

MINUTES
Of The
Meeting Of The
ADVISORY PLANNING COMMISSION

July 12, 1956

The members of the Advisory Planning Commission met in the offices of Commissioner Joseph E. McLean, of the Department of Conservation and Economic Development. The meeting was called to order at 10:15 a.m. by Mr. Fred G. Stickel, III, Chairman.

Those present were:

Fred G. Stickel, III, Chairman
Herbert H. Smith, Vice Chairman
H. Thomas Carr, Secretary

William A. Bloom
Louis Danzig
Alexander Feinberg
Alfred H. Fletcher
William Holster
Dennis W. Maloney
Richard Marden (representing Mr. C. Rexford Davis)
Philip A. McLaughlin

B. Budd Chavooshian, Chief, Bureau of Planning

Those absent were:

Joseph H. Healey
William A. Sutherland
Edward B. Wilkens

Upon motion made and seconded, the Commission approved the minutes of June 7, 1956, as submitted.

The Chairman raised for discussion Section 18, page 8, of the Municipal Planning Act, "Tentative Approval." Members of the subcommittee (H. Thomas Carr; B. Budd Chavooshian; Alexander Feinberg; Herbert H. Smith; Fred G. Stickel, III), formed to review and report on this section of the law, discussed this subject with other members of the Commission at great length.

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During the discussion on this section the following questions were raised: What does the term "Tentative Approval" specifically include? To what does it pertain? It was agreed by the Commission that this term should be "spelled out." The subject of the three-year period granted to developers to protect their rights in the course of development was brought up. Should the three-year provision be retained and give the municipalities and other agencies concerned the right to extend it beyond a three-year period? It was felt that in some instances the three-year period was adequate, but in others, such as large areas to be used for urban redevelopment, the three-year period would not give the builder adequate protection, and might, in some instances, create quite a problem. What happens to the developer's plans if the area which he is developing is rezoned before his work is completed? It was pointed out that the rezoning would not affect the plans of the developer; he could continue his work, but the development would be termed as a non-conforming use. The question of the term "General Terms and Conditions" was raised. The subcommittee agreed that these should include:

- 1) Lot sizes
- 2) Streets - location, width (right-of-way and cartway)
- 3) Side yards
- 4) Such other specific agreements between developer and municipality

Furthermore, it was agreed that the municipality should not forego its right to rezone; however, such rezoning would not affect the development other than making it a non-conforming use.

The subcommittee agreed that lot sizes, streets, side yard restrictions, and such other agreements should be maintained once tentative approval was given.

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Mr. Maloney pointed out the possible effects of Section 18 on Title work with regard to the size of lots, and the confusion in general in the interpretation of this Act. It was the opinion of several members of the Commission that much of the confusion in regard to this legislation was due to poor administration.

The subcommittee is to meet prior to the next monthly meeting of the Commission to report further on the subject of Tentative Approval.

The Chairman brought up the subject of Completion vs. Performance Bonds and remarked that problems seem to be arising in that the average bond guarantees that the work will be done, but does not assure completion. After discussing this with the members of the Commission, the Chairman appointed a subcommittee which committee is to meet with Surety Companies in order to standardize a type of bond so that this portion of the Act can be amended to alleviate this problem. Those appointed to serve on this subcommittee are:

Fred G. Stickel, III, Ex Officio
Louis Danzig
Alexander Feinberg
Alfred H. Fletcher
William Holster

The Chairman asked each member of the Commission for reports from the agencies which they represented. Mr. Holster presented copies of questions raised by the New Jersey Society of Municipal Engineers. Mr. Bloom is to present a report from the New Jersey Real Estate Association in September. Mr. Danzig, of the New Jersey Association of Housing and Redevelopment Authorities, will submit new proposals for the Redevelopment Act to members of the Commission before the next meeting. Mr. Maloney, representing the New Jersey Title Insurance Association, stated that he

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would have the comments of his organization at the next meeting. Mr. Fletcher, of the State Health Department, had no specific comments at this time, but referred to chapter 199, water and sewage legislation for realty improvements, as a law which is being overlooked and wondered if it could be emphasized through group meetings. This brought to mind the question of public hearings which the Commission proposes to hold. At this time, Mr. Budd Chavooshian was appointed by the Chairman to look into the prospects of holding a public hearing in the fall.

The meeting was concluded at 12:35 p.m. The Commission will meet again on August 2, 1956, at 10 a.m. in the conference room (third floor, #307) at 520 East State Street, Trenton, New Jersey.