

**MONTVILLE TOWNSHIP PLANNING BOARD
MEETING**

Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, September 9, 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, F. Cooney, L. Kornreich,
R. Lipari, P. Repic, C. Fano & G. Lewis

EXCUSED ABSENT T. Braden & N. Agnoli

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

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

ANNOUNCEMENTS

Chairman Lewis announced that the Sterling Montville application was rescheduled to 10-14-21 with notice to be provided.

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 - Chairman Lewis had no report.

Board of Health – Mr. Lipari had no report.

Environmental Commission – Dr. Kornreich had no report.

Water & Sewer – Vice Chairman Maggio had no report.

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

Design Review Committee – Mr. Braden was absent.

Site Plan/Subdivision Committee – Vice Chairman Maggio said they did not meet.

Economic Development Committee - Mayor Cooney had no report.

Open Space Committee – Mr. Repic had no report.

Master Plan – Chairman Lewis had no report.

Fire Districts – Committeeman Conklin (Towaco) had no report, Vice Chairman Maggio (Montville) had no report, and Mr. Braden (Pine Brook) was absent.
Township Committee Mayor Report - Mayor Cooney reported that Montville Day was scheduled for Sunday, October 3, 2021.

SWEARING IN OF PROFESSIONALS

Mr. Carroll swore in professionals.

PLANNING BUSINESS

Certificate of Appropriateness - 228 Main Rd Montville Block 56 Lot 21 (Barmore house) - Roofing and painting of barn, addition of solar panels to barn roof

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

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 by Dr. Kornreich, seconded by Mr. Lipari. All present were in favor. None opposed.

WAIVERS

PMISC21-33 – Maysaa LLC – 26 Chapin Road, Unit 1110 – BL: 183, L: 7.1 – 5,328 sf space (2,553 sf office/2,775 sf warehouse) for a business to store women's clothing and to fulfill online orders (pick and pack operation) – 3 to 4 employees – hours of operation: 8:00 am- 5:00 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 Mr. Lipari, seconded by Mr. Repic. All in Favor by Voice Vote. None Opposed (R. Conklin, A. Adrignolo, A. Maggio, F. Cooney, L. Kornreich, R. Lipari, P. Repic, C. Fano & G. Lewis)

INVOICES

There were no Resolutions to come before the board.

RESOLUTIONS

There were no Invoices to come before the board.

MINUTES

There were no Minutes to come before the board.

LOI/DEP NOTIFICATIONS

Mr. Giurintano reported on a general DEP update.

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

Mr. Larry Calli, Esq. summed up site difficulties, use, previous testimony, improvement reconsiderations, continuation of engineering testimony, and traffic engineer and planner testimony.

1st witness was Mr. Tom Muller, Site Engineer, previously sworn in.

Exhibit A-3 (Colorized Site Plan Rendering) dated 9-9-21 prepared by his office was submitted. He continued his testimony on the following items: walk through of property, present, future, board comments, DRC meeting attendance, revised plans, vehicle circulation changes, gas canopy shifting, pump relocation, truck circulation, fueling position changes, staging, drive aisle, emergency access, queued vehicle staging, by-pass lane, passenger vehicle circulation, curbing, fueling maneuvering, inlets added, water quality improvements, DOT approvals, addition of decorative street lighting along Rt. 46, and 5/11/21 & 6/8/21 DRC meeting recommendations.

Exhibit A-4 (Colorized Monument Sign Detail) prepared by FJRAWDING, AIA dated 6-24-21 was submitted and he reviewed sign details. Mr. Giurintano asked about the employee parking dedication, buffer between properties, DOT applications, loss of aisle lane, truck queuing on Rt. 46, delivery times, timing of fueling stipulation, and distance between inlet structures. Planning Board members asked about vehicle circulation and making the DEP environmental history a condition of approval.

The meeting was opened to the public on Mr. Muller's site engineering testimony. There being no questions, the meeting was closed for public questions on a motion made by Mr. Adrignolo, seconded by Vice Chairman Maggio. All in Favor by Voice Vote. None opposed.

2nd witness, Mr. Corey Chase, Traffic Engineer, was sworn in and his credentials accepted. He testified on the following items: plan review, conclusion, summary, fuel tank circulation revision, DOT submissions, number of parking spaces including 16 total with 12 required, and employee parking designation. Mr. Giurintano commented on being subject to DOT approvals and the fueling happening off hours between 12am and 6am.

The meeting was opened to the public on Mr. Chase's traffic engineering testimony. There being

no questions, the meeting was closed for public questions on a motion made by Mayor Cooney, seconded by Mr. Lipari. All in Favor by Voice Vote. None opposed.

3rd witness, Mr. John Mc Donough, Planner, was sworn and his credentials accepted.

Exhibit A-5 (John Mc Donough's Planning Exhibit) dated 9-9-21 was submitted. He testified on the following items: B-3 zone district, permitted uses, irregular shaped property, undersized land, hardship case, building envelope, fixing up existing use and upgrading it, revisions with Planning Board and DRC comments, dimension c-level of relief, physical characteristics of site, GIS, aerial overlay of tax map, surrounding land uses, street view of subject site in current condition from different views, road side sign location, aerial shots from different views, limiting to three fuel pumps, increased landscaping, proofs and justifications of C-1 hardships, practical difficulties, building coverage threshold, balancing C-2 standards, positives outweighing the detriments, modernization, desirable visual element, negative criteria, no detriments to public, lot size existing condition, lot width and depth, building setback reliefs and what is required, existing condition improvements, providing adequate light, air, and space, parking setbacks needed, landscape and lighting reliefs needed, loading area screening requirements, relief needed for lighting levels at property lines for over spillage, signage relief, C-2 relief with benefits outweighing detriments, not over branding or sign cluttering, signs on building and throughout site, sign sizing, LED signage, signage for pricing, square footage, and colors. Mr. Burgis asked about and/or commented on square footage standards for pricing and compliance, looking at totality of project, irregular site and size, C-1 variance relief criteria, public benefits test proofs, meeting either C-1 or C-2 relief, ordinance requirement for street address, landscape questions regarding September's report recommendations, revised plans not including revisions and recommendations, and adding street number to base of monument sign. Board members commented and/or asked questions on the following: landscaping in front of sign obstructing number, comparison of facility across highway comparison in regards to size and number of pumps, garbage truck circulation, type of truck delivery for convenience store, Quick on the Way branding, and signage inside store windows.

The meeting was opened to the public on Mr. Donough's planning testimony. There being no questions, the meeting was closed for public questions on a motion made by Mr. Adrignolo, seconded by Mr. Adrignolo. All in Favor by Voice Vote. None opposed.

Mr. Muller, site engineer was recalled to answer board and professional questions regarding the curbing, transition area to trash enclosure, elevation changes, and slope transition.

The meeting was opened to the public on Mr. Muller's site engineering testimony. There being no questions, the meeting was closed for public questions on a motion made by Mr. Lipari, seconded by Dr. Kornreich. All in Favor by Voice Vote. None opposed.

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. Lipari, seconded by Dr. Kornreich. All in Favor by Voice Vote. None opposed.

Mr. Calli thanked the board for their time and comments and talked about the repurposing of the property.

Board professionals had no comments. Board deliberation followed and they commented on the following items: applicant listening to the board and acting appropriately, looking at as a whole and not number of variances, site rehabilitation, enhancing area, appropriate use, number of variances, meeting C-1 hardship standards, site improvements, conditions of approval including environmental cleanup, designation of two employee parking spaces, and refueling of tanks between the hours of 12am and 6am.

A motion to approve the application with above listed conditions was made by Mr. Lipari, seconded by Mayor Cooney. Roll Call. All in Favor. None opposed. (R. Conklin, A. Adrignolo, A. Maggio, F. Cooney, L. Kornreich, R. Lipari, P. Repic, C. Fano & G. Lewis)

Break from 8:40pm to 8:49pm.

NEW BUSINESS

PMS21-07 RD America 2021 – 21 Rt. 46 - B: 182, L: 4 – minor site plan alcove enclosures
ACT BY: 9/25/21

Mr. Schepis, Esq. reviewed the building history and explained they are looking to change to alcoves.

1st witness, Mr. Michael Marinelli, Engineer, was sworn in and his credentials accepted. He testified on the following items: previous appearance before the board in 2017, what asking for, building modifications, 2017 approvals for parking, lighting, landscaping, and site improvements, facade modification plans previously submitted, three facade modification locations to alcoves to gain interior space, square footages based off roof lines, no impact of floor ratio calculations, no added impervious coverage, two doors remaining, one walled off, planner and engineering plan review, exterior brick to match what is there today, and previous construction providing one additional parking space. Mr. Giurintano said a plan correction is needed and Mr. Burgis questions were answered during testimony. Board members asked about the number of doors remaining.

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 Mayor Cooney, seconded by Vice Chairman Maggio. All in Favor by Voice Vote. None opposed.

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

****PSPP/FC/PSOIL21-02 – Sterling Montville – 128; 142-142A; 150 Main Rd – B: 56, L: 6.02; 12, 12.01; 13 – pre/final site plan with variances/soil movement for 178 units including 36 affordable units ACT BY: 11/4/21**

****APPLICANT REQUESTED TO BE RESCHEDULED TO 10/14/21**

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 Mayor Cooney, seconded by Dr. Korneich, the meeting was unanimously adjourned at 9:00pm.

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

i Certified to 3/25/21 & meeting