

**MONTVILLE TOWNSHIP
ZONING BOARD OF ADJUSTMENT
MINUTES OF JANUARY 16, 2020
Montville Municipal Building, 195 Changebridge Road
7:30PM**

NOTE: No New Business to be conducted past 10:00 P.M.

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.

ROLL CALL:

Richard Moore – Absent
Annabel Pierce - Present
Deane Driscoll – AE
Kenneth Shirkey - Present
Margaret Miller-Sanders - AE

Shelly Lawrence - AE
James Marinello - Present
Ron Cain (Alt #1) - Present
Owen Weaver (Alt #2) - Present

PLEDGE OF ALLEGIANCE

Swearing in of Professionals

Stan Omland, PE – Attendance not required
John Szabo, PP - Attendance not required

Also present: Bruce Ackerman, Esq.

REORGANIZATION

Appointment of Temporary Chairman - Motion to appoint Jane Mowles as temporary chair made by Shirkey;
Second by: Cain; Roll call: unanimous.

Appointment of Chairman - Motion to appoint James Marinello as Chairman made by: Shirkey; Second by: Cain;
Roll call: unanimous.

Appointment of Vice Chairman - Motion to appoint Deane Driscoll as Vice Chairman made by: Shirkey; Second by:
Pierce; Roll call: unanimous.

Appointment of Secretary - Motion to appoint Jane Mowles as Secretary made by: Shirkey; Second by: Cain; Roll
call: unanimous.

Appointment of Recording Secretary - Motion to appoint Jane Mowles as Recording Secretary made by: Shirkey;
Second by: Pierce; Roll call: unanimous.

Appointment of Board of Adjustment Attorney & execution of Professional Service Agreement - Motion to appoint
Bruce Ackerman, Pashman Stein for Board of Adjustment Attorney & execution of Professional Service Agreement
made by: Shirkey; Second by: Pierce; Roll call: unanimous.

Appointment of Board of Adjustment Engineer & execution of Professional Service Agreement - Motion to appoint
Stanley Omland, Omland Associates firm for Board of Adjustment Engineer & execution of Professional Service
Agreement for a 6 month period made by: Shirkey; Second by: Pierce; Roll call: unanimous.

Appointment of Board of Adjustment Planner & execution of Professional Service Agreement - Motion to appoint Burgis Associates for Board of Adjustment Planner & execution of Professional Service Agreement made by: Shirkey; Second by: Pierce ; Roll call: unanimous.

Appointment of Board of Adjustment Conflict Engineer & Conflict Planner & execution of Professional Service Agreement - Motion to appoint Paul Ferriero, Ferriero Engineering for Board of Adjustment Conflict Engineer & Conflict Planner and execution of Professional Service Agreement made by: Shirkey; Second by: Pierce; Roll call: unanimous.

Designation of Meeting Nights for Board of Adjustment as follows:

1st Wednesday of every month at 7:30PM

**January 16, 2020	August 5, 2020
February 5, 2020	September 2, 2020
March 4, 2020	October 7, 2020
*March 19, 2020 (Thursday)	November 4, 2020
April 1, 2020	*November 19, 2020 (Thursday)
May 6, 2020	December 2, 2020
June 3, 2020	January 6, 2021
*June 18, 2020 (Thursday)	
July 1, 2020	

*additional meeting if needed to accommodate any back load of residential applications
** changed due to holiday

Motion to adopt made by: Cain; Second by: Shirkey; Roll call: Unanimous.

Designation of Official Newspaper for Legal Purposes
a)The Daily Record & The Citizen of Morris County
b) The Star Ledger

Motion to adopt made by: Shirkey; Second by: Pierce; Roll call: Unanimous.

Adoption of By-Laws

Motion to adopt made by: Pierce; Second by: Shirkey; Roll call: Unanimous.

Adoption of Annual Report

Motion to adopt made by: Pierce; Second by: Cain; Roll call: Unanimous.

Invoice Review Subcommittee (Shirkey, Driscoll, Marinello)

Motion to appoint made by: Shirkey; Second by: Pierce; Roll call: Unanimous.

Design Review Committee Liaison (Pierce, Lawrence)

Motion to appoint made by: Shirkey; Second by: Cain; Roll call: Unanimous.

OPEN PUBLIC COMMENT

The Chairman opens the session to public comment for items not listed on the agenda related to land use matters. None.

OLD BUSINESS

****ZSPP/FD04-19 H.G. Martin** – 289 Changebridge Road – B: 160.2 , L: 12 – pre/final site plan & ‘d’ and ‘c’ variances - subdivision of an existing office/warehouse building into two separate leasehold spaces, one of the spaces to contain existing office/warehouse use and the other space to contain a Wine Outlet retail store - I-2 Zone - retail use is not permitted - d(1) use variance relief. ‘C’ variances for parking setbacks, lack of curbing, number of wall signs. Carried with notice from 9/4/19 & 11/6/19 – Eligible: Mooreⁱ, Shirkey, Miller-Sanders, Lawrence, Pierceⁱⁱ, Cain, Marinelloⁱⁱⁱ ACT BY: 4/30/2020

****Applicant requested to be carried with notice preserved to: April 1, 2020 with an extension of time to act until April 30, 2020**

NEW BUSINESS

****ZC10-19 Restino, Gregory & Amina** – 21 Pennbrook Ct – B: 1, L: 11.06 – variance for pool in side yard - 200’ notice acceptable newspaper notice required. ACT BY: 3/27/2020

****Carried with 200’ notice preserved and newspaper notice required to: February 5, 2020**

MINUTES

Minutes of December 4, 2019 Eligible: Pierce, Driscoll, Lawrence, Cain, Marinello

Motion to adopt made by: Pierce; Second by: Cain; Roll Call: Yes – Pierce, Cain, Marinello

INVOICES

Burgis Associates – Trust for: \$37.50 (Abbattista); \$75.00 (H.G. Martin), \$450.00 (H.G. Martin), \$975.00 (H.G. Martin); \$225.00 (KeKon 2nd Amend); \$375.00 (Maczuga); \$450.00 (Restino); \$37.50 (Tommaso Bros.) \$375.00 (Tommaso Bros.)

Omland Associates – Trust for: \$225.00 (Abbattista); \$1,200.00 (Boonton Properties); \$262.50 (D’Agosta); \$300.00 (HG Martin); \$225.00 (Maczuga); \$337.50 (Restino), \$262.50 (Restino); \$562.50 (Tommaso Bros.), \$581.25 (Tommaso Bros.)

Pashman Stein – Trust for: \$270.00 (H.G. Martin); \$675.00 (KeKon 2nd Amend)

Motion to approve made by: Shirkey; Second by: Weaver; Roll call: Unanimous.

RESOLUTIONS

ZC08-19– Abbattista – 4 Glenview Rd – B: 31.1, L: 2 – R-27A Zone (CWR District) – 2 side yard setback variances for addition to single family residence – Approved – Eligible: Pierce, Driscoll, Lawrence, Cain, Marinello

Motion to adopt made by: Cain; Second by: Pierce; Roll call: Unanimous.

ZC/ZSOIL05-19– Maczuga, Bartosz – 21 Masar Rd – B: 3, L: 47.23 – combine side yard variance for addition to single family home – Approved – Eligible: Pierce, Driscoll, Lawrence, Cain

Motion to adopt made by: Pierce; Second by: Cain; Roll call: Unanimous.

OTHER BUSINESS

Planning Board Liaison report – Began hearings on Montville Urban Renewal (Avalon Bay)

DRC Liaison report – Reviewed Montville Urban Renewal (Avalon Bay)

CORRESPONDENCE

None.

Mr. Marinello welcomed Mr. Weaver to the Board.

ADJOURNMENT

Motion to adjourn made by: Shirkey; Second by: Cain; Roll call: Unanimous

Respectfully submitted,

Jane Mowles, Secretary.

Certified true copy of minutes adopted at Zoning Board meeting of February 5, 2020.

ⁱ Must certify to 11/6/19 hearing

ⁱⁱ Certified to 9/4/19 hearing

ⁱⁱⁱ Certified to 9/4/19 hearing