

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, May 26, 2016

Chairman Lewis called the meeting to order at 7:31p.m. and welcomed everyone to the Montville Township Planning Board hearing and asked everyone to turn off their cell phones. Ms. Kehoe took the roll call.

ROLL CALL

PRESENT R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, Mr. Mudd,
L. Tobias & G. Lewis

ABSENT EXCUSED T. Braden, R. Cook & J. Visco

ALSO PRESENT R. Conklin (Secretary) & K. Kehoe (Recording Secretary)

PROFESSIONAL PRESENT E. Snieckus (Board Planner), S. Omland (Board Engineer)
& M. Carroll (Board Attorney)

ANNOUNCEMENTS

Secretary Conklin announced the following:

*****PMN/C16-07/PSOIL16-08 Addie Grey** – 116 Jacksonville Rd– B: 28, L: 12 -minor subdivision with variances and soil movement - Notice Acceptable for Subdivision; Notice required for Soil Movement-carried without notice from ACT BY: 7/26/16

*** APPLICANT RESCHEDULED TO: 6/22/16

*** **PSPP/FC15-05 – Tre Femme Realty (Stuffed Olive)** –100 Bloomfield Ave – B: 180, L: 4 – preliminary/final site plan with variances – carried without notice from 4/14/16 and 5/12/16ACT BY: 7/26/16

*** APPLICANT RESCHEDULED TO: 6/9/16

PLEDGE OF ALLEGIANCE & STATEMENT OF COMPLIANCE

As required by the Open Public Meetings Act, adequate notice of this meeting has been provided which notice specified the time and place of the meeting to the extent known at that time. The notice was posted on the bulletin board at the Municipal Building, sent to the Daily Record and the Citizen, posted on the Township’s website calendar, and placed on file at the Township Clerk’s office. This meeting has been properly noticed to the public in accordance with the Open Public Meetings Act.

COMMITTEE & LIAISON REPORTS

Chairman Lewis asked the liaisons and committee members for reports:

Board of Adjustment – Mr. Adrignolo said they met on May 5th and he summarized the applications heard. They will be meeting again on June 1st.

Board of Health – Mr. Tobias had no update.

Environmental Commission – Dr. Kornreich reported that they will be continuing the tradition of having three student association members.

Water & Sewer – Mr. Maggio had no report.

Historic Preservation Review Commission – Mr. Cook said they did not meet this month.

Design Review Committee – Mr. Braden was absent.

Site Plan/Subdivision Committee – Mr. Maggio said they met on May 5th. There were 5 items discussed and all were approved. Chairman Lewis thanked the PB for their efforts.

Economic Development Committee – Mr. Sandham reported that at their last meeting there was a presentation by the Morris County EDC. They discussed attracting as well as maintaining businesses. They will be reaching out to local businesses regarding input.

Open Space Committee – Mr. Mudd had no report.

Master Plan – Mr. Mudd had no report.

Highlands Legislation Review Committee – Mr. Lewis said there are interesting developments going on at the state level, which may allow Montville to update for future development.

Fire Districts – Mr. Braden (Pine Brook) was absent, Mr. Maggio (Montville) had no update, and Deputy Mayor Conklin (Towaco) had no update.

Invoice Review Committee – To be discussed during invoice approvals if necessary.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in the board professionals.

BOARD DISCUSSION

There was no Board Discussion to come before the board.

SECRETARY'S REPORT

Secretary Conklin reported that he has hired an intern for the summer.

PUBLIC DISCUSSION

Chairman Lewis opened the session to public comment for items not listed on the agenda related to land use matters. There was no public discussion. The meeting was closed for public comment for items not listed on the agenda related to land use matters by Mr. Mudd, seconded by Mr. Tobias. All present were in favor. None opposed.

PLANNING BUSINESS

Chairman Lewis reported that the Redevelopment Committee is due to meet on 6/9 before the next meeting.

WAIVERS

PMISC16-23 Common Cents – 321 Changebridge Rd– B: 160.02, L: 18 – existing tenant expanding an additional 6,450 s.f. (7,283 existing for a total of 13,733 s.f.) warehouse for online products – 2 employees – hours of operation M-F8am-8pm; Sat 10am-4pm – no change in signage - 1 24' international vehicle parked overnight

A motion to approve the waiver was made by Deputy Mayor Conklin, seconded by Dr. Kornreich. All in Favor by Voice Vote - None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

PMISC16-24 II-VI Wide Band Gap – 20 Chapin Rd Unit 1010 – B: 183, L: 7.2 – existing tenant expanding additional 5,500 s.f. office (4,164 s.f.)/warehouse (1,336 s.f.) for an overall square footage of

36,428 s.f. – hours of operation 6am-6pm – no additional employees – signage in compliance with approved theme

A motion to approve the waiver was made by Mr. Tobias, seconded by Mr. Mudd. All in Favor by Voice Vote - None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

PMISC16-25 The Estate of David Teiger – 150 River Rd G2A – B: 123..01, L: 7.21 – 866 s.f. estate administrative office – signage in compliance with condo association – 1 employee – hours of operation 8:30am-4:30pm M-F

A motion to approve the waiver was made by Vice Chairman Maggio, seconded by Dr. Kornreich. All in Favor by Voice Vote - None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

PMISC16-26 Industrial Control Solutions – 6 Mars Ct – B: 3, L: 38.10 - office (1,647 s.f.)/warehouse (1,093 s.f.) design and fabricator of industrial control panels and control systems – 2 employees – hours of operation M-F 8am-5pm – signage limited to lettering on door

A motion to approve the waiver was made by Vice Chairman Maggio, seconded by Mr. Tobias. All in Favor by Voice Vote - None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

PMISC16-27 Holes – 6 Rt. 46 W – B: 162, L: 2 – donut/bagel store (900 s.f.) – 4 employees – hours of operation Mon-Sun 5am-5pm – signage in compliance with approved theme (green background/white lettering) – no more than 12 seats permitted

A motion to approve the waiver was made by Mr. Tobias, seconded by Mr. Adrignolo. All in Favor by Voice Vote - None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

PMISC16-28 Alirm – 10 New Maple Ave – B: 171, L: 14 – online bedding retail use – 9 employees – hours of operation 8am-5pm M-F (occasionally to 7pm and occasional Saturdays from 8am-7pm) – no signage currently requested –

A motion to approve the waiver was made by Dr. Kornreich, seconded by Deputy Mayor Conklin. All in Favor by Voice Vote - None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

INVOICES

Bowman Engineering – Trust for: \$945 (Pinto); \$77.50 (Pinto); \$241.25 (Ernstrom); \$656.25 (Addie Grey); \$810 (Addie Grey); \$280 (Tre Femme); \$966.25 (Evangelical Mission Rec Center); \$178.75 (Van Schaik); \$898.75 (Marotta 2016); \$955 (Marotta 2016); \$945 (Marotta 2016); \$67.50 (Ciliotta); \$377.50 (K&K Furia); \$290 (Blank); \$120 (Ciliotta); \$775 (Daughtry); \$420 (Daughtry); \$77.50 (Ernstrom); \$38.75 (Evangelical Rec Center) ; \$77.50 (Marotta Lamb 2016); \$871.25 (Pinto); \$540 (Woodland Properties)

Michael Carroll, Esq – O/E for: \$33.75; Trust for: \$67.50 (AddieGrey); \$67.50 (Blank); \$101.25 (CH Properties); \$101.25 (Ciliotta); \$33.75 (Daughtry); \$202.50 (Ernstrom); \$506.25 (Evangelical Rec

Center); \$1,080 (Kiddie Academy); \$1,248.75 (Marotta 2016); \$67.50 (Pinto 2016); \$67.50 (Tre Femme); \$37.50 (Van Schaik)

Burgis Associates – Trust for: \$135 (Ciliotta); \$438.75 (Daughtry); \$926.25 (Evangelical Rec Center); \$862.50 (Kiddie Academy); \$405 (Marotta Lamb 2016); \$506.25 (Marotta Lamb 2016); \$943.75 (Van Schaik); \$303.75 (Van Schaik); \$810 (Tre Femme); \$977.50 (Pinto); \$337.50 (Kiddie Academy); \$270 (Ciliotta); \$438.75 (Evangelical Mission Rec Center); \$438.75 (Ernstrom); \$540 (Addie Grey)

A motion to approve the invoices was made by Mr. Adrignolo, seconded by Dr. Kornreich. Roll Call. All in Favor. None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

RESOLUTIONS

PSPP/FC16-05/PSOIL16-06– Evangelical Mission & Seminary - 36 Alpine Rd – B: 111, L: 15.6 – pre/final site plan with variances for recreational center – Variances Noticed for: 1 loading space required where 0 is proposed; minimum transition buffer between church and residential zone of 35’ required where 15’ proposed; sign variance for 1 wall sign per lot allowed where 3 wall signs exist; 1 new proposed wall sign 50 s.f. where 24 s.f. allowed; minimum setback of principal building to accessory structure (canopies) 10’ required where 1’ proposed; and soil movement- Approved 3/24/16 Eligible: R. Conklin, J. Sandham, P. Mudd, L. Tobias & G. Lewis

Mr. Schepis, Esq., on behalf of the church, explained that there was a post approved modification by Mr. Omland’s office regarding the basketball courts and that they are still meeting impervious coverage requirements. Mr. Omland explained that minor changes are allowed that require no waivers or variances and that this was just an administrative change.

A motion to approve the resolution was made by Mr. Mudd, seconded by Mayor Sandham. Roll Call of Eligibles. All in Favor. None Opposed.

PMN/C16-10 – Ernstrom, Edward –12 Woodhill Rd & 31 Pine Brook Rd – B: 91, L: 7 & 8 – R-20A Zone and CWR – Restricted Area Overlay Zone - lot line adjustment with variances for deficient lot area and buildable area on Proposed Lot 7- Approved 4/28/16 Eligible: R. Conklin, A. Maggio, J. Sandham, L. Kornreich, Mr. Mudd & G. Lewis

A motion to approve the resolution was made by Vice Chairman Maggio, seconded by Dr. Kornreich. Roll Call of Eligibles. All in Favor. None Opposed.

MINUTES

Planning Board meeting of March 24, 2016 - R. Conklin, J. Sandham, P. Mudd L. Tobias & G. Lewis

A motion to approve the minutes was made by Mr. Tobias, seconded by Deputy Mayor Conklin. Roll Call of Eligibles: All in Favor by Voice Vote. None opposed.

Planning Board meeting of April 14, 2016 - A. Adrignolo, A. Maggio, L. Kornreich & G. Lewis

A motion to approve the minutes was made by Dr. Kornreich, seconded by Mr. Adrignolo. Roll Call of Eligibles: All in Favor by Voice Vote. None opposed.

Planning Board Subcommittee meeting of May 4, 2016 - A. Maggio, R. Conklin

A motion to approve the minutes was made by Vice Chairman Maggio, seconded by Deputy Mayor Conklin. Roll Call of Eligibles: All in Favor by Voice Vote. None opposed.

LOI/DEP NOTIFICATIONS

Mr. Omland reported on several items.

LEGAL/LEGISLATIVE UPDATES

There were no Legal/Legislative Updates to come before the board.

OLD BUSINESS

There was no Old Business to come before the board.

NEW BUSINESS

PMN16-13 Blank, Jeffrey – 30 & 32 Abbott Rd – B: 39.07; L: 86.04 & 86.05 – lot line change no variances – notice not required
ACT BY: 6/12/16

Mr. Michael Sullivan, Esq. on behalf of the applicant gave a brief summary of the minor subdivision with a lot line adjustment.

1st Witness, Mr. Mark Gimigliano, Professional Engineer with Dykstra Walker, appeared on behalf of the applicant. He was sworn in and his credentials were accepted.

Exhibit A-1 (Copy of Boundary Survey Plan) was submitted. The plan shows the existing conditions, the location of the two lots, the existing dwelling on one lot with new construction on the other, and the square footage of the lots.

Exhibit A-2 (Minor Subdivision Plan) revised 3/11/16 was submitted. He discussed what the applicant was proposing including the conforming lots with no variances requested. Mr. Sullivan went through the professionals' comments including Mr. Burgis' requests. He described the easements on the properties. They are offering do a conservation easement. Mr. Snieckus inquired who would benefit from it. They said they could not find a certified copy from the county. Mr. Omland's comments were next addressed including the following: runoff, drainage, impervious coverage, zero increase in storm water runoff, proposed driveway, and complying with his requested items. Mr. Omland asked for the record the square footage to be dedicated. They said it will be at least four times as large. Mr. Carroll said it will be dedicated to the Township of Montville. He also suggested they get the town attorney's input. Mr. Omland said his only concern was with the driveway and access easement. Mr. Gimigliano said the wall will be outside the easement. Board comments included the concerns for the neighbor regarding the heavy construction trucks using his driveway. The applicant will maintain to the pre driveway condition. Preconstruction photos will be taken providing before and after pictures and they will restore if necessary.

The meeting was opened for public questions on the overall testimony. There was no public discussion.. The meeting was closed to public comment on the most recent testimony by Mr. Mudd, seconded by Deputy Mayor Conklin. All in Favor by Voice Vote. None Opposed.

A motion to approve the application conditioned upon the Board's professionals' reports was made by Dr. Kornreich, seconded by Mr. Adrignolo. Roll Call. All in Favor. None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, J. Sandham, L. Kornreich, P. Mudd, L. Tobias & G. Lewis)

A motion to go into closed session to discuss potential litigation at 8:25pm was made by Mr. Tobias, seconded by Mr. Mudd.

CLOSED SESSION

A motion to adjourn the closed session at 9:48pm was made by Dr. Kornreich, seconded by Mr. Mudd.

NEW BUSINESS, cont.

HPRC 01-16 107 Changebridge Road – B: 123 L:2- Certificate of Appropriateness application for demolition of existing historically significant structure - aka “Cornelius T. Doremus House” aka “Old Parsonage of the Montville Reformed Dutch Church”

The application for a Certificate of Appropriateness was formally denied by the HPRC at the April 26th, 2016 through adoption of minutes based on the following:

- 1- There is no structural assessment made by a qualified Historic Architect, ie. the application is incomplete.
- 2 - The owner(s), or representative(s) of the owner(s), were not present as required at the meeting.
- 3 – The firm/person(s) who completes the structural assessment is required to be in the specialty of Historic Architecture.

A discussion of the Planning Board members followed regarding the need to deny or accept the certificate of appropriateness application for the demolition of the existing historically-significant structure. Secretary Conklin summarized explaining that they agreed to go before the HPRC on 6/27/16 and submit the requested information along with having their professionals present to answer questions. Chairman Lewis reviewed the 30 day action ordinance procedures. He also said the applicant was not present at the previous HPRC meeting even though they were advised by Secretary Conklin.

Member comments focused on the following: the property being on the National Register since 1992, the need to have the structure reviewed by a qualified architect, the applicant not being present at prior HPRC meeting, historic value of and the asset of house to the town, standards for consideration under the ordinance for other reasonable uses of the property, the and incomplete application.

A motion was made by Deputy Mayor Conklin, seconded by Dr. Kornreich, to deny the demolition application due to the high level of historical value of the house being on the local, state, and national registrars and the cultural value to the community. Mr. Adrignolo incorporated that the application was technically incomplete and needs to be reviewed by a qualified historical architect. Roll Call. Seven in Favor. One Opposed. (R. Conklin (Yes), A. Adrignolo (Yes), A. Maggio (Yes), J. Sandham (No), L. Kornreich (Yes), P. Mudd (Yes), L. Tobias (Yes) & G. Lewis (Yes))

CORRESPONDENCE / EXTENSIONS / DISMISSALS

PMSP/FC15-10– Daughtry, Arthur -60 Horseneck Rd– B: 125.07, L: 28 – preliminary/final subdivision with variances carried with notice from 2/11/16 & 2/25/16, 4/14/16, 5/12/16 rescheduled to June 9, 2016, extension given by applicant to June 30, 2016
ACT BY: 6/30/16

CONCEPTS

There were no Concepts to come before the board.

CLOSED SESSION

There was no need for Closed Session.

PB minutes
5/26/16

ADJOURNMENT

There being no further business to discuss Chairman Lewis asked for a motion to adjourn. On a motion made by Mayor Sandham, seconded by Mr. Braden, the meeting was unanimously adjourned at 10:16pm.

Respectfully submitted,

Kelley Kehoe, Recording Secretary

I certify that this is a true copy of minutes adopted at Planning Board meeting of 7/14/16.



Ryan Conklin, Sec.

