

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, January 11, 2018

Chairman Lewis called the meeting to order at 7:30 p.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, R. Cook, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, J. Sandham & G. Lewis

ALSO PRESENT J. Mowles-Rodriguez (Secretary) & K. Kehoe (Recording Secretary)

PROFESSIONALS Joseph Burgis (Board Planner), M. Denisiuk (Conflict Engineer)
& M. Carroll (Board Attorney)

ANNOUNCEMENTS

Chairman Lewis welcomed everyone to the meeting. He congratulated Mayor Conklin and welcomed Committeeman Cook and Mr. Sandham back to 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.

REORGANIZATION

Appointment of Officers

- Appointment of Temporary Chairman – Mr. Visco was nominated for Temporary Chairman by Mr. Lewis, seconded by Mr. Maggio. All present were in favor. There were no other nominations and no objections. Closed to nominations.
- Appointment of Chairman – Mr. Visco requested nominations for Chairman for 2018. Mr. Lewis was nominated as Chairman by Mr. Braden, seconded by Mr. Maggio. There were no other nominations and no objections. Closed to nominations. All present were in favor.
- Appointment of Vice Chairman – Mr. Maggio was nominated by Mr. Braden, seconded by Mr. Lipari. There were no other nominations and no objections. Closed to nominations. All present were in favor.
- Appointment of Planning Board Secretary – Ms. Jane Mowles-Rodriguez was nominated by Dr. Kornreich, seconded by Mr. Lipari. There were no other nominations and no objections. Closed to nominations. All present were in favor.
- Appointment of Recording Secretary – Ms. Kehoe was nominated by Mr. Braden, seconded by Dr. Kornreich. There were no other nominations and no objections. Closed to nominations. All present were in favor.

Planning & Zoning Division Annual Report

Chairman Lewis asked the members to review.

By-laws Discussion

Mr. Sandham said he suggested at the December Twp. Committee meeting to amend the by-laws to rotate the Chairman and Vice Chairman positions every three years. Chairman Lewis asked for comments. Mayor Conklin felt that sometimes time on a board improves people and they learn the trade. He discussed the pros and cons, the option to change every January, and that he doesn't feel the need to make it mandatory. Mr. Braden said that the board is regulated under the state, not TC and agrees with Mayor Conklin. Dr. Kornreich shared in the leadership progression and no fixed limit allowing for flexibility. Vice Chairman Maggio was in agreement.

The tabled motion to amend the by-laws to rotate the Chairman and Vice Chairman positions every 3 years. Roll Call. 1 in Favor - 8 Opposed. (R. Conklin - No, T. Braden - No, A. Adrignolo - No, A. Maggio - No, R. Cook - No, L. Kornreich - No, J. Visco - No, N. Agnoli - No, J. Sandham - Yes & G. Lewis - No)

Mr. Braden asked for clarification on the voting section of by-laws. He shared his interpretation and requested to not entertain votes from alternates in the future unless needed. He spoke to counsel and they said alternates may partake in discussion and ask questions, but not vote. Board members shared comments including: for and against hearing the alternates opinions and votes, courtesy votes for the record if full membership is present, past practices, voting order, and explanation for the public.

A motion to table the discussion to a future meeting was made by Chairman Lewis, seconded by Mr. Braden. Members Braden and Adrignolo were requested by the Chair to review the by-laws and report back any recommendations.

2018 Hearing Dates

Chairman Lewis indicated that the hearing dates and times were previously discussed at a meeting and there were no objections. He asked for a motion to approve as presented. A motion to approve the hearing dates and times for 2018 was made by Committeeman Cook, seconded by Vice Chairman Maggio. Voice Vote. All present were in favor.

The meetings will be held at 195 Changebridge Road, Montville, NJ in the Chambers. The designation of meeting time was 7:30PM. The dates are as follows:

- | | |
|-------------------|-----------------------------|
| January 11, 2018 | July 12, 2018 |
| January 25, 2018 | July 26, 2018 |
| February 8, 2018 | August 9, 2018 |
| February 22, 2018 | August 23, 2018 |
| March 8, 2018 | September 13, 2018 |
| March 22, 2018 | September 27, 2018 |
| April 12, 2018 | October 11, 2018 |
| April 26, 2018 | October 25, 2018 |
| May 10, 2018 | November 8, 2018 |
| May 24, 2018 | November 19, 2018* (Monday) |
| June 14, 2018 | December 13, 2018 |

June 28, 2018

January 10, 2019

*Changed due to holiday

Designation of Official Newspaper for Legal Ads

On a motion made by Dr. Kornreich, seconded by Mr. Cook, The Daily Record, The Citizen, and the Star Ledger (for publication purposes) were adopted for legal ads. All present were in favor.

2018 Professional Appointments

- Appointment: Board Attorney/Execution of Professional Services Agreement – On a motion made by Mayor Conklin, seconded by Vice Chairman Maggio, Mr. Michael Carroll, Esq., Law Offices was appointed Board Attorney. All present were in favor.
- Appointment of Board Planner & Execution of Professional Services Agreement – On a motion made by Mr. Braden, seconded by Vice Chairman Maggio, Mr. Joseph Burgis, AICP, PP, Burgis Associates was appointed Board Planner. All present were in favor.
- Appointment of Board Engineer & Execution of Professional Services Agreement - Stan Omland, PE – Omland Engineering – On a motion made by Dr. Kornreich, seconded by Mr. Lipari, was appointed Board Engineer. All present were in favor.
- Appointment of Board Conflict Engineer & Execution of Professional Services Agreement - Paul W. Ferriero, PE, PP, CME, CFM, LEED AP - Ferriero Engineering, Inc. - On a motion made by Mr. Lipari, seconded by Vice Chairman Maggio was appointed Board Conflict Engineer. All present were in favor.

COMMITTEE & LIAISON REPORTS

Chairman Lewis appointed the Committees/Liaisons and asked for reports:

Board of Adjustment –Secretary Mowles-Rodriguez offered to report for this board, but Chairman Lewis indicated the he or Mr. Adrignolo will continue to attend meetings.

Board of Health – Mr. Lipari said they reviewed and approved DRA 350 Main to be discussed later in meeting.

Environmental Commission – Dr. Kornreich said they will be meeting next week.

Water & Sewer – Mr. Maggio had no report.

Historic Preservation Review Commission – Mr. Visco reported that they talked about having Connelly & Hickley as their professionals, artifacts from Elliysuer House, a street naming committee, and are looking to have 2 alternates along with their 9 members.

Design Review Committee – Mr. Braden said they discussed DRA 350 Main and will report during the testimony at tonight’s meeting.

Site Plan/Subdivision Committee – Mr. Visco had no report.

Economic Development Committee – Chairman Lewis said they will be meeting next week.

Open Space Committee – Mr. Agnoli and Mr. Sandham were appointed.

Master Plan – Mr. Lewis had no report.

Highlands Legislation Review Committee – Mr. Lewis had no report.

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Fire Districts – Committeeman Conklin (Towaco) reported that they are looking for new towers and radios in all 3 districts and are working with the police department, Mr. Maggio (Montville) had no report, and Mr. Braden (Pine Brook) had no report.

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

Vice Chairman suggested a Twp. Committee Liaison be added to the reports. Chairman Lewis said a Mayor’s Report will be added going forward.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in board professionals.

SECRETARY’S REPORT

Secretary J. Mowles-Rodriguez reported she had a discussion with 1, 1A & 3 Schneider Lane about rezoning the property for a commercial medical facility, but no application for rezoning has been filed to date.

She had a discussion with the Lake Valhalla Club regarding an accessory storage structure on site, but no application has been filed to date.

She also had a discussion with Woodstack on Rt. 46 regarding using 12 Chapin Rd as a parking lot for their restaurant, but no application has been filed to date.

BOARD DISCUSSION

Mr. Braden brought attention to the board a NJ Planner article, which was included in their packets.

PUBLIC DISCUSSION

Chairman Lewis opened the session to public comment for items not listed on the agenda related to land use matters.

Ms. June Witty of 11 Longview Drive in Towaco, suggested not allowing a left-hand turn into Rails, due to back up at the hump. Chairman Lewis explained that this was a county road and not a Planning Board issue. She also recommended that Rails hire a cop to direct traffic there. Chairman Lewis explained that this should be directed to the Police Department.

There being no further public discussion, the meeting was closed for public comment for items not listed on the agenda related to land use matters by Mr. Visco, seconded by Dr. Kornreich. All present were in favor. None opposed.

PLANNING BUSINESS

Mr. Burgis had no Planning Business to come before the board.

WAIVERS

PMISC17-43 Serenity Day Spa – 28 Rt. 46 – B: 176, L: 4.3 – 1,087 s.f. day spa – hours of operation 10am-10pm 7 days – 2 employees –tenant name on existing sign box

A motion to approve the waiver was made by Dr. Kornreich, seconded by Vice Chairman Maggio. All in Favor by Voice Vote - None Opposed. (R. Conklin, T. Braden, A. Adrignolo, A. Maggio, R. Cook, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, J. Sandham & G. Lewis)

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PMISC18-01 Prudential – 150 River Rd F-3 – B: 123.01; L: 6.3 - 1,600 s.f. insurance office – 5 employees – hours of operation 9am-8pm M-F: Sat 9am-5pm – signage as per condo association requirements.

A motion to approve the waiver was made by Mayor Conklin, seconded by Mr. Lipari. All in Favor by Voice Vote - None Opposed. (R. Conklin, T. Braden, A. Adrignolo, A. Maggio, R. Cook, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, J. Sandham & G. Lewis)

INVOICES

Bowman Engineering – Trust for: \$337.50 (Addie Grey); \$347.50 (Avallone); \$101.25 (525 Realty); \$607.50 (JLJ&J); \$202.50 (Jo-El); \$168.75 (Living Water); \$362.50 (McDonald's); \$776.25 (Rails Wine Cave); \$67.50 (RD America); \$33.75 (VanSchaik)

Burgis Associates – Trust for: \$135.00 (Chabad); \$67.50 (Croatian Club); \$67.50 (Croatian Club); \$810.00 (525 Realty); \$438.75 (iStar); \$67.50 (JLJ&J); \$506.25 (Living Water); \$67.50 (Marotta 2017); \$945.00 (McDonald's); \$742.50 (RD America); \$33.75 (SDDV); \$1,653.75 (DRA 350 Main); \$337.50 (Towaco Station 2017); \$1,417.50 (Towaco Station 2017);

MP Carroll – Trust for: \$1,248.75 (525 Realty); \$33.75 (iStar); \$67.50 (JLJ&J); \$67.50 (JO-EL); \$33.75 (Living Water); \$135.00 (Marotta 2017); \$67.50 (Newark-Jersey); \$33.75 (Pinto); \$67.50 (Rails); \$1,012.50 (RD America); \$135.00 (DRA 350 Main); \$33.75 (Towaco Station 2017)

The invoices were approved on a motion made by Mr. Adrignolo, seconded by Mr. Braden. Roll Call. All in Favor by Voice Vote. No Opposed.

RESOLUTIONS

PSPP/FC17- 14JLJ&J (Kids R Kids) – 217 Changebridge Rd – B: 138, L: 8 – amended pre/final ite plan with variances – Approved – Eligible: Sandham, Conklin, Adrignolo, Kornreich,, Visco, Lipari, Braden, Lewis

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

PMS/C17-10 Rails Wine Cellar – 8-10 Whitehall Rd - B: 96; L: 3 & 4 – Minor Site plan with parking variance – Approved - Eligible: Sandham, Conklin, Kornreich, Visco, Lipari, Braden, Lewis

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

MINUTES

Planning Board minutes of 11/20/17– Eligible: Sandham, Conklin, Kornreich, Visco, Lipari, Braden, Lewis

A motion to approve the minutes was made by Mr. Lipari, seconded by Mr. Visco. Roll Call of Eligibles. All in Favor. None Opposed.

Planning Board minutes of 12/14/17 – Eligible: Sandham, Adrignolo, Agnoli, Kornreich, Visco, Lipari, Braden, Lewis

A motion to approve the minutes was made by Dr. Kornreich, seconded by Mr. Lipari. Roll Call of Eligibles. All in Favor. None Opposed.

LOI/DEP NOTIFICATIONS

Mr. Omland had no LOI/DEP Notifications to come before the board.

LEGAL/LEGISLATIVE UPDATES

Mr. Carroll reported that a regulation was revoked by the DEP on a development within the highlands.

OLD BUSINESS

There was no Old Business to come before the board.

NEW BUSINESS

PSPP/FC/PMN/PSOIL17-13 DRA 350 Main Rd – 350 Main Rd – B: 57.01, L: 6 – pre/final site plan; c variances; minor subdivision; soil movement Notice Acceptable ACT BY: 3/3/18

Present on behalf of the applicant was Steven Schepis, Esq., Marc Walker, PE, John Mc Donough, PP, Raymond Givargis, Architect, Nick Minoia, Applicant, and Gary Dean, Traffic Engineer.

Mr. Schepis summarized the subject property including: location, lot and block number, OB-4 zone, square footage, history, recently approved new conditional use for self-storage, preliminary and final site plan approvals, minor subdivision, request to authorize self-storage in rear of property, maintenance of driveway off Rt. 202, shared parking, seeking soil movement permit, and the C variance associated with project.

1st witness, Mr. Walker was sworn in and his credentials accepted.

Exhibit A-1 (Aerial Photo Exhibit of Existing Subject Property) prepared by Mc Donough was submitted. Mr. Walker discussed the exhibit including the following: location, access, existing driveway and building, original footings, parking spaces, impervious coverage, existing businesses, and OB-4 zone.

Exhibit A-2 (Aerial Exhibit with Proposed Site Plan) dated 1-8-18 was submitted. Mr. Walker discussed the following items: minor subdivision proposal, reconstruction of parking area, proposed site layout, square footage, shared access drive, lot widths, frontage compliance, shared parking and utilities, easement agreements between the two properties, Rt. 202 frontage, new parking configuration, existing businesses to remain, number of parking spaces, ADA spaces, bike rack relocation, no loading spaces, building coverage, impervious coverage, FAR requirement, conforming building setbacks and width area, light fixtures and patterns, landscaping plan and proposals, conforming transformer setbacks, and variances for the dumpsters. He further discussed the following items: proposed self-storage building in the rear. He talked about what they are proposing including the square footage, safety fencing, parking spaces, decorative landscaping, gates, site function, loading spaces, flow of lot, tractor trailers by appointment only, emergency vehicle access, parking requirements, variances for parking setbacks, retaining wall for Morris County Salt Barn, minimal impact, run-off, proposed handicap spaces, waiver for bike rack, variance requested for loading spaces, building coverage allowance, impervious coverage, building height and setbacks, lot area, and monument sign. Chairman Lewis reported that the sign was not submitted on the site plan, nor has it been filed or reviewed by the board, therefore it will not be voted on tonight.

Break from 9:00 to 9:05pm.

Mr. Walker continued his testimony. He made a correction that a variance was not needed for the loading area. He discussed the dumpster proposed, storm water management regulations, more building/less pavement, utilities, water run-off, soil movement, underground retention, soil removal including routes and hours. Professionals asked follow up questions. Mr. Denisiuk reviewed Mr. Walker's letter dated 1-8-18. He asked for clarification of the gate operation, type of trucks, lighting plan including hours, and the circulation plan. Mr. Walker said that a lighting illumination analysis was done. Mr. Denisiuk said the plans should reflect the hours. Mr. Burgis addressed the signage, parking variance and standards, and what was recommended from his memo. Mr. Schepis reviewed the technical issues from his memo including the isle widths, pedestrian safety, and traffic circulation. Board members commented on the following: bike racks, streetscape items, DRC recommendations, revised lighting plan being received tonight, transformer compliance, fencing clarification, storm water system, shared parking and deed restrictions, lighting, tractor trailer travel path, signage, impervious coverage, and passenger cars vs. commercial use, soil removal, and funding for possible roadway expansion.

Chairman Lewis opened the meeting to the public on Mr. Walker's most recent testimony. There being no discussion, the meeting was closed for public discussion on a motion made by Mr. Visco, seconded by Mr. Lipari - All in Favor by Voice Vote. None opposed.

2nd witness, Mr. Givargis was sworn in and his credentials accepted. He described what was proposed including the following: new three story building with a basement, sales office area, overall design with other office businesses on site, materials and colors, reduction of red color based on DRC comments, store front windows to break up overall mass, units including internal, roof, and drive-up, national brand, overall color scheme, square footage, office area, bathrooms, elevator, and loading zones.

Exhibit A-3 (Colorized Rendering of Front Elevation) and Exhibit A-4 (Side and Rear Colorized Rendering) were submitted.

Mr. Givargis reviewed the elevations for the board. He said the architectural plan was a group effort and their vision for Montville was more traditional. He said the area of the sign was compliant, but not the location. The location was chosen for more visibility. Professionals asked questions regarding the sign and generator. Board members commented on the following: red striping width and roof depth, accents, branding elements, distances between buildings and heights, building signs and their illuminations, existing look from Rt. 202 & Rt. 287, and setting precedent.

Exhibit A-5 (Exterior Sample of Material and Colors) was submitted.

Chairman Lewis opened the meeting to the public on Mr. Givargis' most recent testimony.

Ms. June Witty of 11 Longview Drive in Towaco asked questions about the access to the roll up doors on the main floor, entrance access, the number of units, and sizes.

There being no further discussion, the meeting was closed for public discussion on a motion made by Mr. Visco, seconded by Mr. Lipari - All in Favor by Voice Vote. None opposed.

3rd witness, Mr. Minoia was sworn in. He discussed the following items: his connection, when the building was acquired and the condition of, existing businesses and parking usage, his personal real estate business being located in the front building, occupied percentages, difficulty of finding tenants for office space, self-storage proposal, self-storage a favorable use from feasibility study, no impact on schools, shared access and parking and how it will work, future maintenance of driveway, landscaping, lighting, snow, etc., shared maintenance agreement, self-storage facility and operation, what anticipated, quiet use, tractor trailer traffic and timing, circulation, scheduling, colors and signage, how CubeSmart became

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involved and the national brand. There were no professional questions. Mr. Adrignolo confirmed there was no car storage allowed in the units.

Chairman Lewis opened the meeting to the public on Mr. Minoia's most recent testimony. There being no discussion, the meeting was closed for public discussion on a motion made by Mr. Lipari, seconded by Mr. Visco - All in Favor by Voice Vote. None opposed.

4th witness, Mr. Dean, was sworn in and his credentials accepted. He had prepared the traffic impact study on the subject property, which was dated 10-4-17. He explained that the storage facility will have substantially less traffic than the original office building plan. His study included the adjacent roads and peak/non-peak hours. He discussed the following items: new traffic introduction, counts, impact, retained site access, naturally defined entrance, vehicle circulation, truck templates, emergency vehicle accommodation, overall view including safety access, circulation and low impact traffic, proposed number of parking spaces and variance, intended use of self-storage, no site line changes, and the left and right turn lane design. There were no professional questions. Board members had concerns with the soil movement truck traffic, with volume impact and the types of vehicles, and the left hand turns in and out of the property.

Chairman Lewis opened the meeting to the public on Mr. Dean's most recent testimony. There being no discussion, the meeting was closed for public discussion on a motion made by Mr. Lipari, seconded by Mr. Cook - All in Favor by Voice Vote. None opposed.

The application was carried to the February 8, 2018 without further notice.

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 Chairman Lewis asked for a motion to adjourn. In a motion made by Mr. Lipari, seconded by Vice Chairman Maggio, the meeting was unanimously adjourned at 11:04pm.

Respectfully submitted,

Kelley Kehoe, Recording Secretary

I certify that this is a true copy of minutes adopted at Planning Board meeting of _____.

Jane Mowles-Rodriguez, Acting Sec.