

MONTVILLE TOWNSHIP PLANNING BOARD MEETING

7:30 p.m. start time

Held at: 195 Changebridge Road, Montville Municipal Building

AGENDA OF THURSDAY FEBRUARY 14, 2019

No New Business to be Conducted Past 10:00PM

Welcome to the Montville Township Planning Board hearing. Please turn off all cell phones during the proceedings. Thank you.

ROLL CALL

Mr. Gary Lewis - Present	Mr. Adam Adrignolo - Present
Mr. Arthur Maggio - Present	Dr. Lawrence Kornreich - Environmental Comm - Present
Mayor Richard Conklin - Present	Mr. John Visco - Present
Committeeman Frank Cooney - Present	Mr. Russell Lipari - AE
Mr. Tim Braden - Present	Mr. Nicholas Agnoli (alt#1) - AE
	Mr. James Sandham (alt#2) - Present

Also present:

Board Attorney:	Michael Carroll, Esq. – presence not required
Board Engineer:	Stan Omland, PE – presence not required
Board Planner:	Joseph Burgis, PP, AICP - Burgis Associates - present
Secretary	Jane Mowles - present
Recording Secretary:	Kelley Kehoe - AE

ANNOUNCEMENTS

Chairman Lewis welcomed Committeeman Cooney to the Planning Board.

PLEDGE OF ALLEGIANCE

Performed

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	Adam Adrignolo, Gary Lewis (Alternate) – 2 applications heard gates/pillar/fence height and deck setback variance
Board of Health	Russ Lipari – not in attendance
Environmental Commission	Larry Kornreich – no report
Water & Sewer	Art Maggio – no report
Historic Preservation Review Commission	John Visco; Frank Cooney (Alternate) – no report
Design Review Committee	Tim Braden – no report

Site Plan/Subdivision Committee	John Visco, Tim Braden, Art Maggio, Nick Agnoli – no report
Economic Development Committee	Gary Lewis – no report
Open Space Committee	Nicholas Agnoli; James Sandham (Alternate) – no report
Master Plan	Gary Lewis, Russ Lipari, John Visco, Adam Adrignolo – meeting March 14th
Highlands Legislation Review Committee	Gary Lewis – no report
Fire Districts	Richard Conklin (Towaco) garage construction proceeding, paper ballots discussion; Art Maggio (Montville) no report, Tim Braden (Pine Brook)no report
Mayors report	Richard Conklin – no report

SWEARING IN OF PROFESSIONALS

Not required

SECRETARY’S REPORT

Area in need of redevelopment to be for the Bayer site will be reviewed at the 3/14/19 hearing.

BOARD DISCUSSION

None

PUBLIC DISCUSSION

William Voeringer, North Jersey Copy – There was an application that was approved but I did not have the opportunity to review it. The tax office did not have my PO box address on record. Submitted photos of his parking lot after hurricane Irene. Concerned with impervious coverage and import of soil into a flood area. No construction should be done until DEP permits are received. There was a variance for a side yard that was granted which would be close to my septic system. Concerned with stormwater runoff. Would like my concerns to be addressed before the resolution is adopted.

Chairman Lewis – If the applicant obtains the property owner list through the tax office they are free to rely on those documents for providing the notice. The applicant noticed properly. The Board reached a judgement on the application after review by the Board and our Professionals. We are not allowed to reopen an application. The recording is posted on the website. You can listen to the recording and view the exhibits. The resolution will be conditioned upon all state agencies. The Board must adopt a resolution within a certain amount of days. If you wish you can file an appeal. Call the Land Use office to find out when the notice is published.

Ms. Romeo – Jacksonville Road

Concerned with the Town homes on Route 202 being rented instead of sold. Mr. Burgis – There is no requirement whether the market rate units could be sold or rented.

Motion to close public discussion made by: Dr. Kornreiche; Second by: Mr. Braden; Roll call: Yes - Mayor Conklin; Mr. Braden; Mr. Adrignolo; Mr. Maggio; Committeeman Cooney; Dr. Kornreich; Mr. Visco; Mr. Sandham; Chairman Lewis

PLANNING BUSINESS

Redevelopment Plan – B: 167; 178 & 179; L: 28-32; 3 & 1 – Master Plan Consistency Review

Chairman Lewis – This is for Master Plan Consistency only. The Board was not responsible for drafting the plan just to review for consistency.

Mr. Burgis reviewed a powerpoint presentation for the board. Non-Condemnation Redevelopment Plan. Dated January 22, 2019. Goals: Redevelop area with high quality, non-age restricted inclusionary residential development; affirmatively addresses Montville's affordable housing need; complements the surrounding development pattern and conditions; creates affordable housing redevelopment 1 zone (AHR-1).

Mr. Burgis – Reviewed principal and accessory uses within the redevelopment plan; area and bulk regulations reviewed; one comprehensive development for the tract proposed. 349 units, 4 story building (plus lofts) proposed. 15% set aside for affordable units. Minimum 65% of the tract shall be common open space. Any part of the property within 600' of the Passaic River shall be preserved. Multi level parking garage. Reviewed 6 goals and objectives from the 2010 Land Use Plan Element that relate to this property. Reviewed current Master Plan designation for this site. The current master plan acknowledges the density of the development but does not allow for non-age restricted occupancy. Reviewed the Board's options for consideration. Can deem plan substantially consistent and recommend to the Governing Body; can deem Plan inconsistent but still recommend; or the Board can deem the plan inconsistent and recommend against approval.

Mr. Sandham – Why would we eliminate all of the other permitted uses for this site why can't we just amend it with the other uses that exist in the ordinance? Mr. Burgis – The courts want to see sites that will be designated for residential units that allow for affordable housing. Mr. Sandham – The Township Committee made it for age restricted because age restricted communities have different travel times and there are concerns with traffic in the area. Do not think this is consistent with the current Master Plan. Mayor Conklin – The access to the proposed development is from Route 46 only, what about a mixed use development. Mr. Burgis – This project would just have access from Route 46 but a mixed use development would have access by Maple as well. Chairman Lewis – There is a statement in the 2010 Land Use Element that does not allow for additional multi family developments with the exception of the age restricted development permissible on this particular site. Mr. Burgis – This site is multi family that would have affordable housing set aside, the only difference is the age restriction.

Mayor Conklin – Mr. Burgis did a good job articulating the consistencies with the existing Master Plan. Chairman Lewis – The impact of the housing form makes it difficult for me to see the consistency. Mr. Burgis – We can add accessory uses that would benefit the residents on site.

Motion to accept the redevelopment plan with allowing in the plan under other accessory uses site/resident oriented uses (ie hair salon, coffee shop) made by: Mayor Conklin; Second by: Committeeman Cooney; Roll call: Yes – Mayor Conklin; Committeeman Cooney; Dr. Kornreich; No - Mr. Braden; Mr. Adrignolo; Mr. Maggio; Mr. Visco; Mr. Sandham; Chairman Lewis

Motion fails

Motion to find the redevelopment plan not to be consistent with the master plan made by: Mr. Sandham; Second by: Mr. Braden; Roll call: Yes - Mr. Braden; Mr. Adrignolo; Mr. Maggio; Mr. Visco; Mr. Sandham; Chairman Lewis; No - Mayor Conklin; Committeeman Cooney; Dr. Kornreich

Board Secretary to send a memo to the Township Committee indicating that the Planning Board did not find the Redevelopment Plan consistent with the Master Plan.

Discussion regarding By Laws – Carried to 2/28/19 for Mr. Carroll’s comments.

Board Secretary to send out redlined version of changes to the By Laws.

WAIVERS

PMISC18-59 – Marotta Scientific/T-Mobile – 78 Boonton Avenue – BL: 1, L:29 – 266 sf – install a new 25kW DC diesel power generator on a 8’ x 4’ concrete pad. This generator will be a backup to the existing generator located within the compound.

Motion to approve made by: Mr. Sandham; Second by: Mr. Braden; Roll call: Yes - Mayor Conklin; Mr. Braden; Mr. Adrignolo; Mr. Maggio; Committeeman Cooney; Dr. Kornreich; Mr. Visco; Mr. Sandham; Chairman Lewis

PMISC19-001 – Grub Market Inc. dba Flora Marketing – 43 Stiles Lane, Space #3 – BL:160.2, L:2 – 1,925 sf warehouse space to store fresh, dry, prepared, and frozen food for online sales. There is no onsite processing of any food items. – 2-3 employees shift 1(7am-3pm) & 4-5 employees shift 2(3-11 pm) – hours of operation: Th 10am-8pm; Fr 11am-11pm; Sat & Sun 7am-8pm – overnight parking of 3 vehicles (Mercedes Sprinter 2500 vans) – no signage requested

Motion to approve made by:Mr. Visco; Second by: Mr. Braden; Roll call: Yes - Mayor Conklin; Mr. Braden; Mr. Adrignolo; Mr. Maggio; Committeeman Cooney; Dr. Kornreich; Mr. Visco Mr. Sandham; Chairman Lewis

PMISC19-002 – Athletic Fields of America – 150 River Road, Unit G4B – BL:123, L:7 - 723 sf office space for athletic field construction company specializing in synthetic turf – 3-4 employees working flexible hours – hours of operation: 6 am–9 pm, Mon-Sat – no overnight parking of vehicles – signage in accordance with Montville Office Park theme

Motion to approve made by:Mr. Maggio; Second by: Mr. Adrignolo; Roll call: Yes - Mayor Conklin; Mr. Braden; Mr. Adrignolo; Mr. Maggio; Committeeman Cooney; Dr. Kornreich; Mr. Visco; Mr. Sandham; Chairman Lewis

INVOICES

Burgis Associates – Trust for: \$135.00 (Daughtry); \$540.00 (DLS); \$67.50 (Prince Sterilization); \$472.50 (29-46 East LLC); \$438.75 (VanSchaik)

Omland Associates – Trust for: \$2,131.25 (AKR-Fox Hollow); \$77.50 (Cotterell); \$348.75 (Daughtry); \$38.75 (Daughtry); \$426.25 (DLS); \$303.75 (DLS); \$271.25 (McDonalds); \$193.75 (Newark-Jersey Co); \$116.25 (Prince Sterilization); \$1,046.25 (29-46 East LLC); \$426.25 (VanSchaik)

Motion to approve made by: Mr. Braden; Second by: Mr. Adrignolo; Roll call: Yes - Mayor Conklin; Mr. Braden; Mr. Adrignolo; Mr. Maggio; Committeeman Cooney; Dr. Kornreich; Mr. Visco; Mr. Sandham; Chairman Lewis

RESOLUTIONS

PSPP/FC18-12 – DLS Contracting – 100 Bloomfield Ave – B: 180, L: 4 – prelim/final site plan with variances – Approved - Eligible: Conklin, Braden, Adrignolo, Lipari, Visco, Kornreich, Agnoli, Sandham, Lewis

Motion to adopt made by: Dr. Kornreich; Second by: Mr. Visco; Roll call: Yes – Mayor Conklin; Mr. Braden; Mr. Adrignolo; Dr. Kornreich; Mr. Visco; Mr. Sandham; Chairman Lewis

MINUTES

Planning Board Minutes of 1/10/19 – Eligible: Conklin, Braden, Adrignolo, Kornreich, Visco, Lipari, Agnoli, Sandham, Lewis

Motion to adopt made by: Mr. Braden; Second by: Mr. Sandham; Roll call: Yes - Mayor Conklin; Mr. Braden; Mr. Adrignolo; Dr. Kornreich; Mr. Visco; Mr. Sandham; Chairman Lewis

Masterplan Subcommittee minutes 1/24/19 – Eligible: Adrignolo, Lipari, Visco, Lewis

Motion to adopt made by: Mr. Visco; Second by: Mr. Adrignolo; Roll call: Yes - Mr. Adrignolo, Mr. Visco, Chairman Lewis

LOI/DEP NOTIFICATIONS

None

LEGAL/LEGISLATIVE UPDATES

None

OLD BUSINESS

*****PSPP/FC/PSOIL18-10– 29-46 East LLC** – 29 Route 46 E & 12 Chapin Rd– B: 183, L: 8 – carried with notice preserved from 1/24/19 - Eligible: Conklin, Braden, Adrignolo, Kornreich, Visco, Lipari, Agnoli, Sandham, Lewis
ACT BY: 4/11/19

*****APPLICANT REQUESTED TO BE CARRIED WITH NOTICE PRESERVED TO 2/28/19**

Carried with notice preserved to 2/28/19.

NEW BUSINESS

*****PSPP/F/C/SOIL16-02-18-15– Van Schaik** – 640 Rt. 202 – B: 40, L: 51- prel/final site plan with variances and soil movement for demolition and reconstruction of a commercial building
ACT BY: 5/9/19

*****APPLICANT REQUESTED TO BE CARRIED WITH NEWSPAPER NOTICE PRESERVED AND 200' NOTICE REQUIRED TO MARCH 28, 2019**

Carried with newspaper notice preserved and 200' notice required to 3/28/19.

CORRESPONDENCE / EXTENSIONS / DISMISSALS

None

CONCEPTS

None

CLOSED SESSION

None

ADJOURNMENT

There being no further business to discuss Chairman Lewis asked for a motion to adjourn. On a motion made by Mr. Sandham, seconded by Dr. Kornreich, the meeting was unanimously adjourned.

I certify that this is a true copy of minutes adopted at Planning Board meeting of _____.

Jane Mowles, Secretary