

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, March 12, 2020

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, F. Cooney, L. Kornreich, J. Visco,
R. Lipari, N. Agnoli (7:33pm-10:10pm), P. Repic & G. Lewis

ABSENT EXCUSED A. Maggio

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

PROFESSIONALS S. Omland (Engineer), E. Sniekus (Board Planner) H. Maltz (Traffic Engineer)
& M. Carroll (Board Attorney)

ANNOUNCEMENTS

Chairman Lewis welcomed everyone to the meeting. He informed the public that the Resolution for the Avalon property was carried to the 3-26-20 meeting.

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 had a quick meeting, but had no report.

Board of Health – Mr. Lipari said there was no meeting.

Environmental Commission – Dr. Kornreich said there was no meeting.

Water & Sewer – Vice Chairman Maggio was absent.

Historic Preservation Review Commission – Mr. Visco had no report.

Design Review Committee – Mr. Braden said they met on 3-10-20.

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

Economic Development Committee – Chairman Lewis had no report

Open Space Committee – Mr. Agnoli had no report.

Master Plan – Chairman Lewis said the subcommittee met tonight and that the 2nd phase is underway to make the amendments to the zoning ordinance.

Highlands Legislation Review Committee – Chairman Lewis had no report.

Fire Districts – Committeeman Conklin (Towaco) had no report, Vice Chairman Maggio (Montville) was absent, and Mr. Braden (Pine Brook) had no report.

Township Committee Mayor's Report – Mayor Cooney reported on the 3-28-20 recycling and shredding event where containers will be distributed and he also said the OEM will be providing more information on the coronavirus tomorrow.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in Board Professionals.

SECRETARY'S REPORT

Secretary J. Mowles reported that she received an application to come before the Board of Adjustment for 205-207 Changebridge Road for an assisted living facility.

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

PLANNING BUSINESS

Public Hearing - HPRC request for designation of the Hierwarter Property – 19 Boonton Ave – B: 23, L: 33 – to be recognized with a Historic Designation – Property owner was notified.

Chairman Lewis commented that the property owner was notified and that Ms. Pat Gamsby, Chair of the HPRC was present. He explained that the board was looking for additional information beyond what was submitted to support the request as this is the public hearing. Ms. Gamsby discussed the 3 or 4 criteria as previously stated regarding the house, property, open space, further protection of, and current occupants. She said the expert was not present tonight. Chairman Lewis felt more comfortable hearing from the expert and current property owner. Ms. Gamsby will have an expert write a report as they can't make a Thursday meeting. The public hearing was carried to the 4-23-20 meeting.

WAIVERS

PMISC20-09 Service Support Specialties, Inc. - 6 Mars Court, Units 6-7 & 6-8, Montville – BL: 3, L: 38.10 - current tenant of 9 Mars Court seeking an additional 6,994 sf total space (3,191sf office & 3,803 sf warehouse) for offices, warehouse and tech area for engineering and prototype business - Hours of operation: 8am – 5pm, M-F; closed Sat & Sun - 12 employees, 1 shift - no overnight parking of vehicles - no new signage requested

A motion to approve the waiver was made by Mr. Braden, seconded by Mr. Braden. Roll Call. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, A. Adrignolo, F. Cooney, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, P. Repic & G. Lewis)

PMISC20-10 Marotta Charging Stations – 78 Boonton Avenue, Montville - BL: 1, L:29 - install 4 dual-port level 2 EV charging stations in gated employee parking lot, not accessible to public

A motion to approve the waiver was made by Committeeman Conklin, seconded by Dr. Kornreich. Roll Call. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, A. Adrignolo, F. Cooney, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, P. Repic & G. Lewis)

PMISC20-12 DirectSat USA, LLC – 20 Chapin Road, Unit 1011 – BL: 183, L:7.2 - 7,000 sf space (1,421 sf office/5,579 sf warehouse) for contractor for AT&T/DirectTV, warehouse is used to store supplies for technicians who install the satellite tv dishes - Hours of operation: 7am – 5pm, M-F; closed Sat & Sun - 12 employees, 1 shift - company vehicles include Ford Transit vans, F150s, Ram

Promasters, Chevy Express - no overnight parking of vehicles; technicians take vehicles home - signage in compliance with 1st Industrial theme

A motion to approve the waiver was made by Mayor Cooney, seconded by Mr. Braden. Roll Call. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, A. Adrignolo, F. Cooney, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, P. Repic & G. Lewis)

INVOICES

M.P. Carroll - Trust for: \$37.50 (A-Rent-All-Center); \$75.00 (Cook); \$75.00 (Fujitsu); \$37.50 (Kattel); \$37.50 (Montville 340 Changebridge -Millcreek); \$1,762.50 (Montville Urban Renewal-Avalon); \$750.00 (Prince Sterilization); \$75.00 (RWB)

A motion to approve the invoices was made by Mr. Braden, seconded by Mr. Repic. Roll Call. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, A. Adrignolo, F. Cooney, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, P. Repic & G. Lewis)

RESOLUTIONS

****PSPP/F/PSOIL19-10 – Montville Urban Renewal (Avalon Bay) – 85 Bloomfield Ave – B: 167; 178; 179, L: 28-32; 3; 1 0 AHR-1 – preliminary/final site plan 349 rental units including 52 affordable housing units Approved– Eligible: Braden, Conklin, Visco, Lipari, Cooney, Repic, Lewis**

******APPLICANT REQUESTED TO CARRY THE RESOLUTION TO 3/26/20**

MINUTES

There were no minutes to come before the board.

LOI/DEP NOTIFICATIONS

Mr. Omland had no LOI/DEP Notifications.

LEGAL/LEGISLATIVE UPDATES

Mr. Carroll had no Legal/Legislative Updates.

OLD BUSINESS

**PSPP/F/PSOIL19-13 – Montville 340 Changebridge Urban Renewal (Millcreek) – 340 Changebridge Road – B: 159, L: 5.01; AHR-2 – 295 units 47 of which are to be affordable units- Carried with notice from 2/13/20 – Eligible: R. Conklin, T. Braden, A. Adrignolo, R. Lipariⁱ, F. Cooney, L. Kornreichⁱⁱ, J. Visco, N. Agnoli, P. Repic & G. Lewis
ACT BY: April 14, 2020**

Present on behalf of the applicant was Mr. Andy Norin, Esq., Mr. Adam Alexander, Landscape Architect, Mr. Dave Misotsky, Civil Engineer, Mr. Jared Dinnen, Traffic Engineer, Mr. Jack Raker, Architect, and Mr. Rich Murphy, Applicant.

Mr. Norin, Esq. said they were here for the continuation of the hearing. He said since the last meeting they had revised the designs, appeared before the DRC, and received approval.

Dr. Kornreich and Mr. Lipari put on record that they were certified to participate in the hearing tonight.

1st witness, Mr. Alexander, Landscape Architect, was sworn in and his credentials accepted. He gave an overview of the following items: Courtyard 1 - including matching materials, landscape walls, plantings, paver circulation, outdoor seating area, outdoor kitchen space with grills, area for tables and chairs,

gathering space, walkway illumination, and landscape and string lighting to create ambiance, Courtyard 2 - including landscape walls, plantings, walkway pavers, synthetic grass material for sitting and gathering, grills, and lighting selections, Courtyard 3 - including landscape walls, walkway circulation, grill locations, playground area, fencing, lighting selections and directional, Roof Amenity - including pedestrian pavers, screen wall, outdoor kitchen area, seating, pergola area, loose furniture, TV screening, planters, and lighting selections and locations. Board members asked about restrictions, curfew times, down lighting, and types of grills. Owner, Mr. Murphy, who was previously sworn in, reviewed the restricted hours, quiet area, use during day vs. evening, and grills with timer shut-offs. Mr. Omland asked about fire protection of grills, building amenities, pole lights, drainage, and grading. Mr. Murphy further discussed the grills, balconies, number of bedrooms in different units, anticipated number of school children, settlement agreement, how courtyards are monitored, roof top, and key fob access. Mr. Sniekis inquired about the playground area, surfacing, rooftop shading and shade analysis, and the dog park. Mr. Murphy explained that the playground was typically for toddlers to age 5 and said the umbrellas are weighted down. Mr. Omland said that the landscape plans would need to be woven into one set of the drawings.

Chairman Lewis opened the meeting to the public on Mr. Alexander's landscape architectural testimony.

Mr. David Rodman of 58 Maple Ave in Pine Brook, asked about the courtyard and rooftop layouts on property.

Ms. Janet Koskoff of 59 Maple Ave in Pine Brook, asked about the landscape budget and back view of building. Mr. Alexander feels the landscaping is sufficient and discussed the existing conservation easement.

Mr. Rodman of 58 Maple Ave in Pine Brook asked about relocating the building. Mr. Alexander said that is was not feasible or desirable.

There being no further questions, the public examination of the witness was closed for public comment on a motion made by Mr. Lipari, seconded by Mr. Agnoli - All in Favor by Voice Vote. None opposed.

2nd witness, Mr. Raker, Architect, was sworn in and his credentials accepted. He reviewed the roof top exhibit and answered Mr. Omland's questions regarding the heights of roof top and the accessory structure with the tallest structure being the elevator over run. Mr. Sniekis inquired about the percentage of area covered, which was under the allowable number.

Chairman Lewis opened the meeting to the public on Mr. Raker's architectural testimony.

Mr. Rodman of 58 Maple Ave in Pine Brook asked about the roof amenity and effect of additional shade cast on neighbors.

There being no further questions, the public examination of the witness was closed for public comment on a motion made by Mr. Agnoli, seconded by Mr. Visco - All in Favor by Voice Vote. None opposed.

Mr. Omland asked for a final garage layout.

3rd witness, Mr. Wisotsky, Civil Engineer, was sworn in and his credentials accepted. He reviewed the following items: retaining walls, steep slope disturbance, stabilization, waiver requirement, practical nature, necessity, proposed restored slope, and complying with all of Mr. Omland's comments. Mr. Omland commented on the importance of the steep slope stabilization and asked him to state for public why building can't be moved westerly. Mr. Braden asked about the disturbance of conservation easement.

Mr. Omland explained that it was going to be built from the inside out and if not, they would stop the project, and they would need to come back before the board.

Chairman Lewis opened the meeting to the public on Mr. Wisotsky's civil engineering testimony. There being no questions, the public examination of the witness was closed for public comment on a motion made by Mr. Lipari, seconded by Mr. Agnoli - All in Favor by Voice Vote. None opposed.

4th witness, Mr. Jared Dinnen, Traffic Engineer, was sworn in and his credentials accepted. He reviewed the following items: property location, traffic counts and timing of, existing office building and levels of service when occupied, minimal changes at intersection, number of trips in morning, evening, and weekends, Woodmont Road approach level of service, traffic signal changes, and post development condition. Mr. Maltz asked questions from the 1-31-20 and 3-6-20 reports and outstanding items including what was observed from the Woodmont Road approach, retiming of traffic signals, the procedures used for trip generations, and residential parking supply with shared parking spaces. Chairman Lewis asked about the school bus pick up location. Mr. Dinnen said they did not look at the existing office building parking supply and how it relates to the shared parking.

Break from 9:05pm to 9:15pm.

Mr. Wisotsky presented a possible school bus turn-around area option, which could be accommodated. Mr. Agnoli inquired about the distance, sidewalks, and lighting from building and Mr. Maltz the parking spaces. Mr. Dinnen discussed the parking totals, shared spaces, and pre-existing conditions, which would not be changed. There were no professional or board questions.

Chairman Lewis opened the meeting to the public on Mr. Dinnen's traffic engineering testimony.

Ms. Janet Koskoff of 59 Maple Ave in Pine Brook asked about the number of vehicles coming in and out of site building, timing of study, and how performed.

There being no further questions, the public examination of the witness was closed for public comment on a motion made by Mayor Cooney, seconded by Mr. Agnoli - All in Favor by Voice Vote. None opposed.

Board members commented on the sidewalk and ADA compliance, obligation of, and sufficiency of lighting. Mr. Wisotsky said they did not have the data of roadway. Mr. Omland said that only curb ramps are needed to comply. Mr. Norin spoke on the grandfathered redevelopment plan. Mr. Omland commented on the redevelopment clause, which is to ensure good quality compliant sidewalks with curb ramps.

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

Ms. Janet Koskoff of 59 Maple Ave in Pine Brook felt that a building of this height was not needed and that the building was not in need of demolition. She does not want the building, rooftop, noise, or sunlight cut-down. She said the town is setting a precedent, asked to consider her quality of life, and feels it is not benefitting the residents. Chairman Lewis explained that this site was subject to an agreement with the Affordable Housing court settlement, that there were no variances needed, and that the Planning Board has no jurisdiction over size, height, or location.

Mr. David Rodman of 59 Maple Ave in Pine Brook commented on the position of the board, the quality of his life changing, concerns of school buses, safety, and compliance.

There being no further questions, the meeting was closed for public comment on a motion made by Mr.

Lipari, seconded by Mr. Agnoli - All in Favor by Voice Vote. None opposed.

Mr. Norin spoke on the compliant plans, design waiver, and asked for approval.

Board deliberation followed. Chairman Lewis summarized items to be discussed including fire loop, parking, de minimus RSIS, steep slopes, disturbance, condition review of sidewalk with sidewalk ordinance, and school bus movement. Board members commented on the following items: relief for steep slope, shared parking, zoning changes, interests of Montville Township, set back of conservation easement, sewer system upgrade, mitigating potential rooftop to Maple Ave, timing regulations, demimimus parking waiver, steep slope waiver, bus and sidewalk review, timing restriction of rooftop, town noise ordinance, decibel measurement, and noise rules and regulations. Straw poll to decide time limit of rooftop access was decided to be until 9:30pm Sunday through Thursday and 10:00pm on Friday and Saturdays.

A motion to approve the application including RSIS waiver, steep slope waiver, evaluation of school bus and sidewalks, and rooftop time limitations was made by Committeeman Conklin, seconded by Mayor Cooney. Roll Call. 7 Yes, 2 No. (Yes - R. Conklin, No – T. Braden, Yes - A. Adrignolo, Yes - F. Cooney, Yes - L. Kornreich, Yes - J. Visco, Yes - R. Lipari, Yes - P. Repic & No - G. Lewis)

NEW BUSINESS

There was no New Business to come before the board.

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. On a motion made by Committeeman Conklin, seconded by Mr. Lipari, the meeting was unanimously adjourned at 10:10pm.

Respectfully submitted,

Kelley Kehoe, Recording Secretary

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

Jane Mowles, Secretary

ⁱ Must certify to 2/13/20 hearing

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