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Bedminster Planning Board Regular meeting - Ordinance

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REGULAR MEET _____ APRIL 25, 1966

The Planning Board of the Township of Bedminster met in regular session at the Municipal Building on this date. The meeting was called to order by Chairman Fales. Present in addition to Chairman Fales were Mayor Kean, Col. Field, Messrs. Slater, Winkler and R.E. Smith. Others present were Planning Consultant Agle, Counsel Bowlby and the Secretary.

The following Ordinance was submitted by the Township Committee to the Planning Board for its consideration at this meeting:

AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND THE VOLUME AND NATURE AND EXTENT OF THEIR USE, REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, REGULATING AND RESTRICTING THE SIZE OF LOTS, PLOTS AND OF YARDS AND OTHER OPEN SPACES AND THE DENSITY OF POPULATION, REGULATING AND RESTRICTING THE LOCATION, USE AND EXTENT OF USE OF BUILDINGS AND STRUCTURES AND OF LAND FOR BUSINESS, INDUSTRY, RESIDENCE, AND OTHER PURPOSES, ESTABLISHING A BOARD OF ADJUSTMENT, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS HEREIN CONTAINED AND FIXING PENALTIES FOR VIOLATION THEREOF IN THE TOWNSHIP OF BEDMINSTER IN THE COUNTY OF SOMERSET" ADOPTED DECEMBER 30, 1946, AS HERETOFORE AMENDED AND SUPPLEMENTED.

1. Be it Ordained by the Township Committee of the Township of Bedminster in the County of Somerset, that an Ordinance entitled "An Ordinance Limiting and Restricting to Specified Districts and Regulating Therein Buildings and Structures According to their Construction and the Volume and Nature and Extent of Their Use, Regulating and Restricting the Height, Number of Stories and Size of Buildings and Other Structures, Regulating and Restricting the Size of Lots, Plots and of Yards and Other Open Spaces and the Density of Population, Regulating and Restricting the Location, Use and Extent of Use of Buildings and Structures and of Land for Business, Industry, Residence and Other Purposes, Establishing a Board of Adjustment, Providing for the Administration and Enforcement of the Provisions Herein contained and Fixing Penalties for violation Thereof in the Township of Bedminster in the County of Somerset" Adopted December 30, 1946, as heretofore amended and supplemented, be and the same hereby is further amended and supplemented by adding the following sections to Article V of the said Ordinance:

4. The Revised Zoning Map of the Township of Bedminster, 1956, as revised December, 1958, which accompanies this Ordinance and is a part hereof, shall be and the same hereby is amended and revised as follows:

A. By transferring from the R-1 Zone as now (March, 1966) shown on said map and adding to the R-5 Zone as now (March, 1966) shown on said map, the following described areas:

(1) The entire area shown on the said map in the R-1 Zone at or near the intersection of Union Grove Road and Pottersville road, extending for a depth of 300 feet on either side of both of said roads at their intersection and for a distance of 500 feet northerly along Union Grove Road, easterly along Pottersville Road and westerly along Pottersville Road from the intersection; it being the intention of this clause to describe the entire R-1 Zone in the Union Grove area as shown on the said map.

(2) The entire area shown on the said map in the R-1 Zone west of Herzog Brook and North of Pottersville Road (County Route No. 7).

(3) The entire area shown on the said map in the R-1 Zone in the Lamington area adjoining the Northerly and Southerly sides of Lamington

Road (County Route No. 10) and Cowperthwaite Road and the westerly side of Rattlesnake Road (County Route No. 13) and Black River Road; it being the intention of this clause to describe the entire R-1 Zone in the Lamington area as shown on the said map.

B. By transferring from the R-2 Zone as now (March, 1966) shown on said map and adding to the R-5 Zone as now (March, 1966) shown on said map the entire area shown on the said map in the R-2 Zone lying northerly of Old Dutch Road and westerly of U.S. Highway Route No. 206.

C. By transferring from the R-1 Zone to the R-2 Zone the entire area as shown on the said map in the R-1 Zone in the village of Pottersville lying southerly of Pottersville Road (County Road No. 7), easterly of Black River Road and westerly of Herzog Brook, except certain lots adjoining on the easterly side of Black River Road and being more particularly described as Lots 1 through 11, inclusive, and 13 through 15, inclusive, in Block 8 on the Tax Map of the Township of Bedminster.

2. This ordinance shall take effect upon final passage and publication according to law.

Counsel Bowlby read the descriptions in each of the Paragraphs and discussion followed.

On motions duly made, seconded and unanimously carried, Paragraph A (1), (2), (3) and Paragraph B were approved as written.

With respect to Paragraph C, Mr. Winkler abstained from discussion.

Mrs. Ashmun questioned as to what was special about the lots which were listed as exceptions.

Counsel Bowlby pointed out they were all subdivided lots and all but one of the lots was improved.

Mrs. Ashmun questioned why there was no mention of specific dimensions in the language pertaining to the exceptions.

Mr. Agle clarified this by indicating that it was better practice to have planning boundaries along property lines instead of certain depth

Mr. Bassett indicated that technically the entire South Forty would fall within this exception because it comes out on Black River Road.

Counsel Bowlby indicated this was not so because the exceptions were described by Lot and Block numbers.

Mr. Bassett asked why Lot #11 was included since this was a lot which was going to be substandard for any other purpose than in the 2-acre zone.

Counsel Bowlby pointed out the reason as being that it was one of the substandard lots along the road.

Mayor Kean questioned whether this lot could be subdivided?

Mr. Agle indicated it could be.

Mayor Kean indicated if this was so, then it would be defeating our purpose in trying to get the lots to be more consistent with the 5-acre zoning plan.

Chairman Fales asked for further discussion. Upon hearing none, asked for a motion.

Counsel Bowlby at this point indicated that the function of the Planning Board was to make a report and that the report, in the form of a letter by the Secretary, should show that motions were made on Paragraphs A, (1), (2), (3) and B and all were unanimously approved as written, and that with respect to Paragraph C, that Lot #11 be deleted as one of the exceptions so that the amendment should read "Lots 1 through 10 inclusive and 13 through 15 inclusive in Block 8".

Motion was made, seconded and carried that the recommendations as suggested by Counsel Bowlby be made to the Township Committee.

Mr. Bassett then questioned regarding maps on the South Forty which he indicated he filed some 10 days before the meeting. The Secretary advised that no maps were at hand for consideration at this meeting. Discussion ensued on whether these maps, if they were presented, could be considered at this time since the change in the zoning of that area from 1 to 2 acres was merely in the process of discussion and recommendation to the Township Committee and that, in fact, this zone did not presently exist and would not until the Planning Board's recommendations were approved by the Township Committee and accepted by the residents.

Mr. Fales questioned Counsel Bowlby whether these maps, if presented, could be accepted with prejudice.

Counsel Bowlby indicated they could but pointed out that the Board at this time could do no more than reserve decision until the final action of the Township Committee regarding the zoning changes which the Board was in process of recommending at this meeting.

The Secretary ultimately advised that maps were sent to her in error and that subsequent to this, had been in contact with the attorney for the applicant who advised that the maps in question were not to be submitted at this meeting. The Secretary complied with this request.

Before adjournment, Mayor Kean felt that the many years of service of the Planning Board's former secretary, Frank P. Robertson, should be recognized and introduced such a resolution. All the members of the Board were unanimous in their favor of such a resolution. Mayor Kean then asked the Secretary to have such a resolution prepared.

There being no further business to come before the Board, the meeting was adjourned at 9:35 P.M.

ATTEST:

SECRETARY:

