

**TOWNSHIP OF QUINTON PLANNING BOARD**  
**JANUARY 14, 2025**  
**REORGANIZATION MEETING MINUTES**

The Meeting of the planning board was called to order at 7:00pm by acting Chairperson William Horner, Esq.

The Flag salute was held. It was then determined that the meeting was posted in a public place and advertised in the official newspaper.

William L. Horner Esq. Read the Open Public Meeting Statement for the Reorganization Meeting.

William L. Horner Esq. completed oaths of office and swore in Re-appointed members:

Raymond Owens  
Alison O'Boyle

Roll Call – John Allen, Cody Banks, Donald Brown, Raymond Owens, Richard Harrington, Alison O'Boyle, William Remster, Suzanne Van Sciver, Kiel Winkels and Larry Winkels

Absent – Marge Sperry

Cody Banks moves up in Marge Sperry's absence.

Nomination for Chairperson was made for John Allen by Cody Banks and a Nomination for Larry Winkel was made by William Remster. Solicitor Horner said we will vote by roll call, when your name is called say the name of the person you want for chairperson.

Roll Call: John Allen – John Allen  
Cody Banks – John Allen  
Donald Brown – Larry Winkels  
Raymond Owens – Larry Winkels  
Alison O'Boyle – John Allen  
William Remster – Larry Winkels  
Suzanne Van Sciver – John Allen  
Kiel Winkels – Larry Winkels  
Larry Winkels – Larry Winkels

At this point Larry Winkels took over the meeting as chairperson.

A Nomination for Donald Brown to be Vice Chairperson was made by Alison O'Boyle all other board members present were in favor.

Roll Call – John Allen, Donald Brown,

A motion was made by Donald Brown to approve the November 12<sup>th</sup> 2024 Meeting minutes  
William Remster Seconded the motion. Raymond Owens abstains. All other board members were in favor.

A motion was made by Donald Brown to reappoint Melissa N. Thom as planning board secretary.  
Raymond Owens Seconded the nomination and all remaining board members were in favor and motion was carried.

A motion was made by Donald Brown to reappoint William Horner, Esq. as the planning board solicitor.  
Raymond Owens Seconded the nomination and all remaining board members were in favor and motion was carried.

A motion was made by Donald Brown to reappoint Richard P. Coe Jr. as the planning board conflict solicitor Raymond Owens seconded the nomination and all remaining board members were in favor and motion was carried.

A motion was made by Donald Brown to reappoint Land Dimension Engineering as planning board engineer. Raymond Owens seconded the nomination and all remaining board members were in favor and motion was carried.

A motion was made by Donald Brown to reappoint Land Dimensions Engineering as the planning board planner Raymond Owens seconded the nomination and all remaining board members were in favor and motion was carried.

The board took a minute to review each resolution set to vote on. A motion to approve resolutions 1 thru 8 was made by Donald Brown second by Raymond Owens. All planning board members were in favor.

1. Resolution 2025-01 to readopt rules and regulations for the Quinton Township Planning Board for 2025 was approved.
2. Resolution 2025-02 to designating time date, and place for the Quinton Township Planning Board for 2025 was approved
3. Resolution 2025-03 to designating the official newspapers of the meeting for the Quinton Township Planning Board for 2025 was approved
4. Resolution 2025-04 appointing Melissa N. Thom as the secretary for the Planning Board for 2025 was approved
5. Resolution 2025-05 appointing William L. Horner Esq. as Solicitor and allowing Quinton Township to enter into contract for his professional services for 2025 was approved.
6. Resolution 2025-06 appointing Richard Coe, Jr. as conflict solicitor and allowing Quinton Township to enter into contract for his professional services for 2025 was approved.
7. Resolution 2025-07 appointing Land Dimensions Engineering as engineer and allowing Quinton Township to enter into contract for their professional services or 2025 was approved
8. Resolution 2025-08 appointing Land Dimensions Engineering as planner and allowing Quinton Township to enter into contract for their professional services for 2025 was approved

Resolution 2025-09 will be discussed at a later date.

Larry Winkels asked Larry Divetro to take over the meeting in regard to the master plan. Larry Divetro Stated the Governor has appointed the State planning commission to adopt a redevelopment plan. It will be a comprehensive plan for the entire state for different development areas. It will be reviewed by the state planning commission and will include public hearings held by the countys. They will look at environmentally sensitive areas. Quinton will not have a major impact. The plan will point out where development should occur. It will be a longrange vision for growth. The State plans to have this in place by fall of 2025. Ultimately once in place it will impact the master plan. Larry Winkels asked how it will impact master plan as a whole? Larry Divetro replied there are different components of the plan to maintain the quality of life and the state mandated the municipalities to do a climate change related hazardous vulnerability assessment of environmentally sensitive areas. It is an area in which we do not have in our master plan. Since it is an unfunded mandate no one has put pressure on municipalities to do it. Larry Winkels asked if it would impact any ordinance we have and Larry Divetro said it would put a greater restriction on certain areas. We may want to upgrade some of the restrictions in our ordinances.

Andrew Hogg said there were new Storm water and flood regulations put in place last year. Quinton will have to be updated when new flood elevations are passed. Larry Divetro said yes to Larry Winkels question that it will impact our ordinances to comply with state.

Solicitor Horner said some of the regulations he has seen will mainly impact construction. Fema wants state to restrict building in certain areas so the nation doesn't have to pay when a flood comes through. Storm water will also be an impact on construction. Larry Winkels asked when this comes into effect are we going to be required to redo our master plan or will we be able to stay on schedule. Larry Divetro said we can stay on schedule but added we will have to make a balance of Commercial and business uses for the economic impact in the town. Donald Brown wanted to know if we have to make the changes the state wants or can it be challenged? Divetro said by law they have promulgated the new flood hazard regulations that impacts the development, it will not necessarily impact the ordinances. Larry Divetro then said the next thing was the affordable housing obligation. The department of Community affairs came out with allocation that stipulates how we will comply with our obligation. The state said every community has their fair share. The town is required by law to adopt a housing element plan that says how we will fulfill the obligation. If we do nothing we could be litigated against. Quinton does not have a lot of growth going on but we are not in compliance with the mandate and a builders remedy lawsuit could happen. Larry Winkels said he thought we are in litigation with the objection of the 4<sup>th</sup> round obligation. Bill Remster said he thought the lawsuit had been upheld. Solicitor Horner explained the Montvale case. He said the judge denied the plaintiffs complaint for emergent relief. There is no interim relief the rules have to be followed. Larry Divetro said there is a timeline for the towns to commit and if we pass the resolution we can stay in the game to possibly change things in the future. Solicitor Horner said we need to pass the resolution so we make it look meaningful. Ray Owens asked does this commit us? Solicitor Horner said it keeps us moving forward that way we can make arguments in the future. Solicitor Horner also said there are rounds from the past from the 80's we have to deal with. There is a movement afoot possibly in the legislature to adjust the new statute so the statewide number is smaller and could lower the burden to everyone. Larry Winkels asked if we had a hard number of housing units from the 80's. Larry Divetro said it is 39 units. The new allocation is 51 for Quinton. Solicitor Horner explained a builders remedy lawsuit in Quinton could work with a developer proposing a 250 unit housing development, get sewer and water building as dense as he can despite what zoning says if Quinton Township didn't have its immunity in place by complying with regulations. The developer can tell the judge this town has been sitting on these since the 80's and they are fixing it. Larry Winkels asked what property is left with all the preserved land and more happening to supply 51 units? Larry Divetro said the plan done by Lou Joyce directed the housing units to property owned by the township. Larry Winkels was trying to figure out where we would put the units. Solicitor Horner said that is what planning process is for and it would have to figure out where to put the units. Suzanne Vansciver asked if it would be the planning board or the committee and Solicitor Horner said it would be the committee. The planning board would do the planning and the committee would make the promises and enacting the laws. Donald Brown said there use to be an old trailer park on 49 years ago. John Allen said so if a town can't handle 50 and they can only do 40 could the additional 10 be pushed onto Quinton? Larry Divetro said it could somehow it would have to be reallocated. The state will have to make someone take up the slack. Solicitor Horner stated there would be a reallocation for the regions. The state was divided into regions regarding the housing.

Larry Divetro brought up a letter Joe Hannagan sent to him in regard to the size of any future warehouses Is it an amendment to the ordinance or to the master plan? To amend the ordinance the planning board would recommend it to council. Larry Divetro said the LIO would not be appropriate if you put a 250 ft. setback, you would not be able to develop the property. If you want to look through the LIO zones we can go through it. If you want to rezone it that will be a masterplan review and is a larger, longer process. Suzanne Vansciver said it would be helpful to point out how much preserved land we have to even develop. Larry Winkels said 60ft is not enough of a set back but he thinks 250 ft would be in a certain area. Andrew Hogg said we have to be careful how we redo any of the criteria. Larry Divetro went over the size of the buildings that could be built in the LIO. If you amend the site plan section of the ordinances you effect everything in the town. Larry Divetro said we could amend the ordinances but the LIO zone has different criteria to deal with. Larry Divetro

then said do you want to eliminate warehouses all together? Larry Winkels said we are looking for something to be put in temporary to deter this type of activity until we can review the master plan.

Solicitor Horner said zoning has to be substantially consistent with the Master plan so there cannot be any major moves in the LIO. It seems like the land on the South side is hobbling our ability to make changes as a whole. Larry Divetro said I know the reason we are here is the negative impact the current issue is having.

Bill Remster asked if they could have a required purpose for a building/property? Larry Divetro said the zoning said you commit to specific uses. Solicitor Horner said the structure and the use has to conform to the zoning. They have to use it for something lawful. Bill Remster wanted to know if an entrance fee could be charged for vehicles coming and going. Solicitor Horner said no he has never heard of a fee of that type, you get your approval and do your use. Bill Remster asked if there could be an exit strategy like a reclamation fee. Solicitor Horner said that's because of the hole in the ground. Presumably in Amercia we have market forces that are suppose to make everything right. I have never heard of a situation to post a guarantee or somehow predict an account for a business failing or a structure becoming obsolete.

Raymond Owens asked if it was permissible for us to reduce the size in regard to a structure. Larry Devitro said for warehousing you could reduce the floor area ratio and make it less enticing to a developer.

Solicitor Horner said you have to be careful with that those changes need to be modest there is caselaw that says if you make it to extreme it could be invalidated for not doing you master planning first.

Larry Divetro said the planning process is a balance. Larry Divetro said he would put maps together and come back with a probable developable area.

Larry Winkels said there was no new business and no new applications

Motion Ray Second Bill all planning board members in favor motion carried

Ralph Warfle read a statement about Joseph Hannagan not being on the planning board anymore.

Todd Boker asked about affordable housing. We have a set of requirements that have to be in the end of the month? Larry Divetro said end of September. He then explained some the deadlines.

Pete Mattice wanted to know if we were going to redo the master plan or not? I wanted to get a grasp on the patches and what is the most economically feasible time to do the master plan. Larry Winkels said Larry Divetro is going to come back at next meeting with updates so we can go over them, vote on them and then send to council to vote on. Then we will form a committee to go over the master plan. Correct me if I am wrong but the master plan is a large document is it just land use or are there other patches we need to make. Larry Divetro said we are looking into some patches now that are ordinance amendments that would list new criteria. The master plan is a major document that is townwide and the state redevelopment plan is state wide but will provide us information of where we can build, environmental issues etc. We also need to decide where we will be in 10 years.

Beth Fox asked in order to make this simple can we remove warehouses? Larry Divetro said we may be able to do it if it is done correctly. Solicitor Horner said there are court cases that say you just can't do that. We have to have a master plan review to set the tone. Larry Divetro explained the state wants us to accommodate all uses so they make it restrictive. Beth Fox said we need to figure out how to remove warehouses other towns have done that.

John Allen asked why can't we switch zones? Larry Divetro replied to reallocate zoning we would have to do a major master plan review. Then we could look into other zones and maybe look to see where the LIO could go.

Larry Winkels said Ms. Fox it could take 10 years to do this and we are trying to fix it now to carry us over to the next Masterplan review.

Todd Boker asked if we can make the DOT and DEP approvals a requirement? Solicitor Horner said Developers cannot be made to get DOT and DEP approvals until they come to the planning board first. That was established by case law. The developer can get it first if they want. The developer cannot start until they get the DOT and DEP approvals. Planning Boards require that with the conditional approval so they have to get the approvals.

Motion to close public session by Raymond Owens, Second John Allen, All Planning Board members were in favor.

Alison O'Boyle made motion to adjourn the meeting. John Allen seconded the motion and the meeting was adjourned at 9:02 pm.

Date approved: March 11<sup>th</sup> 2025

Respectfully submitted by;  
Marty R. Uzdanovics