

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, July 28, 2016

Mr. Braden called the meeting to order at 7:37p.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, T. Braden, A. Adrignolo, A. Maggio (8:11pm-10:54pm), J. Sandham (7:37pm-9:07pm), R. Cook, L. Kornreich, P. Mudd & L. Tobias

ABSENT EXCUSED J. Visco & G. Lewis

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

PROFESSIONAL PRESENT J. Burgis (Board Planner), S. Omland (Board Engineer) & M. Carroll (Board Attorney)

ANNOUNCEMENTS

There were no announcements to come before the board.

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

Mr. Braden asked the liaisons and committee members for reports:

Board of Adjustment – Mr. Adrignolo reported that they did not meet. He said they will be meeting on August 3rd to discuss the Shops on Main in Towaco.

Board of Health – Mr. Tobias had nothing new to report.

Environmental Commission – Dr. Kornreich said they met, where they recommended changes to the tree ordinance and discussed the MTHS Earth Club & EDC participation at the Jazzfest in October.

Water & Sewer – Mr. Maggio was absent for this part of the meeting. Mr. Sandham reported that the town has just put in place mandatory water restrictions.

Historic Preservation Review Commission – Mr. Cook said the meeting was canceled, therefore he had no report.

Design Review Committee – Secretary Conklin reported that they met two weeks ago where they discussed the Chabad application and electronic billboards.

Site Plan/Subdivision Committee – Mr. Braden said they have not met.

Economic Development Committee – Mayor Sandham said they had not met and had nothing to report.

Open Space Committee – Mr. Mudd had no report.

Master Plan – Mr. Lewis was absent.

Highlands Legislation Review Committee – Mr. Lewis was absent.

Fire Districts – Mr. Braden (Pine Brook) had no report, Mr. Maggio (Montville) was absent during this portion of the meeting, and Deputy Mayor Conklin (Towaco) had no report.
Invoice Review Committee – To be discussed during invoice approvals if necessary.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in the board professionals.

SECRETARY'S REPORT

Secretary Conklin had no report.

BOARD DISCUSSION

Secretary Conklin provided the Planning Board with correspondence from Schepis regarding the WAWA application. He asked that we not discuss it until the Twp. Committee has had an opportunity to review similar correspondence that would be submitted to the Twp. Committee prior to August 16th. The letter indicated that the applicant was willing to work with the Township on an amended redevelopment plan and will offer up escrow for the amendments should the Twp. Committee be amenable to such potential amendments.

He also reported that the Konner site owners formally submitted a letter to The Township Committee offering escrow and asking for an investigation as to the an area in need determination and potential redevelopment plan.

PUBLIC DISCUSSION

Mr. Braden 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 Deputy Mayor Conklin, seconded by Mr. Adrignolo. All present were in favor. None opposed.

CORRESPONDENCE / EXTENSIONS / DISMISSALS

PEXT16-17 Croatian Cultural Club – 124 Boonton Ave – B: 1, L:6 – request for extension of approvals until 10/23/17

Mr. Braden explained that they are looking for a one year extension until 10/23/16. There was no board discussion.

A motion to approve the extension was made by Mr. Tobias, seconded by Mr. Maggio. All in Favor by Voice Vote - None Opposed.

PLANNING BUSINESS

There was no Planning Business to come before the board.

WAIVERS

There were no Waivers to come before the board.

INVOICES

Burgis Assoc. – O/E For: \$1,616.25; \$135; \$1,248.75 – Trust for: \$337.50 (Blank)l \$982.50 (Chabad); \$675 (CH Properties); \$270 (Daughtry); \$101.25 (Ernstrom); \$303.75 (Marotta 2016); \$630 (Pinto); \$270 (Tre Femme)

Bowman Engineering – Trust for: \$426.26 (Addie Grey); \$77.50 (Blank); \$723.75 (Chabad); \$656.25 (CH Properties); \$443.75 (Ciliotta); \$387.50 (Daughtry); \$775 (Daughtry); \$437.50 (Ernstrom); \$725 (Tre Femme); \$155 (K&K Windsor); \$77.50 (Woodland Properties)

Michael Carroll, Esq – Trust for: \$641.25 (Daughtry); \$1,012.50 (Tre Femme); \$67.50 (44 Hillcrest) ; \$67.50 (Montville Residency); \$67.50 (CH Properties); \$67.50 (Ciliotta); \$67.50 (Chabad); \$371.25 (Addie Grey); \$67.50 (Blank); \$33.75 (Ernstrom); \$101.25 (Pinto); \$33.75 (Woodland Properties)

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

RESOLUTIONS

PMN/C16-07/PSOIL16-08 Addie Grey – 116 Jacksonville Rd– B: 28, L: 12 -minor subdivision with variances and soil movement - Approved 6/22/16 Eligible: R. Conklin, A. Adrignolo, T. Braden, R. Cook, P. Mudd & L. Tobias

A motion to approve the resolution was made by Deputy Mayor Conklin, seconded by Dr. Kornreich. Roll Call of Eligibles. All in Favor. None Opposed.

PSOIL16- 16 K&K (Windsor) - 10 Woodmont Rd– B: 159, L: 6 – soil movement – - Approved 6/22/16 Eligible: R. Conklin, A. Adrignolo, T. Braden, L. Kornreich, R. Cook & L. Tobias

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

Redevelopment Plan- Route 46 West – Approved and Recommended 6/22/16 Eligible: R. Conklin, T. Braden, A. Adrignolo, J. Sandham, L. Kornreich & L. Tobias

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

MINUTES

There were no Minutes to come before the board.

LOI/DEP NOTIFICATIONS

Mr. Omland reviewed the LOI/DEP Notifications.

LEGAL/LEGISLATIVE UPDATES

There were no Legal/Legislative Updates to come before the board. Mr. Carroll said they are currently not in session.

OLD BUSINESS

There were no Old Business to come before the board.

NEW BUSINESS

PMSP/F15-09/PSOIL16-21 – Woodland Properties –Horseneck & Woodland Rd – B: 139, L: 5 preliminary/final major subdivision- 4 lots – Notice Acceptable

ACT BY: 7/9/16 extended through August 31st 2016

Joseph O'Neill, Esq. for the applicant summarized the history of the property. Mr. Ken Dykstra, Engineer on behalf of the applicant was sworn in and his credentials were accepted.

Exhibit A-1 (Lot Layout) dated 6/22/16 was submitted. This was a colorized version of the site plan. He discussed the following: current state of property, proposed location of new houses, square footage, proposed four lots, oversized lots, wetlands, dedication of right-of-way, disturbance, natural vegetative state of rear property, slope areas, variance requests, drainage basin, storm water management, run-off reduction, recharge, easement, impervious surface, sidewalks, and soil movement truck route. Professional questions followed. Mr. Omland asked about the site distances of driveways, site lines, tree removal and clearance, replanting program, shade trees, landscape design of houses, design waiver request, storm water management, asphalt coverage, basin, water runoff, discharge location as it relates to the neighbors, wetland transition area, soil movement, rock excavation and blasting. Mr. Burgis addressed the sidewalk issues. Planning Board member comments included the sidewalks, run-off, catch basin, soil movement hours, storm water management concerns for future, and rock removal. The applicant agreed to put in sidewalks.

The meeting was opened to the public on the most recent testimony by Mr. Mudd, seconded by Mayor Sandham.

Mr. Michael Perrella of 49 Horseneck Road asked questions about the depth of basin and accountability, shade trees, site lines, diseased trees and removal. He felt the shade trees were a safety concern and felt there was no purpose in the sidewalks. Mr. Dykstra explained the storm water management with the basin, tree clearance and shade tree clearance. Mr. Omland explained that the shade trees would be located 4 feet from the pavement and the shade trees behind that. Mr. Perrella asked if there was the ability to screen the belly of the basin. Overall he felt the project would be a benefit and improve the existing lot.

Mr. Vincent Comperatore of Orchard Drive asked why the existing house never received a CO. He shared his concerns of drainage, vehicle safety, topography issues, line of site, location of basin with visibility to roadway, hammering/blasting, and rainwater runoff.

The meeting was closed for public discussion on this part of the testimony on a motion made by Mayor Sandham, seconded by Mr. Adrignolo - All in Favor by Voice Vote. None opposed.

Mr. O'Neill summarized. The board discussed the retention pond, water flow direction, concern for tree removal, and sidewalks.

The meeting was opened to the public on the overall testimony by Mr. Braden, seconded by Mr. Adrignolo.

Mr. Michael Perrella of 49 Horseneck Road was concerned with the exit height of the drainage system.

Mr. Liu of 58 Horseneck Road feels sidewalks are needed.

The meeting was closed for public discussion on the overall testimony on a motion made by Mr. Mudd, seconded by Dr. Kornreich - All in Favor by Voice Vote. None opposed.

The applicant agreed to the following conditions:

1. Installation of sidewalks along the frontage inclusive of the trees being placed inside the sidewalk

- closer to the interior of the lot as to not obstruct vehicular lines of site
2. Installation of two sets of evergreens in accordance with the board planner's specifications around the stormwater management basin for screening
 3. Compliance with all requested modifications included in the Engineers latest review letter
 4. Limiting truck traffic for soil movement outside of peak high school traffic hours

A motion to approve the applicant with the above listed conditions was made by Mayor Sandham, seconded by Mr. Adrignolo. Roll Call. (R. Conklin, T. Braden, A. Adrignolo, J. Sandham, R. Cook, L. Kornreich, P. Mudd, & L. Tobias). Note: Vice Chairman abstained since he was not present for the entire application.

9:07pm - Recusal of Mayor Sandham for the Chabad application.

Break from 9:07pm to 9:17pm.

PSPP/FC16-14/PSOIL16-15– Chabad of Northwest NJ– 325 Changebridge Rd – B: 160.02, L: 20 -
Notice Acceptable
ACT BY: 11/2/16

Mr. Schepis, Esq. on behalf of the applicant summarized the history of the site, zoning changes from 2011, and C variance requested.

The 1st Witness, Rabbi Splater, was sworn in. He described the congregation, which will have approximately 40 families of which 95% are Montville residents. He said they are looking for permanent residency in Montville and described the vision of the transformation of the property and its intended use.

The 2nd Witness, Mr. Joseph Mianeki, Engineer on behalf of the applicant was sworn in. His credentials were accepted. He referred to the site plan and described the property as it exists today and the proposed improvements. He discussed the following: existing size, building, parking lot, wetlands, floodplains, wooded area, conservation easement, lawn, proposed additional parking, setback requirements, storm water management, impervious coverage, underground infiltration system, detention basin, completed soil logs, landscaping, lighting plans, landscape species, screening, landscape boundary requirements, variance requested, setbacks, soil movement permit requests with route and compliance, site distances, and parsonage. He addressed Mr. Omland's memo dated 6/30/16 including the onsite well, sprinklers, necessary permits, and light poles. They are asking for a condition of CO vs. the subject of building permit. Mr. Omland asked about the accessibility compliance, lighting plan, parking analysis, and parking lot reduction option. He addressed Mr. Burgis' memo regarding landscaping. Board members asked questions about car allotments throughout year and basin location.

The meeting was opened to the public on the most testimony of Mr. Mianeki by Mr. Mudd, seconded by Dr. Kornreich.

Mr. Jeffery Evans, Esq., client of the neighbors, Casha & Casha, said they were not opposing the project. He inquired about the 25 foot buffer and possible consideration to expand the parking lot to the North. It was explained that they are restricted by the flood lines and conservation restrictions. The applicant agreed to additional screening. They also asked that a split rail fence be installed along the southerly property line. The topography description was discussed.

The meeting was closed for public discussion on this part of the testimony on a motion made by Dr. Kornreich, seconded by Mr. Tobias - All in Favor by Voice Vote. None opposed.

3rd Witness, Mr. Jason Nicholas, Architect, was sworn in and his credentials accepted. He described the photos of the property as it exists today. He explained the minor interior and exterior features. The renderings showed the existing building and proposed parsonage, which will be industrial and commercial in nature. They will match it as cohesively as possible. He clarified the signage, coloring, sizes, and materials.

Exhibit A-1 (Monument Sign) was submitted. The sign is conforming.

Exhibit A-2 (Building Mounted Sign) was submitted. They are requesting a variance in regards to the minimum height from the ground.

He went on to discuss the following: existing building, interior as it exists today, proposed parsonage and building usage including the sanctuary, fellowship room, classroom, playroom, office, garage, car port, kitchens, living room, 2nd floor, the southern and northern Change Bridge Road elevations, and signage lighting. Mr. Omland asked questions regarding the floor plan and parking regulations. Board members asked questions regarding appearance before the DRC, parking and building occupancy.

The meeting was opened to the public on the most testimony of Mr. Nicholas by Mr. Tobias, seconded by Deputy Mayor Conklin.

There being none, the meeting was closed for public discussion on this part of the testimony on a motion made by Deputy Mayor Conklin, seconded by Mr. Braden - All in Favor by Voice Vote. None opposed.

4th Witness, Mr. Ochab, Professional Planner was sworn in and his credentials were accepted. He discussed the variances being requested for the buffer area requirement, parking setbacks, mounted sign, and lot area variance. Mr. Burgis asked him to focus on the house of worship vs. industrial requirements and the existing parking.

Exhibit A-3 (Photo Array – 2 pages) prepared by Kenneth Ochab dated 7/28/16 was submitted.

He described the photos as it relates to the requested variances. He discussed the following: special conditions with house of worship, appropriate use for site, hardships based on the existing conditions, parking lot, buffer criteria, streetscape design, landscape plan, sufficient separation, building height signs, C2 variance, ordinance criteria, negative criteria, no substantial detriments, adaptable use, zoning ordinance, and design hardships with existing conditions. Mr. Burgis talked about the C1 relief and government regulations with places of worship regarding hardships. He explained that the Planning Board needs to justify in this case not the applicant. The board members asked questions about overflow parking and sprinklers.

The meeting was opened to the public on the most testimony of Mr. Ochab by Mr. Adrignolo, seconded by Mr. Braden.

There being none, the meeting was closed for public discussion on this part of the testimony on a motion made by Mr. Tobias, seconded by Deputy Mayor Conklin - All in Favor by Voice Vote. None opposed.

Board discussion included the setbacks and fencing. Mr. Omland was in agreement with having no fencing.

The meeting was opened to the public on the overall testimony.

Mr. Jeffrey Evans, Esq., client of Casha & Casha would still prefer to see the rail fencing, some type of landscape offering, and curb stops at 17 spots along the south border. The applicant will work with the attorneys. Board members were not in support of curb stopping.

The applicant agreed to the following conditions:

1. Condition on working with the adjacent property owner to the south on potential barrier consisting of fencing or landscaping or both for deterring potential parking over flow.
2. Installation of evergreens replacing the proposed burning bush near the entrance.
3. Compliance with all requested modification included in the Engineers latest review letter.
4. Limiting truck traffic for soil movement outside of peak school traffic hours.

A motion to approve the applicant with the above listed conditions was made by Mr. Tobias, seconded by Dr. Kornreich. Roll Call. (R. Conklin, T. Braden, A. Adrignolo, R. Cook, L. Kornreich, P. Mudd, L. Tobias & A. Maggio)

CORRESPONDENCE / EXTENSIONS / DISMISSALS

There were no Correspondence/Extensions/Dismissals to come before the board.

CONCEPTS

There were no Concepts to come before the board.

CLOSED SESSION

There was no need for Closed Session.

ADJOURNMENT

There being no further business to discuss Vice Chairman Maggio asked for a motion to adjourn. In a motion made by Mr. Tobias, seconded by Dr. Kornreich, the meeting was unanimously adjourned at 10:54pm.

Respectfully submitted,

Kelley Kehoe, Recording Secretary

I certify that this is a true copy of minutes adopted at Planning Board meeting of 9/18/16.



Ryan Conklin, Sec.

