

*Group minutes
all together*

MINUTES
Of The
Meeting of the
ADVISORY PLANNING COMMISSION

November 1, 1956

The members of the Advisory Planning Commission met in the conference room at 520 East State Street, Trenton, New Jersey. The meeting was called to order by the Chairman, Fred G. Stickel, III, at 1:50 p.m.

Those present were:

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

William A. Bloom
B. BuddChavooshian
Alexander Feinberg
Alfred H. Fletcher
Dennis W. Maloney
Philip A. McLaughlin
Edward B. Wilkens

Those absent were:

Louis Danzig
C. Rexford Davis
Joseph M. Healey
William Holster
William A. Sutherland

The first item of business which the Chairman brought up was that of the change in time of the future monthly meetings. It was the concensus of the members present that the most suitable time to hold these meetings would be on the first Wednesday of each month at 1:30 o'clock in the afternoon.

A news release prepared by Mrs. Sayre, Editor, Public Information Bureau of the Department of Conservation and Economic Development, in con-

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nection with the workings of the Advisory Planning Commission, and pointing out that the Commission has repeatedly invited the public to voice objections and suggestions concerning the Municipal Planning Act, was read by the Chairman. The release announces the forthcoming three-day conference of the League of Municipalities which will be held on November 13 through the 15th at the Hotel Haddon-Hall in Atlantic City, at which hotel special accommodations will be provided individuals, who would like to discuss the planning legislation, by the members of the Advisory Planning Commission, who will be in attendance and steadily available for conference. The release was approved by the members present and is to be released to the public on November 7.

The Chairman read aloud a letter forwarded the Commission from Mrs. Dorothy Bayliss, of Lawrence Township, in which several topics were raised for questioning, such as the closing up of drainage areas; shopping centers; business and factory frontage, etc. After discussing the items mentioned in Mrs. Bayliss' letter, it was handed to the Vice Chairman, Mr. Herbert H. Smith, for reply.

The subject of "completion" vs "performance" bonds was discussed. Inasmuch as the Chairman of the subcommittee which is working on this phase of the Planning Act, Mr. William Holster, was absent, a report was not submitted at this meeting; however, the Chairman informed the Commission that he talked with an official of a surety company who informed him that it would be almost physically impossible to get all surety companies to agree on a certain type bond. However, he suggested that the best thing to do is to come up with a bond which will most nearly satisfy what he believes the surety companies will go along with, made in the form of a statutory

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bond. The Chairman pointed out that much of the difficulty lies from the fact that in many instances there is no written agreement between the developer and the municipality. The Chairman also stated that the bond should be designed to assure compliance with the terms of the ordinance, which ordinance should "spell out" in the resolution its terms. The Chairman also stated that many problems arise in this connection because of the lack of understanding as to what the function of the bond is and, therefore, creates a practice which is going to harm the entire planning act and the entire planning process. He suggested that the legislation be corrected so as to lessen this condition. At this point, the Chairman read that section of the act which pertains to performance bonds which, in part, he thought, was ambiguous, and suggested that it be amended. No action is to be taken until the subcommittee meets with more bonding companies.

Mr. Feinberg, Chairman of the subcommittee working on "Tentative Approval" reported that he had filed a report on this subject. However, he stated that he would have to have another subcommittee meeting to resolve this issue. It was suggested that this meeting be held at the conference of the League of Municipalities in Atlantic City on Tuesday evening November 13, at 8 p.m. in Mr. Stickel's room at Haddon Hall.

The Chairman read the following announcement in the League's Magazine concerning the Commission's presence at the conference:-

Wednesday - November 14, 1956

N.J. Advisory Planning Commission
10:00 A.M. - Rowsley Room - Upper
Lounge Floor
Haddon-Hall

The New Jersey Advisory Planning Commission was appointed by Governor Robert B. Meyner in April of this year to study the various sections of the Planning Act. Six meetings have been held and plans are now being made for public hearings throughout

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the State. The following members of the Commission will be available to acquaint anyone interested with a summary of what has transpired to date and to receive suggestions or criticisms from conference delegates:-

Chairman: Fred G. Stickel, III, Cedar Grove, representing
New Jersey Institute of Municipal Attorneys
Vice-Chairman: Herbert H. Smith, Princeton, representing
American Institute of Planners
William A. Bloom, Atlantic City, representing
New Jersey Real Estate Association
H. Thomas Carr, Perth Amboy, representing
N. J. State Society of Professional Engineers and Land Surveyors
Alexander Feinberg, Camden, representing
N. J. Homebuilders Association
Mayor Joseph M. Healey, Kearny, First Vice-President of the
League of Municipalities, representing
the N. J. State League of Municipalities
William Holster, Clifton, representing
N. J. Society of Municipal Engineers
Philip A. McLaughlin, West Orange, representing
N. J. Utilities Association
Dr. E. B. Wilkens, New Brunswick, representing
Rutgers University

Members of the Commission will also be available for individual conferences in the Rowsley Room on Wednesday, November 14 from 3:00 to 5:00 P.M. and on Thursday, November 15 from 10:00 to 12:00 noon and from 3:00 to 5:00 P.M.

The Chairman announced that the Commission would be available at this conference on Wednesday and Thursday morning from 10:00 a.m. to 12 noon and Wednesday and Thursday afternoon from 3:00 to 5:00 p.m., and made a list of the members who are to be on hand to confer with those who desire to discuss the Planning Act.

The report of the Vice Chairman was brought up for discussion. This report is to be elaborated upon indicating what sections of the Act have been discussed. After it has been prepared in its final form, the Vice-Chairman agreed to make up 1000 copies which will be available for distribution at the conference of the League of Municipalities. The Chairman suggested that it be mentioned in this report that the Commission meets the first Wednesday of each month at one-thirty o'clock in the afternoon.

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The Secretary, Mr. H. Thomas Carr, reported that his group, N. J. State Society of Professional Engineers and Land Surveyors, is beginning to get returns with regard to setting up monuments in subdivisions which relates to the Mapping Act; and the posting of bonds, etc.

The Vice Chairman raised the question of conflict between the Municipal Planning legislation and the Redevelopment Agency Act, insofar as Board membership is concerned which condition seems to exist on other Boards. A general discussion followed at which time Dr. Wilkens pointed out instances of multiple membership which condition, he believes, should be remedied. It was decided by the members that this matter should be discussed further at a later date.

The Chairman requested the Vice Chairman to go through the Minutes submitted to date in order to get a complete coverage of what has been done up to date. At this time the Vice Chairman suggested that the subcommittees formed to report on the various phases of the Planning Act be given a deadline in which to prepare a formal written report making recommendations to the Commission. He remarked that the Commission owes itself the responsibility of putting together a program of future activity and reminded the members present that the Commission is expected to submit a report in February of next year and some thought ought to be given to its preparation, such as text, whether it should be mimeographed, and who is to prepare it and who is going to compile it, etc.

The Chairman stated that at the December meeting of the Commission conclusions should be reached as to various problems which have been raised. These should be submitted - within a time limit - to the Commission as a whole and voted on in order that other sections of the act may be considered for study and review. The Chairman also reminded the Commission of the few

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remaining months in which it has to submit its report to the Legislature and suggested that the Commission refrain from debating on issues about which there are no questions in order that more time might be spent on problems in question.

The question of a report from the American Institute of Planners was raised. The Vice Chairman reported that the AIP's general report is ready, and it was suggested to complete the AIP items this year. The Chairman commented favorably upon the report submitted by Mr. Bloom, representative of the N. J. Real Estate Association, in response to the AIP comments, which, he thought was an excellent idea.

The subject of the first report to be submitted to the Legislature (February, 1957) was again discussed at which time it was suggested that a draft of the report should be submitted in January, no later than ten days -- or five days at least -- prior to the January meeting.

The Chairman stated that a letter is to be sent to the members of the Commission stating that the next meeting will be devoted to the five items which have been discussed to date and which will be voted on: namely;

- 1) Tentative Approval (Mr. Feinberg)
- 2) Performance Bonds vs Completion Bonds (Mr. Carr)
- 3) Planning Board Members' Interest (Mr. Stickel)
- 4) Relationship of Planning Boards to other public agencies (Mr. Chavooshian)
- 5) Multiple Membership (Dr. Wilkens)

Brief reports will be prepared by those members whose names are in parentheses above and sent to the other members on the Commission for review and consideration prior to the December meeting.

The Chairman will request that no more than one-half hour be devoted to each topic in order to enable the Commission to vote on the above five subjects.

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The meeting adjourned at 3:45 p.m. The next meeting will be held on Wednesday, December 5, 1956, at 1:30 p.m. in the conference room at 520 East State Street, Trenton, New Jersey.