

## **MONTVILLE TOWNSHIP PLANNING BOARD**

Held Virtually Through WebEx  
**Minutes of Thursday, March 11, 2021**

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.

### **ANNOUNCEMENTS**

Chairman Lewis welcomed new board member, Ms. Christine Fano. She introduced herself to the board sharing that she is a Montville Twp. resident, is currently on the Board of Education, and that her family has been involved in real estate for many years.

### **ROLL CALL**

**PRESENT** R. Conklin, T. Braden, A. Adrignolo, A. Maggio,  
F. Cooney (7:30-7:54pm), L. Kornreich, R. Lipari, N. Agnoli, P. Repic,  
C. Fano & G. Lewis

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

**PROFESSIONALS** M. Carroll (Board Attorney), S. Omland (Engineer)  
& J. Burgis (Board Planner)

### **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 for Committee and Liaison member reports:

Board of Adjustment – Chairman Lewis reported that the use variance for retail was denied on the proposed liquor store outlet located on Changebridge Road.

Board of Health – Mr. Lipari had no report.

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

Water & Sewer – Vice Chairman Maggio had no report.

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

Design Review Committee – Mr. Braden reported that they met on 3-9-21 and heard the preliminary review for the Juve Group, which is on tonight's agenda. He said the DRC required more information and it was carried to their next meeting.

Site Plan/Subdivision Committee – Mr. Braden said they met and a number of waivers were heard.

Economic Development Committee – Mayor Cooney reported that they held their reorganization meeting and are looking for project ideas.

Open Space Committee – Mr. Agnoli said they are meeting next week.

Master Plan – Chairman Lewis reported that the first package of zoning amendments passed at Tuesday night's meeting, but not the overlay zones. He said the Township Committee carried that section until when they can meet again in person, so that the public can have more input. Mayor Cooney confirmed. Chairman Lewis suggested that the meeting be a joint meeting with the TC and PB. He also requested that the Service Station zoning amendments be put on their next agenda.

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

Township Committee Mayor's Report – Mayor Cooney reported on the Covid numbers in town.

### **SWEARING IN OF PROFESSIONALS**

Mr. Carroll swore in Board Professionals.

### **SECRETARY'S REPORT**

Secretary J. Mowles 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. 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 Mr. Lipari, seconded by Mr. Agnoli. All present were in favor. None opposed.

### **PLANNING BUSINESS**

Ms. Fano brought to the board's attention a two part "supportive housing" Zoom presentation she attended. She explained that autism and disability housing can meet some of the affordable housing requirements. She said that municipalities are working with the developers and that there is funding involved as well. Chairman Lewis asked her to share the YouTube links with Ms. Mowles and that she would forward out to board members and professionals for review.

### **WAIVERS**

**PMISC21-09 LTS Associates Inc.** - 26 Chapin Road, Unit 1103 - BL: 183, L: 7.1 - 5,328 s.f. (1,205 sf office/ 4,123 sf warehouse) space for surveillance video business; current tenant moving from 19 Chapin Road to 26 Chapin Road - 2 employees - hours of operation: 9am – 6pm, M-F, closed weekends - 2-3 UPS deliveries daily, no overnight parking of vehicles – signage in accordance with complex theme

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

**PMISC21-10 - Aboyoun Dobbs LLC** - 77 Bloomfield Avenue (62 Route 46 West) – BL: 177, L: 5 - install 2 Generac 20kW standby air-cooled gas engine generators with attached bases measuring 48”x25” each - buffer to consist of additional evergreen shrubbery surrounding the unit to match existing shrubs – exercise cycle: every other Saturday, 12 minutes at 10:00 am from Construction and Board of Health in order for this change in condition be granted.

A motion to approve the waiver was made by Committeeman Conklin, seconded by Mr. Agnoli. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, A. Maggio, F. Cooney, L. Kornreich, R. Lipari, N. Agnoli, P. Repic, & C. Fano) *G. Lewis & A. Adrignolo recused themselves.*

### **INVOICES**

**Burgis Associates - Trust for:** \$712.50 (Ahmadi); \$1,275.00 (Catbridge), \$150.00 (D’Agosto); \$1,425.00 (Four Eight); \$1,312.50 (Juve); \$262.50 (KeKon); \$112.50 (MUR Avalon); \$637.50 (Paul Miller)

**Dorsey & Semrau – Trust for:** \$728.50 (MUR Avalon); \$232.50 (Millcreek); \$450.00 (Paul Miller)

**MP Carroll – Trust for:** \$412.00 (Ahmadi); \$112.50 (Catbridge); \$37.50 (Four-Eight Main); \$37.50 (Hook Mtn); \$37.50 (Juve); \$37.50 (MUR Avalon); \$2,212.50 (Wawa); \$37.50 (Saddleback); \$112.50 (Seabreeze)

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

### **RESOLUTIONS**

There were no Resolutions to come before the board.

### **MINUTES**

There were no Minutes to come before the board.

### **LOI/DEP NOTIFICATIONS**

Mr. Omland reported on the DEP Notifications to come before the board including GI Auto, All Brand Tire on Rt. 46, and Perno (A-Rent All Center).

### **LEGAL/LEGISLATIVE UPDATES**

There were no Legal/Legislative Updates.

### **OLD BUSINESS**

There was no Old Business to come before the board.

### **NEW BUSINESS**

**PSPP/FC/PSOIL20-12– Juve Group** – 465 Main Rd – B: 87, L: 1 – Preliminary/Final site plan with c variances and soil movement – Notice Acceptable  
5/24/21  
ACT BY:

On behalf of the applicant was Ms. Susan Rubright, Esq., Mr. Dan D’Agostino, Architect, and Mr. Jonathan Istranyi, Civil Engineer.

Mayor Cooney recused himself at 7:54pm

Ms. Rubright, Esq. gave a brief introduction including the property location, acreage, development constraints, zone district, what permitted is for sale units, seeking preliminary site plan approval, settlement agreement, number of units proposed, number of buildings, affordable housing included, and her witnesses.

Chairman Lewis asked about settlement agreement housing for sale vs. rent. She said it would be addressed at a later date once site plan is approved. He said that this board would be reviewing as a for sale condo development only.

1<sup>st</sup> witness, Mr. D’Agostino, Architect, was sworn in and his credentials accepted. He reviewed the site plan, types of buildings, acreage, wetlands, property boundaries, and setback lines.

Exhibit A-1 (Colorized Sheet C-4 of Site Plan) prepared by Stonefield was submitted. The green highlighted areas depicted the only two buildable areas.

Testimony continued on the following items: wetland challenges, test pits, grades, rock, settlement agreement requirements and why not able to comply certain provisions, development plan, row house development, access onto site, row house locations, townhouse units, multi-family apartments, number of required units, three story façade, but technically four due to parking garage, and four not allowed.

Exhibit A-2 (Juve Group Animation) prepared by his office was submitted. Runtime was 1 minute and 46 seconds. He testified on the following: entrance to property, retaining walls, scale, townhomes and multi-family units, facades, siding, roofs, windows, DRC meeting and comments. He reviewed the multi-family unit including the unit mix, number of units, number of floors, number of bedrooms in each unit, COAH requirements set by settlement agreement, parking below grade due to topography, which cannot be seen from Main Road, parking layout, what applicant is seeking relief on and reasons why, floor layouts, unit layouts, lobby area, floor layouts, condenser locations, different unit plans for 1, 2, and 3 bedrooms, building section breakdown including heights, number of stories, max heights, facade materials, gables, dormers, rear view, and topographic concerns. He next reviewed the townhouse buildings including: three plans, window locations, layout, patio, grade levels, living floor, deck, bedroom layouts, gabled roofs, overall compliance, and materials being same as multi-family plus more wood. Chairman Lewis commented on DRC approval being consistent with what is being proposed and the condition of DRC and material approval.

Exhibit A-3 (Packet of 15 Renderings) was submitted. He reviewed the following: signage depiction, different views from throughout property, parking area, townhouses, and views from cul-de-sac and multi-family unit. Ms. Rubright asked him about Mr. Omland's comments from his 1-22-21 report. He confirmed that the townhomes will be sprinklered. Mr. Omland said he did not receive the applicant's response to his comments. He asked about and/or commented on the following items: parking below units, assigned parking, number of spaces per unit, townhouse proximity to train line, noise, what constitutes luxury, three bedroom layout with one bathroom, aerial rendering from Exhibit A-3 rear view and possibility of doing anything to break-up the view, feels the facade and roof line are less desirable than what in front, adding some trees, change in gable, confirmed no basements, height references and elevations, and average grades. Mr. D'Agostino talked about the storage area in garage and drop down attic stairs. Mr. Burgis asked questions on and/or commented on the following: number of stories of building, variance for story count, meeting ordinance definition and required need to seek variance, his involvement in settlement agreement plan, and why they cannot complete a conforming plan. Mr. D'Agostino referenced Exhibit A-1 regarding the original design of the stacked units, parking not working because of not enough buildable area, environmental constraints, buffer impacts, and overall appearance. Board members asked questions and/or commented on the following: constraints due to wetlands, room for expansion, DEP approvals, low and moderate segregation, commingling options, rear property elevation to neighbors and noise concerns, rear building appearance to neighbors, need for fire department input, and building height concern. Chairman Lewis said the fire department report and different sprinkler regulations and systems was needed before the next meeting. Mr. Omland commented on fire truck access and not receiving response from his and Mr. Burgis' letters dated 1-22-21. Chairman Lewis commented on this not being the best use of the board's time. Board members commented further on the visibility from other streets and surrounding properties besides Main Road and winter vs. summer months, design of townhomes vs. multi-family regarding color and material choices and making more consistent, DRC comments, bringing in more of a rustic and/or earthier feel, view of back of townhouses being flat and unattractive, size of decks, noise issues for neighbors, one bathroom for three bedroom units, bedroom sizes, site constraints, meeting COAH requirements, building sprinklers, TRC review prior to coming to meeting, and need for comment on Mr. Burgis and Mr. Omland memos. Mr. Burgis commented on settlement agreement, requirements on number of bedrooms, percentages, and follow up of.

The meeting was open to the public on Mr. D'Agostino's testimony.

Ms. Bonnie Nichols of 469 Main Road questioned need for Towaco Fire Department report.

Ms. Christine Nichols Salvatore (address inaudible) asked questions on the facades of the back of other buildings facing towards wetlands and appearance of in Winter months.

There being no further questions on Mr. D'Agostino's testimony, the meeting was closed for public comment on a motion made by Mr. Braden seconded by Agnoli - All in Favor by Voice Vote. None opposed.

Mr. Omland asked for further information on the following: garage parking plan for multi-family building, stair towers, pedestrian access of, emergency access, lobby entrance, emergency egress,

guardrails for walking space, trash area including who removes and routine of, and pitch and drainage of open air parking area.

2nd witness, Mr. Jonathan Istranyi, Civil Engineer, was sworn in and his credentials accepted. He addressed the existing physical characteristics, wetlands, and topography.

Exhibit A-4 (Aerial Photo) dated 3-11-21 was submitted. He reviewed the acreage, area, location, NJ transit line, surrounding neighborhoods, and Sea Breeze property.

Exhibit A-5 (Colorized Environmental Exhibit) dated 3-11-21 was submitted. He testified on the environmental restriction areas that were highlighted including the wetlands, DEP & LOI approvals, buffer and transition area, two regulated waterways, stream buffer, hydraulic study of waterways, flood hazard area, flood plain, only two pieces of developable areas, elevations, soil pits, shallow bedrock tables, consideration in planning phase, affordable housing requirements, railroad, drainage ditch, close work with DEP and town, deemed administrative and technically complete with DEP, and remaining permits with DEP being sought.

Exhibit A-6 (Colorized Rendered Site Plan) dated 3-11-21 was submitted. He testified on the following: building locations, number of, types of, square footages, parking on site, RSI requirements, ADA location choices, driveway access location, pedestrian access, sidewalks, crosswalks, changes of widths in sidewalks, signage, single monument sign location, detail, and ordinance compliance, and community name determination.

Exhibit A-7 (Monument Sign Detail Exhibit) was submitted. He summarized the following: general design intent, storm water management plan, civil plan submission, environmental constraints, new impervious surface, 1/3 of property development, major development, compliance of storm water detention basins run-off area, drainage patterns, on-site maintenance, quantity, quality, and recharge of water regulations, critical water resource area, multiple treatment devices installations throughout site, cascade unit, filter unit, 14 subsurface tests, basin flood test, all public services for utilities including water, sewer, and gas including individual connections for townhomes and one connections for multi-family unit, which will be split up between units, fire hydrant locations, and working with Fire Department. Next he reviewed the lighting plan including the following: LED lights, styles, number of fixtures, colors, decorative light poles, heights, illumination, municipal requirements, light poles along main driveway, locations, and changes to be placed on revised set of plans and the landscape plan including: number of trees removed, tree survey preformed, 130 trees to be replaced including evergreens and shade trees, plantings, shrubs, etc., all season interest on site, shade trees throughout site, proposed screenings on lot lines, and distance from neighbors on Lot 9. Chairman Lewis expressed his concern about the turning radius in and out of the site. Mr. Istranyi talked about the driving radius, location of driveway, board comments, fire apparatus crossing over radius, and work to still be done. Board members commented on the following items: looking into settlement with more detail, what professionals would like to see, sidewalk and decorative lighting along Rt. 202, pedestrian amenities, maintenance of storm water, total disturbance of wetlands, transition area, flood area, school bus stops and provisions for, and how snow removal will be conducted for uncovered parking areas.

Chairman Lewis asked for Mr. Omland and Mr. Istranyi to follow up with each other for revised set of drawings to be incorporated into plan.

The applicant agreed to an extension of time to 5-30-21 and the meeting was carried with notice preserved to 5-27-21. Ms. Mowles asked that Exhibits and revised plans be submitted as soon as possible.

**PLANNING BUSINESS, cont.**

Ms. Mowles presented a request for a traffic engineer for the Wawa application, Klein Traffic Consulting. She said they agreed to the Township escrow review fee amount.

A motion to approve the traffic engineer was made by Mr. Agnoli, seconded by Adrignolo. Roll Call of Eligibles. All in Favor. None Opposed. (Adrignolo, Agnoli, Kornreich, Repic, Maggio, Fano)

**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 were 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. Agnoli, seconded by Mr. Adrignolo, the meeting was unanimously adjourned at 10:29pm.

Respectfully submitted,

Kelley Kehoe, Recording Secretary

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

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\_\_\_\_\_  
Jane Mowles, Secretary