

PLANNING BOARD
BOROUGH OF ESSEX FELS

MINUTES OF THE MEETING OF JUNE 13, 2024

The meeting was called to order at 7:03 p.m. Chairman Bob Burchell read the following statement:

In compliance with Chapter 231 of the Public Laws of 1975, Notice of the meeting was given by way of notice mailed to The Progress and Star Ledger on January 12, 2024, posted in the Municipal Building and filed with the Clerk of the municipality.

Those present were Mayor Ed Davis, Chairman Bob Burchell, Vice-Chairman Jody James, Secretary Peter McMullen, Dave Isabel, and Debra Tedesco. In addition, Michael D. Sullivan, Board Attorney, was present.

Approval of Minutes

Secretary Peter McMullen made a motion to approve the minutes of the Planning Board Meeting of January 11, 2024. The motion was seconded by Vice-Chairman Jody James. The minutes were approved 6 – 0 (all board members voting were present at the 1/11/24 meeting).

Approval of Resolutions

None

Hearings

None

Other Matters

Referral of Ordinance 2024-1098 Amending the Zoning Map
of the Borough of Essex Fells

Board Attorney Michael Sullivan noted that after the Governing Body introduces an ordinance dealing with development regulations it gets referred to the Planning Board for a determination as to compliance with the Master Plan and any other recommendations and the Planning Board sends a report to the Governing Body prior to adoption. This ordinance deals with three separate lots Block 13, Lot 8 which is currently in the P Zone to be reclassified to the M Zone, Block 13, Lot 13 and Block 13.03, Lot 4 are currently zoned residential to be reclassified to the P Zone. Mayor Davis stated that Block 13, Lot 13 and Block 13.03, Lot 4 are flag lots that were

purchased by the Borough from Charles Poekel as part of a settlement of a builder's remedy lawsuit. The intent was to preserve these lots as open space. Mayor Davis stated the switch from residential to park use for these two lots which are contiguous to recreation fields reflects the way they have been used for the past several years and how the Borough intends to use them in the future. Block 13, Lot 8 behind the service building has been used for at least 30 years as a combination recycling facility and mulching of Christmas trees. It is a supplemental DPW yard that has always been used that way and the zone is meant to reflect its actual use. Vice-Chairman Jody James asked whether part of Block 13, Lot 8 should be reclassified to the M Zone and the balance of the lot remain in the P Zone. Mayor Davis said the ordinance as proposed was the recommendation of the Borough Attorney to the Council. If the lot is split as suggested, it restricts use by the Borough. Vice-Chairman James questioned the benefit of the proposed zone change. Mr. Sullivan noted that the land designation can be adjusted in the future.

Mayor Davis made a motion to approve Ordinance 2024-1098 amending the zoning map and finding the ordinance is not inconsistent with the Master Plan. Dave Isabel seconded the motion. The amendment was approved 6 – 0.

Referral of Ordinance 2024-1099 Amending Chapter 170 of the Revised General Ordinances of the Borough of Essex Fells and Amending Section 170-79 "Fences or Walls"

Board Attorney Michael Sullivan stated this ordinance clarifies that relief from this section requires a variance and not a waiver. This ordinance would be consistent with the Master Plan.

Vice-Chairman Jody James made a motion to approve Ordinance 2024-1099 amending chapter 170 of the revised general ordinances of the Borough of Essex Fells and amending section 170-79 "Fences or Walls" and finding the ordinance is not inconsistent with the Master Plan. Board Member Debra Tedesco seconded the motion. The motion was approved 6 – 0.

Essex Fells Country Club

Board Attorney Michael Sullivan stated that the Essex Fells Country Club has a pending development application before the Zoning Board. A number of members of the Zoning Board are members of the Essex Fells Country Club and may not participate in the discussion and therefore would have to recuse themselves from the hearing. As a result, Class IV members of the Planning Board will be called to sit with the Zoning Board in order of seniority of continuous service.

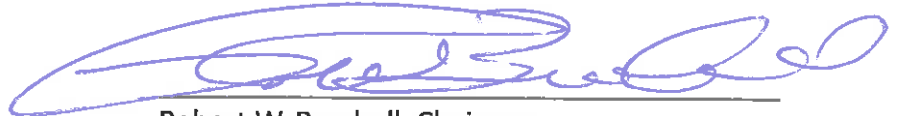
Master Plan

Vice- Chairman Jody James asked if the Planning Board should begin to work on updating the Master Plan. Chairman Bob Burchell replied that the current Master Plan was adopted in 2018. Mayor Ed Davis said that there will be updates to the Borough Water System and that

information will be available late in 2024 or early in 2025. He felt that 2025 would be an appropriate time to initiate a Master Plan review.

Chairman Bob Burchell noted that there was no one from the public present at the meeting and therefore no questions or comments from same.

Mayor Ed Davis made a motion to adjourn the meeting that was seconded by Vice-Chairman Jody James. The meeting was adjourned at 7:27 p.m. by a vote of 6 – 0.



Robert W. Burchell, Chairman
Planning Board
October 10, 2024