

**MONTVILLE TOWNSHIP PLANNING BOARD  
MEETING**

Held at: 195 Changebridge Road, Montville Municipal Building  
**Minutes of Thursday, March 9, 2023**

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, T. Braden, A. Adrignolo,, L. Kornreich, R. Lipari,  
N. Agnoli, P. Repic, L. Hines & G. Lewis

**EXCUSED ABSENT** A. Maggio & M. Kayne

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

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

**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 - Gary Lewis reported that the Senior Assisted Living was approved by the Zoning Board at the March 1<sup>st</sup> meeting and a lot of time was spent on traffic.

Board of Health - Russ Lipari had no report.

Environmental Commission - Larry Kornreich had no report.

Water & Sewer - Art Maggio was absent.

Historic Preservation Review Commission - Adam Adrignolo reported they have a new member.

Design Review Committee – Larry Hines said they met on 2-27-23 where they heard two applicants and both were approved.

Site Plan/Subdivision Committee - Tim Braden said they met a couple weeks ago and two waivers were approved.

Open Space Committee - Nick Agnoli had no report.

Master Plan - Gary Lewis had no report.

Fire Districts - Richard Conklin (Towaco) had no report; Art Maggio (Montville) was absent; Tim Braden (Pine Brook) had no report.

Township Committee Mayor Report – Committeeman Rich Conklin had no report.

## **SWEARING IN OF PROFESSIONALS**

Mr. Carroll swore in professionals.

## **BOARD DISCUSSION**

Ms. Mowles reported that the 3-23-23 meeting may be canceled.

## **BOARD DISCUSSION**

Chairman Lewis reminded board members as well as professionals to speak up for the recordings until a new system can be installed.

## **PUBLIC DISCUSSION**

Chairman Lewis opened the session to public comment for items not listed on the agenda related to land use matters. There being none, the meeting was closed for public comment for items not listed on the agenda related to land use matters by Mr. Hines, seconded by Mr. Agnoli. Voice Vote. All present were in favor. None opposed.

## **PLANNING BUSINESS**

HPRC23-01 Sweetman, Andre & John – 292 Main Rd – B: 57, L: 8-Certificate of Appropriateness for roof replacement

Chairman Lewis explained the board's role.

A motion to approve the certificate of appropriateness for roof replacement was made by Mr. Adrignolo, seconded by Mr. Lipari. Roll Call. All in Favor. None Opposed. (R. Conklin, T. Braden, A. Adrignolo, L. Kornreich, R. Lipari, N. Agnoli, P. Repic, L. Hines & G. Lewis)

## **WAIVERS**

There were no Waivers to come before the board.

## **INVOICES**

**Burgis – O/E for:** \$240.00 (Paul Miller Lit.) **Trust for:** \$1,120.00 (Four-Eight Main), \$2,360.00 (Hook Mountain), \$1,280.00 (M2 Real Estate), \$240.00 (PBNJ), \$1,880.00 (Russo Acquisitions), \$2,080.00 (640 Rt. 202), \$280.00 (640 Rt. 202)

**Bowman – Trust for:** \$430.50 (Diversified PSE&G), \$850.25 (Four-Eight Main), \$120.00 (Juve), \$870.50 (Hook Mountain), \$922.50 (Hook Mountain), \$963.00 (Hook Mountain), \$1,000.00 (PBNJ), \$160.00 (PBNJ), \$680.00 (640 Rt. 202), \$910.50 (Russo Acquisitions), \$929.00 (Russo Acquisitions)

**Carroll – O/E for:** \$185.00 (PBNJ Lit.), \$786.25 (Paul Miller Lit.) **Trust for:** \$480.00 (PBNJ), \$1,880.00 (Russo Acquisitions), \$1,480.00 (640 Route 202), \$200.00 (Hook Mountain), \$120.00 (Juve), \$80.00 (Four-Eight Main)

**Ferriero Engineering – Trust for:** \$270.50 (Sterling)

**Semrau – Trust for:** \$414.00 (Juve), \$234.00 (Sterling)

**Suburban – Trust for:** \$592.00 (Russo Acquisitions), \$750.00 (Sterling), \$1,235.00 (Diversified PSE&G), \$420.00 (Diversified PSE&G), \$772.50 (Juve)

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

## **RESOLUTIONS**

There were no Resolutions to come before the board.

## **MINUTES**

Planning Board Minutes of 1/12/23 – Eligible: Agnoli, Lipari, Adrignolo, Conklin, Braden, Kornreich, Repic, Lewis

A motion to approve the minutes was made by Dr. Kornreich, seconded by Committeeman Conklin. All in Favor by Voice Vote. None Opposed.

Planning Board Minutes of 1/26/23 – Eligible: Conklin, Braden, Adrignolo, Kornreich, Lipari, Agnoli, Repic, Hines, Lewis

A motion to approve the minutes was made by Dr. Kornreich, seconded by Mr. Repic. All in Favor by Voice Vote. None Opposed.

Planning Board Minutes of 2/9/23 – Eligible: Conklin, Braden, Adrignolo, Agnoli, Repic, Hines, Lewis

A motion to approve the minutes was made by Mr. Hines, seconded by Mr. Repic. All in Favor by Voice Vote. None Opposed.

Planning Board Subcommittee Minutes of 2/23/23 – Eligible: Lipari, Agnoli, Braden

A motion to approve the minutes was made by Mr. Lipari, seconded by Mr. Agnoli. All in Favor by Voice Vote. None Opposed.

## **LOI/DEP NOTIFICATIONS**

Proposed NJ flood hazard area rule change

Chairman Lewis thanked Mr. Giurintano, Town Engineer, and County for looking at the potential impact.

Mr. Giurintano walked through of impacts and what Mr. Marucci looked at with County including timeline, developers, municipalities, revised rules, published 12/22, public comment timeframe, emergency adoption, 1/11 hearing, how rules affect NJ, mapping types, flood hazard elevations and how it impacts Montville, restrictions, floodway not extended yet, cost effect of

flood hazard area extensions, higher drive access now needed, current owner and future development effect, state standards, Mr. Marucci's research of approximately 390 properties affected in Montville, rainfall measurements standards now changing standards, using data that is 25 years old to future years, design standards, specifics of engineering industry having to deal with going forward, and effect on not only Montville but the entire State. Committeeman Conklin said Twp. Committee is aware, are objecting to, and saw Mr. Marucci's presentation. Mr. Agnoli commented on flood insurance costs, scales, effect on home values, construction and permit cost increases, and FEMA map extensions also coming.

### **LEGAL/LEGISLATIVE UPDATES**

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

### **OLD BUSINESS**

**PSPP/FC/PMN/PSOIL 19-06 – Hook Mountain Montville** – 15 Hook Mountain Rd – B: 175, L: 4 – pre/final site plan/minor subdivision/soil movement and c variances for 2 commercial buildings – carried with notice from 11/21/22 – Eligible: Conklin, Kayne, Kornreich<sup>1</sup>, Braden, Adrignolo, Lipari, Agnoli<sup>2</sup>, Repic<sup>3</sup>, Hines, Lewis  
ACT BY: 3/31/23

Chairman Lewis commented that the application was carried with notice from 11-21-22, and that Mr. Agnoli, Dr. Kornreich, and Mr. Repic were all certified, and explained the hearing process for the public.

Mr. Schepis gave a brief recap including where they were in the process, property location, client purchased in current state, zoning, property development, elevation difficulties, subdivision of property and proposed uses, previous testimony and areas of concern, plan modification, board professional comments, unresolved issues, applicant professionals to testify, and landscaping and lighting to be addressed.

1st witness, Mr. Peter Chandler, Civil Engineer, still under oath and previously sworn in testified on the following items: brief synopsis, modifications made to plan, revised steep slopes map, professional comments and calculations and relief needed, variance needed for slopes on both properties, changes to walls due to feedback from December 2022 meeting, sign locations, grading plan changes, wall heights and locations, elevations of where signs are located, and technical component changes to plan, construction materials for wall systems, variety of finishes and types available, no negative impact to project, and overview of plan changes. Mr. Schepis said design exceptions were prior to ordinance changes. Mr. Chandler discussed the revised sign locations and why, compliance of size, but not location, setbacks and reasonings, monument signs, menu sign, sidewalk location proposal including extension based on comments and where not proposed due to layout of property on Old Bloomfield.

Exhibit A-1 (4 Photo Array) was submitted. He reviewed the depiction of photos on Old Bloomfield Ave., photos of right-of-way, walked through existing knoll and guide rail, rock outcrop, and why not capable of sidewalk in that area. He reviewed Mr. Giurintano's memo

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<sup>1</sup> Certified to 11/21/22 hearing

<sup>2</sup> Must certify to 11/21/22 hearing

<sup>3</sup> Certified to 11/21/22 hearing

comments regarding short term parking and not envisioning need for, runoff of Lot 4.01, two inlet features to collect stormwater curbing and design flow, second trench drain to collect additional flow, will add requested notes, addressing all stormwater comments, sight triangle plan, overall views, access ways, movements, diagram, egress right turn only, land view, design speeds modified, design criteria work, compliance of all three sites, wall system redesign, traffic light locations and regulations, pressed curve location, Bloomfield Ave. profile movement, all precautions implemented, truck movement including circulation and definition of lanes, survey and striping of, site circulation plan, trash collection area accessibility, site constraints, impact of drive aisle and loading area itself to site constraints, and no conflict of delivery and trash collection vehicles. Mr. Giurintano asked about and/or commented on the following items: three full lane circulation, need for detail on plan, raised concrete curb including how often truck will need to go over height of and damage to, spot elevations, sanitary sewer, code requirement for fire hydrant connections, loading zone on Lot 4, electric parking signage, wall loads on underground utilities, trash enclosure sizes, fast food needing three enclosures for operation, maximum wall heights, design waiver for sidewalk, pedestrian amenities, steep slope analysis, clean outs, stormwater, addressing issues of proposed wall materials of modular block, guide rail, and geo reinforcement zone. Mr. Chandler addressed the following items: material, height differences, durability, maintenance of, striping option of painted island, DOT standards, maneuvering around islands, prefer painting option, leaving to board decision, island design, inlet location, drainage flow remaining intact, modifying spot elevations, adding sanitary sewer to survey and consultation, buildings being sprinklered, fire department connection to be added, loading zone not needed on Lot 4 for deliveries and why asking for variance, adding electric parking signage, wall loads not having negative impact on underground utilities, including standard size trash enclosures or using three smaller ones, locations and elevations for maximum wall heights, sidewalk proposals, reasonings due to grades and existing slopes for sidewalks, curbing will be added to plan, will be adding a garbage can, revised calculations and breakouts to be added to steep slope analysis, providing clean outs, and agreeing to all stipulations of stormwater management. They will revisit all comments, penetrations, geo-grid zone, manhole, and realigning pipeline.

Break from 9:16pm to 9:22pm.

2nd witness, Ms. Carolyn Young, Architect, was sworn in and her credentials accepted reviewed the design of application and photo of site in current state.

Exhibit A-2 (Site Photo) was submitted. She said the photo was taken approximately two years ago and testified on the following items: where photo taken from, what depicted, challenging and difficult site, grade changes, corner lot, shape of property being irregular, road junctions, site access, adjacent properties and proximity to Rt. 46, site plan reference, strategy for site, overall design point of view, figuring out what to build on sites, design solution, splitting site in two with two different buildings, two separate accesses, one on Old Bloomfield Ave and one on Hook Mountain Road, building access, ADA compliance, most feasible and logical solution of site, what looked at architecturally, Buildings A & B references, proposed spec buildings for a retail space for Building A and a fast food restaurant for Building B, facade facings, specific uses, four elevations, building, store front glazing, canopies, DRC meeting attendance and incorporating recommendations, variances for signage, facade sign in conformance in size, sign

on parapet wall location reasonings, sign facing parking lot not facing street, relief for second sign not facing street, Building B fast food oriented building based on a Burger King model, entrance facade facing Old Bloomfield Ave, ordinance allowance of sign facing roadway, one primary and two secondary signs, sign sitting on parapet wall, topography of property and visibility of signs, monument menu sign detail, new plan addition of signs, monument sign for Building A for retail store materials, Building B two site signs proposed including one by entrance on Old Bloomfield Ave and a free standing pile on free standing sign at corner and compliance of ordinance, ordinance only permits one on site, site topography uniqueness and why need both, property identifications, visibility, site difficulties, building square footages, diagrams showing wall from Hook Mountain Road elevation with fence on top and fast food restaurant beyond, visibility reasonings, rock outcropping, sightline diagrams, rock profile of what is remaining, topography and views of property. Mr. Burgis said in compliance. Mr. Giurintano asked about the retail building square footage and if given any thought on potential tenants wanting more space. If so, would need to be addressed by the Planning Board in the future. Dr. Kornreich asked about the lighting. They are externally lite and are complying.

The meeting was opened to public for questions on Ms. Young's architectural testimony. There being none the meeting was closed for questions on Ms. Young's testimony on a motion made by Mr. Agnoli, seconded by Dr. Kornreich. All in Favor by Voice Vote. None Opposed.

3rd witness, Mr. Bruce Davies, Landscape Architect, was sworn in and his credentials accepted.

Exhibit A-3 (Colorized Landscape Rendering) dated 3-8-23 was submitted. He testified on the following items: appearance to site from Hook Mountain Road, color, Buildings A & B, wall locations, existing stone, plant indications, native flowering plants, plan referral dated 2-17-23, list of plants, mostly native plants, types of trees, shrubs, perennials, grasses, rendering of appearance of retaining wall, and proposals for softening look around wall. Mr. Burgis said his office reviewed and they are complying. There were no board member questions.

The meeting was opened to public for questions on Mr. Davies' landscape architectural testimony. There being none the meeting was closed for questions on Mr. Davies' testimony on a motion made by Mr. Agnoli, seconded by Mr. Hines. All in Favor by Voice Vote. None Opposed.

Mr. Schepis summed up outstanding issues, further testimony needed, and return to DRC. Chairman Lewis commented that the engineering testimony needs to be buttoned up before next appearance at Planning Board and who still needs to appear.

The meeting was carried to 4-27-23 with notice preserved. They will be appearing before the DRC on 3-22-23. They were given an extension of time through 4-30-23.

### **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 was 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 Mr. Agnoli, seconded by Dr. Kornreich, the meeting was unanimously adjourned at 10:12pm.

Respectfully submitted,

Kelley Kehoe, Recording Secretary

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

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Jane Mowles, Secretary