

**MONTVILLE TOWNSHIP PLANNING BOARD
MEETING**

Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, August 26, 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, A. Adrignolo, A. Maggio, L. Kornreich R. Lipari,
N. Agnoli, P. Repic, C. Fano & G. Lewis

EXCUSED ABSENT T. Braden & F. Cooney

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

**PROFESSIONALS
PRESENT** M. Carroll (Board Attorney) & J. Burgis (Board Planner)

**PROFESSIONAL
EXCUSED ABSENT** J. Giurintano (Engineer)

ANNOUNCEMENTS

Chairman Lewis announced the applications to be carried to a future 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 professionals.

SECRETARY'S REPORT

Secretary J. Mowles had no report.

BOARD DISCUSSION

There was no Board Discussion.

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 on a motion by Mr. Lipari, seconded by Mr. Agnoli. All present were in favor. None opposed.

PLANNING BUSINESS

****Public Hearing** - HPRC request for designation of the Hierwarter Property – 19 Boonton Ave – B: 23, L: 33 – to be recognized with a Historic Designation – Property owner was notified – carried from 3/12/20 hearing

****RESCHEDULED TO 9/23/21**

PSPP/FC/PSOIL20-12– Juve Group – 465 Main Rd – B: 87, L: 1 – informational discussion for concept review (notice acceptable)

Chairman Lewis recapped for the board the following: prior site plan, application not approved, applicant making adjustments to what was brought to us previously, not a hearing, here to see alternate plan, and board members to decide if they can come back before the Board with a revised plan or to memorialize the previous denial.

Ms. Susan Rubright, Esq., summed up the following: who was present on behalf of the applicant, plan for reconsideration, lot location, layout the same, permits received, revised proposal changes, work done, options, Planning Board reasoning for denial, what presenting including dispersal of affordable units in multi-family building and townhomes, tandem parking elimination, three additional parking spaces in cul-de-sac, Rt. 202 improvements and installments agreed upon, HPRC street name recommendations, township compliance with affordable housing, consistency with affordable housing settlement, and variance still needed for not having affordable housing in all buildings. Chairman Lewis explained options and language in ordinance compliance.

Mr. Paul Grygiel, Planner, reviewed the following items: substantial changes, tandem parking changes and elimination of variance for, affordable housing unit disbursement, previously in 1 of 5 units, now 3 of 5, NJDOT and County approvals, and 70 units. Mr. Carroll asked about the amenities. Mr. Burgis commented on the issues being addressed from the denial, except for the variance for affordable units needed in all buildings. He said they would need to be prepared and the board would need convincing of. Chairman Lewis agreed. Ms. Rubright said balance is needed and it needs to be economically viable. Mr. Burgis felt there were substantial changes in order to proceed as a board in his opinion. Board members commented on the sidewalks along Rt. 202 design waiver, if there were any revised submissions to DEP over the last four months, and new parking layout.

Mr. Pasquale Suriano, representative of Juve, talked about the DEP approval from June and no further submissions, conforming parking layout, elimination of parking variance, affordable housing disbursement, submission of different ideas, restrictions from DEP, constrictive restrained environment, and best scenario. Ms. Rubright summed up the parking and dispersal of housing.

Ms. Rose Suriano, Esq. said she came to observe for determination of further claim. She commented on the settlement agreement, good faith obligation, revised plan, good for town and feasible for applicant. Mr. Suriano commented on the time and money spent to date and compliance. Chairman Lewis asked board members if they felt concept plans number 4 & 5 were enough to move forward with and bring a new site plan before the board. Board members commented on the following items: support for, cooperation, concern for community, fact evaluation being held at the same bar as anyone else, and pedestrian circulation concern from site to services provided. It was decided to not have Mr. Carroll draft a resolution of denial at this time.

Ms. Rubright said she appreciated the Board's time, understanding, and cooperation. Chairman Lewis commented that it was a much better plan and should have brought to the Board the first time around.

Amended Certificate of Appropriateness 77 River Road – Hammer – Change in color of house and roof shingles along with addition over kitchen

A motion to amend the certificate of appropriateness was made by Mr. Agnoli, seconded by Dr. Kornreich. All in Favor by Voice Vote. None Opposed (R. Conklin, A. Adrignolo, A. Maggio, L. Kornreich, R. Lipari, N. Agnoli, P. Repic, C. Fano & G. Lewis)

Certificate of Appropriateness HPRC21-01 Sterling Montville – 128; 142-142A; 150 Main Rd – Certificate of Appropriateness approved subject to an archeological study be completed on Block 56, lot 13. A copy of the report on the findings, by a recognized archaeological firm, will be forwarded to the HPRC. Based on those findings the HPRC will determine whether to require further archeological studies.

A motion for the certificate of appropriateness was made by Mr. Lipari, seconded by Mr. Agnoli. All in Favor by Voice Vote. None Opposed (R. Conklin, A. Adrignolo, A. Maggio, L. Kornreich, R. Lipari, N. Agnoli, P. Repic, C. Fano & G. Lewis)

WAIVERS

PMISC21-31 – APT Distributing Co. – 30 Chapin Road, Unit 1211 – BL: 183, L: 7.1 – 7,500 sf space (1,957 sf office/5,543 sf warehouse) for flooring supplies sales to retail stores and contractors – 2 employees – hours of operation: 7:30 am- 4:30 pm, M-F, closed Sat & Sun - no overnight parking of vehicles – signage in accordance with complex theme

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

PMISC21-32 - P4 Clinical LLC - 25 Riverside Drive, Suite 10 – BL: 182, L:7 - 16,650 sf space (5,331 office, 6,212 lab, 5,107 warehouse) for diagnostic lab testing facility - 60 employees, 3 shifts, 20 employees per shift – hours of operation: 24 hours, 7 days – overnight parking of 1 commercial van – replace existing signage with new tenant information per graphic provided

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

INVOICES

Bowman – Trust for: \$525.00 (Galizia)

MP Carroll – O/E: \$990.00 (Alpine Litigation July 2021) **Trust for:** \$75.00 (Catbridge); \$150.00 (Galizia); \$75.00 (Int'l Motor); \$300.00 (Juve); \$75.00 (Marotta); \$37.50 (Millcreek); \$187.50 (Avalon); \$2,550.00 (PBNJ Wawa); \$37.50 (RD America); \$75.00 (Sterling)

Ferriero Engineering – Trust for: \$5,516.00 (Sterling)

Suburban Consulting Engineers Inc. – Trust for: \$155.00 (Juve)

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

RESOLUTIONS

There were no Resolutions to come before the board.

MINUTES

Minutes of Planning Board July 22, 2021 – Eligible: Conklin, Braden, Adrignolo, Maggio, Lipari, Repic, Fano, Lewis.

A motion to approve the minutes was made by Vice Chairman Maggio, seconded by Mr. Repic. Voice vote of Eligibles. All in Favor. None Opposed.

Executive Session Minutes of Planning Board July 22, 2021 – Eligible: Conklin, Adrignolo, Maggio, Lipari, Repic, Fano, Lewis.

A motion to approve the minutes was made by Mr. Agnoli, seconded by Ms. Fano. Voice vote of Eligibles. All in Favor. None Opposed.

LOI/DEP NOTIFICATIONS

There were no LOI/DEP Notifications to come before the board.

LEGAL/LEGISLATIVE UPDATES

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

OLD BUSINESS

****PSPP/FC19-19 – RWB Developments** (Quick on the Way) – 26 Route 46 – B: 176, L: 2 –pre/final site plan with variances for gas station/convenience store – Carried with notice from

3/25/21 – Eligible: Maggio, Conklin, Cooney, Braden, Kornreichⁱ, Adrignolo, Lipari, Repic,
Fano, Lewis
ACT BY: 9/30/21

****APPLICANT REQUESTED TO BE CARRIED WITH NOTICE PRESERVED TO
9/9/21**

NEW BUSINESS

There was no New Business to come before the board.

CORRESPONDENCE / EXTENSIONS / DISMISSALS

PEXT21-09 AKR - 34 Abbott Rd – B: 39.06; L: 99.03 – request for extension of approvals to
9/12/22

Mr. Schepis, Esq. on behalf of AKR, LLC. Talked about the pandemic slow-down, work done to date, one year extension of completion, modifications to date of ordinance and would agree to be subject to them, except for the steep slope, and asked for approval. Board members were sympathetic to current supply and demand issues regarding construction materials.

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

CONCEPTS

There were no Concepts to come before the board.

CLOSED SESSION

A motion to go into closed session at 8:36pm was made by Mr. Agnoli, seconded by Dr. Kornreich.

Discussion followed on Pending Litigation.

A motion to adjourn the closed session at 9:02pm was made by Mr. Agnoli, seconded by Vice Chairman Maggio.

ADJOURNMENT

There being no further business to discuss Chairman Lewis asked for a motion to adjourn. On a motion made by Dr. Kornreich, seconded by M. Agnoli, the meeting was unanimously adjourned at 9:02pm.

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

Certified to 3/25/21 & meeting