectfully submitted,

Kathleen E. Klink,  
Administrative Officer

**DELAWARE TOWNSHIP Planning Board**  
**RESOLUTION #2021-02**

**PROFESSIONAL APPOINTMENTS FOR**  
**LEGAL, ENGINEERING, PLANNING, HYDROGEOLOGICAL,**  
**AND ENVIRONMENTAL CONSULTANT PROFESSIONAL SERVICES**

WHEREAS, the Delaware Township Planning Board, hereinafter referred to as the “Board” is in need of legal, engineering, planning, hydrogeological, and environmental consultant professional services in 2018; and

WHEREAS, R.S. 40A:11-5 specifically excepts professional services from the provisions of the local public contracts law of 1971; and

WHEREAS, it is anticipated that the value of these services over the course of the contracts will not exceed \$17,500.00.

NOW, THEREFORE, BE IT RESOLVED that for the current year, the professional services appointments be made as follows:

1. Steve Goodell, Esq. with Parker McCay is hereby retained as Board Attorney.
2. Rick Roseberry, P.E. with Maser Consulting is hereby retained as Board Engineer.
2. Nick Dickerson, P.P. with Maser Consulting is hereby retained as Board Planner.
3. Maurice Rached, P .E. with Maser Consulting is hereby retained as Board Traffic Engineer.
4. Kevin Jamieson, with Maser Consulting is hereby retained as Board Environmental Consultant.
5. Alex Ross, with Maser Consulting is hereby retained as Board Hydrogeologist.

7. These noted services, and others that may be needed on a limited basis, are services that are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids.

8. Each of the above mentioned individuals is authorized by law to practice a recognized profession and the practice of the profession of each respectively is regulated by law.

9. Each of the above mentioned individuals is a member in good standing of his or her respective profession.

10. A copy of this resolution shall be retained on file, in the Board's office, not more than ten (10) days after passage hereof.

ATTEST:

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Kathleen Klink,  
Secretary/Administrative Officer

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Rosalind Westlake, Chairperson

March 2, 2021