

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, July 8, 2021

Vice Chairman Maggio 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 (7:30-7:46pm), A. Adrignolo, A. Maggio, L. Kornreich,
R. Lipari (7:30-7:46pm), N. Agnoli, P. Repic & G. Lewis (7:30-7:46pm)

ABSENT EXCUSED T. Braden, F. Cooney & C. Fano

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

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

ANNOUNCEMENTS

Chairman Lewis welcomed everyone to the meeting. He reported that the township has done a re-evaluation of the open space plan, which will be posted on the website next week, along with a presentation and recommendation at the 8-12-21 Planning Board meeting. Next, he announced the retirement of our Board Engineer, Mr. Stan Omland. He commented on his 37 years of service, being one of the best, bleeding Montville, has always wanted what's best for the town, and being a tough act to follow. Board members shared their personal comments and interactions with him. Mr. Omland spoke on his work with the town and staff, glad to have been a part of it, and work with public understanding.

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

Board of Adjustment – Chairman Lewis reported that the Board of Adjustment voted to deny the Monarch Community application at the 7-7-21 meeting.

MINUTES

Planning Board Special Meeting Minutes of April 29, 2021 – Eligible: Conklin, Adrignolo, Agnoli, Lipari, Lewis

A motion to approve the minutes was made by Mr. Agnoli, seconded by Mr. Adrignolo. All in Favor by Voice Vote. None Opposed.

Planning Board minutes of May 27, 2021 – Eligible: Conklin, Adrignolo, Agnoli, Lipari, Repic, Lewis

A motion to approve the minutes was made by Mr. Agnoli, seconded by Mr. Adrignolo. All in Favor by Voice Vote. None Opposed.

Subcommittee minutes of 6/10/21 – Eligible: Maggio, Lipari, Braden

A motion to approve the minutes was made by Vice Chairman Maggio, seconded by Mr. Lipari. All in Favor by Voice Vote. None Opposed.

Committeeman Conklin, Mr. Lipari and Chairman Lewis departed the meeting at 7:46pm.

PLANNING BUSINESS

Professional Services agreement Board Engineer Bowman Engineering remainder of 2021

A motion to approve the services agreement was made by Dr. Kornreich, seconded by Vice Chairman Maggio. All in Favor by Voice Vote. None Opposed. (A. Adrignolo, L. Kornreich, P. Repic & A. Maggio)

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

Vice Chairman Maggio 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 Mr. Adrignolo. All present were in favor. None opposed.

WAIVERS

PMISC21-26 L. Frank Urban Inc., dba Urban Flooring System – 9-11 Chapin Road, Unit B&C, Pine Brook – BL: 182, L: 6 – 24,758 sf space (4,000sf office/20,758sf warehouse) to store and distribute carpet & flooring; and store furniture during the construction phase of each project – 5 employees - hours of operation: 7:00 am–3:00 pm, M-F, closed Sat & Sun - no overnight parking of commercial vehicles – no signage requested

A motion to approve the waiver was made by Dr. Kornreich, seconded by Mr. Adrignolo. Roll Call. All in Favor by. None Opposed (A. Adrignolo, L. Kornreich, N. Agnoli, P. Repic & A. Maggio)

PMISC21-28 Thrive Body & Soul – 626B Main Road, Towaco – BL: 40, L: 52.01 - 770 sf space for a yoga and fitness studio – 5 employees, 6 shifts, 1 employee per shift - hours of operation: 6:00 am–9:30 pm, M-F, 9:00 am–11:00 am Sat & Sun - no overnight parking of commercial vehicles – signage per graphics provided

A motion to approve the waiver was made by Mr. Adrignolo, seconded by Mr. Repic. Roll Call. All in Favor by. None Opposed (A. Adrignolo, L. Kornreich, N. Agnoli, P. Repic & A. Maggio)

INVOICES

MP Carroll - O/E: \$41.25 (Alpine Lit May 2021)

A motion to approve the invoices was made by Mr. Adrignolo, seconded by Mr. Agnoli. Roll Call. All in Favor. None Opposed. (A. Adrignolo, L. Kornreich, N. Agnoli, P. Repic & A. Maggio)

RESOLUTIONS

There were no Resolutions to come before the board.

LOI/DEP NOTIFICATIONS

Mr. Omland reported on a LOI for a single family home.

LEGAL/LEGISLATIVE UPDATES

There was no Legal/Legislative Updates to come before the board.

OLD BUSINESS

PSPP/FC16-23/PSOIL16-24 – PBNJ (Wawa) 16 Rt. 46 – B: 162, L: 7 – reconsideration hearing – Carried with notice from 2/25/21 & 4/22/21 hearing - Eligible: Adrignolo, Agnoli, Kornreich, Repic, Maggio
ACT BY: 7/31/21

Mr. Schepis summed up that Mr. Steck, still under oath, finished his testimony and was here for Mr. Burgis' questions.

Mr. Burgis asked him about the loading space variance. Mr. Steck reviewed from his previous testimony, the following items: C1 & C2 rationale, 3 frontages, practical difficulties, where benefits substantially outweigh the detriments, loading space location, refuse area, design reflection, intent, and town endorsed location. Mr. Burgis asked about the bicycle lane waiver, provision for relief due to undo hardship, and the town needing to start somewhere. Mr. Steck reviewed his bike lane testimony including the following: 2011 Master Plan circulation element, successful when it links to other bike lanes, busy intersection, carwash granted relief of, neither the Planning Board nor Board of Adjustment requiring a bike lane since the adoption of the MP circulation element in 2011, impracticable planning sense, hazards, and meeting salutatory relief. Mr. Schepis asked him questions about the proposed bike lanes, other professional testimony, dimensions, lane striping, and utility relocation if installed. He talked about the practice difficulty proof and trigger safety issues. Mr. Burgis asked about the refocus of questions, redevelopment plan, circulation element, 7-2-21 memo, modifications to plans regarding signage

variances for free standing signs and purpose of. Mr. Steck reviewed his previous testimony regarding the following: 3 frontages, 3 driveways, convenient store, signage of commercial use, driveway identifications, monument signs, price signs ordinance allowances, permitted uses, number of sign allowance, C2 component, state requirement for advertisement of gas prices as it relates to signs being proposed. Mr. Burgis asked about the rock outcropping. Mr. Steck talked about the volume of traffic, speed of cars, pylon sign, compliance and uniqueness of situation. Mr. Burgis asked about the driveway on Rt. 46 and distance to outcropping. Mr. Steck said this was the safest location and talked about the rock outcropping being the handicap to property. Board members asked questions about the two free standings signs and the need for if there was no driveway on Bloomfield Ave.

The meeting was opened to the public on Mr. Steck's planning testimony.

Mr. John Swagger of 48 Bloomfield Ave in Pine Brook asked about the driveway on Bloomfield Ave, left-hand only turn out of, safety, truck circulation for refuel route, and sign on Rt. 46. Mr. Steck talked about the modified plan changes, what done to restrict movement and what was asked of from the board, and additional testimony from traffic engineer.

Ms. Andrea Wong of 16 Bogert Road in Pine Brook asked about the allowance of all three driveways, convenience to customers, traffic distribution and volume of, and current condition of property.

Mr. John Sharratt of 11 Waxberg Lane in Pine Brook asked about allowance of entrance and exit on Bloomfield Ave and talked about traffic concerns. Mr. Schepis explained convenience uses as it relates to site access.

Mr. Swagger of 48 Bloomfield Ave in Pine Brook asked about the current condition of the property.

Mr. Sharratt of 11 Waxberg Lane in Pine Brook asked about why the Wawa meetings happen around the holiday weekends.

Ms. Andrea Wong of 16 Bogert Road in Pine Brook commented on the inconvenience of local residents and preference for no entrance on Bloomfield Ave.

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

2nd witness, Mr. Verderese, Project Engineer, was sworn in and his credentials accepted. He gave a brief overview of the traffic on and off the site.

Exhibit A-36 (Site Plan Rendering) dated 7-8-21 prepared by Dynamic Engineering was submitted. He reviewed the following items: colorized rendering with overlay of landscaping, what done, physical features, traffic counts, current and present, traffic engineering review, vehicle circulation, street locations, driveways, jurisdiction of town, county, state, and DOT,

submissions, outstanding items, driveway design, signage, truck circulation being limited to Changebridge Road & RT. 46 only, modifications made to Bloomfield to limit left-hand exit including island enlargement and height increase, signage, Bloomfield Ave ingress/egress changes, meeting standard design criteria, utilization of percentages, convenience use, detrimental loss to project if no entrance on Bloomfield Ave, and gap studies. Mr. Schepis asked him about site design, turning, and creating more traffic if no entrance on Bloomfield. Mr. Verderese continued with studies, professional and local comments, site lines, exhibits created, emergency vehicle circulation from all 3 driveways, 6-3-21 submission of truck circulation, landscape truck, layouts, loading zones, and fire truck approval of new layout.

Exhibit A-37 (Fire Truck Exhibit) dated 7-8-21 was submitted. He walked through circulation from all driveways, Pine Brook Fire Dept. input, and safety additions.

Exhibit A-38 (Fuel Pump Circulation) dated 7-8-21 was submitted, which showed car maneuvering around the fuel pumps.

Exhibit A-39 (Landscape Vehicle Truck Circulation) dated 7-8-21 was submitted, which showed how they circulated around the property.

Exhibit A-40 (Bloomfield Ave Site Line Exhibit) dated 7-8-21 was submitted, which showed the site lines within the right-a-ways.

Exhibit A-41 (WB-50 Egress of Bloomfield Ave) was submitted showing the island details and signage for the egress and ingress.

Exhibit A-42 (WB-50 Ingress of Bloomfield Ave) was submitted showing ingress circulation and island.

He spoke on the requirement of food truck deliveries via Rt. 46.

Exhibit A-43 (SU-30 Ingress) was submitted showing Bloomfield Ave circulation that trash truck or small trucks can utilize.

Exhibit A-44 (SU—30 Egress) was submitted showing Bloomfield Ave circulation design reasoning and restrictions for exit and loading zone locations and reasoning.

Exhibit A-45 (Passenger Car Egress) was submitted showing signage from Bloomfield Ave.

Exhibit A-46 (Passenger Car Ingress) was submitted.

Break from 9:11-9:23pm.

He continued his testimony on the following items: Mr. Klein's memo comments dated 6-18-21, traffic study, Bloomfield Ave driveway, left turn exit, Bloomfield and Changebridge driveways, Morris County review, cueing on Changebridge Road, testimony previously submitted, gap study and site distance, signage, trip distribution figures, Bloomfield Ave turning movements,

efficiency, site distances and requirements. Mr. Klein commented on fueling vehicle size and timing of, deliveries, location of, procedures and timing of, and Bloomfield Ave driveway. Mr. Klein asked him about what if Bloomfield Ave was closed and to explain how traffic amounts would change, circulation changes, levels of service and impact of traffic. Mr. Verderese commented on the anticipation of numbers, numbers today and potential numbers, impact, flow, volume, options, backups, cues, ingress/egress, utilizations, capacities, and turning movements. Mr. Schepis asked him about the bicycle lane design exemption. He discussed the modifications for, improvements needed, practical difficulties, sidewalk requirement, retaining wall, traffic signal pole relocation and requirements, costs, and utility poles. Mr. Klein asked him about the number of proposed and required parking spaces, studies done, and stop signs added. Mr. Omland asked about the Bloomfield Ave egress, any other options to prohibit the left turn exit, boards, guard rails, safety aspects, capacity impacts at intersections, existing level of service ranges, current conditions, operational impacts to intersections, signal timing mitigation to lights, and Title 39 agreement. Mr. Verderese talked about the signal operations, affects, and delays. He reviewed Mr. Omland's memo comments regarding the drainage, changes, as it relates to storm water, minor changes to design, DOT requirements, full height curb, and fire department approval.

Mr. Omland said he was satisfied with the many changes and revisions and felt they addressed all comments and concerns over the years. He will review the DOT specifics. Mr. Schepis summed up the following: plan modifications to accommodate Mr. Burgis' memo dated 7-2-21 regarding variance and compliance, adjusted coverage, loading space, bollards/stripping to be shown, bikeway exception, pedestrian amenities provided, right-a-way lighting and landscaping, refuse and recycling, signage being acceptable as a condition of approval, reduction of lot area, slope disturbance, calculation updates, and easement dedication.

Board members asked questions on the following items: raised curb island onto Bloomfield Ave location, height limitation, safety hazard, flexible bollard option, exit/entrance signs on Bloomfield Ave location, no truck sign, Avalon Bay consideration, am/pm traffic volume percentages, traffic on Rt. 80, drive-by vs. destination traffic, and trip distribution.

Open to public on Mr. Verderese's engineering testimony.

Ms. Susan Weinstock of 18 Lenox Court in Montville asked about the west bound traffic, left hand turn, traffic backup study and concern, bike lane, and changing turning lanes. Mr. Omland he was unaware of any plan by Town or County to upgrade.

Mr. Ian Guildler of 6 Cambray Road in Montville asked about the traffic back up, option of sign for no left-hand turn into Wawa, and the possibility of a Welcome to Montville sign.

Mr. John Sharratt of 11 Waxberg Lane in Pine Brook asked about speeding, two lanes merging into one, traffic, intersection capacity, and county approvals.

Ms. Andrea Wong of 16 Bogert Road in Pine Brook asked about the number of cars turning in including time period and peak hours, previous submission of pictures she took, and bike lanes.

Mr. Verderese discussed studies performed, how signals operate, and the safety and efficiency of.

Mr. Azir Leka of 39 Michelle Way in Pine Brook asked about the percentages of additional traffic, level of service, analysis, advertisement, would this site operate different from any other gas station along highways, and access points.

Mr. John Sharratt of 11 Waxberg Lane in Pine Brook asked about the intersection capacity, traffic study, and consideration of new apartments.

Ms. Wong of 16 Bogert Lane in Pine Brook asked about the access out of Bloomfield Ave, car stacking, number of parking spots, number of cars in prime time, and percentages.

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

The meeting was open overall public comment.

Ms. Andrea Wong of 16 Bogert Lane in Pine Brook commented on the capacity if no Wawa and traffic.

Mr. Leka of 30 Michelle Way in Pine Brook commented on the safety, security concern, future development, need for barrier on Bloomfield Ave, business hours, keeping frontages on Rt. 46, being opposed to the project, not enough pros, and not a benefit for town.

Ms. Susan Weinstock of 18 Lenox Court in Montville commented on her concern for traffic and development in area, her love for Wawa, but not wanting it there.

Mr. Guilder of 6 Cambray Road in Montville commented on the redevelopment in town, he being opposed because of traffic, 24 hour business, and his preference for a car dealer over Wawa because of 24 hour business and increase of traffic.

Mr. Sharratt of 11 Waxberg Lane in Pine Brook said doesn't need it and doesn't want it. He felt it was not a gateway to Montville, would choose car dealer over Wawa, and is concerned with traffic and high crime.

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

Mr. Schepis gave his closing comments and thanked everyone for their time. He spoke on the following: 27 former variance requests, reviewed remaining variances and reasoning for including loading space in front yard, two free standing signs, sign area, and design exceptions for slope disturbance and bicycle lane. He talked about the compromise of the town putting into direct assessment and agreeing to pay share, permitted use, considerations, reasonable, best interest of township, satisfied engineering and planner reviews, design review committee

recommendations, site access, safety concerns being addressed, something once built can be proud of, benefit to town, needed, and designed to function properly. He asked the board to approve and grant the variances and sign exceptions.

Break from 11:24pm to 11:27pm.

Board deliberation followed. They discussed the following: variances, design exceptions, future development, past to present, different application, ordinances in affect then and now, analysis, permitted use, meeting C1 & C2 criterial, LED brightness concerns at night, technology not being up to date, bike lane and agreeing to pay their fair share in the future, slope in existence, Bloomfield Ave entrance, safety of egress and ingress of this site, other development concerns, constraints of law, traffic at intersection, safety of public, detriments, traffic pattern, prohibiting left-hand turn, expert opinions, balancing concerns of applicant and residents, pass-by traffic, dealing with what presented, considerable changes made, and traffic testimony.

Mr. Carroll commented on not denying based on existing off site traffic condition, you can condition site plan approvals upon reasonable access. Mr. Adrignolo talked about police power and governing body action.

Straw poll of condition of no left-hand turn out of Bloomfield Ave exit.

A motion to approve the application was made by Mr. Repic, seconded by Dr. Kornreich. Roll Call. The application passed 3 to 2. (Yes - A. Adrignolo, Yes - L. Kornreich, No - N. Agnoli, Yes - P. Repic & No - A. Maggio)

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 were no need for Closed Session.

ADJOURNMENT

There being no further business to discuss Vice Chairman Maggio asked for a motion to adjourn. On a motion made by Mr. Repic, seconded by Dr. Kornreich, the meeting was unanimously adjourned at 11:54pm.

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