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Bedminster Planning Board Regular Meeting Notes

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REGULAR MEETING

PLANNING BOARD

JULY 26, 1971

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The Bedminster Township Planning Board held its regular monthly meeting on Monday, July 26, 1971. The Meeting was Called to Order at 8:17 P. M. by the Chairman. Present were Chairman Gavin, Mayor Winkler, Col. Field, R. Earl Smith, Samuel Martin, Haliburton Fales 2nd, Alternates Haller and Vavrek, Counsel Bowlby, Planning Consultant Agle, Township Engineer Apgar and the Secretary. Board member Lorillard was absent.

On motion duly made, seconded and carried, the Minutes of the Regular Meeting of June 28, 1971 were approved as submitted.

Chairman Gavin extended a welcome to newly appointed Board Member, Haliburton Fales 2nd.

The Chairman opened the Public Hearing on the Master Plan Revision and gave some general background on the details leading up to the proposed revision.

Board Counsel then gave a brief outline, indicating that the Master Plan was not a zoning ordinance and not necessary in the enactment of a zoning ordinance and, in fact, not a law at all. He pointed out that whatever decisions were made this evening, if any, would have no effect on the zoning ordinance.

Planning Consultant Agle pointed out the locations of the proposed changes on the present Master Plan Map. He indicated that the intention of the proposed revision is to make the Master Plan consistent with the Zoning Ordinance which, at the present time, it is not.

The Secretary indicated that copies of the notice of hearing and the Master Plan revision proposal had been served on the adjoining municipalities and the Commissioner of Transportation, the County Planning Board and advertised in the official newspaper, all in accordance with the statutory requirements.

The Secretary read a letter from Mr. P. F. N. Fanning of Fox Hollow Farm, Far Hills, objecting to the provision to permit motels in the Township.

Ernest Rodenbach of Pluckemin, N. J. felt restaurants and motels unnecessary. He preferred to see the Township remain as it is and thought it best if the zoning was not changed.

William B. K. Basset, President of Sterling Security Company, objected to the proposed change from research-office to 5-acre residential indicating Sterling Security owns some 70 acres of the research-office tract between the Raritan River and Route 287. He then indicated that as a condition for selling some acreage on the other bank of the river to the Township for a park, the town signed an agreement that it would build a road at Township expense if Basset so requested from Route 202 to the river in order to give Bassett access to a landlocked piece of research-office land. The road would cost \$70,000 if Bassett demanded it be built. It would extend through a 50-foot right-of-way of Township owned land on Route 202 to a point on the river. Bassett is to pay for any bridge to be constructed. Bassett indicated his first choice for access to the landlocked piece of research-office land was south of the pond across Schley property to the river but stressed that if this access were not possible, the Township was bound to build the road. Bassett said he had been assured the Master Plan would be implemented and part of his purpose in buying Moorland Farm (part of which lies in the presently designated research-office zone) was to keep a large open area in Far Hills and Bedminster. A part of the Bedminster section, Bassett pointed out, forms part of the race course for the N. J. Hung Cup Race and other races run annually for the benefit of Somerset Hospital and this benefits the public. Bassett said he had been in agreement with the drawing of the Master Plan designating his land for research-office and the

park would provide a buffer for the high caliber type ratables he wanted for the area. He indicated he was unaware that revisions were proposed until he read about the hearing in the local paper. He stated that he was concerned with what was happening in the Township, indicating he had worked with the Township in long range planning. He pointed to his subdivision in Pottersville, Southforty, and stated it was a credit to the Township while, at the same time, created no difficulty for the school. He also pointed out that he has long advocated larger zones - for example, farm zones of 50-100 acres minimum. He is interested in obtaining a ratable of high caliber and indicated he is presently negotiating with a company willing to uphold all the Township's traditions. He has turned down a Junior College and Studebaker thus far.

Hugo Pfaltz, Esq., of Bourne & Noll, Esqs., Summit, N.J., attorney for Mr. Bassett and his interests, passed out copies of the Agreement between the Township and Mr. Bassett to members of the Board. He reiterated pretty much what Mr. Bassett said. He pointed out Bedminster was fortunate - referring to the 1952 Fischer vs. Bedminster case which upheld 5-acre zoning and said he hoped the Township would not do anything which might lead to a reversal of that decision. Because of the natural barriers surrounding this land, it lends itself to research-office use and the alternatives were negative for the entire community. He said the land won't remain a race course or open land forever and is not suited for 5-acre residential use and if it becomes designated as 5-acre residential, the Township would lose the benefit of a childless ratable. He stated it was hoped the road to the bridge of approximately 500 feet would not be needed. He stressed the fact that the consideration paid Mr. Bassett at the time of the agreement did not include the cost of the road and that the right-of-way was obtained in lieu of cash. He also took issue with Mr. Agle, pointing out that zoning ordinances generally follow Master Plans rather than in the reverse. He felt the Township would best be served following the Master Plan as originally conceived and hoped that it would be left as is.

Mrs. Jill Slater read a statement written by her husband, Nelson Slater, former Chairman of the Planning Board, going on record as being generally in opposition to bringing motels or additional gas stations into the Township. He indicated in his statement that these will be needed only when Bedminster becomes a city which, at present, it is not - it is only a village.

Frank J. Morelli, a new resident in the Township and an attorney, asked what Mr. Pfaltz found in the Fischer vs. Bedminster case which leads him to believe that what the Planning Board proposes could cause a reversal, indicating the Court decided it was not discriminating. Mr. Morelli said he didn't think anyone could determine for the Township whether or not the proposal was reasonable.

James Pitney, Esq., of Pitney, Hardin & Kipp, Esqs., Newark, New Jersey and Morristown, New Jersey, representing the Schley interests, commented that his experience has shown that the New Jersey Supreme Court is interested in taking another look at the whole area of law dealing with large acreage zoning. He commented he was impressed with the Master Plan as originally drawn. He asked if any technical studies were made leading up to the proposal for revision and what they were, to which Mr. Agle responded that no additional written studies were made since the original ones in 1965 and 1968 but that these again had been given careful review by the Board.

William W. Lanigan, Esq., Basking Ridge, N.J., representing the Allan-Deane Corporation, asked if the Board considered his letter of May 24, 1971 in its deliberations leading to the current proposal for revising the Master Plan. Said letter was a formal request on the part of the Allan-Deane Corporation for a change in zoning. He requested the letter be marked in evidence after the Board would not permit his reading it as it contains some 11 pages. The letter was so marked and made part of the record. He suggested the Board consider this letter

as part of its revisions. Mr. Lanigan asked the Board to consider multi-family dwellings for the tract in question (Allan-Deane) as there was a necessity for this in the area. He asked also to have the Allan-Deane tract considered in the Master Plan in the research-office zone. He requested permission to construct a facility such as the suggested motel in the Allan-Deane tract also. He asked the Board also to consider cluster type housing in order to give the Allan-Deane tract full consideration as to its topography.

Mr. Samolsky of Pluckemin, N.J. suggested making all of Pluckemin a business use. He thought the motel was a good idea but was more concerned with his own property next to the Pluckemin Inn. He asked if this was to be placed in the business zone.

Mr. Allan Gilbert, Route 202-206 and Intersection of 287, asked if Kean and Ellsworth properties now owned by the State, to which Mrs. Kean replied in the affirmative. Mr. Gilbert stated he would not like to see a motel, restaurant or club in the area.

John Kurylo, Pluckemin, feels the Board could find better ratables than restaurants and motels. Feels this would cause extreme changes in traffic patterns and would not benefit the Township.

Fred Oman, Pluckemin, commented he did not want motels in the area.

Another Pluckemin resident, William Dunlap, was opposed to revision in what is now an historic area. He thought all of Pluckemin should be in a business zone.

Joseph B. Wiley, Jr., of River Road, Bedminster, suggested a change in the wording to "Inn" might make the idea more palatable.

Mr. Mellon of Mellon Associates (not a resident), stated his firm represents a client who is considering site locations in the general area for motels and studies show the property considered in the revision for such use is ideal as to size, traffic, etc. for a high quality "Inn".

There being no further comments from the public, the public hearing was, on motion, duly made, seconded and carried, closed.

The following subdivision applications were considered:

P.B. 66-188 - Joseph A. Sweeney (Parkwood Estates) - Section 3, Bedminster Farm

Harry Bernstein, Esq., Plainfield, N.J. represented the applicant. Letters from the County Planning Board and the Township Engineer were considered. There was some discussion as to the Township Engineer's requirement of 22 feet for the width of the road and the repairing of the road in Sections 1 and 2. There was also some question as to which map was being considered - Construction Plat or Final Plat. Drainage and monumentation were also discussed at some length. The Township Engineer stated he had received a Final Map of Section 3 just this afternoon and he was not satisfied with it.

On motion duly made, seconded and unanimously carried, the Construction Plat for Section 3 of Bedminster Farms was approved subject to the following conditions: (1) Township Engineer's satisfaction as to drainage and width of any possible easement; (2) section to be monumented at the perimeter; (3) road to be monumented on both sides to Township Engineer's satisfaction; (4) roads in Section 1 and Section 2 to be repaired to Township Engineer's satisfaction prior to final approval of the Section 3 map.

P. B. 71-234 - Edwin F. & Shirley Ann Laffey - Lot 2, Block 21

Sidney G. Dillon, Esq., of Jeffers & Dillon, Esqs., Morristown, N. J. represented the applicants. He submitted new final maps. Letters from the Township Engineer and County Planning Board were considered.

On motion of Col. Field, seconded by Mayor Winkler, and unanimously carried, the application of Edwin F. & Shirley Ann Laffey to subdivide Lot 2, Block 21, on Holland Road into two parcels was given final approval and the tracing was signed.

P. B. 71-236 - Joseph B. Wiley, Jr. - Lot 2, Block 51

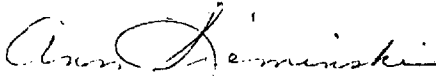
Mr. Wiley appeared in his own behalf. He would like to subdivide the said lot into two parcels in order to convey one to his son. Letters of the County Planning Board and Township Engineer were considered. Monuments and dedication of 16-1/2 feet were discussed. Planning Consultant Agle pointed out there would be no room on the lot to be conveyed for the construction of a house to satisfy present requirements for a 5-acre zone. He suggested the land be subdivided into 2 usable parcels instead.

The Board voted to waive the encroachment line suggested by the County Planning Board.

The application was postponed to the next meeting, at which time new maps are to be submitted incorporating Mr. Agle's suggestions.

There being no further business to come before the Board, the Meeting, on motion, was adjourned at 12:03 A. M.

Respectfully submitted,



Ann Sieminski, Secretary