

MONTVILLE TOWNSHIP
MASTER PLAN SUBCOMMITTEE
2:30 p.m. start time
VIRTUAL SEPTEMBER 28, 2023

ROLL CALL

Mr. Gary Lewis, Chairman - Present
Mr. Adam Adrignolo - Present
Mr. Russ Lipari - Present

Township Staff: Jane Mowles, Land Use Administrator

PLANNING BUSINESS

Discussion of Zoning Ordinances

Ordinance revising Fee Schedule adding \$250 per special meeting to be paid to the Board Secretary out of the applicant's escrow.

No comments.

Ordinance revising Partial Demolition or Partial Destruction as it relates to Development Fees:

“Any act or process that destroys or removes part of an existing principal or accessory building or structure, where minimally the foundation and two walls along the full dimension (horizontally and vertically) of the front, side or rear elevations of the building or structure remain intact. Any destruction or removal which surpasses this minimum threshold shall be considered total demolition or destruction, and any new construction shall be subject to Chapter 132, Development Fees.:

Robyn to clarify height/stories of walls. If a 3 story house exists and owner just wants to build a 1 story house at what height/story do they need to be at for it to be an addition. What happens if you go beyond the threshold during demolition does this do more than subject them to a fee or do they have to meet all current zoning.

Clarification as it relates to CWR District:

“All existing and future parcels located within the Critical Water Resources (CWR) Overlay Districts, inclusive of the CWR Prime Aquifer Area and the CWR Restricted Area, shall comply with all standards and requirements applicable to the CWR Overlay Districts. Nothing herein shall be interpreted to exempt previously existing buildings or lots from these provisions”

No comments.

Prohibited uses to be amended as follows:

“Rooming and boarding houses. Rooming houses and boarding houses, as said terms are defined in §55:13B-3 of the Rooming and Boarding House Act (N.J.S.A. 55:13B-1 et seq.), are prohibited in all zones and districts within the Township of Montville. However, this prohibition shall not apply to the leasing or rental of a room or rooms within a single-family dwelling owned by any senior citizen, provided such dwelling is the senior citizen's primary residence, and further provided such room or rooms are leased or rented to not more than one person (per N.J.S.A. 40:55D-68.4 and Chapter 230, Schedule C, of this Code).”

No comments.

Accessory Structures to be amended as follows:

“Fifty percent of the gross area of decks with openings which permit stormwater to flow between the deck boards shall be excluded from the calculation of impervious coverage, provided that such decks are neither roofed nor enclosed, and further provided that such exclusions shall not be applied where there is a concrete or other impervious base (other than footings) underlying said decks.”

No comments

And:

“Twenty percent of the gross area of dry-laid pavers over a crushed stone gravel subbase (ASTM -D 2940) which serve single- or two-family residential dwellings shall be excluded from the calculation of impervious coverage, provided that such exclusions shall not be applied where there is a concrete or other impervious base underlying said pavers.

(a) When individual plot plans are submitted and the applicant elects to apply the paver reduction factor, the applicant shall be required to provide a table depicting the various impervious coverage components, including but not limited to building, accessory structures, driveways, walkways, patios, pools, etc., and any applicable reduction factors for each of the proposed impervious coverage components shall be identified as to their square footage and percentage of requested reduction.

(b) When individual plot plans are submitted and the applicant elects to apply the paver reduction factor, additional stormwater management measures may be required to be reviewed and approved by the reviewing engineer.”

Ask Robyn if Jamie looked at this one.

And:

“SECTION 8. Chapter 230, “Land Use and Development Regulations,” Section 230-128, “Accessory Structures,” Subsection C.(2), shall be amended as follows:

(2) Service sidewalks and driveways to the dwelling, nor any other paving or at-grade patios, provided that such exclusions as set forth at §230-128.A.(8) shall be permitted;

No comments

SECTION 9. Chapter 230, “Land Use and Development Regulations,” Section 230-143.1, “Regulation of Slopes,” Subsection B, shall be amended to include a new Paragraph (2), which shall read as follows:

(2) The maximum disturbance limitations set forth above shall be applied to each individual building lot in a development application.”

No comments

Amendment to private swimming pools:

“D. The water surface area of a private swimming pool shall be included when calculating total impervious coverage on a parcel. However, the water surface area of a private swimming pool shall be excluded when determining compliance with §230-128.A.(6), which limits total coverage by accessory structures to no more than 5% of the lot area.

Not in favor of this ordinance change.

SECTION 11. Chapter 230, “Land Use and Development Regulations,” Section 230-152, “Private Swimming Pools,” shall be amended to include a new Subsection G., which shall read as follows:

G. The rental of private swimming pools shall be prohibited.”

No comments

Fences and walls:

“(5) Retaining walls shall be exempt from the requirements of §230-71.B.(12);

No comments

SECTION 13. Chapter 230, “Land Use and Development Regulations,” Section 230-159, “Fences and Walls,” Subsection M., “Retaining Walls,” shall be amended to include a new Paragraph (6), which shall read as follows:

(6) A safety fence shall be constructed atop any retaining wall that is 2.5 feet in height or greater. The safety fence, where required, shall be 48 inches in height and shall not be considered part of the retaining wall height when determining compliance with §230-159.M.(1) and (2).”

Robyn clarify if a safety fence can be a chain link fence in the front or side yard or would this safety fence need to be a different material?

Keeping of Animals:

“(2) Nothing herein shall be interpreted to limit the number of small animals less than 10 weeks of age that may be kept accessory to a dwelling unit.”

No comments.

Bee Keeping:

“Beekeeping. The New Jersey Department of Agriculture shall regulate, monitor, and enforce the breeding and keeping of honey bees and any activities related thereto. “

No comments

Kennels add:

“Any person who breeds and sells, or offers for sale, dogs or cats from their place of residence shall not be considered a “kennel” for the purposes of this Chapter, provided that the number of small animals on the lot does not exceed the maximum requirements set forth at §230-161.2.A.”

No comments

Community Shelters add:

“All yard, setback and height requirements applicable to one-family dwellings for the zone in which the use is located shall be met.”

No comments

Amend Office Buildings in R-20C residential District:

“B. The requirements applicable to one-family dwellings in the R-20A Residential District, as contained in Schedule D, Schedule of Area and Bulk Requirements, included at the end of this chapter, shall be complied with, except that side and rear yards adjoining properties located in residential zones other than the R-20C District shall not be less than twice the setback required in the R-20A District.”

No comments

Schedule of Area and Bulk Requirements amended:

Replace Footnote 13, which reads as “[Reserved],” with a new Footnote 13, which shall read as follows: “In the R Residential Zones, in the event the maximum building height is proposed to be exceeded, the topography of surrounding properties within 200 feet of the subject property shall be considered when reviewed by the approving board.”

No comments

Replace Footnote 14, which reads as “[Reserved],” with a new Footnote 14, which shall read as follows: “Unless otherwise specified in this chapter, any use other than a one-family dwelling shall be limited to a maximum building height of 30 feet in the R Residential Zones.”

No comments

Property Maintenance section:

- 1) “Refuse. Brush, weeds, broken glass, tree stumps, roots, obnoxious growths (e.g., running bamboo), garbage, trash, rubbish and debris of any description.”

No comments

New ordinance Small Cell Wireless

Defer to a later date. Can Burgis Associates give a brief presentation on this proposed ordinance before the full Planning Board. Would like to know where the base of the ordinance came from. Are license fees just what other towns have done?

ADJOURNMENT

Respectfully submitted,

Jane Mowles