

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, January 26, 2017

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, A. Adrignolo, A. Maggio, N. Agnoli, L. Kornreich, J. Visco,
P. Mudd, R. Lipari & G. Lewis

ABSENT T. Braden (Excused) & J. Sandham (Excused)

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

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

ANNOUNCEMENTS

Chairman Lewis thanked members for attending the arrangements and/or sending sentiments for his Mom's passing. He also announced that the town has advertised for the Principal Planner position and that Ms. Mowles-Rodriguez would be the acting secretary for 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

Chairman Lewis asked the liaisons and committee members for reports:

Board of Adjustment – Mr. Adrignolo reported that they met on January 4th, where they discussed the Route 46 Billboard application.

Board of Health – Mr. Lipari had no report.

Environmental Commission – Dr. Kornreich reported that they held their reorganization meeting. They discussed the continuation of the Arbor Day celebration, scholarship program, and Fall water workshop.

Water & Sewer – Mr. Maggio had no report.

Historic Preservation Review Commission – Mr. Visco reported that they met on January 23rd. There is now a new chairman, new vice-chairman, and 4 new members. Goals for 2017 were discussed.

Design Review Committee – Mr. Braden was absent, but sent the minutes in for review.

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

Economic Development Committee – Mayor Sandham was absent.

Open Space Committee – Mr. Mudd had no report.

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) had no report, but said they could always use new volunteers for all districts, Mr. Maggio (Montville) had no report, and Mr. Braden (Pine Brook) was absent.

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

Acting Secretary Mowles-Rodriguez had no report.

BOARD DISCUSSION

There was no discussion to come before the board.

PUBLIC DISCUSSION

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

Ms. Pat Gamsby, member of the HRPC, expressed her concern regarding a possible ordinance involving demolition by neglect, specifically regarding 107 Change Bridge Road. Chairman Lewis said it was discussed in November or December and would require an ordinance. He explained that the Planning Board would not have the ability to create. He suggested checking out what other communities do and to reach out the Twp. Committee. Committeeman Conklin said it has been discussed on a Twp. Committee level and has not been forgotten about.

The meeting was closed for public comment for items not listed on the agenda related to land use matters by Mr. Visco, seconded by Mr. Mudd. All present were in favor. None opposed.

PLANNING BUSINESS

PC16-30 DRA 350 Main – 350 Main Rd – B: 57.01, L: 6 – rezoning request

Mr. Szabo summarized the proposal for the rezoning request for a self-storage unit. He discussed the following: consideration for rezoning, Burgis' report from Dec 2016, OB-4 zoning, location of property, acreage, different land uses in area, types of uses allowed, construction of roadways, Master Plan recommendations regarding consistency and elements, statutory requirements, goals and objections of Master Plan, considerations and appropriate uses, image enhancement of property, new and redevelopment promotion, options for recommendation or denial with or without conditions, and zone change.

Mr. Schepis, Esq., on behalf of the applicant, shared that he was 100% in agreement with Mr. Burgis' report. He discussed the following: support for Master Plan, location of property, road construction, goals of ordinance of OB-4 zone, recommended a straight zoning change, , self-storage use, low traffic impact, zoning ordinance modification, township benefits, analysis of need for use, enhanced ratable, cost feasible for developer, no environmental restraints, non-residential COAH fee for township, and the benefits outweighing the detriments.

Mr. Minoia, owner of the property spoke. He discussed the following: history of his business, NY/NJ member of self-storage group, and study which proved project was feasible. Mr. Schepis explained there were three options. He requested the option of modifying to an OB-5 zone for bulk standards. He hoped to see before Planning Board and asked them to recommend rezoning. He had one concern: the no-left

turn requirement out of the facility. He said they would like two of the doors to have internal access and would be asking for some outdoor storage. Chairman Lewis said that it would be a conditional use. Mr. Minoia shared his concerns with the allowed hours of operation and said that it would be professionally-managed at all times.

Chairman Lewis opened the meeting to the public comment on the rezoning request.

Mr. William O'Dowd of 55 Foremost Mtn. Road in Montville and owner of a property in that zone, shared that he had no problem with the facility or the zone change request. He feels he should have the same option regarding bulk variances. He said he was previously denied a storage facility request in the area. He feels it is a great use and why not have an option for a second facility, but also had concerns over the 500 ft. requirement.

Mr. Szabo explained the issue of limiting uses in the zone. Board members shared their opinions regarding the following: zone for future development, lack of parking, reutilization if it fails, parking requirements/standards, self-storage exclusion with mixed uses, designing standards, escrow for future roadway, 500 ft. concern, railroad track location, conditional use, Master Plan investment, and permitted non-conforming uses.

Chairman Lewis summarized. He asked Mr. Burgis' office to draft an ordinance based on tonight's discussion to rezone with conditional uses, while staying as close as possible to the Master Plan. They will bring back to the second meeting in February.

WAIVERS

There were no waivers to come before the board.

INVOICES

There were no invoices to come before the board.

RESOLUTIONS

PSPP/FC16-31/PSOIL16-32 – Living Water Tabernacle - 11 Skyline Dr – B: 53, L: 8- Preliminary and Final Major Site plan with variances to modify and expand an existing building at 11 Skyline Drive for use as a place of worship- Approved 12/8/16. (R. Conklin, A. Adrignolo, L. Kornreich, J. Visco & G. Lewis)

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

PEXT16-33 Torch, Joseph – Abbott Rd – B: 39.06, L: 99.03 – request for extension of approvals until 12/13/17. (R. Conklin, A. Adrignolo, L. Kornreich, J. Visco & G. Lewis)

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

MINUTES

Minutes of 12/8/16 – Eligible: R. Conklin, A. Adrignolo, L. Kornreich, J. Visco & G. Lewis

Minutes 1/26/17 – Eligible: R. Conklin, A. Adrignolo, A. Maggio, N. Agnoli, L. Kornreich, J. Visco, P. Mudd, R. Lipari & G. Lewis

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

Minutes of 1/12/17 – Eligible: R. Conklin, A. Adrignolo, A. Maggio, N. Agnoli, L. Kornreich, J. Visco, R. Lipari & G. Lewis

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

LOI/DEP NOTIFICATIONS

Mr. Omland reported on two LOIs regarding wetlands.

LEGAL/LEGISLATIVE UPDATES

Mr. Carroll had no update, but said they would be discussing affordable housing at a future meeting in closed session.

CORRESPONDENCE / EXTENSIONS / DISMISSALS

There were no correspondence/extensions/dismissals to come before the board.

OLD BUSINESS

There was no Old Business to come before the board.

NEW BUSINESS

PSPP/FC16-02 Van Schaik – 640 Rt 202 – B: 40, L: 51 – preliminary/final site plan with variances –
Notice Acceptable ACT BY: 4/5/17

Mr. Steven Tombalakian, Esq. on behalf of the applicant summarized the following: building, property location, original plan to refurbish, now new building, and consistency with Towaco area.

1st witness, James P. Cutillo, architect was sworn in and his credentials accepted.

Exhibit A-1 (Updated Architectural Plan – Pages A1 & A2) dated 9/12/16 was submitted. The plans included the elevations, floor plan, and foundation plan. It was revised on 9/16/16. He testified on the following: design rationale, research, reconstruction engineer, intention of no basement level, new building design with intent to rent as either 1 or 2 spaces, prosed brick façade to match other buildings in area, DRC meeting discussion regarding lighting and parking, and intended retail use. Planning Board members & Professionals asked questions regarding: exit door locations, square footage of tenants, height calculations, dimension of roof line, specifications of design colors, etc., and final submissions.

Chairman Lewis opened the meeting to the public for questions on Mr. Cutillo's architectural testimony. There being no discussion, the meeting was closed for public discussion on the most testimony on a motion made by Dr. Kornreich, seconded by Mr. Maggio - All in Favor by Voice Vote. None opposed.

2nd witness, Mr. Thomas Graham, Engineer, was sworn in and his credentials accepted. He discussed the following items: preliminary and final site plans, property description including location and size, existing businesses in area, no wetlands, application to reconstruct on existing footprint, parking proposal, sidewalks, proposed doors, storm water management, run-off and water quality, meeting zoning requirements except setbacks and impervious coverage due to property restraints, waiver required for steep slope issues, waiver for driveway width, Towaco center standards, not proposing benches, street trees or bike racks, providing planters to beautify area, will update landscape plan, parking setback requirement, enhancement of existing vegetation, and concerns of refuge vehicle access to site.

Exhibit A-2 (Truck Maneuvering Plan) dated 1/26/17 was submitted. They will submit the truck maneuvering plan, snow removal plan, operator's manual for storm water, and lighting plan. They will be working with Mr. Omland's office to meet all requests. Chairman Lewis inquired about environmental issues with property. He said they received a no further action letter and will forward. Mr. Omland asked Mr. Graham questions regarding the property constraints, 9 foot aisles, circulation, walls, foundation, keeping footprint intact, and HVAC system. Mr. Graham said they were still waiting on the Morris County Planning Board approval. Mr. Omland was in favor of keeping the 4th spot out front and asked questions about door dimensions and emergency exits. Planning Board members asked questions and shared concerns regarding: distance between buildings, pedestrian movement, NJ Transit future plans, walkways, and the option of tapering the building and eliminating the door in order to widen driveway.

Chairman Lewis opened the meeting to the public for questions on Mr. Graham's engineering testimony.

Mr. Vince Rienzi of 4 Ashley Place in Towaco, inquired if other options had been considered regarding the building configuration. He suggested an easement, since he is concerned about the widths between the buildings for garbage truck access.

There being no discussion, the meeting was closed for public discussion on the most testimony on a motion made by Mr. Adrignolo, seconded by Mr. Agnoli - All in Favor by Voice Vote. None opposed.

3rd witness, Ms. Jessica Caldwell, Planner, was sworn in and her credentials accepted. She testified regarding the following: bulk variances requested regarding setbacks, impervious coverage, parking, (c)2 variance testimony, redevelopment of existing site and footprint, lot size restrictions, MLUL and Master Plan, benefits outweighing the detriments, DRC building approval, visual environmental improvements, providing new commercial usage, reducing impact of use on site, efficient use of land, fits into neighborhood, proposed landscaping, pavers and parking, and no substantial detriments to neighborhood. She addressed Mr. Burgis' memo comments regarding: Master Plan goals, meeting mixed uses, new opportunity for commercial use, reducing construction costs, refurbishing an existing building, enhancing an area with redevelopment, and keeping within the train station design. Mr. Szabo accepts the difficulty with the site. They will work with Mr. Burgis' office and provide an updated landscaping plan. There were no Planning Board member questions.

Chairman Lewis opened the meeting to the public for questions on Ms. Caldwell's planning testimony. There being no discussion, the meeting was closed for public discussion on the most testimony on a motion made by Mr. Adrignolo, seconded by Mr. Agnoli - All in Favor by Voice Vote. None opposed.

Chairman Lewis opened the meeting to the public for questions on the overall testimony.

Mr. Vince Rienzi of 4 Ashley Place in Towaco, said his building is on the property line and he is concerned with the driveway width between the buildings for garbage truck access, overhead utilities, and box truck access, and proximity to gas meters on his building. He is in support of the project, but recommended moving the building or getting an easement.

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

Mr. Tombalakian gave a brief summation. He believes there is a way to work out the garbage concerns. He suggested picking up off hours, only using right driveway, and will address overhead utilities concerns. He feels the application is overdue, will improve the area, and make Montville proud. Planning Board members discussed the parking needs, driveway width, building constraints, structural analysis,

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limiting back parking access to employees and garbage pickup only, circulation patterns, and removal of side door.

Conditions to include the following: limiting back parking lot to employees and owners with signage, driveway being tapered, deliveries in front only, planting and lighting to be reviewed by Burgis' office, complying with the DOT, fire lane striping, to submit a no further action letter, and that the existing foundation and footing are to be reused or variances will not be null.

A motion to approve the application with the above conditions was made by Dr. Kornreich, seconded by Mr. Agnoli. Roll Call. All in Favor. None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, N. Agnoli, L. Kornreich, J. Visco P. Mudd, R. Lipari & G. Lewis)

Break from 10:31pm to 10:35pm.

PMS/C16-28 Trax Car Wash – 8 Rt. 46 – B: 162, L: 3 – minor site plan with variances – Notice
Acceptable ACT BY: 4/18/17

Mr. Schepis, Esq. on behalf of the applicant, summarized.

1st witness, Mr. John Giacobelli, the property owner, spoke about the general purpose of why they were here. He explained that he purchased the carwash in May 2016, the previous conditions, and improvements they made including the equipment, lighting and exterior. He said they are seeking approval for the previously made modifications, are looking to improve the flow, and tone down the colors.

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

2nd witness, Mr. Anthony Garrett, Architect, was sworn and his credentials accepted. He discussed the variances requested and design exceptions.

Exhibit A-1 (List of Trax Carwash Requested Variances and Design Exceptions) dated 1-26-17 was submitted.

Exhibit A-2 (Colorized Revised Site Plan) dated 1-9-17 was submitted.

Exhibit A-3 (Colorized Signs), Exhibit A-4 (Existing Conditions) and Exhibit A-5 (Colorized Elevations with Modification to Stripping) were submitted.

Mr. Garrett described the property including the following: size, vacuums, curb cuts, flood hazards, ingress, existing and proposed circulation, impervious coverage, proposed landscaping with Burgis' office, DRC requests, drive through carwash, shade trees, proposed and replacement site lighting, completion of Mr. Omland's lighting analysis with compliance, canopy proposal, pay station, re-striping of parking spaces and new parking, vending machine relocation, pedestrian circulation, sidewalk proposal, curbs, pedestrian amenities including bench and bike racks, site triangles, dumpster enclosure and pick up hours, striped loading area, improved circulation, handicap stall, 3rd kiosk proposal, proposed and existing signage including size, location and colors, building size limitations, and accent striping dimensions. He talked about the variances and requests regarding the signs, impervious coverage and setbacks and the design exception requests regarding the parking and bike lanes along Bloomfield Ave. He addressed Mr. Omland's concerns and deferred parking to later testimony. Chairman Lewis and Mr.

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Szabo asked about vacuum location, size, and landscaping. He said they will place standard size vacuums along Rt. 46 and will work with Mr. Burgis' office regarding landscaping and design. Mr. Szabo asked questions regarding the frontage along Bloomfield Ave., sidewalks, and LED signs. He asked them to add a separation along the sidewalk and property, for which they will.

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

Mr. Omland asked questions regarding the operation mechanical changes and exit circulation. Planning Board members asked questions about the signs in regards to size and amount of. Discussion followed.

The applicant agreed to three 5x4 signs, 4" accent striping along the roof, lighting compliance, no vacuum canopy along Route 46, and working with Mr. Burgis' office on landscaping for the vacuum.

A motion to approve the applicant with the above conditions was made by Dr. Agnoli, seconded by Mr. Lipari. Roll Call. All in Favor. None Opposed. (R. Conklin, A. Adrignolo, A. Maggio, N. Agnoli, L. Kornreich, J. Visco P. Mudd, R. Lipari & G. Lewis)

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. Mudd, seconded by Mr. Agnoli, the meeting was unanimously adjourned at 11:41pm.

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.