

Borough of Caldwell
Special Planning Board Meeting
December 16, 2021

The Special Planning Board Meeting was called to order by Mr. Mescia at 7:02pm electronically via Zoom Meetings.

PLEDGE OF ALLEGIANCE

STATEMENT OF COMPLIANCE: The Statement of Compliance with the Open Public Meetings Act was read.

ROLL CALL: Mr. Mescia, Mayor Kelley, Councilman Rodgers, Mr. Mihalik, Mr. Gardner, Mr. McGowan, and Mr. Banazynski. Mr. Trembulak and Phil Abramson and Golda Speyer from Topology were also present. Mr. Sandor joined the meeting at 7:42PM.

ABSENT: Mr. Byrne.

APPROVAL OF MINUTES: The Public Minutes from December 8, 2021 were approved.

REVIEW OF ORDINANCE

Continued from the December 8, 2021 Meeting

Ordinance No 1423-21 AN ORDINANCE AMENDING THE BOROUGH OF CALDWELL REDEVELOPMENT PLAN IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW.

Mr. Mihalik inquired how the concept of allowing 5 stories in subdistrict 2 was created?

Ms. Speyer gave a brief overview of the additional lots being added to Subdistrict 2 by the revisions to the Redevelopment Plan.

Mr. Mescia stated that only 4 stories was previously allowed in Subdistrict 2 and that the Amendments allow for exclusion from maximum density.

Ms. Speyer stated that one of the issues brought up in the previous meeting was having minimum square footages based on bedroom counts. She referred to Bernardsville and Perth Amboy as towns that currently have minimum square footage based on bedroom counts.

Mr. Banaszynski stated that Perth Amboy is not comparable in that it is more urban than Caldwell and therefore the square footage is relatively small for bedrooms.

Mr. Mescia stated that he believed allowing 5 stories is not consistent with the Master Plan and expressed his concern over the exclusion from maximum density.

Mr. Banaszynski referenced section 6.4.2 stating that the way that the language reads, everything at Caldwell University could be residential. He suggested changing the language to read "residential for educational purposes".

Mr. McGowan reflected that the language for the Amendments seemed convoluted and unclear and that Subdistrict 2 merges many different types of properties in close proximity to each other. He expressed his concern that with unclear language, it would be difficult to determine if the Amendments were consistent with the Master Plan.

Mr. Banaszynski stated that it would be more advantageous to be specific in the language to outline exactly how many stories or how many residential stories are allowed above retail space.

Mr. McGowan stated that there are significant issues with the Borough's Municipal Buildings and that the Amendments should be re-written with clearer language and showing the benefit of upgrades to these buildings.

Mayor Kelley asked if there were other parts of the Redevelopment Plan that allow four stories over one capabilities?

Mr. Abramson indicated that the Academy Triangle area, as well as some provisional areas along Bloomfield Avenue, allow for four stories over one story.

Mr. Mescia asked what the thought process was to exclude maximum density?

Mayor Kelley answered by stating the town was trying to encourage investment and that the Mayor and Council are enabled to make decisions that are in the best interests of the town. Investments increase the ratables to the town and afford a means to keep taxes down.

Mr. Mescia stated that the lawsuit brought against the Lane Avenue Project in Subdistrict 5 should determine the language with regard to principal structures on lots.

Mr. McGowan referred to the 2017 Re-examination of the Master Plan Report which stresses the importance of maintaining single family homes and states that subdivisions are out of character in single-family home areas. Mr. McGowan stated that he felt the language with regard to the Lane Avenue Subdistrict 5 Area was written to specifically allow one principal structure for the current project.

Mr. Trembulak reported the following items that the Board Members had expressed with regard to the Amendments to the Redevelopment Plan that should be included in a Memo to the Governing Body:

1. The Board feels that the changes with regard to Subdistrict 2 (number of stories allowed and the exclusion from maximum density) is not consistent with the Master Plan
2. Section 6.7.2 which permits more than one principal building on a lot in Subdistrict 5 is not consistent with the Master Plan.
3. The Board believes there should be a minimum size or square footage for dwelling units based on occupancy or the number of bedrooms.
4. Allowing five stories on/near Bloomfield Avenue in Subdistrict 2 is not consistent with the Master Plan.
5. Section 6.4.2 "D" needs clarification on the Uses for Caldwell University.

Mr. Mihalik suggested allowing the 5 story height in Subdistrict 2 but adding a clarifier to limit 10 ft. maximum per story, which would cap the allowed height to 50 ft instead of 65 ft.

Mr. Gardner stated that he would prefer a cap of 4 stories allowed.

Mr. McGowan made a statement that the Planning Board is not opposed to future Amendments and is in line with the goals of the Governing Body and that they are just seeking clearer language and no unintended consequences.

Mr. Abramson stated that the provision from the 2017 Re-examination Report of the Master Plan that Mr. McGowan referred to during the meeting should be added to the Memo to the Governing Body.

OPEN TO THE PUBLIC

No public comments.

Mr. Gardner made a motion to vote on the Amendments to the Redevelopment as being **inconsistent** with the Borough of Caldwell's Master Plan, seconded by Mr. Banaszynski

Mayor Kelley	no
Councilman Rodgers	unable to vote due to technical difficulties
Mr. Sandor	yes
Mr. Mihalik	yes
Mr. Gardner	yes
Mr. McGowan	yes
Mr. Mescia	yes
Mr. Banaszynski	yes

Mr. Banaszynski made a motion to adjourn the meeting, seconded by Mayor Kelley.

The Special Meeting adjourned at 8:22pm.

Respectfully Submitted

Kim Conlon

Planning Board Secretary