

**MONTVILLE TOWNSHIP PLANNING BOARD
SPECIAL MEETING**

Held Virtually Through WebEx
Minutes of Thursday, April 29, 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.

ROLL CALL

PRESENT R. Conklin, T. Braden, A. Adrignolo, F. Cooney (9:25-11:20pm),
N. Agnoli, R. Lipari & G. Lewis

EXCUSED ABSENT A. Maggio, L. Kornreich. P. Repic & Ms. Fano

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

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

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.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in Board Professionals.

SECRETARY'S REPORT

Secretary J. Mowles had no report.

OLD BUSINESS

PSPP/FC/PSOIL20-12– Juve Group – 465 Main Rd - B: 81, L: 7 – Preliminary/Final site plan with c variances and soil movement – Notice Acceptable
ACT BY: 5/24/21

Mayor Cooney was recused from this application.

Ms. Rubright, Esq., gave intro and shared who was testifying.

Mr. Paul Grygiel, Planner, was sworn in and his credentials accepted.

1st witness, Mr. Dan D'Agostino, Architect, still under oath from the last meeting addressed the Board's concerns from the last meeting, his follow up work, and revisions.

He reviewed the revised plans in regards to the following: rear including trees and varied roof line, no height changes, dormers, stone exterior, gazebo on cul-de-sac, revised signage, overall reduction of height, smaller sign, willingness to meet with HPRC to come up with name of complex, submitted materials to DRC, material description including colors, shingles, siding, roofs, reveal board, batten, and stone veneer. Mr. Omland asked about and/or commented on the following: changes were done only to building # 5, sign exhibit details not corrected, gazebo testimony, changes to veneer, trash management, stairwell revisions for multifamily building, floor plan, ground parking, and opportunity for storage. Mr. Szabo commented and/or asked about the area of concern, determination of heights and compliance regarding parking area, average grade, and roof elevations for all buildings and stories. Board members asked about the DRC comments regarding the gazebo and bus shelter and the need to review them.

The meeting was open to the public on Mr. D'Agostino's architectural testimony. There being none, the meeting was closed for public comment on a motion made by Mr. Braden, seconded by Mr. Adrignolo. All in Favor by Voice Vote. None opposed.

2nd witness, Mr. Jonathan Istranyi, Civil Engineer, still sworn in from the last meeting reviewed Mr. Omland's 32 bold-print comments including the title report, riparian zone disturbance due to unique hardship of property, DEP application deadline of 5-11-21, County work with curb radius, application with County, wall parapet, streetscape, environmental restraints, permits into DEP for disturbance area, and agreement to put money in escrow to construct street improvements once DEP approves.

Exhibit A-7 (Parking Exhibit) was submitted. He testified on the following items: how it breaks down, assigned to individual units, location of overflow spaces, RSIS compliance, trash operation, grading plan, elevations as it relates to parking spaces, snow removal, status of water and sewer submission, response, request, follow-up and what currently under review, dumpster enclosure and dimensions, private hauler and frequency determination, earthwork and bedrock calculations, updating plans to reflect changes, firetruck apparatus and updated plan submission, truck circulation of moving vehicles, contact with Board of Education, COAH documents, bus stop location, crosswalk locations throughout site and at Rt. 202 entrance and exit, move-in and move out operation for apartment building and staging of, delivery truck operation, soil movement including updated earthwork numbers, cubic yards, imported materials, on-site bedrock, reutilization of rock on-site, truck paths, site access, route of Rt. 202 to Rt. 287, limitation to certain times, and complying with ordinance. He continued further on sight line profiles including riparian zones, vegetation removal as necessary for sight triangles, compliance with building and wall heights and clarifying numbers, townhome height compliance, multi-building proposed heights, grade, conformance, and no zoning relief sought, retaining wall relief along driveway needed for height and wall and parapet calculations, storm water management including exploratory bedrock, groundwater table, challenges, three basins proposed, concrete

basins, operation of, how treated, discharge into wetlands, run off, design compliance, and DEP decision on 5-11-21. He addressed the following outstanding items: location of bus stop to still be determined with Steve Toth from Board of Education, waiting on feedback from Ms. Puluso from Board of Health, working with Water and Sewer Department, no response received from Traffic Safety Officer, Mr. Jacobson, housing meeting postponed, DRC met on 4-13-21 and comments received included alternate design to building number five, sign design, bus shelter and gazebo review, HRPC feedback received and will work them for input of name of street, follow up needed with Fire Department for changes, and project phasing including roadways first followed by Buildings 1, 2, 3, 4, 5 & 6.

Mr. Omland asked questions and/or commented on the following: streetscape improvement, escrow supply, DEP status, condition of approval prior to start or bond or no COs issued, options for board decisions and how to handle, confirmation of for sale project, municipal pick up for garbage/recycling of townhomes, but multi-family responsible for private hauler, BOE requirements and compliance, site line numbers, site distances, vegetative maintenance until streetscape approvals come in, County requirements, building height compliance, phasing including certificate of occupancy, seeking COs at conclusion of each phase, first phase of roadways, second with buildings 1,2,3 and then 4,5,6, sign exhibit including guide rail, higher sign for visibility, need for possible variance, and County requirement clarification.

Board members asked questions and/or commented on the following items: tenant truck movers, U-Haul truck limitation, cul-de-sac area, school bus turnaround standards, multi-family building reference, confirmation of for sale units versus rental units, preference of fence or wall, safety concerns, retention basin maintenance responsibility, sidewalk environmental constraints along Rt. 202, FHA lines, wetland buffer area and stream crossing concerns, and fill compensation.

The meeting was open to the public on Mr. Istranyi's civil engineering testimony.

Ms. Chris Salvatore Nichols asked about water back up onto their property, bridge and driveway construction and how handled, possibility of traffic light in front of the complex, and dumpster for multi-family building being animal proof.

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

3rd witness, Mr. Grygiel, Planner, testified on the following items: review of the variances requested, planning support, acreage, environmental constraints, wetland transition area, steep slopes, permitted use, number of units, settlement agreement obligation, zone district, bulk standard compliance, and C1 and C2 criteria. He further discussed the detail the C variances including positive criteria of providing housing obligation, site constraints, Master Plan goal, height variance for basement is excluded, grading plans, number of stories of building, and front vs. back visibility; maximum number of dwellings per building including 1/2 of the site being undevelopable, constraints of property, more efficient, no impact to surrounding area, dispersing of affordable housing including 4-15-21 letter submission, state does not mandate, practicability of site wide requirement, spread throughout the building, integrated, site constraints, balance of units, settlement specifics, maximum height of retaining wall including riparian zone hardship

and state regulated issue, parking space design issue including parking under the multi-family building and tandem spaces, sign height regarding guide rails, visibility from the roadway, positive criteria, benefits outweighing detriments, promoting public purpose of housing, negative criteria, public good, no detriments on neighbors, zoning for multi-family, mixed-use area, landscaping enhancements, and no negative impact.

The meeting was carried to the 5-27-21 meeting with an extension of time to act by 5-31 21 with no further notice.

Break from 9:19pm to 9:25pm.

NEW BUSINESS

PSPP/FC/PSOIL21-01 – Catbridge Machinery – 115 Main Rd - B: 51, L: 28.01 – pre/final site plan /soil movement/variances for addition to existing building – carried with notice from 3/25/21
ACT BY: 5/3/21

Mr. Schepis, Esq., summed up in intent, variances, and witnesses.

Chairman Lewis announced that Mayor Cooney had joined the meeting. He also disclosed his property location in relation to the project and neighbors being within the notification area. He felt there was no conflict.

1st witness, Mr. Marc Walker, Engineer, was sworn in and his credentials accepted.

Exhibit A-1 (Site Layout) revised on 4-18-21 was submitted, which was a colorized superimposed aerial photo. He testified on the following items: location, surrounding areas, acreage, block and lots, zone, who previously occupied by, number of parking spaces, canal location, designation of residential and industrial lines, detention basin, wetland, DEP contact and the letter of interpretation request, outside of any transition areas, no wetland impacts, proposed building addition, storm water basin, angled loading area, pavement removal, additional pavement, storm water designation and regulations, impervious coverage, building coverage calculations, dedication, no impact to existing parking area, property circulation, roof runoff into basin, dwelling on Kokora and distance to proposed addition, increase in privacy to residents with proposed landscaping and fence screening in addition to trees in wetlands, reevaluation of lighting on-site, needs to be replaced and is outdated, existing noncompliant building lights, new proposed lights with new heights, LED, and new directional points, lighting in front will be supplemented including types of and projection of, signage near entrance way, compliance, board submission, DRC meeting and comments including size, lighting, and materials, generator proposal including size, location, screening, distance from right away after dedication, and less residential impact, design exception for sidewalk bikeway, and amenities, adding shade trees between light fixtures, variance for additional distances to residential zones including zone line and natural buffer, variance for parking including number on site, what required, ample parking for operation of business, and additional impervious coverage, variance for loading spaces due to locations, variance for generator because of distance from right-of-way and in front of building, roof drainage plan, storm drainage connection, building access, staircase, and elevation. Mr. Schepis asked Mr. Walker about relief for the banked parking

spaces because of location, ordinance, no proposal for removal of trees, and already a disturbed area.

He further testified on the following: soil movement permit, footing excavation for addition, amount of soil removed, ordinance compliance, compliance of new lower light heights and new direction, proposed addition location as it relates to sight circulation and how it benefits that it blocks noise activity, Mr. Omland's memo comments, compliance of, and County dedication.

Mr. Omland commented that his issues were addressed from his letters dated 1-26-21 and 3-12-21. Chairman Lewis felt that relief from the banked parking requirement might not be appropriate. Mr. Szabo's banked parking and operation detail questions were to be addressed by the next witness. There were no board questions for this witness.

The meeting was opened to the public for Mr. Walker's engineering testimony.

Mr. Ken Mangano of 8 Renshaw Drive in Montville inquired about the traffic in back of parking lot, noise levels, trees dying between homes and business, sound barrier, need for trees, lights on building being redirected, and additional trees being placed along property line for screening. Mr. Walker commented on the new lighting proposal and buffer requirement.

Mr. Todd Reit of 10 Renshaw Drive in Montville asked questions about the lighting in regards to the direction, brightness, timing, and dimming of. Mr. Walker talked about the intensity and foot candles being within industry standards.

Mr. Brett Fredricks of 113 Main Road in Montville asked about the lighting direction and timing of on all sides of the building and about the generator, which was deferred to the next witness. Mr. Walker talked about safety, distribution, location, timing, and security of lighting.

Mr. Szabo inquired about the revised drawings which need to include impervious coverage, environmental issues, lighting details, and architectural changes. Mr. Walker said sign and generator details were submitted. Mr. Szabo specified what was needed including streetscape fixtures on building, impervious coverage numbers, DEP results, wetland and transition area, bicycle racks put on plan, and site triangle details. He was looking forward to receiving revisions.

There being no further questions, the meeting was closed on Mr. Walker's testimony on a motion made by Mr. Adrignolo, seconded by Committeeman Conklin - All in Favor by Voice Vote. None opposed.

Mr. Schepis read into record the impervious coverage as it relates the ordinance due to environmental limitations.

3rd witness, Mr. Michael Pappas, President of Catbridge Machinery, was sworn in. He reviewed his number of years in business and number of employees with some working from home and some from the office.

Exhibit A-2 (Photos of Machines Manufactured by Catbridge Machinery, LLC.) was submitted.

He explained in detail the following items: exclamation of different types the machines and what they're used for, working with different industries throughout the world, length of time needed to build projects and machines, built in-house, then broken down and then shipped out, high profile machines, proposed addition and intended use, no possibility of adding a second story, location choice, how equipment is loaded for deliveries, loading dock spaces, location, and why needed, how often used, screening of, number of employees, number of parking spaces required, number of shifts, hours of operation, some employees working remotely, traveling, some carpooling, visitors to site, maximum number of employees or visitors at any given time, no additional parking needed and leaving wooded area, why generator is needed and location choice including intent, sound cover, screening, noise associated with, timing of testing, and sound regulation compliance, lighting modifications including making current, compliant, safe, and minimize impact on neighbors, internal layout of building including why placed there, operational standpoint, minimal disturbance, and screening of. Mr. Omland had no questions. Board members commented on the following items: glare condition on neighbors, site improvement to mitigate view from residential neighbors, carefully selected lights and improvements, evergreen trees and fencing added to Kokora, no proposed additional screening to Renshaw, and number of employees on and off site as compared to pre-pandemic times.

The meeting was opened to the public for Mr. Pappas' testimony.

Mr. Todd Wright of 10 Renshaw Drive in Montville asked questions and/or commented about the residential exposure to Renshaw Drive, a fence or tree line option, and being able to see the business clearly from his house.

There being no further questions, the meeting was closed on Mr. Pappas' testimony on a motion made by Mr. Adrignolo, seconded by Mr. Agnoli. All in Favor by Voice Vote. None opposed.

3rd witness, Mr. Joseph Marra, Planner and Architect, was sworn in and his credentials accepted. He testified on the following items: architectural review, meeting with DRC and approvals, materials used, energy codes, colored block, location choice and reasons, access for trucking and workers, least disturbance, height, proposed elevations, loading doors as they relate to the neighbors, color of building, consistency with the existing building, internal floor plan including columns, base, square footage, open steel frame, accommodating machinery nicely, one proposed connecting door internally, site circulation and loading needs, flow, and less disturbance. He continued with his planning testimony regarding the four C variances. He first discussed the setback to a residential zone including the following items: C-1 hardship, previous approval, interior and exterior circulation, less disturbance, most appropriate for visibility, C-2 flexible variance, MLUL, detriments outweighing, more efficient use of land, less steep slope disturbance, negative criteria, residential defenses, proposed plantings and fence screening. Next he discussed the parking variance for deficient parking in regards to the number of spaces required, what is needed for the business operation, C2 flexible variance, jurisdiction of, MLUL reference, open space purpose, and negative criteria. Next he talked about the relief needed for the maximum number of loading spaces including: the seven existing, nine proposed, locations of, building access, business operation with practicality and difficulties, MLUL plan, screening

proposal, justification for two spaces, case comparison, positive criteria, and no negative impacts. Next he discussed the generator relief needed including: existing electrical service, impracticability, weight of, location, furthest location from residents, manufacture, function of, landscaping, noise standpoint, unnecessary expense, site circulation impacts, and community benefits.

Mr. Szabo asked him to touch on design standard exception. Mr. Marra talked about the sidewalks and streetlights. Chairman Lewis ask about the buffers between residential and industrial lots. Mr. Marra talked about the screening for views, Morris Canal buffers, and meeting the intent. Chairman Lewis specifically commented about the effective buffer of Renshaw being the distance. He felt screening with some evergreen trees in groups would be an enhancement.

The meeting was open to public on Mr. Marra's testimony. There being no questions, the meeting was closed on his testimony on a motion made by Mr. Adrignolo, seconded by Mr. Agnoli. All in Favor by Voice Vote. None opposed

Mr. Schepis said as a condition of approval that Norway spruces would be added along the southern parking lot for additional buffer along Renshaw with 15 foot on center spacing.

Mr. Omland set the requirement of 15 feet on center and Mr. Szabo said it depended on the tree type also.

The meeting was re-opened to public on Mr. Marra's testimony. There being no further questions, the meeting was closed on his testimony on a motion made by Mr. Adrignolo, seconded by Mr. Agnoli. All in Favor by Voice Vote. None opposed.

The meeting was opened to the overall testimony. There being no comments, the meeting was closed on a motion made by Committeeman Conklin, seconded by Mr. Adrignolo. All in Favor by Voice Vote. None opposed.

Mr. Schepis thanked the Board and professionals for their time and gave his closing comments. He felt there was no need for the design exception, because there are no sidewalks on that side of Route 202 and benches and bike lanes don't make sense. He thanked the owner for the addition of the trees and Catbridge for the help during the pandemic.

A motion to approve the application was made by Mr. Lipari, seconded by Mr. Agnoli.

Board members commented on the following: good presentation, no longer concerned with loading, valuable business, business improvements, effect on neighbors including light improvements an additional screening, agreement of no bikeways and sidewalks, setbacks explained well, additional vegetation, satisfied with loading spaces, best location for generator, extra evergreens, variances being de minimus in nature, and great work.

Roll Call. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, A. Adrignolo, F. Cooney, R. Lipari, N. Agnoli & G. Lewis)

ADJOURNMENT

There being no further business to discuss Chairman Lewis asked for a motion to adjourn. On a motion made by Mr. Lipari, seconded by Mr. Agnoli, the meeting was unanimously adjourned at 11:29pm.

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