

M I N U T E S

Of The

ADVISORY PLANNING COMMISSION

September 24, 1958

PLACE AND
TIME OF
MEETING

The members of the Advisory Planning Commission met in the conference room at 520 East State Street, Trenton, New Jersey. The Chairman, Mr. Fred G. Stickel, III, called the meeting to order at 2:00 p.m.

The members present were:

Messrs.

Fred G. Stickel, III, Chairman
William A. Bloom
B. Budd Chavooshian
Robert H. Fust
William Holster
Denis W. Maloney
Philip A. McLaughlin
Edward B. Wilkens

ATTENDANCE

Those absent were:

Messrs.

Herbert H. Smith, Vice-Chairman
H. Thomas Carr, Secretary
Louis Danzig
Alexander Feinberg
Alfred H. Fletcher

RESIGNATION
OF WILLIAM A.
SUTHERLAND

The Chairman welcomed back the members at this time, the first meeting since the summer months of July and August, and informed them of the resignation of William A. Sutherland from this Commission, which resignation was received by the Chairman. The Chairman read aloud the letter of resignation submitted by Mr. Sutherland and his reply thereto, after which it was moved and seconded that these letters be made part of the minutes. As so ordered, the contents of the letters are as follows:

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A M E R I C A N C Y A N A M I D C O M P A N Y

Bound Brook
New Jersey

July 11, 1958

Mr. Fred G. Stickel, III
571 Pompton Avenue
Cedar Grove, New Jersey

Dear Fred:

Reluctant as I am to take such action, circumstances, business and other, dictate that I must resign from membership on the Legislative Advisory Commission as the representative of the Federation of Official Planning Boards. I have contemplated this action for more than six months, and have delayed as long as possible in the hope that a shift in emphasis would allow me to continue serving.

Permit me to say it has been an honor and a privilege to have been associated with the Commission membership--that I have enjoyed and profited by their informed discussions on planning matters, and could wish that my own contributions have been in some measure helpful.

May your future deliberations and actions be fruitful and further the cause of good planning in New Jersey.

Sincerely,

(signed) Bill Sutherland

William A. Sutherland

was:mb

cc. Mr. L. Carling

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July 17, 1958

Mr. William A. Sutherland
c/o American Cyanamid Company
Bound Brook, New Jersey

Dear Bill:

I'm certainly disappointed to learn of your decision to resign as a member of the Legislative Advisory Commission as the representative of the Federation of Official Planning Boards.

I appreciate, however, that you have served on this commission at some expense as far as your time and personal efforts are concerned. You have contributed materially to the success of the commission to date, and we will sadly miss your sage advice and comments. I sincerely hope that your successor will be as equally competent as you, and that he will be appointed promptly. As you know, we need full representation on the commission to carry forth our efforts.

Sincerely yours,

Fred G. Stickel, III

S:h

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The Chairman remarked that it was assumed that Mr. Sutherland had written to the Governor in this respect and it is hoped that the Governor will appoint someone promptly, as it is the feeling of this Commission that such an important group as the New Jersey Federation of Official Planning Boards, which was represented by Mr. Sutherland, should have full representation on this Commission in order to carry forth its endeavors.

MEMBERSHIP
REPLACE-
MENT

With regard to replacements, the Chairman said that he would talk to Mr. Thompson about the replacement of Mr. C. Rexford Davis (deceased) who represented the State Federation of District Boards of Education of New Jersey.

THOMAS P.
COOK'S ARTICLE
ON MASTER
PLANS AND
SCHOOL
BOARDS

The Chairman informed those present that he had received a statement in the amount of \$93.30 from Colby and McGowan for the reprinting of articles on Planning by Thomas P. Cook, Deputy Attorney General, Counsel to the New Jersey Board of Education. The Chairman is to speak to Assemblyman Alfred N. Beadleston about the payment of this bill.

The Chairman inquired of Mr. Robert H. Fust, representative of the New Jersey State League of Municipalities, of the reactions to these articles, to which Mr. Fust replied that much favorable comment has been received concerning this material; 4,000 copies have been turned out and requests are continuing to come in.

AMENDMENTS
TO PLANNING
LEGISLATION
BILLS 567
THROUGH 574

The Chairman asked whether or not the members present had familiarized themselves with the Bills introduced to the Legislature (567 through 574). He informed those present that no action will be taken until the first of the year. The Chairman inquired of Mr. Fust if the New

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Jersey State League of Municipalities would make note of these bills in its next bulletin, requesting various officials and planning boards to acquaint themselves with this legislation. It was mentioned at this time that there were insufficient copies, and that a request should be made to Assemblyman Martin Kesselhaut to have copies printed for distribution. It was suggested by Mr. Holster that copies be made available to those who will attend the forthcoming conference of the League of Municipalities. Considering the amount of copies needed for distribution, both at the League's conference and to members of the Federation of Official Planning Boards, it was decided that from 500 to 1,000 copies should be requested.

FILING OF
PLATS - MAJOR:
MINOR

Contents of the bills were discussed in part, at which time Mr. Maloney questioned the filing of major plats only, stating that it is the opinion of many attorneys that minor subdivisions, as well as major subdivisions should be filed with the county recording officer. In this connection, Mr. Maloney referred to A-573, p. 5, lines 61 through 66 and also read Section 40:55-1.14, in part, concerning the filing of plats. A discussion and explanation followed whereby the Chairman pointed out that a minor subdivision does not have to be filed, remarking that it could be filed if so desired, however, it is not a necessity. On the other hand, the Chairman stated that all major subdivisions must be filed. The Chairman asked Mr. Maloney if he felt there is a real problem concerning this matter which would bring about need for clarification, stating that this Commission would comply to a request for clarification. Mr. Maloney stated that at the present time he would drop the matter.

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IMPOSITION OF
FEES BY PLAN-
NING BOARDS
RE DEDICA-
TION OF LAND

Mr. Holster inquired of the Chairman whether or not Mr. Skillman, Director of the Division of Local Government, Department of the Treasury, had sent out letters to the municipalities, concerning the payment of fees to the municipalities by the subdividers, which was proposed in the minutes of June 25. The Chairman informed those present that he had received such a letter in draft form from Mr. Skillman with the request that he, the Chairman, review the contents to see if they conformed to the discussion at the June 25th meeting. The Chairman told those present that he had reviewed the letter in draft form and returned it to Mr. Skillman. Mr. Holster informed the members present that he believed Mr. Skillman had sent out a form of inquiry, asking the municipalities how much was collected by the municipalities, to which the Chairman replied that this was the first step, and he believed that after replies were received in this connection, it can be determined to what extent the municipalities are practicing this procedure. Based upon this survey, Mr. Skillman is to make some inquiries of the municipal accountants and then report his findings and express his views about this procedure in a monthly letter issued to all municipalities, et al. The survey being undertaken by the State Planning Bureau of all subdivision ordinances in its files to determine fees, dedication of land or fees in lieu thereof, will be completed soon. It is to be noted that Mr. Chavooshian has been informed by Mr. Skillman that about 250 replies have been received to date.

COUNTY
PLANNING

The Chairman brought up for discussion the County Planning Act. Dr. Edward B. Wilkens reported at this time that a meeting was held on September 22 preceding the Monmouth County Planners Conference

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at which time the County Planning Act was drafted in its final form. Dr. Wilkens informed those present that there was some talk of forwarding this draft to this Commission in its present form for the Commission's study, review and recommendations. Questions arose as to whether these recommendations should be presented in Bill form, to which Dr. Wilkens replied he believed so, in a preliminary form in legislative language, set up in a Dewey Decimal System; also the question of whether this Commission or the County Planners Association should introduce this legislation. Much discussion followed in reference thereto, after which it was decided that the review of the Act, as it now reads, should be forwarded to this Commission for review in order that the Act may be discussed in full at the next monthly meeting of this Commission. It was also determined at this time that the County Planning Act could not be made part of the Commission's Third Annual Report in view of the dead line, which was August 31. However, it was agreed upon by the members present that this Commission could approve the Act with some changes if necessary, and mention this in the Third Annual Report. It was suggested at this time that the County Planning Act should be prepared in Bill form with notation on the Bill that the Advisory Planning Commission had approved it.

PLANNING
BOARD
MEMBERS
(classification)

Mr. Holster raised a question as to what the philosophy was behind that portion of the Planning Act which eliminated Class II official from a board of less than seven members. This question was asked because Mr. Holster felt that a municipal engineer was a valuable asset to a planning board and that the only classification he could fill would be a Class II membership, which class was eliminated in a five-man board. The Chairman explained that the basic philosophy of membership on a

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planning board was to give the balance of power on a planning board to citizens of the community rather than to public officials who could be influenced by the appointing authority, and in order to carry out that philosophy where a board was less than seven members if Class II membership were not eliminated you would have three municipal officials and only two citizens. The Chairman also indicated that the services of the engineer could be obtained by assigning him to participate, even on a five-man board and even though he had no right to vote.

THIRD ANNUAL
REPORT -
PUBLIC HEAR-
INGS

The Chairman stated that there is not too much to be mentioned in the Third Annual Report upon which this Commission could hold Public Hearings. He stated that although there have been long and continued discussions on certain topics there is nothing on which Public Hearings could be held. Mr. Holster remarked at this time that he believed it would be a good idea to have Public Hearings on the bills introduced by Assemblyman Kesselhaut (567-574) and include whatever recommendations come out of the Public Hearings in the Third Annual Report. Mr. Chavooshian expressed his thought that the County Planning Act should be considered for Public Hearing, to which the Chairman remarked there was not enough time. The Chairman also suggested that, if Bills 567-574 were printed and delivered to the League of Municipalities' Conference then, perhaps, Public Hearings could be held in December and that this should be announced at the League's Conference. With regard to Public Hearings on the County Planning Act, the Chairman stated that the Commission should have time to get the Act in final form and hold a Hearing in January or February. Mr. Chavooshian felt that a Public Hearing should be held prior to compiling the Annual Report in order to make it a part thereof. Mr. Chavooshian also stated that it was his understanding that any bill that is to be sub-

mitted to the Legislature should first be reviewed by this Commission for recommendation. The Chairman, however, pointed out to Mr. Chavooshian that time does not permit this, but it could be mentioned in the next annual report that this Commission has reviewed the Act in principle. Mr. Fust suggested that Assemblyman Kesselhaut should set up a meeting and announce the Public Hearing for December. The Chairman agreed that the State, County and Municipal Government Committee of the Assembly be given an opportunity to call for a Public Hearing, however, if they do not so desire, then this Commission will proceed with it.

"A GUIDE FOR
THE PREPARA-
TION OF MUNIC-
IPAL LAND SUB-
DIVISION CON-
TROL ORDI-
NANCES"

The Subdivision Guide was mentioned in connection with the wording in Section VI, Article 2. Mr. Thomas E. Heathcote, Secretary-Director of the State Board of Professional Engineers and Land Surveyors, in his letter to the Planning Bureau, of the Department of Conservation and Economic Development, desires to be enlightened on certain phases of the Guide. It appears that there might be a conflict in the Guide and the Land Surveyor's Act. After reviewing the wording in the Guide (Section VI, Article 2) it was felt that the wording should be changed for better clarification. Mr. Chavooshian is to discuss this matter with the staff of the Planning Bureau.

REGIONAL
PLANNING

Mr. Chavooshian reported, at the close of the meeting, that the Planning Bureau is going into regional planning work; the staff is holding meetings on regional planning with regard to some kind of basic philosophy as to what regional planning should be in New Jersey to assist the Advisory Planning Commission in revising the Regional Planning Act.

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ADJOURNMENT

The meeting adjourned at 4:00 p.m. It was requested that the next meeting - and those held in the future - will convene at 2:00 p. m. instead of 1:30.

Inasmuch as the American Institute of Planners is holding its annual conference from October 27 to October 30, it was deemed necessary to advance the date of the APC meeting (which will be determined after polling the membership of the Commission) which would originally be held the last Wednesday of the Month - October 29. Notice of the meeting will be forwarded.