

**JACKSON TOWNSHIP PLANNING BOARD MEETING**  
**MONDAY, MAY 18, 2020**

The May 18, 2020 meeting of the Jackson Township Board was called to order at 7:33 p.m. by Planning Board Secretary, Denise Buono with a salute to the flag by all present. Attorney Sean Gertner read the Open Public Meetings Act Statement noting that adequate notice has been provided and advertised in the manner prescribed by law.

**ROLL CALL:**

Tim Dolan	Terence Wall, Township Representative
Jeffrey Riker	Martin Flemming, Councilman
Dr. Michele Campbell	Joseph Riccardi, Mayor's Designee
Andrew Jozwicki - Alt #1	Len Haring, Board Vice Chairman
	Robert Hudak, Board Chairman

**Absent:** *Paul Nigro, David Inzelbuch - Alt #2*

**Also Present:** Planning Board Attorney Sean Gertner, Ernie Peters, Board Planner, Denise Buono, Planning Board Secretary and Danielle Sinowitz, Planning Board Recording Secretary.

**Payment of Recording Secretary, Danielle Sinowitz, for 5/18/2020 motioned by RIKER/ Wall. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Approval of 4/20/20 Planning Board Minutes by HARING/ Campbell. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

Mr. Hudak asked if there were legal matters. Mr. Gertner noted the acknowledgement and receipt of the letter received today from Jason Tuvel, and they object to the form and substance.

**Resolutions: 2020-04-Solomon Zolty, Block 21702, 21801, Lots, 32, 57, 58, 59 & 61- Motion to approve by FLEMMING/ Haring. Yes:** Dolan, Campbell, Wall, Flemming, Haring, Hudak

2020-03-220 Faraday, LLC, Block 22112, Lot 5- Motion to approve by HARING/ Campbell. Yes: Dolan, Campbell, Flemming, Haring.

2020-05-2050 W. County Line, LLC, Block 7309, Lot 11- Motion to approve by FLEMMING/ Campbell. Yes: Dolan, Campbell, Wall, Flemming, Haring.

2020-06-Jackson Parke-North, Block 10401, 11404, Lots 5.01, 52 & 69- Motion to approve by HARING/ Campbell. Yes: Dolan, Campbell, Riker, Wall, Flemming, Riccardi, Haring, Hudak. *-All members reluctantly voted yes.*

**Matters For Discussion: Ordinance No. 05-20 – Repealing Ordinance No. 03-17; Ordinance No. 06-20 – Repealing Ordinance No. 04-17**

Mr. Hudak asked if there any comments or concerns from the Board. Mr. Gertner asked that the Board wait for Mr. Peters. Mr. Peters advised since there are newer Board members who may have not heard a repeal of an ordinance, a little background will be provided. Mr. Peters stated that a repeal of an ordinance has to co inside with the master plan, and cited the referral to the Planning Board and noted that prior to the hearing the governing body will purpose any such ordinance to the Planning Board, and prior to the adoption, the Planning board will introduce any revisions, amendments and inconsistencies to the governing body, and the law seeks to 2 documents, the master plan and the land use law, and the Planning Board had in the summer in 2017 a housing element that was made and if the Board recollects in the fall of 2018-2019, the Board did a revision of the master plan and that was done by the Planning Board, and the Board at some point needs to indicate if the referral ordinances are consistent with the master plan. Mr. Peters noted that one recommendation to the master plan spoke about use standards and noted page 16 of the report where there were revisions made. Mr. Peters then asked the Board if there were any questions. Mr. Haring asked why the Board is repealing the ordinance. Mr. Peters stated there are things before the Planning Board and the governing body and a matter of procedure calls for the Planning Board to make a determination and make a report to the governing body and the public can make question about this specifically, however what is being purposed was discussed specifically in the master plan revision. Mr. Klee asked if the ordinance speak towards schools. Mr. Peters stated the ordinance is repealing the previously adopted ordinance in specific to schools and nonprofit places in specific zones, and they will be permitted uses in those specific zones, however if at some point the governing body wanted to put those standards back into place as to what was removed in 2017 and put back what was in 2020 and perhaps repeal conditional uses, design standards can be put in place rather than a gas station, and if the Board wanted to as one of the sub committees, however what was brought before the Board was to repeal the ordinance from 2017. Mr. Peters noted that the ordinance being repealed will put the things that were taken out in 2017, and the master plan changes the development regulations. Mr. Gertner stated the issue before the Board is the forwarding of the ordinance, and to assure Mr. Peters is thinking ahead, the Board is sent these ordinances and as testified he finds the repeal consistent with the master plan and master plan review. Mr. Peters noted that in the end of this, a memo form will be completed, and this repeal was done this way for the new members.

**Motion to approve by FLEMMING/ Haring. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

Mr. Hudak stated that with the holiday, there is shortened time to notice for future applications. Ms. Buono mentioned that the time extensions can be heard on June 1, 2020. Mr. Hudak advised he can't see brining out everyone at our next meeting for 2 time extensions. Ms. Buono noted that Berk Holdings can also be taken care of that evening, as well as the communications tower. Mr. Hudak stated he didn't want to bring out the people and professionals unless there was enough applications to compose a meeting. Mr. Gertner reminded the Board there is the court order which directs the Board to hear the Jackson Parke application on June 15th, and there is concern without full and proper public comment, and that will be addressed by the court however the Board must at least schedule the application for the June 15, 2020 meeting. Mr. Hudak stated the public needs to be included to review all the exhibits and have comment and ask questions, and this is not the form to do that. Mr. Gertner stated with understanding that the Board will be carrying 2 time extensions, Berk Holdings, and the

communication tower application which will be heard on June 1, 2020. Mr. Gertner stated pursuant to the court order, and having had contact with the attorney for Cedar Swamp Plaza, there is question if that application can piggy back Jackson Parke South Section. Mr. Hudak advised there most likely will not be enough time to hear that application. Mr. Gertner mentioned it is a suggestion to have that as a backup.

**Berk Holdings, LLC, Block 22010, Lot 6, Faraday Avenue- Motion to carry to June 1, 2020 by WALL/ Campbell. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Jackson Parke (South Section) Block, 10401, 17802, Lots 5.04, 57.01- Motion to carry to June 15, 2020 by RIKER/ Haring. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Jackson Township, Block 2603, Lot 1, Patterson Road- Motion to carry to June 1, 2020 by DOLAN/ Riker. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Aisle 9 Grocery Store, Block 21202, Lots 6.01 & 7, East Veterans Highway- Motion to carry to July 6, 2020 by RIKER/ Wall. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Cedar Swamp Plaza, Block 4201, Lot 3, Cedar Swamp Road- Motion to carry to June 15, 2020 by DOLAN/ Campbell. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**SAFStor Land Co., LLC, Block 6501, Lot 42.03, 2160 W. County Line Road- Motion to carry to June 15, 2020 by CAMPBELL/ Wall. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Sam's Road Subdivision, Block 20101, Lot 30, Sam's Road- Motion to carry to July 20, 2020 by FLEMMING/ Dolan. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Shore Brothers Property, Block 11601, Lot 23, 342 W. Veterans Highway- Motion to carry to July 20, 2020 by DOLAN/ Riker. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Kolel Shah Yiden, Block 19703, Lot 2, 518 E. Veterans Highway- Motion to carry to June 1, 2020 by HARING/ Flemming. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

**Pinerock Walk at Jackson (Yerek Jackson 46, LLC), Block 19501, Lots 29 & 30, Whitesville Road- Motion to carry to June 1, 2020 by CAMPBELL/ Haring. Yes:** Dolan, Campbell, Riker, Jozwicki, Wall, Flemming, Riccardi, Haring, Hudak.

Mr. Hudak advised that concludes the applications to be carried and mentioned that the next meeting is scheduled for June 1, 2020, and thanked everyone for participating.

**Motion to adjourn by RIKER/ Dolan. Yes:** All in favor among those present.

Adjourned: 8: 17 p.m.

Respectfully submitted,

Danielle Sinowitz,  
Planning Board Recording Secretary