

**GREEN TOWNSHIP COMMITTEE - SPECIAL MEETING MINUTES
OCTOBER 1, 2015**

CALL TO ORDER

Mayor Phillips called the October 1, 2015, special meeting of the Green Township Committee to order at 7:32 p.m.

ROLL CALL: Present: Mr. Chirip, Mr. Conkling (arrived 8:02 p.m.), Mr. Kurzeja, Mrs. Phillips, and Mr. Reinbold
Mr. Chirip motioned to excuse Mr. Conkling who is due to arrive late.

Seconded: Mr. Kurzeja

Discussion; None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mr. Conkling				X
Mr. Kurzeja	X			
Mr. Reinbold	X			
Mrs. Phillips	X			

ADEQUATE NOTICE: Mrs. Peralta read the statement of adequate notice.

CALL TO ORDER

Planning Board Chairman Holzhauser called the meeting to order at 7:32 p.m.

ROLL CALL: Present: Mr. Holzhauser, Mr. Bambara, Mr. Conkling (arrived 8:02 p.m.), Mr. Chirip, Mr. Perigo, Mr. Rittie, Mr. Wilson (arrived 8:05 p.m.), Mr. Viersma, and Mr. Rose

Absent: Dr. Cercone

Mr. Chirip motioned to excuse the absent member.

Seconded: Mr. Perigo

Discussion: None

All Ayes.

ADEQUATE NOTICE: Mrs. Peralta read the statement of adequate notice.

CALL TO ORDER

Board of Adjustment Chairman Bambara called the meeting to order at 7:35 p.m.

ROLL CALL: Present: Mr. Bambara, Mr. Tommaso, Mrs. Mullen, Mr. Torella, and Mr. Walker

Absent: Mr. Fox, Mr. Roller and Mr. Wilson

ADEQUATE NOTICE: Mrs. Peralta read the statement of adequate notice.

Also present: Mrs. Linda Peralta, Clerk/Administrator; Mr. Richard Stein, Township Attorney; Mrs. Patty DeClesis, Deputy Clerk; Mr. Lyn Aaroe, Planning Board and Board of Adjustment Attorney; Ms. Jessica Caldwell, Township Planner; and Mr. John Miller, Township Engineer

PLEDGE OF ALLEGIANCE

INTRODUCTION STATEMENT: Mayor Phillips thanked everyone for coming out this evening. Mayor Phillips explained that the purpose of tonight's meeting is to discuss the future of the Planning Board and the Board of Adjustment, specifically whether it would be beneficial for Green Township to consolidate the Planning Board and the Board of Adjustment to a single Board. It was felt that a joint meeting to share thoughts and ask questions would be more advantageous from the start rather than the Township Committee discussing independently. Mayor Phillips stated that prior to this meeting there had been no collective discussion by the Township Committee on this matter. Mayor Phillips noted that all of the Professionals are in attendance. With the changes in personnel - the Boards Secretary, the Board of Adjustment Chair, present vacancies on both Boards, the reduced applications and workload - this is an ideal time to move in this direction. It would be ideal to launch a consolidated Board for the beginning of 2016. In order to hire a new secretary, we need to understand what that job function is going to be. There are many communities in the surrounding area that have consolidated their Boards. Our Professionals

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work for some of these Boards and they will be asked to share some of their experiences. Mayor Phillips distributed a fact list which includes a list of those communities that currently have combined boards (attached to and made part of these minutes). Mayor Phillips stated that a consolidated Board would consist of nine members with four alternates. The Board would be established by the Township Committee by Ordinance. The Planning Board would be the surviving Board. Mayor Phillips then asked Chairman Scott Holzauer for his opinion – how comfortable would he feel especially if he were to continue Chairing the consolidated Board.

Planning Board Chairman Scott Holzauer thanked the Committee. Mr. Holzauer stated that he has thought of this previously mainly due to the low volume both Boards are dealing with, the idea that the Boards are retaining separate Professionals, and the fact that they meet on separate meeting nights. The Planning Board has cancelled many meetings lately. Mr. Holzauer feels that this is a good idea and a good time to consider this. He has reached out to Township Planner Ms. Caldwell for her feedback. One concern Mr. Holzauer has is that the Board of Adjustment is an unknown area for him. The Planning Board typically sets how to develop the township, how they think it should be. The Board of Adjustment considers granting variances when someone wants to construct or develop differently. He questioned whether the members of the consolidated Board would have the ability and the mindset with the same flexibility when they had a hand in establishing the Ordinance.

Mayor Phillips thanked Mr. Holzauer and asked Mrs. Caldwell for her opinion.

Township Planner Jessica Caldwell stated that she works with many combined Boards and they work very well. One of the advantages is that they function in reviewing all the Planning and Zoning Applications in the community. They become an expert in all things Planning and Zoning for the community. Although Mr. Holzauer raises some interesting points about the Planning Board being married or connected to an Ordinance than a Zoning Board with reviewing it separately. Ms. Caldwell believes that they have the expertise that carries through all the applications and have a tendency to give more feedback to the Township Committee in terms of revising Ordinances. In general, the combined Boards work very well.

Land Use Attorney Lyn Aaroe stated that he represents and has worked with many combined Boards. His experience has been positive. There will be a learning curve as the process is explained. It is a good time to do this. They [both boards] have had to cancel many meetings. The future is, unfortunately, bleak with regards to development. Although he will miss the Board of Adjustment, this makes administrative sense.

Board of Adjustment Chairman Gene Bambara agrees with the concept. This past year the Boards have been overlapping a little more and reviewing variances along with site plans. Mr. Bambara has concerns as to how to deal with the people that are very interested in being on the Board and volunteering their time. Mr. Bambara stated that he will be moving at the end of November and will be resigning as Chairman of the Board of Adjustment. He asked the Committee to come up with a fair and equitable system for the selection of those people. He would like to be a part of the selection process. He believes one Board can work and would like everybody to remain active on a Board/Committee in the Township.

Mayor Phillips stated that if we were to move forward the selection process would be the most difficult hurdle to get over. Some members would be displaced, however there are vacancies on other Committees.

Township Attorney Richard Stein stated that the current Planning Board appointments would remain in effect and the Planning Board would assume the functions of the Board of Adjustment. Mayor Phillips reviewed the current openings on the Planning Board (two vacancies – Raffay and Bambara, and two additional alternates would give an opportunity to add four of the Board of Adjustment members to the Planning Board).

Township Engineer John Miller has also worked with many consolidated Boards and stated they have worked well. There will be an initial learning curve to understand the difference as to how each Board operates and how the cases are presented and deliberated. The consolidation may help the Planning Board better understand the issues that the Board of Adjustment deals with in regards to Ordinances. Mr. Miller believes this would be a positive move. One disadvantage would be if development were to get busy, the single Board may be overloaded.

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Mrs. Sharon Mullen applauded the Committee for being fiscally responsible. A single Board makes sense. The population of Sussex County has been going down as has development. Mrs. Mullen has been on the Board of Adjustment many years and is sad that it is going away. Mrs. Mullen stated that it has been an honor and a privilege to serve the Township in this capacity.

Mr. Holzhauser commented that not all Board members are in attendance at tonight's meeting. The absent members may not have an understanding about what is being considered. It may be beneficial to let them know and find out what their intentions are relative to this concept.

Mr. Bambara suggested to poll all the members to find out if they would consider staying on in a combined Board situation. There may be board members who are considering "retiring" and this would present an opportunity to retain more of the Board of Adjustment members.

Committeeman Daniel Conkling arrived at 8:02 p.m.

Mayor Phillips asked the Committee members for their comments/questions.

Mr. Chirip stated that he started his volunteer service on the Board of Adjustment. He feels this is a positive move. He is concerned about mixing the two Boards particularly for Class D variances. He does not want to discourage volunteerism in town. Mr. Chirip feels that the selection process is important and how it is handled should be carefully considered. Mr. Chirip noted there are positions available on County level Boards and Committees.

Planning Board member Richard Wilson arrived at 8:04 p.m.

Mr. Kurzeja feels this is positive. We are working for our citizens and neighbors. Mr. Kurzeja pressed all members present for any more negatives or potential conflicts since most feedback this evening had been positive for combining the Boards.

Mr. Jason Rittie commented that, as an attorney, he has represented applicants before both types of Board and prefers appearing before a consolidated Board. It has been his experience that once all the bugs have been worked out, there is better continuity, the Board is better educated, they know the variances, know the law and are guided by the Professionals for a better result. He agrees that the consolidation [displacing current volunteers] will be the hardest part.

Mr. Holzhauser stated that he, Mr. Bambara, Mr. Aaroe, Ms. Caldwell and Mr. Miller have been rewriting the Land Use Ordinances for the past year. They have come up with one common application so that it is not so subdivided. Unknowingly they have steered in the direction of consolidation.

Mr. Reinbold thought that the creation of one Board makes sense. There is potential to consolidate and to streamline to save time and money. The opinions of the volunteers and professionals seem to agree.

Mr. Conkling stated that he is against the idea completely. He believes we will lose some people and does not feel it will save money. The Boards have been functioning very well as is. If the Boards were cancelling meetings because of lack of quorum and we did not have the residents to serve on these Boards, then one Board would make sense. Mr. Conkling has served on both Boards. There are many good people on the Boards, some have longevity and some are new with fresh ideas. He does not see enough of a benefit to disband and make one Board. Everyone has had a part in shaping Green Township.

Mr. Reinbold asked the audience if they feel this consolidation will make the process easier for the applicants.

Mr. Rittie commented that one application would be easier on the applicant. Mr. Rittie added that if there are volunteers not doing anything, what is the point. Consolidating a municipality of this size makes sense. If there are two Boards canceling meetings, not much is accomplished.

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Mr. Holzhauser stated that a single Board would provide an opportunity to consider more than the Planning Board's piece.

Mr. Carmine Torella stated that he has not heard much positive feedback. He feels the Board of Adjustment is functioning and he is not sold on the reasoning yet.

PUBLIC COMMENTS AND/OR QUESTIONS: No public were in attendance.

EXECUTIVE SESSION: None

ADJOURNMENT:

Mr. Chirip motioned to adjourn the Township Committee Meeting at 8:23 p.m.

Seconded: Mr. Kurzeja

Discussion: None

	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	X			
Mr. Conkling	X			
Mr. Kurzeja	X			
Mr. Reinbold	X			
Mrs. Phillips	X			

Chairman Scott Holzhauser announced no public is in attendance. Upon motion duly made and seconded the Planning Board adjourned at 8:23 p.m. Vote: All Ayes.

Chairman Gene Bambara announced no public is in attendance. Upon motion duly made and seconded the Board of Adjustment adjourned at 8:23 p.m. Vote: All Ayes.

***NO RESOLUTIONS OR ORDINANCES WERE CONSIDERED AT THIS MEETING**



Linda Peralta, RMC
Clerk/Administrator

10/14/15
Date Approved

Consolidated Board

- Established by the Township Committee by ordinance.
- The new board would consist of 9 members with 4 alternates.
- Class I and III member would not participate in the consideration of a "D" use variance.
- The Planning Board is the surviving board.

Total new applications received in Green

2012	10
2013	7
2014	5
2015	2 to date

2015 Meetings

The Planning Board canceled 50% of their meetings
The Board of Adjustment canceled 40% of their meetings

Sussex County – 24 municipalities, 71% consolidated boards

Stanhope
Hopatcong
Byram
Andover Twp
Andover Boro
Newton
Lafayette
Frankford
Branchville
Wantage Twp
Sussex
Sandyston
Montague
Vernon
Hamburg
Ogdensburg
Walpack

Warren County – 22 municipalities, 64% consolidated boards

Blairstown
Frelinghuysen
Allamuchy
Independence
Liberty
Mansfield
Oxford
Washington
Franklin
Harmony
Greenwich
Alpha
Pohatcong

Morris County - 39 municipalities, 25% consolidated boards

Netcong
Mount Olive
Mount Arlington
Rockaway
Victory Gardens
Boonton Twp
Boonton
Butler
Riverdale
East Hanover

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various purposes, and it is assumed that, so long as the creation of the committee furthers the purposes of the statute, it is within the power of the board to create such committees.

Many boards have established ad hoc committees consisting of one or two board members and members of the professional staff, such as the Planner, Engineer or Attorney, to meet with applicants to discuss comments or recommendations of the professional staff with respect to the proposed development. Note that unless the meeting is a regularly scheduled work session or unless notice is given pursuant to the Open Public Meetings Act, the number of board members in attendance must be less than an effective majority. N.J.S. 10:4-8(b). The term "effective majority" is not defined. In *Riya Finnegan, LLC v. S. Brunswick Twp. Council*, 386 N.J. Super. 255 (Law Div. 2006), rev'd on other grounds 394 N.J. Super. 303 (App. Div. 2007), rev'd on other grounds 197 N.J. 184 (2008), the court, in dictum, found that where a Board consists of nine members and no action may be taken by less than a quorum of five members, that the "effective majority" would be three. This, however, runs contra to the "Guidelines on the Open Public Meetings Law" published by the State of New Jersey, and furnished to all Prosecutors, Judges, and many other county and municipal officials shortly after the enactment of that statute. The "Guidelines," issued at the direction of Governor Kean and Secretary of State Jane Burgio, had this comment with respect to the "effective majority" requirement:

Although not specifically defined in the law, "effective majority" means the number of members that must be present for the public body to take formal or official action, i.e., for it to decide a case or pass a resolution, rule, regulation, ordinance, etc. For example, if a public body were composed of nine members and a majority of the members has to be present before it could take official action, then an "effective majority" would be five. On the other hand, if the public body could take official actions with only three of the nine members present, then an "effective majority" would be only three.

And see *Allan-Deane Corp. v. Tp. of Bedminster et al.*, 153 N.J. Super. 114, 119 fn 1 (App. Div. 1977), essentially equating "effective majority" with a quorum.

Regardless, current practice of planning boards generally limits such ad hoc committees to three members of the board, whether it is a seven or nine member board, which in either case would be less than a quorum.

Naturally any recommendations made by the committee or a member of the professional staff, even though acceptable to the developer, has no binding effect, and is subject to review by the full board. The work of such committees can be helpful to both the applicant and the board even though nothing discussed between the developer and the committee is in any way binding on either party. The committee should always make an informal report to the full board as to the discussions which took place and as to

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recommendations made by the committee to the developer or requests made by the developer to the committee. Boards are warned, however, that while it is one thing for such a committee to meet with the developer, neither the board itself nor an effective majority of the board, may meet with the developer for such a discussion after an application for preliminary approval has been certified to be complete. See *Stewart v. Manalapan Plan. Bd.*, 334 N.J. Super. 123 (Law Div. 1999).

In other cases, committees have been established to recommend to the full board, for example, regulatory standards for specific types of projects; but in all cases a recommendation of the full board is required to refer the recommendations to the governing body.

The creation of an ad hoc committee must appear in the minutes of the meeting when it was established; however, standing committees should be created by provisions in the board's bylaws.

3-9. Consolidated Board.

For many years the concept of a single unicameral land use commission which would exercise all powers and functions now performed by the planning board and zoning board of adjustment has been discussed in academic circles. While no legislation authorizing a single board has been enacted in general terms, L. 1985, c. 516 first authorized the exercise of all land use powers by the planning board in municipalities having a population of 2,500 or less, if approved by local ordinance. N.J.S. 40:55D-25(c). This legislation was specifically designed for the small municipality where it is difficult to obtain a sufficient number of persons to sit on two separate and distinct boards.

N.J.S. 40:55D-25 was amended by Chapter 199 of the Laws of 1991 to add a new subsection (d) which provided as follows:

d. In a municipality having a population of 2,500 or less, the planning board, if so provided by ordinance, shall exercise, to the same extent and subject to the same restrictions, all of the powers of a historic preservation commission, provided that at least one planning board member meets the qualifications of a Class A member of a historic preservation commission and at least one member meets the qualifications of a Class B member of that commission.

See specific discussion of such commissions in Chapter 4.

In 1994, N.J.S. 40:55D-25(c) was again amended by L. 1994, c. 186 to increase to 10,000 the requisite population for municipalities qualifying for a single board. That provision provided as follows:

In a municipality having a population of 10,000 or less, a nine-member planning board, if so provided by ordinance, shall exercise, to the same extent and subject to the same restrictions, all the powers of a board of adjustment; but the Class I and the Class III members shall not participate in the consideration of applications for development which involve relief pursuant to subsection d. of section 57 of P.L. 1975, c. 291 (C. 40:55D-70).

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The 1994 amendment was necessitated by the enactment of the Local Government Ethics Law, L. 1991, c. 29, N.J.S. 40A:9-22.1 to 40A:9-22.25, effective May 21, 1991, the passage of which was expected to "greatly reduce the number of qualified persons, especially in small municipalities, willing to serve on local boards." Assembly Local Government Committee Statement To Assembly, No. 826, State of New Jersey, September 29, 1994. See discussion of Local Government Ethics Law and conflicts of interest generally, *infra*, at 3-1.1.

In 1996 the Legislature extended the consolidated board concept to all municipalities, regardless of population, by L. 1996, c.113, further amending N.J.S. 40:55D-25(c) by the addition of a new subsection (2) providing that:

In any municipality, a nine-member planning board, if so provided by ordinance, subject to voter referendum, shall exercise, to the same extent and subject to the same restrictions, all the powers of a board of adjustment, but the Class I and the Class III members shall not participate in the consideration of applications for development which involve relief pursuant to subsection d. of section 57 of P.L.1975, c.291 (C.40:55D-70).

This provision requires that municipalities with a population greater than 10,000 subject to voter referendum the ordinance vesting board of adjustment powers in the planning board. Municipalities with a population under 10,000, however, need not subject such an ordinance to referendum. The statute was also then amended by the addition of a new subsection (e) requiring that the creation of a zoning board of adjustment where a municipality vests all zoning power in the planning board alone must be by ordinance subject to voter referendum.

In 1999, by L. 1999, c. 27, the statute was again amended to increase to 15,000 the requisite population for consolidation by ordinance without referendum. This amendment left in place the referendum requirement for all larger municipalities.

Some municipalities have enacted ordinances which purport to abolish both the Planning Board and Zoning Board of Adjustment and create a new consolidated Land Use Board. Although the issue has not been litigated, it does not appear that the legislation discussed above ever contemplated such a procedure. The statute speaks of vesting the powers of the Zoning Board of Adjustment in the existing Planning Board. Where municipalities have followed the practice of abolishing both boards, it results in giving the appointing authority power to completely replace an existing Planning Board, a result probably never contemplated by the Legislature.

The enactment of the above legislation creates an interesting circumstance where an applicant applies to the consolidated board for a subsection d variance. Under N.J.S. 40:55D-25c, Class I and Class III members may not participate in the consideration of such an application. This is a practical prohibition first because the governing body, if the

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ordinance so provides, can hear appeals relating to d variance decisions; neither a mayor (Class I) nor a member of the governing body (Class III) should be in the position of deciding whether to grant a d variance and then hear the appeal of that decision. Second, removal of the Class I and Class III members reduces a nine member board to seven voting members, allowing it to function as all other boards of adjustment. This reduction in voting membership preserves the statutory scheme of N.J.S. 40:55D-70 requiring the affirmative vote of five members of the statutory seven member board to grant a d variance. That section makes no provision for a nine member board except specifically for a regional board. Allowing the seating of alternates would give an applicant for a subsection d variance an unfair advantage, needing only five out of nine votes instead of the five out of seven votes contemplated by the statute. While legislative clarification is necessary, a number of attorneys for single boards have advised their boards that alternate members cannot sit for legislatively excluded Class I and Class III members. This interpretation is consistent with the Appellate Division's holding in *D. Lobi Ent. v. Planning/Zoning Bd. of Sea Bright*, 408 N.J. Super. 345, 356-357 (App. Div. 2009). See also *Engleside Condo. v. Land Use Bd.*, 301 N.J. Super. 628, 633-634 (Law Div. 1997), discussing but not resolving the anomalies created by the statutory uncertainty.

Some municipal attorneys have permitted alternates to sit but require six affirmative votes for the grant of a use variance. The problem with this approach is that there is absolutely no statutory authority for increasing the number of required votes for a use variance from five to six; moreover, the five of seven requirement is a higher standard than six of nine, which would give an applicant an undue advantage.

N.J.S. 40:55D-23.1 provides for the appointment of four alternates. The four alternates are required at least in part because a consolidated board does not have another board to draw members from when members have been disqualified because of conflicts of interest. See discussion at 5-4.2. And see *Gunthner v. Planning Bd. of Bay Head*, 335 N.J. Super. 452 (Law Div. 2000), where the consolidated board there was forced to allow members who were disqualified because of a conflict to hear the matter. See discussion of the "rule of necessity" at 5-4.

While originally the consolidation of boards was permitted only in small municipalities having populations of 2,500 or less, the successive pieces of legislation which have, in effect, widened this option to all municipalities, has resulted in a significant number of municipalities opting for the single board for reasons having nothing to do with the intent of the original legislation. Sometimes the single board option has been adopted solely to give the mayor more authority over the process. In most municipalities, the mayor appoints seven out of the nine planning board members; however, the members of a zoning board of adjustment are appointed as provided by local ordinance, so that in many municipalities the appointing power is with the full governing body, and not just the

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mayor. In other cases, alleged cost-cutting is put forth as the reason for the consolidation; however, there appears to be very little evidence of any real savings effected through board consolidation. Moreover, in many municipalities where consolidation has taken place, it is found that the members of the planning board are required to meet much more often in order to hear all the applications submitted. Therefore, before a municipality proceeds to vest the powers of the zoning board of adjustment in the planning board, it should undertake a study of the number of applications being made to both boards in order to determine whether the planning board alone could cope with the number of applications expected. Also to be considered in all such cases is the basically different approach taken to applications between the two boards. Planning boards are presented with applications for approval of site plans and subdivisions which basically are permitted. The planning board does not deal with variances for non-permitted uses; moreover, the planning boards deal in most cases rather informally with the applicants. This is contrasted with the procedures of boards of adjustment which are generally much more formal.

Ultimately legislation may be adopted creating land use boards which will consist of a planning section to exercise all of the present powers of the planning board *other than* the hearing of applications for development, and a Hearing Section, which will hear all applications for development permissible under the Municipal Land Use Law.

3-10. Regional Boards.

3-10.1. Statutory basis. Article 10 of the Municipal Land Use Law of 1975, N.J.S. 40:55D-77 et seq., provides for the creation of regional planning boards and boards of adjustment created by two or more municipalities by substantially similar ordinances adopted by each of the governing bodies within six calendar months after the adoption of the first such ordinance, and execution of a joint agreement providing for joint administration of all powers conferred by the Municipal Land Use Law. By the same method, joint zoning officers or other similar officials responsible for the performance of administrative duties may likewise be provided for by joint agreement.

N.J.S. 40:55D-79 provides that every joint agreement creating a regional board:

shall provide for a representative member on such board for each constituent municipality or county and may provide for additional representative members for any such constituent municipality or county. The representative member or members on a regional board for a constituent municipality shall be appointed by the mayor.

The joint agreement between the municipalities and/or counties fixes the representation of each, the qualifications and manner of appointment of any joint building official, joint zoning officer or other joint

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administrative officer; terms of office; manner of financing the operations of the board and other similar matters.

N.J.S. 40:55D-85.1 provides that in the case of any final decision of a regional planning board or regional zoning board of adjustment, the governing body of the municipality in which the land at issue is situated may hear an appeal from any interested party. The section outlines the procedures to be followed on such an appeal. This is the last remaining instance where an appeal may be taken from a planning board to a governing body.

3-10.2. Regional boards of adjustment. Pursuant to N.J.S. 40:55D-85, a regional board of adjustment shall consist of at least seven members, each member being appointed for a term of four years, except that of the first members to be appointed, the term of at least one member shall expire at the end of every year. A regional board of adjustment is given all of the powers of a municipal board of adjustment for all of the constituent municipalities. Upon the creation of a regional board, the jurisdiction of all previously existing municipal boards of adjustment cease and terminate except for matters pending before them at the time of creation of the regional board. Statutory provisions governing individual municipal boards govern regional boards equally.

Grant of use variances, for example, requires the affirmative vote of two thirds of the full authorized membership of the board.

3-10.3. Planning boards. N.J.S. 40:55D-78 provides that the parallel ordinances shall "subject to this article, set forth the specific duties to be exercised jointly..." Additionally N.J.S. 40:55D-84 provides that a "governing body of any constituent ... may delegate to the regional planning board, any or all of the powers and duties of a municipal planning board...." Thus a regional planning board can be established with limited powers and can act in concert with the municipal planning boards in each constituent municipality. An example of this is the Lake Hopatcong Regional Planning Board which concerns itself with matters directly concerning Lake Hopatcong and was established jointly by those municipalities bordering Lake Hopatcong. In these municipalities, the regular municipal planning board functions within its sphere, while the regional board develops planning concepts for the Lake Hopatcong region and makes recommendations to the planning boards of the constituent municipalities. A detailed examination of the powers of joint planning boards is beyond the scope of this work, but municipal officials ought to be aware of the fact that the opportunity for joint land use control and joint exercise of the powers of planning does exist.