

**VERNON TOWNSHIP LAND USE BOARD
REGULAR MEETING MINUTES
July 9, 2025**

CALL TO ORDER

Meeting was called to order by Chairman Theobald at 7:00 p.m.

STATEMENT OF COMPLIANCE:

Pursuant to the Open Public Meetings Act, adequate notice of this Regular Meeting has been provided to the public and the press on January 29, 2025, by delivering to the press such notice and posting same at the Municipal Building.

SALUTE TO THE FLAG

Chairman Theobald led the assemblage of the Flag.

ROLL CALL

Mayor's Designee John Auberger	P
Ann Larsen	P
Councilmember William Higgins	NP
Martin Theobald	P
Richard Spoerl	P
Willard McPeck	P
Andrea Cocula	P
Jacqueline Haley	P
Michael Whitaker	P
Jodi White- Bearstler Alternate #1	P
Paul Mele Alternate #2	NP
Craig Williams Alternate #3	NP
Mark Vizzini Alternate #4	NP

Also Present:

Steven Tombalakian, Board Attorney
Cory Stoner, Board Engineer
Nick Meurer, Board Planner
Kimberley Decker, Board Secretary

Chairman Theobald stated record reflects Mr. Higgins notified Board of his absence.

PUBLIC HEARINGS

➤ **MOUNTAIN CREEK RESORT – MASTER PLAN UPDATE**

Mr. Evan Kovach General Manager of Mountain Creek Resort came forward to present the 2025 Waterpark Master Plan Update to the Board for approval on new proposals or changes to site. Mr. Stoner explained, per 1992 Board Resolution, Applicant is required to update the Township with all minor changes to the Park. Mr. Kovach noted only changes include the reopening of existing Item #27 Cannonball Falls and Item#32 Tarzan Swings in 2025. Also planned are renovations to attraction #57 multi-level Kids Water Play station and #61 Restaurant which are minor in nature. Mr. Kovach stated Applicant will be returning to Board in fall of 2025 with permanent solution to the temporary Snowbox which was previously approved.

Mr. Stoner requested Applicant to color code Master Plan to easily decipher existing/planned and future amenities.

Chairman Theobald opening the hearing to the Public. Seeing no one wishing to come forward, Chairman Theobald closed hearing to the Public.

Motion: Motion to Approve Master Plan Update for Mountain Creek Resort was made by Ms. Cocula and was seconded by Mr. Spoerl

ROLL CALL: AUBERGER: Y; LARSEN: Y; SPOERL: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; WHITE -BEARSTLER: Y; THEOBALD: Y.

Motion Passed

➤ **MASTER PLAN REEXAMINATION REPORT**

Mr. Nick Meurer, for Township Planner explained that Affordable Housing regulations for the State of New Jersey updated their goals therefore requiring Vernon Township to adopt the Master Plan Reexamination Report dated July 9, 2025 prepared by Jessica C. Caldwell, P.P., A.I.C.P. He explained the Report assists the Township in how to use the lands within the Township to promote public health and safety per State statutes.

Motion: Motion to Approve the Master Plan Reexamination Report as presented was made by Mr. Whitaker and was seconded by Mr. McPeek

ROLL CALL: AUBERGER: Y; LARSEN: Y; SPOERL: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; WHITE -BEARSTLER: Y; THEOBALD: Y. Motion Passed

➤ **HOUSING ELEMENT AND FAIR SHARE PLAN, OF THE TOWNSHIP OF VERNON, STATE OF NEW JERSEY and Resolution Adopting Housing Element and Fair Share Plan**

Planner Nick Meurer explained that New Jersey passed legislation amending regulations known as Fourth Round of Affordable Housing. The Township updated the Housing Element and Fair Share Plan dated July 9, 2025 which is used as a resource to address the housing needs of Vernon residents across all income levels. The 4th Round Fair Share Plan requires the Township to have 44 units present need and 194 units' prospective need. Being within the Highlands Preservation and Planning Areas and having environmental constraints, the number of units provided for the Township of Vernon is appropriate to meet the State's Affordable Housing regulations. Board Members questioned if numbers can be lowered. Mr. Meurer explained the numbers for Vernon have been set by the State and cannot be lowered. He added that Vernon Township must make the Zoning possible in order to meet these requirements.

Mr. Stoner noted the Town Center area has an approved Redevelopment Plan, water utility, sewer allocation for affordable housing units to meet the needs but 194 units is very hard to accomplish due to constraints.

Chairman Theobald opened the meeting to the Public.

Maria (Last name?) questioned location of proposed 99 unit building in Town Center zone and favors keeping natural beauty of Township with small shops similar to Warwick. Mr. Theobald stated the proposed application is not being brought forward at this meeting.

Board Attorney stated that before the Board now is the review and approval of the Housing Element and Fair Share Plan so that it can be added to the Master Plan per the State Affordable Housing requirements.

Seeing no one further wishing to come forward, Chairman Theobald closed the meeting to the Public.

Motion: Motion to Approve Adoption and Memorialize Resolution for Housing Element and Fair Share Plan as prepared by J. Caldwell & Associates was made by Ms. Cocula and was seconded by Mr. Spoerl.

ROLL CALL: AUBERGER: Y; LARSEN: Y; SPOERL: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; WHITE -BEARSTLER: Y; THEOBALD: Y. Motion Passed

➤ **WATER USE AND CONSERVATION MANAGEMENT PLAN**

Mr. Nick Meurer explained the Water Use and Conservation Management Plan (WUCMP) outlines in depth the environmental resource inventory of watersheds with specifics for stormwater calculations per requirements by the Highlands Council and Department of Environmental Protection. The Plan details the water deficit due to the development within the Township, not from natural causes and is to be used as an important Resource for future development. The WUCMP is a scientific document with data that reflects current conditions of natural resources, impervious coverage, and watershed areas in Vernon Township. Mr. Stoner added that the WUCMP utilizes data from Vernon consultant CDM Smith showing deficits/ surpluses of domestic wells or septic systems from development which will be used to help promote water recharge to watershed and aquifers in the future. Board Members had no further questions.

Chairman Theobald opening the hearing to the Public. Seeing no one wishing to come forward, Chairman Theobald closed hearing to the Public.

Motion: Motion to Approve Water Use and Conservation Management Plan as presented was made by Mr. Whitaker and was seconded by Mr. Auburger

ROLL CALL: AUBERGER: Y; LARSEN: Y; SPOERL: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; WHITE -BEARSTLER: Y; THEOBALD: Y. Motion Passed

➤ **AMENDED HISTORIC ELEMENT – ADDITION OF THE PERRY FARM BLOCK 525, LOT 17, AND ADDITION OF THE STEWART HOUSE BLOCK 378, LOT 20**

The Land Use Board has received applications from the Vernon Historic Preservation Commission to consider the addition of two properties to the Historic Element of the Master Plan.

The Perry Farm, Block 525 Lot 17 on the official Tax Map of Vernon, was home to one of the first founding families of Vernon Township. The site containing a two-story home, garage and accessory structures yields historic significance in the creation of Route 94, the main thoroughfare, of the region. Documentation in application shows proof that the site meets criteria “D” for historical significance.

The Stewart House, Block 378 Lot 20, formerly known as Tompkins Tavern, is located at intersection of Route 94 and Sandhill Road. The site embodies the early 19th century style with over 3900 archaeological artifacts found in 2006 for proof that it meets criteria “C” for historical significance.

Historic Preservation Chairman, in public attendance, noted that owners of said properties are aware of request and have authorized permission for Historic Significance.

Chairman Theobald opening the hearing to the Public. Seeing no one wishing to come forward, Chairman Theobald closed hearing to the Public.

Motion: Motion to Approve Amended Historic Element as presented was made by Ms. Cocula and was seconded by Ms. White-Bearstler

ROLL CALL: AUBERGER: Y; LARSEN: Y; SPOERL: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: Y; WHITE -BEARSTLER: Y; THEOBALD: Y. Motion Passed

PUBLIC PARTICIPATION

Chairman Theobald opened the meeting to the Public for items other than on the Agenda. Seeing no one wishing to come forward, Chairman Theobald closed the meeting to the Public.

RESOLUTIONS

LU# 2-25-1 – Red Hand LLC – Block 402, Lot 2 and 3, - Preliminary Site Plan with variances for a proposed four-story multi-family residential building

Eligible to vote: Rossi, Larsen, Higgins, Theobald, Spoerl, McPeek, Cocula, Whitaker, Haley

Motion: Motion to Approve Resolution for LU#2-25-1 was made by Ms. Cocula and was seconded by Mr. McPeek

ROLL CALL: Y; LARSEN: Y; THEOBALD: Y; SPOERL: Y; MCPEEK: Y; COCULA: Y; WHITAKER: Y; HALEY: WHITE-BEARSTLER: Y. Motion Passed

MINUTES

- May 14, 2025 – Regular Meeting Minutes (Rossi, Larsen, Higgins, Theobald, Spoerl, McPeek, Cocula, Whitaker, Haley)

Motion: Motion to Approve Minutes of May 14, 2025 was made by Ms. Cocula and was seconded by Mr. McPeek. All members voted in Favor. Motion Passed.

APPENDIX A – ESCROWS, BOARD FEES, BOND REDUCTIONS AND ESCROW CLOSURE

ESCROWS, BOARD FEES AND BOND REDUCTIONS

A. Board Fees

1. Board Attorney – Glenn Kienz, Weiner Law Group LLP

- Land Use Board Business – Services Through 5/14/25 (\$600.00)
- Red Hand LLC – LU# 2-25-1 – Services Through 5/28/25 (\$486.00)
- Sussex Cultivation, LLC – LU# 2-23-4 – Services Through 5/14/25 (\$324.00)
- Green Owl Gardens, LLC – LU# 4-25-2 – Services Through 5/12/25 (\$252.00)

2. Board Planner – Jessica Caldwell, J. Caldwell & Associates

- Land Use Board Business – Services Through 5/14/25 (\$450.00)
- Green Owl Gardens, LLC – LU# 4-25-2 – Services Through 5/12/25 (\$375.00)

3. Board Engineer – Cory Stoner, Harold E. Pellow & Associates

- Land Use Board Business – (\$0)
- Red Hand LLC – LU# 2-25-1 – Services Through 4/25/25 (\$310.60)
- Sussex Cultivation, LLC – LU# 2-23-4 – Services Through 4/23/25 (\$641.80)
- Bright Horizon – LU# 1-22-1 – Services Through 4/23/25 (\$938.40)

4. Board Recording Secretary – Irene Mills (\$150.00)

B. Request for Escrows to be closed

- LU# 12-21-10 – Theodore E. Renka – Block 404, Lot 4 – Site Plan for a car wash (\$725.65)
- LU# 9-23-13 – Mountain Dispensary, LLC – Block 607, Lot 35 – Site Plan and Conditional Use for retail cannabis dispensary (\$1,234.00)
- LU# 4-24-2 – AME Plaza, LLC – Block 607, Lot 37 – Minor Site Plan to permit a propane filling station (\$635.50)

Motion: Motion to Approve Fees was made by Mr. McPeck and was seconded by Ms. White Bearstler. All members voted in Favor. Motion Passed.

ADJOURNMENT

There being no further items of business to be conducted on the agenda, a motion to adjourn the meeting was made by Mr. Auberger and was seconded by Ms. Cocula. All Members were in favor.

Meeting was adjourned at 7:52 p.m.

Respectfully Submitted

Irene Mills, Recording Secretary