

**MONTVILLE TOWNSHIP PLANNING BOARD
MEETING**

Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, August 10, 2023

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	T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis
ABSENT EXCUSED	R. Conklin, M. Kayne, R. Lipari, P. Repic & L. Hines
ALSO PRESENT	J. Mowles (Secretary) & K. Kehoe (Recording Secretary)
PROFESSIONALS PRESENT	M. Carroll (Board Attorney) & J. Giurintano (Engineer) & D. Novak (Board Planner)

ANNOUNCEMENTS

Chairman Lewis had no announcements. Mr. Agnoli reported that he would be running for the Board of Education and plans to remain on the Planning Board.

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.

COMMITTEES & LIAISONS - APPOINTMENTS MADE BY CHAIRMAN

Board of Adjustment –Gary Lewis reported on two items from the last meeting.
Board of Health - Russ Lipari was absent.
Environmental Commission - Larry Kornreich said there was no meeting, therefore no report.
Water & Sewer - Art Maggio had no report.
Historic Preservation Review Commission - Adam Adrignolo reported that they are currently going through old records at Townhall looking for new places.
Design Review Committee – Larry Hines was absent.
Site Plan/Subdivision Committee – Tim Braden had no report.
Open Space Committee – Nick Agnoli had no report.
Master Plan - Gary Lewis had no report.
Fire Districts - Richard Conklin (Towaco) was absent; Art Maggio (Montville) had no report; Tim Braden (Pine Brook) had no report.

Township Committee Mayor Report – Mayor Kayne was absent.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in Professionals.

SECRETARY'S REPORT

Ms. Mowles reported that the meeting for 8-24-23 will be canceled, since there is no business.

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 none, 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. Agnoli. Voice Vote. All present were in favor. None opposed.

PLANNING BUSINESS

Appointment of Board Engineer & Execution of Professional Services Agreement - Jamie Giurintano, PE – Colliers Engineering

A motion to approve the appointment was made by Mr. Agnoli, seconded by Mr. Adrignolo. Roll Call. All in Favor. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

Appointment of Board Conflict Engineer & Execution of Professional Services Agreement - Eric Keller, PE – Bowman Engineering

A motion to approve the appointment was made by Mr. Agnoli, seconded by Mr. Adrignolo. Roll Call. All in Favor. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

HPRC23-03 – Effingham Low House - Gamsby, Richard and Pat - 102 Hook Mountain Rd – Roof replacement – Certificate of Appropriateness

A motion to approve the certificate of appropriateness was made by Mr. Agnoli, seconded by Mr. Adrignolo. Roll Call. Voice Vote. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

WAIVERS

PMISC23-24 – Carz 4 Us of Pinebrook – 20 Route 46 – B: 176, L: 5 - 1,632sf space for used car dealership – 5 employees – hours of operation: 9AM-8PM M-Sat, Closed Sunday – no overnight parking of vehicles – signage as per graphics provided.

A motion to approve the waiver was made by Vice Chairman Maggio, seconded by Mr. Agnoli. Voice Vote. All in Favor. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

PMISC23-25 – Global Address Me, Inc. – 26 Chapin Rd., Unit 1108 – B: 183, L: 7.1 – 6,530sf office/warehouse space being occupied by existing business in unit 1201 providing third party logistics services such as storage, pick pack and ship items and kitting, assembling and repairs of electronic devices – 15 employees – hours of operation: 8AM-5PM M-F, closed Sat & Sun – 1-2 Fedex, UPS or other courier deliveries weekly - no overnight parking of vehicles – signage as per graphics provided.

A motion to approve the waiver was made by Dr. Kornreich, seconded by Mr. Braden. Voice Vote. All in Favor. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

PMISC23-26 – Invest In My Health – 137 Main Rd., Unit 100 – B: 51, L: 33 – 100sf office space for medical practice – 1 employee – hours of operation: 11AM-8PM M-Sat, closed Sun. – no overnight parking of vehicles – no signage requested.

A motion to approve the waiver was made by Vice Chairman Maggio, seconded by Dr. Kornreich. Voice Vote. All in Favor. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

INVOICES

Bowman – Trust for: \$379.00 (AVC Holdings), \$293.75 (Diversified PSE&G), \$718.00 (DLS Contracting), \$120.00 (Hook Mtn. Montville), \$85.33 (Hook Mtn. Montville), \$512.75 (Judges), \$640.00 (Juve), \$640.00 (Juve), \$798.00 (Juve), \$573.75 (Maryava), \$504.25 (McDonalds)

Burgis – Trust for: \$920.00 (AVC Holdings), \$40.00 (Diversified PSE&G), \$1,480.00 (DLS Contracting), \$240.00 (Hook Mtn Montville), \$720.00 (Judges & Pepe), \$80.00 (Juve), \$1,120.00 (Maryava), \$880.00 (McDonalds), \$40.00 (PBNJ), \$120.00 (Pinto), \$160.00 (Sea Breeze)

Carroll – Trust for: \$160.00 (AVC Holdings), \$40.00 (Diversified PSE&G), \$80.00 (DLS Contracting), \$40.00 (Hammer), \$360.00 (Hook Mtn. Montville), \$80.00 (Judges), \$920.00 (Juve), \$80.00 (Maryava), \$240.00 (McDonalds), \$148.00 (McDonalds), \$160.00 (Montville Residency), \$200.00 (Pinto)

Semrau – Trust for: \$4,968.00 (Juve), \$342.00 (Millcreek), \$972.00 (Juve), \$135.00 (PBNJ)

Suburban – Trust for: \$592.00 (AVC Holdings), \$162.00 (Juve), \$296.00 (PBNJ), \$768.00 (Russo Acquisitions)

A motion to approve the invoices was made by Vice Chairman Maggio, seconded by Mr. Braden. Roll Call. All in Favor. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

RESOLUTIONS

PSPP/FC23-01 – McDonald’s – 52 Rt. 46 – B: 176, L: 15.2 – amended preliminary and final site plan with variances for drive thru – Approved – Eligible: Maggio, Braden, Kornreich, Agnoli, Lewis

A motion to approve the resolution was made by Dr. Kornreich, seconded by Mr. Agnoli. Roll Call of Eligibles. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

PEXT23-07 Sea Breeze – 441 Main Road – B: 81, L: 4 – request for extension of approvals to 6/24/24- Granted – Eligible: Maggio, Braden, Kornreich, Agnoli, Lewis

A motion to approve the resolution was made by Mr. Agnoli, seconded by Mr. Braden. Roll Call of Eligibles. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

Resolution for Professional Services Agreements for Colliers Engineering and Bowman Engineering

Chairman Lewis signed document. It was approved earlier in the meeting.

MINUTES

There were no Minutes to come before the board.

LOI/DEP NOTIFICATIONS

Mr. Giurintano will have a summary for the board in September.

LEGAL/LEGISLATIVE UPDATES

Mr. Carroll will send the Planning Board an email on a couple of items.

OLD BUSINESS

There was no Old Business to come before the board.

NEW BUSINESS

PMN/C/SOIL23-04– AVC Holdings V, LLC. – 26 Horseneck Rd. – B: 125.06, L: 18 – minor subdivision with variances – Notice acceptable. ACT BY: 11/24/23

Mr. Schepis gave his opening comments regarding the minor subdivision, property location, witness on behalf of applicant, lot size, what proposing, square footage, frontages, existing dwelling to remain, and two variances seeking for slopes and setbacks.

1st witness, Mr. Mark Walker, Engineer, was sworn in and his credentials accepted. He testified on the minor stormwater project, concept plan, his preparation of plan, property square footage and acreage, zoning, two lot subdivision, and large property.

Exhibit A-1 (Minor Subdivision Exhibit) dated 8-10-23 was submitted containing a rendering of the minor subdivision plan super imposed on an aerial photo of subject property. He continued his testimony on the following items: what existing on property, wetland area, wooded lot, existing dwelling, surrounding subject area, gradual gentle slope, minor slopes, pockets of wetlands, waiting on wetland letter of interpretation, simple two lot subdivision, dwelling driving lot line division, setback, Lot 18.01 including existing dwelling, frontages, and side yard setbacks, Lot 18.02 including square footage, front yard setback, variance, and requirements meant, concept plan creation, calculation of soil movement, driveway fill cubic yards totals, soil movement permit and complying with, Town Engineer Nick Marucci comments, recent paving of Horseneck Road, proposed road certification, right-of-way, plot plan process, soil testing, storm water reports needed, reports received from Fire and Water & Sewer, and Mr. Burgis office comments including design waivers and variance suggestions. He reviewed the design exceptions needed for shape of property, right-a-way, and sidewalk and variances needed for lot width setback and relief from categories including steep slope disturbance, plan sheets, erosion and storm water concerns, allowance and what proposed, and committing to limit of disturbance percentages. Chairman Lewis commented on slope practicalities. Mr. Giurintano asked him to work with Tax Assessor on lot numbers and for confirmation that project was minor in nature. Mr. Novak asked about the driveway width and slope disturbance with there being no additional relief needed.

The meeting was opened to the public for questions on Mr. Walker's engineering testimony. There being none the meeting was closed for questions on Mr. Walker's testimony on a motion made by Mr. Agnoli, seconded by Mr. Adrignolo. All in Favor by Voice Vote. None Opposed.

Dr. Kornreich asked for confirmation that there is a well on Lot 18.01. Yes, and utilities will remain the same, no availability of municipal water, and they will be connecting to sewer.

Mr. Schepis shared a brief observation including: supplying reports requested, working with fire official and addressing his concern as a condition, connecting to sewer line, there being no road opening permit until allowed, patching road if needed, right-of-way dedication, reasonable development, and feels variances and design exception for sidewalk should be granted. Chairman Lewis asked Mr. Novak about the proposed subdivision line where it meets Horseneck Road and lot adjustment. Mr. Schepis continued with the Master Plan intent and layout accomplishing the goal. Mr. Carroll asked about the c-variance and stipulation of subdivision.

The meeting was opened to the public for overall comment. There being none the meeting was closed for public comment on a motion made by Mr. Agnoli, seconded by Dr. Kornreich. All in Favor by Voice Vote. None Opposed.

Mr. Schepis thanked the board and professionals for their time and asked the board to approve.

A motion to approve the application with variance relief and design waivers sought, fire satisfaction, engineer requirements, building department permits, and soil movement permit was made by Mr. Agnoli, seconded by Mr. Braden. Roll Call. All in Favor. None opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

CORRESPONDENCE / EXTENSIONS / DISMISSALS

PEXT23-09 AKR – 34 Abbot Rd – B: 39.06; L: 99.03 – request for extension of approvals to 9/23/2024

Mr. Schepis, Esq. on behalf of the applicant explained why they were requesting the extension based on the following items: timing not going to work, not permitted to tie into the municipal sewer at this time, may take four to five years, going back to septic design, final map submission to Ms. Mowles and Mr. Marucci, no lines run yet for gas, electric, etc., road is in but not paved, new connection to JCP&L, gas company person out for over a year, moving forward with one house under construction, 6 lots in total, private cul-de-sac, asking for final extension, third time filing restrictions, and ordinance limitations.

A motion to grant the extension to 9-23-24 was made by Mr. Braden, seconded by Mr. Adrignolo. Roll Call. All in Favor. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, N. Agnoli & G. Lewis)

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. Agnoli, seconded by Dr. Kornreich, the meeting was unanimously adjourned at 8:29pm.

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