

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, January 24, 2019

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, L. Kornreich, J. Visco, R. Lipari,
N. Agnoli, J. Sandham & G. Lewis

ABSENT EXCUSED A. Maggio & F. Cooney

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

PROFESSIONALS Joseph Burgis (Board Planner), J. Giurintano (Board Engineer)
& M. Carroll (Board Attorney)

ANNOUNCEMENTS

Chairman Lewis welcomed everyone to the 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 had no report.

Board of Health – Mr. Lipari had no report.

Environmental Commission – Dr. Kornreich reported on the sustainable living sessions to be held over the next 3 months.

Water & Sewer – Mr. Maggio was absent.

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

Design Review Committee – Mr. Braden had no report.

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

Economic Development Committee – Mr. Lewis said they had their reorganization meeting and discussed future goals.

Open Space Committee – Mr. Agnoli had no report.

Master Plan – Chairman Lewis said met prior to tonight's meeting and are making progress and will reconvene in March.

Highlands Legislation Review Committee – Chairman Lewis had no report.

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

Township Committee Mayor's Report – Mayor Conklin reported on the submission of non-condemnation and that they are working on demolition by neglect.

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Chairman Lewis reported that the Pine Book redevelopment hearing will take place at the February 14th meeting. He explained that under the direction of the Township Committee it is the Planning Board's job to send a recommendation back to the Township Committee for advice only on the consistency with the Master Plan.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in board professionals.

SECRETARY'S REPORT

Secretary J. Mowles said to anticipate an application for the Allegro Development on Changebridge Road shortly, which is currently before the Board of Adjustment. She reported that the area in need of redevelopment for the Bayer site will be reviewed at the 3/14/19 hearing and the Avalon Bay redevelopment plan will be reviewed at the 2/14/19 hearing for consistency with the Master Plan.

BOARD DISCUSSION

There was no Board Discussion.

PLANNING BUSINESS

Planning & Zoning Division Annual Report - Ms. Mowles reported that she did not receive any feedback from Planning Board members and it is now before the Board of Adjustment.

By-laws Discussion was carried. Mr. Carroll is still working on it.

PUBLIC DISCUSSION

Chairman Lewis 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 Mr. Braden, seconded by Mr. Visco. All present were in favor. None opposed.

WAIVERS

There were no Waivers to come before the board.

INVOICES

Burgis – Trust for: \$708.75 (Daughtry); \$641.25 (DLS); \$135.00 (Lucin/Cocomello); \$371.25 (McDonald's); \$978.75 (Roome Road); \$337.50 (DRA 350 Main); \$877.45 (29-46 East LLC); \$641.25 (Van Schaik)

Dorsey & Semrau – Trust for \$75.00 (Towaco Station)

MP Carroll – Trust for: \$67.50 (AKR); \$67.50 (Cottrell); \$472.50 (Daughtry); \$67.50 (DLS); \$33.75 (McDonald's); \$67.50 (Newark-Jersey); \$405.00 (Prince Sterilization); \$33.75 (Roome Road); \$67.50 (Towaco Station); \$67.50 (Van Schaik); \$135.00 (29-46 East LLC)

The invoices were approved on a motion made by Mr. Adrignolo, seconded by Mr. Agnoli. Roll Call. All in Favor. None Opposed.

RESOLUTIONS

PMN/C/PSOIL18-13 – Daughtry 2018 –60 Horseneck Rd - B: 125.07, L: 23 – minor subdivision with variances & Soil Movement – Approved – Eligible: L. Kornreich, J. Visco, R. Lipari & G. Lewis

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

MINUTES

Planning Board Minutes of 12/13/18 – Eligible: R. Conklin, , T. Braden, A. Adrignolo, R. Lipari, N. Agnoli, J. Sandham, G. Lewis

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

LOI/DEP NOTIFICATIONS

Update on DEP regulations - Mr. Giurintano reported that Mr. Omland will give his report next month.

LEGAL/LEGISLATIVE UPDATES

Mr. Carroll reported that they met with the state and local government today. A request has been sent to the Mayor for comment on two bills. One where employees would be required to do reviews and inspections outside of normal business hours, and a one for a creation of a second Board of Adjustment in municipalities to handle overflow applications.

NEW BUSINESS

PMN/C18-11 – Lucin, Thomas (Ref Cocomello) – 3 Cedar Rd – B: 82.05, L: 87.01 – Notice Acceptable
ACT BY: 3/2/19

Present on behalf of the applicant: Geoffrey Evans, Esq; J. Michael Petry, PE; PP, AIA; Thomas Lucin, Applicant

Mr. Jeff Evans, Esq. briefly summarized the application including the proposed lot, intent, new house, minor subdivision, two variances requested, minimum lot area, conformity with neighborhood, minimum building area, pre-existing house, and design exception for steep slopes.

1st witness, Mr. Michael Petry, Architect, Engineering, and Planner was sworn in and his credentials accepted.

Exhibit A-1 (Aerial Photo from Tax Map) dated 1-24-19 was submitted. He testified on the following items: existing conditions, aerial photo of surrounding neighborhoods, cross roads, dead end, R-27A zone, and average acreage of 4/10 of an acre.

Exhibit A-2 (Photos of Existing Homes in Neighborhood) taken within the week under his supervision was submitted. The six pictures included 5 houses and 1 open lot.

Exhibit A-3 (Colorized Subdivision Plan) was submitted. He reviewed the existing property, total lot size, acreage, existing non-conforming public utilities, paved driveway and pavers, elevations, and municipal drainage easement.

Exhibit A-4 (Colorized Subdivision Map) was submitted. He discussed the lot designations, total acreage, square footage, not meeting lot area requirements, 5,000 square foot buildable area requirements, bulk standards, compliance with zoning standards, and width standards.

Exhibit A-5 (Colorized Conceptual Grading Plan) was submitted. He reviewed the proposed house location, steep slopes, wall construction, side yard, driveway grading, bump out for turnaround, pool area location, and coverage limitations.

Exhibit A-6 (Colorized Proposed House Elevation) was submitted. He summarized the single family dwelling, two car garage, porch, and roof materials.

Exhibit A-7 (Colorized Proposed House Floor Plan) was submitted. He reviewed the house layout and square footage.

Mr. Petry testified on the following items: aerial photo relevance, neighborhood description, average lot sizes, seeking 2 lots, house square footage, proposed home and lot sizes, C2 criteria, appropriate population density, promoting desirable environment, completing streetscape, similar style and size home, benefits to neighborhood as a whole, no negative criteria, no substantial detriments, compliance with ordinance, storm water management, drainage, in keeping with the goal of Master Plan, compatible with neighborhood, and in keeping with zone plan.

Mr. Burgis shared his comments and observations regarding the study area and 20 foot notifications. Mr. Giurintano discussed the storm water management plan. He suggested that a maintenance manual be provided to the homeowner as a condition of approval. Planning Board members commented on the rear slope, trees coming down, screening for neighbors, density of recreational effect on lake, and house height.

Chairman Lewis opened the meeting to the public Mr. Petry's testimony. There being no discussion, 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.

Chairman Lewis opened the meeting to the public on the overall testimony. There being no discussion, the meeting was closed for public comment on a motion made by Mr. Lipari, seconded by Mr. Sandham - All in Favor by Voice Vote. None opposed.

There were no board comments.

A motion to approve the application including the maintenance manual was made by Dr. Kornreich, seconded by Mr. Agnoli. Roll Call. All present were in Favor. No opposed. (R. Conklin, T. Braden, A. Adrignolo, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, J. Sandham & G. Lewis)

Break from 8:28pm to 8:39pm.

PSPP/FC/PSOIL18-10- 29-46 East LLC – 29 Route 46 E & 12 Chapin Rd– B: 183, L: 8 – Notice
Acceptable ACT BY: 4/11/19

Present on behalf of the applicant: Steven Schepis, Esq; Joseph Mianecki, PE, PP; John Reimnitz, AIA; Charles Badalamenti, Applicant

Mr. Schepis, Esq, briefly summarized the site plan application, the Woodstack restaurant, previous approvals for valet parking, 95% impervious coverage, and the applicant acquiring the adjacent property.

Chairman Lewis explained the application process for the public.

Mr. Schepis continued his opening including the intent to merge the properties to provide additional parking spaces and allow for through traffic, Phase II with the expansion of outside dining, and the soil movement.

1st witness, Mr. Miannecki, Engineer, was sworn in and his credentials accepted. He testified on the site plan based on the old survey, existing conditions, improvements, current valet parking, property location, curb cuts, site access, adding parking, and eliminating the valet parking. He described Phase 1 in detail including the upgrades to handicap parking, parking restriping, parking relocation, angle parking, one way traffic, widths, access isles, internal loop, circulation pattern, site distance, Morris County standards, topography including grades and slopes, enclosure, previous improvements, exit options, surrounding land uses, monument sign, landscaping, underground water retention, and sidewalk improvements. He said Phase 2 would include a raised outdoor entertainment space, building expansion, sidewalks, rear building access, and ADA accessibility. He described the drainage system including the underground retention basin, sheet flow, infiltration basin/swale and overflow, NJDEP requirements for new parking lot and building area, and new drainage for outdoor patio area. Mr. Schepis said that the lot would be a “deed of merger” with both lots being combined. Mr. Miannecki continued his testimony on the landscape and lighting plan including: removal of existing lighting with proposing new LED fixtures, same locations, dark sky compliant, adding fixtures, new parking lot proposed lighting, illumination, foot candles, landscaping, types of plants, wall façade, cedar flooring, gate, fencing, refuse container, easement agreement, conditions of utilities, and improvements if necessary. He discussed the two design exceptions needed for impervious coverage and lighting. He reviewed the total square footage for both lots, practical difficulties, no negative impacts to storm water management or to adjoining properties, proposed number of parking spaces, design flow, Pine Brook Fire Department requests being met, pedestrian access to building, pedestrian safety, drive isle compliance, and lighting intensity. He reviewed the variances needed for the drive isle separation, loading space, and separation between driveway and outdoor dining area. He described the existing condition in front of building, handicap area, outdoor dining area, emergency vehicle access, drive aisle, setback requirements, narrowness of lot property, loading space location options, loading hours, masonry wall to protect diners, existing building location, and tandem parking spaces for employees. He addressed Mr. Omland’s comments regarding the outdoor dining proposed square footage, live music, and dumpster area. Mr. Giurintano commented or asked questions regarding the stage, distance to residents, surrounding uses, storm pipe under patio, timing of Phase 1 & 2, how managing vehicle and pedestrian flow until Phase 2 is complete, angled parking, loading hours, existing pavement improvements, and handicap space location choices. Board members asked questions or shared concerns about the property becoming a cut through, parking space direction, retaining valet parking, speed hump options, underground retention basin and overflow, parking space shortage, fire lane striping, number of parking spaces, enclosure location smells, pedestrian circulation, and infiltration system.

Chairman Lewis opened the meeting to the public on Mr. Miannecki’s engineering testimony.

Mr. Glenn Buie of First Industrial was sworn in. He inquired about the storm water management system design regarding the trench detail, test pits, findings and ground water. He was also concerned with damage to the tree line during excavation. He said he has no issues with light spillage or the dumpster location to his property. He is concerned that people will be parking on his adjoining site and he does experience traffic cut through on his property.

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

2nd witness, Mr. John Reimnitz, Architect, was sworn in and his credentials accepted.

Exhibit A-1 (View of Proposed Rear Exterior Elevation with Specifications) prepared by him for the DRC was submitted. He testified on the following items: how the existing restaurant works, location, valet, entry, various dining rooms, bar area, kitchen, refuse area, basement, and images of the existing back of building. He reviewed the alterations including keeping the kitchen as is, proposed two garage

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doors to allow access to patio, an exterior bar, access from parking area to outdoor patio/terrace, surface materials, outdoor garden and picnic area, grades, planters, screening, rear elevations, lighting, handicap ramp, elevated patio area, back entry, upgrade of back façade, proposed posts for string lighting, raised patio, square footage of building expansion, 78 seat proposal, outside six-person picnic tables, outdoor fire pit, and stage proposal. Mr. Giurintano asked about the outdoor space usage, elimination of 22 indoor spaces, and handicap accessibility for gravel area on patio. Board members asked questions about the outdoor bar material, standing capacity, safety of fire pit location to stage, gravel permeability, and adding details to Mr. Mianecky's plan.

Chairman Lewis opened the meeting to the public Mr. Reimnitz's testimony. There being no discussion, 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.

The application was carried to the 2/14/19 meeting with notice preserved.

OLD BUSINESS

There was no Old 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 Mr. Adrignolo, seconded by Mr. Braden, the meeting was unanimously adjourned at 10:35pm.

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