

RULS-AD-1965-80

5/10/65

Bedminster Planning Board special meeting notes

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Special Meeting, May 10, 1965

The Planning Board of the Township of Bedminster met in Special Session at the Municipal Building at 8:15 P.M. on this date for the purpose of conducting a further hearing on the Master Plan to allow those persons who had, in writing, submitted any criticism or objection to the Master Plan to be heard.

Members present were Chairman Fales, Messrs. Field, Slater, P.W. Smith, R.E. Smith, Kean and Winkler. Others present were Planning Consultant Agle, Counsel Bowlby and the Secretary.

The Secretary was directed to read the letters received from residents relative to the Master Plan as proposed. The following letters were read by the Secretary:

1. Letter from Gene G. King, Esq., Burnt Mills Road, Pluckemin, N.J. dated May 10, 1965 and addressed to the Planning Board.
2. Letter from Mr. Douglas Armstrong, Box 252, Bedminster, N.J. dated April 22, 1965 and addressed to the Planning Board.
3. Letter from Charles M. Kritzman, David A. Stretch and H. Clinton Corwin, 40 Wall Street, New York, 5, New York, dated April 20, 1965 and addressed to the Secretary of the Board.
4. Letter from Mr. Walter S. Marder, Lamington Road, Bedminster, N.J. dated April 13, 1965 and addressed to Mayor Kean.
5. Letter from William T. Stewart, Jr., Esq., representing Mrs. Robert H. Cromwell, dated April 16, 1965 and addressed to the Chairman of the Planning Board.
6. Letter from Mr. Bedrich A. Stransky, P.O. Gladstone, N.J. dated April 20, 1965 and addressed to the Chairman of the Planning Board.
7. Letter from Mr. Theodore Karrow, Route # 202-206, Pluckemin, N.J. dated April 19, 1965 and addressed to the Mayor.
8. Letter from John W. Fritz, Esq., representing Mr. Ernest Rodonbach, dated April 21, 1965 and addressed to the Planning Board.
9. Letter from Clifford W. Starrett, Esq. representing Messrs. Peter M. Detwiler, Sigfrid K. Lonegren and J.B. Nichols, dated April 20, 1965 and addressed to the Chairman of the Planning Board.

Clifford W. Starrett, Esq., representing Messrs. Peter M. Detwiler, Sigfrid K. Lonegren and J.B. Nichols advised the Board that he had consulted with Dr. Stephen Susna, a zoning and planning consultant and with an architect specializing in the design of schools in connection with the site designated on the proposed Master Plan as a possible location for a future school in the northern section of the Township. He advised that they had gone over the property and are of the opinion that the location of a school on the site in question would be detrimental to Messrs. Detwiler and Lonegren. Mr. Starrett stated that, when Route # 78 is built here, the value of property will increase and there will be a tremendous pressure to subdivide into five acre lots. He asked that the Board consider the effect of a school site on adjacent properties. He noted that this particular site will certainly have an adverse effect upon the Detwiler, Nichols and Lonegren properties. Mr. Starrett then exhibited photographs of the proposed site with a flat school roof superimposed on the photographs. He then advised that it is not a good site from the point of view of the Township and showed a map indicating that the proposed site is approximately 1.5 miles from the center of Pottersville. He noted that all students living beyond the center of Pottersville would have to be furnished with transportation. He then showed the 1.5 mile statutory limit in each of four directions from the proposed site. Mr. Starrett then exhibited a map showing a suggested school site approximately 9/10ths. of a mile from Pottersville center and 7/10ths. of a mile nearer Pottersville than the proposed site. He noted that the suggested site would make for a better situation in that the population center would not require transportation. He then displayed a map showing a comparison of the non-transportation area between the site shown on the Master Plan and the suggested site shown on his clients' proposal. Mr. Starrett advised that the zoning aspects are very important in such situations. He referred to a decision of the Supreme Court of New Jersey which rules that a Board of Education is bound by the Zoning Ordinance of a Township. He further noted that, under present zoning, a school can only be built in R-1 and R-2 zones and not in R-5 zones. He advised that, if you change the Zoning Ordinance, a problem is created since the Supreme Court decision states that you cannot discriminate between public schools and private schools; private schools must also be permitted where public schools are permitted. Mr. Starrett advised that many zoning experts agree that public schools are not best located in the highest residential zone. He further advised that a school brings intensive use to a property in the way of increased traffic, etc. The proposed site does not fit into the plan of a person who wishes to live on a large piece of property in the country. Mr. Starrett advised that there are two other possible school sites in the general area. He noted that the wooded area near the quarters of the U.S. Equestrian Team would be a suitable site and could be properly zoned by the extension of the R-2 zone in the area of Union Grove Road. He mentioned that two experts have studied the situation and that the architect who has

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been consulted would be willing to meet with members of the Planning Board, informally, at the expense of Mr. Starrett's clients. Mr. Starrett then distributed copies of his letter of May 7, 1965 addressed to his clients.

Mayor Kean questioned Mr. Starrett as to whether the experts had shown a preference for one of the two sites given as alternates. Mr. Starrett advised that he believes that the site designated as "Site B" on the map was more favorably considered.

Mr. Philip W. Smith questioned as to whether a move to the east of the proposed site would bring about a transportation problem. Mr. Starrett advised that a move to the east would bring about a transportation problem.

Chairman Fales suggested that further study be given to Mr. Starrett's presentation and to the contents of Mr. Starrett's letter dated May 7, 1965.

Mr. Sigfrid K. Lonegren thanked the members of the Planning Board for the opportunity given to present their case. He noted that both he and Mr. Detwiler feel that if the site proposed on the Master Plan were the one and only decent school site available in the north end of the Township, they would be the first to say "let it be the end". He further noted that they feel that three other possible sites are equally as good or better. He noted that the alternate site in the woods would certainly be no worse than the one proposed in the Master Plan.

The Board then considered the letter of William T. Stewart, Jr., Esq. representing Mrs. Cromwell. Mr. Agle advised that, through an error in his office, the land in question was incorrectly designated as "Open Space and Flood Plain". He further advised that the correction is being made.

The Chairman asked if Mr. Walter S. Marder was present and whether he wished to comment on his letter. Mr. Marder was not present.

The Chairman then asked if Messrs. Kritzman, Corwin or Stretch were present and wished to comment on their letter. Mr. Kenneth B. Schley advised that he was representing the interests covered by the letter and that Mr. John Geiger, their Planning Consultant was also present. Mr. Schley stated that he feels that the Master Plan recommends inadequate areas for commercial development. He also questioned as to why the area in question should be designated as green area to the exclusion of other areas of the Township.

Mr. John Geiger stated that it is the feeling of his clients that the area in question should be zoned for commercial use. He further stated that to zone the area in any other way throws a monstrous burden on the Board of Adjustment since he feels that many areas will be zoned for commercial uses through the granting of variances by the Board of Adjustment in future years.

The Chairman asked if Mr. Fritz, representing Mr. Rodenbach, was present and cared to comment on his letter. Mr. Fritz was not present.

The Chairman then asked if Mr. Gene G. King was present and cared to comment on his letter. Mr. King was not present.

The Chairman then opened the meeting for general participation by the public in attendance. No one in attendance desired to comment.

Chairman Fales then declared the meeting closed to public participation and asked that the members of the Planning Board and the Mayor's Citizens' Advisory Committee remain.

Chairman Fales then named the following persons to a Committee to Study the Revision of the Zoning Ordinance.: Messrs. Abram W. Ten Eyck, John Kean, Nelson E. Slater, Jr., Charles K. Agle and Counsel Bowlby.

It was regularly moved, seconded and carried that the Secretary be directed to forward a letter to William T. Stewart, Esq. advising him that Mr. Agle has ordered the necessary corrections on the Master Plan.

Mayor Kean advised that he has already answered Mr. Marder's letter. He further advised that Mr. Douglas Armstrong was informed, at a recent meeting, that the indication of flood plain area was merely a precautionary measure taken to protect those who would intend to build in such an area.

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Mr. Gene King's letter was discussed and it was determined that the width of roads and the concept of reverse frontage were included in the proposed Master Plan as a matter of safety. It was explained that "reverse frontage" means a road at right angles to a main thoroughfare such as Ski Hill Drive.

The Board discussed, at length, the letter of Mr. Theodore Karrow. Mr. Agle recommended a drastic curtailment of the business zone in Pluckemin. He noted that "strip zoning" should be curtailed to improve the safety factor for residential occupancies.

Mayor Kean commented that there is adequate business at Pluckemin to support a grocery store, post office, liquor shop, etc.

Mr. Ballentine commented that he was sure that a number of the local residents in Pluckemin would like to see a lot of the present business out of the area. He further stated that he did not understand why we should plan for business in that area for the future.

Mr. Ton Eyck stated that these occupancies exist in Pluckemin and that two people, tonight, have asked for an increase in the business zone. He noted that owners of present business property in Pluckemin have owned the land for many years and it would be unfair to take it away from those who have it and give it to those who now request it. He stated that the business property in Pluckemin should be left as it is.

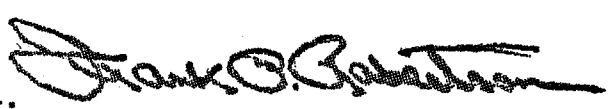
The Board then discussed the letter of Messrs. Kritzman, Corwin and Stretch. Mr. Agle advised that the area mentioned in this letter adjoins the most critical approach to the Township and, for that reason, it has been designated as "park area". The Board agreed that it did not want business in this area.

The letter of Clifford W. Starrett, Esq., representing Messrs. Detwiler, Longren and Nichols was then discussed by the Board. Mr. Agle advised that it would be very hard to say that the proposed school site is the only school site in the area. He noted that there is some hope of connecting this site with a park-like strip close by the site. The Board discussed other sites mentioned by Mr. Starrett and agreed that it did not believe that Mr. Detwiler would be damaged by the site shown on the Master Plan. Mr. Agle advised that it is his feeling that the other sites mentioned are inferior to this site. He noted that "we are talking about degrees of merit". He further advised that one cannot say that the other sites mentioned are impossible.

Mrs. Ashmun noted that the site mentioned as "Site B" by Mr. Starrett is in the R-5 zone, and is in sight of every house on the hill adjacent. Mrs. Ashmun further noted that she had previously seen all of the maps presented by Mr. Starrett. She stated that the School Board feels that neighborhood schools should feed into a high school. Mrs. Ashmun noted that a description of footage or mileage means nothing at this time since it is impossible for the School Board to pick an accurate site now. She recommended that the Township consider the reservation of property near a cross road in the northern sector of the Township and that, perhaps, the designation of the land could be shown as something other than a "proposed school site". She further noted that, in her opinion, the particular site proposed on the Master Plan destroys less in property value.

Counsel Bowlby recommended that all members of the Planning Board study Mr. Starrett's letter of May 7th. and then discuss it further at the next meeting. Counsel informed the Board that, if someone files an application for subdivision approval on a property designated for a school site, etc., the Governing Body has the right to reserve that property for one year against any subdivision; this being a method of "freezing" the property. He noted that, within that year, a contract must be executed with the owner of the property or the reservation must be dropped.

There being no further discussion, the meeting adjourned at 11:30 P.M.

Attest: 
Secretary:

Regular Meeting, May 24, 1965

The Planning Board of the Township of Bedminster met in regular session at the Municipal Building at 8:00 P.M. on this date. Members present were Chairman Fales, Messrs. Field, Winkler, Kean, Slater, R.E. Smith and P.W. Smith. Also present were Planning Consultant Agle, Counsel Bowlby, the Secretary and the following members of the Mayor's Citizens' Advisory Committee: Mrs. Ashmun, Messrs. Schork, Ten Eyck, Ballentine, Spivack, Gavin and Zimmerman.

On motion, the minutes of the previous meeting of May 10, 1965 were approved as submitted, no one in attendance desiring said minutes read.

The following applications for approval of a subdivision of land were considered by the Board at this meeting:

P.B. 64-171

The Secretary advised that the preliminary map has been filed in connection with the application of Mrs. Elizabeth Stevens Ballantine for approval of a subdivision of land located on the easterly side of Route # 206, Bedminster Township, N.J. The Secretary further advised that notice of a Public Hearing on the application was published in accordance with the provisions of the subdivision ordinance. The applicant has notified all adjoining property owners of the Public Hearing by Registered Mail and the Affidavit of Service (Mailing) and the Return Receipts are on file. The applicant has also submitted letters from all adjoining property owners advising that there are no objections to the proposed subdivision. The Secretary then read a letter from Township Engineer Apgar dated April 26, 1965 stating that the preliminary map appears to meet all Planning Board requirements and recommending that the right of way of Route # 206 be shown on the map. The Secretary also read a letter from Grassmann, Kreh and Mixer as to percolation test results of tests made on the property involved in the application, said letter dated May 24, 1965. Mr. John M. Dillon, representing Mrs. Ballantine, advised the Board that the Township of Chester has approved this subdivision. He advised that the parcel which extends into Chester Township is 11 acres in land area and is in a 5 acre zone which seems adequate for a one family dwelling. He further advised that Mrs. Ballantine has no intention of further subdividing this land. He noted that the road frontage on this tract is insufficient for a further development of the tract. The Chairman questioned as to the road frontage adjacent to the lot shown as 7.2 acres in size. Engineer Apgar advised the Board that he would like to have additional time to check the question of road frontage adjacent to the lot in question. Counsel Bowlby recommended that any further action on this application be held over until the Township Engineer has had an opportunity to check the question of road frontage and until such time as the Township of Chester has been contacted as to their approval of the proposed subdivision.

P.B. 64-173

The application of John and Irene Scott for approval of a subdivision of land located on the westerly side of Route 206 and consisting of a total of 45.2 acres, 5.1 acres to be retained by the applicants and the balance of 40.1 acres to be conveyed to James L.D. Roser and Katherine Roser, his wife, all according to a map or plan made by Leslie M. Apgar & Associates, Licensed Engineers and Surveyors, Bedminster, N.J. and dated May, 1965, Revised May 17, 1965, was considered by the Board. The Secretary read a letter from the County Planning Board dated May 21, 1965 approving the application and advising that some consideration should be given as to how the balance of the tract will be subdivided since the lot being created will leave the remaining acreage in an irregular shape. The letter also advises that an official dedication of a right-of-way should be made to insure adequate access to the lot being retained by John and Irene Scott. The Secretary also read a letter from Township Engineer Apgar dated May 20, 1965. The applicants were represented by Peter Mitchell, Esq. Mr. Mitchell explained the use of the right of way as indicated on the sketch plat. He advised that provision has been made for continuous maintenance of the road. Counsel Bowlby noted that the Zoning Ordinance requires sufficient frontage on an approved street or road as a condition to the issuance of a Building Permit. He further noted that the application, as it now stands, does not comply with the Zoning Ordinance. Counsel Bowlby further noted that the Planning Board is without power to approve the subdivision of a lot not complying with that section of the Zoning Ordinance. Mayor Kean noted that such lots cause continuing problems. Mr. Scott noted that he had built his house 13 years ago, at which time there was no zoning, and that he had picked 5 acres on which to build. He stated that this application does not change anything. Mr. Scott stated that, if the Board forces him to put a road in, they then force him to subdivide into smaller lots. He noted that this is a 2 acre zone and that he is doing the township a favor by upgrading.