

**MONTVILLE TOWNSHIP PLANNING BOARD
MEETING**

Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, September 23, 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, T. Braden, F. Cooney, N. Agnoli, P. Repic, C. Fano & A. Maggio

EXCUSED ABSENT A. Adrignolo, L. Kornreich, R. Lipari & G. Lewis

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

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

PROFESSIONALS EXCUSED ABSENT J. Giurintano (Engineer)

ANNOUNCEMENTS

Vice Chairman Maggio had no announcements.

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

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 Mayor Cooney, seconded by Mr. Repic. 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

Present for the hearing were Mr. Victor Canning, Township Administrator and Ms. June Hercek, Assistant Administrator on behalf of the Township, along with Ms. Pat Gamsby, Chair of the HRPC and Ms. Meta Janowitz, HRPC member.

Ms. Gamsby presented on why they were before the board, wanting to designate as a historic property, history of, and repairs paid for by historical society.

Ms. Janowitz presented on the eligibility, history of property, property perseverance, national registry, criteria characteristics, examples of, style, uniqueness, archeology, collection at property, and eligibility for grant monies. Board members asked questions and/or commented on the following items: current use, repairs done by Historical Society to date, historic artifacts stored there, advantages and disadvantages of designation, monetary advantages, protection of, how the funding becomes available and what it is used for, county and state grants with town providing matches, allowance of town being able to sell in the future, and who is responsible for fixing the property if town owns it. Mr. Burgis, Board Planner, discussed the MLUL entitlement, added protection, and monies that would be made available by designation vs. coming out of tax dollars.

Twp. Administrator Canning shared his prospective. He shared the following items/scenarios: present designation of Green Acres, building being from 1930's not 1800's and beyond, other resources that need to be maintained and costs involved, future impact on community, future fears, being under Green Acres could remove building if needed, may not be able to do under historic designation, not in favor of designation at this time, maybe in future, and legitimate concern for future responsibilities. Currently preserving antique machinery on site.

Assistant Administrator Ms. Hercek spoke on the following items: Historical Society, no intension to do anything further with the property, encourage the county/state to come forward and put antique items on display in museum or other area, not looking to remove Land Use Conservatory, and not looking to remove items stored there.

Board members asked further questions on: total acreage, restrictions by Green Acres if designated, designation of just house and/or entire property, town responsibilities if repairs needed, historic preservation, items in building, ages of other historic homes, taking each property as individual, national registry, and option of carrying designation to a further meeting. Ms. Janowitz and Mr. Gamsby commented on looking at the property as a whole, town's decision to designate or not since they own it, HRPC role, advantage of being able to apply for grant money, mission to preserve historical area of town, and national registry qualifications and

examples of. Mr. Canning explained the conversion rates for Green Acres money of 4 to 1. Ms. Hercek explained the ROSI restrictions. Board members overall felt more information was needed in order to make a qualified decision. Ms. Janowitz said grant money can be used to do a further in depth report.

A motion to deny the request for designation of the Hierwarter property as historical was made by Ms. Fano, seconded by Mr. Repic. Roll Call. All in Favor. None Opposed. (R. Conklin, T. Braden, F. Cooney, N. Agnoli, P. Repic, C. Fano & A. Maggio)

Amended Route 46 West Redevelopment Plan – Master Plan Consistency Hearing

Vice Chairman Maggio explained why before the board for the Master Plan Consistency Hearing. Mr. Burgis explained the MLUL requirements, referral to this board, refinement, minor adjustment to setbacks, only significant change is to garage structure allowance, consistency, ordinance, and amendment. Vice Chairman Maggio said the next step is for governing body to vote next Tuesday. Mr. Burgis commented on the restrictions, features, and significant enhancements.

A motion to find consistent with the Master Plan was made by Mr. Agnoli, seconded by Mr. Braden. Roll Call. All in Favor. None Opposed. (R. Conklin, T. Braden, F. Cooney, N. Agnoli, P. Repic, C. Fano & A. Maggio)

WAIVERS

PMISC21-34 – Devotion Veterinary Care – 44 Stiles Lane – BL: 149.04, L: 4. 1 – 1,870 sf space for a small animal veterinary practice – 3 to 4 employees – hours of operation: 8:00 am-5:00 pm Mon-Thurs, 8:00 am-12:00 pm Fri & Sat, closed Sun - no overnight parking of vehicles – signage in accordance with complex theme and graphic provided – required parking is 1 space/250sf as per Resolution

A motion to approve the waiver was made by Mr. Agnoli, seconded by Mayor Cooney. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, F. Cooney, N. Agnoli, P. Repic, C. Fano & A. Maggio)

PMISC21-35 Arshad Medical Services - 115 Horseneck Road - BL: 139.3, L: 7.3 - 100 sf office space for administrative and telemedicine services performed via camera, patients are not treated at the location - 1 employee - hours of operation: 7:00 am – 7:00 pm, 7 days a week - no deliveries or overnight parking of vehicles – signage in accordance with graphic provided

A motion to approve the waiver was made by Mayor Cooney, seconded by Mr. Agnoli. All in Favor by Voice Vote. None Opposed. (R. Conklin, T. Braden, F. Cooney, N. Agnoli, P. Repic, C. Fano & A. Maggio)

INVOICES

Bowman – Trust for: \$135.00 (Galizia); \$307.50 (Int'l Motor); \$472.50 (Marotta 2021); \$337.50 (RD America); \$67.50 (RWB)

Burgis Associates - O/E: \$150.00 (Alpine Lit July 2021); **Trust for:** \$5,850.00 (Paul Miller)

MP Carroll – Trust for: \$1,012.50 (AKR); \$75.00 (Catbridge); \$75.00 (Four-Eight); \$112.50 (Galizia); \$1,650.00 (Juve); \$75.00 (Kearfott); \$112.50 (Marotta); \$75.00 (Montville Gas); \$1,875.00 (Millcreek); \$37.50 (MUR Avalon); \$2,325.00 (PBNJ Wawa); \$75.00 (RD America); \$112.50 (Sea Breeze); \$150.00 (Sterling)

Dorsey & Semrau – Trust: \$465.00 (Juve), \$108.50 (Kekon); \$1,162.50 (MUR Avalon); \$540.00 (Paul Miller); \$46.50 (29-46 LLC)

A motion to approve the invoices was made by Committeeman Conklin, seconded by Mr. Braden. Roll Call. All in Favor. None Opposed. (R. Conklin, T. Braden, F. Cooney, N. Agnoli, P. Repic, C. Fano & A. Maggio)

RESOLUTIONS

There were no Resolutions to come before the board.

MINUTES

Minutes of Planning Board August 12, 2021 – Conklin, Braden, Maggio, Cooney

A motion to approve the minutes was made by Mayor Cooney, seconded by Mr. Braden. Voice vote of Eligibles. All in Favor. None Opposed.

Minutes of Planning Board August 26, 2021 – Eligible: Maggio, Conklin, Repic, Fano

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

Closed Session Minutes of Planning Board August 26, 2021 – Eligible: Maggio, Conklin, Agnoli, Repic, Fano

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

LOI/DEP NOTIFICATIONS

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

LEGAL/LEGISLATIVE UPDATES

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

OLD BUSINESS

There were no Old Business to come before the board.

NEW BUSINESS

There were 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. Agnoli, seconded by Mayor Cooney, the meeting was unanimously adjourned at 8:31pm.

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