

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, March 14, 2019

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 T. Braden (7:30-8:18pm), A. Adrignolo, A. Maggio, L. Kornreich, J. Visco,
R. Lipari (7:30-8:18pm), N. Agnoli, J. Sandham (7:30-8:18pm)
& G. Lewis (7:30-8:18pm)

ABSENT EXCUSED R. Conklin & F. Cooney

ALSO PRESENT K. Kehoe (Recording Secretary)

PROFESSIONALS Joseph Burgis (Board Planner), S. Omland (Board Engineer)
& M. Carroll (Board Attorney)

ANNOUNCEMENTS

Chairman Lewis welcomed everyone to the meeting.

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.

COMMITTEE & LIAISON REPORTS

Chairman Lewis asked the liaisons and committee members for reports:

Board of Adjustment – Mr. Adrignolo had no report.

Board of Health – Mr. Lipari said they did not have a meeting.

Environmental Commission – Dr. Kornreich had no report.

Water & Sewer – Mr. Maggio had no report.

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

Design Review Committee – Mr. Braden reported that they would be meeting this week.

Site Plan/Subdivision Committee – Mr. Visco had no report.

Economic Development Committee – Mr. Lewis said they will be meeting next Wednesday.

Open Space Committee – Mr. Agnoli had no report.

Master Plan – Chairman Lewis reported that they met tonight and they are putting the finishing touches on the Master Plan Re-examination and hopefully it will be available to present in June or July.

Highlands Legislation Review Committee – Chairman Lewis had no report.

Fire Districts – Mr. Conklin (Towaco) was absent, Mr. Maggio (Montville) had no report, and Mr. Braden (Pine Brook) had no report.

Township Committee Mayor's Report – Mayor Conklin was absent.

SWEARING IN OF PROFESSIONALS

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Mr. Carroll swore in board professionals.

SECRETARY'S REPORT

Secretary J. Mowles was absent.

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

PLANNING BUSINESS

Area In Need of Redevelopment – 340 Changebridge Road – B: 159; L: 5.01

Mr. Burgis presented his Non-Condensation Area in Need of Redevelopment Study for the public hearing.

His presented on the following items: background, Local Redevelopment and Housing Law (LRHL), statue, condemnation vs. non-condemnation, non-condemnation designation, LRHL powers, 8 types of statutory criteria, smart growth principles, study area (Block 159, Lot 5.01), photos of interior and exterior building, and specific statutory criteria areas A, B, D & H.

Board members asked questions on the current status of property, aerial photos, land owner, condition of building being neglect by owner, and why the other building on parcel is not involved. Chairman Lewis asked for a correction to be made on page 8, item # 4, that the billboard was approved by BOA not Planning Board. The 2 part process of the criteria being met and the redevelopment plan was explained along with the LRHL process.

Chairman Lewis opened the meeting for public comment on the Area In Need Of Redevelopment.

Mr. John Sharratt of 11 Waxberg Lane in Pine Brook asked what would be going in there. Chairman Lewis explained the next portion of the process.

There being no further discussion, the meeting was closed for public comment by Mr. Braden, seconded by Mr. Agnoli. All present were in favor. None opposed.

Board deliberation followed. They commented on the deteriorated conditions, direction of the Township Committee, the Planning Board role, and if the statutory criteria has been met.

A motion that the area in need of redevelopment is in compliance with Criteria A (Deterioration), Criteria B (Discontinuance/Abandonment), and Criteria H (Consistency with Smart Growth Principles) was made by Mr. Sandham, seconded by Mr. Agnoli. Roll Call. All present were in Favor. No opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, J. Sandham & G. Lewis)

WAIVERS

PMISC19-003 – LTS Associate, Inc. – 16 Chapin Road, Unit 905 – BL:183; L:7.2 - 6000 total sf space, 2,288 sf office for support/CS for products distributed & 3,712 sf warehouse for storage and wholesale distribution of video surveillance, access control, and security related electronic equipment and

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accessories – 6 employees – hours of operation: 8am-6pm M-F - no overnight parking of vehicles – signage in compliance with First Industrial theme

A motion to approve the waiver was made by Mr. Braden, seconded by Mr. Visco. All in Favor by Voice Vote. None Opposed. (T. Braden, A. Adrignolo, A. Maggio, L. Kornreich, J. Visco, R. Lipari, N. Agnoli, J. Sandham & G. Lewis)

The following waivers were carried to the March 28, 2019 Planning Board meeting:

PMISC19-04 – Jubilant DraxImage Radiopharmacies Inc. d/b/a Triad Isotopes – 45 Route 46, Unit 607 – BL: 183, L:6 – 9,076 sf space (4,049 office/5,027 warehouse) existing tenant moving to larger space used for closed door nuclear pharmacy – 21 employees – hours of operation: 12 am- 4:30 pm M-F; 2am-7am Sat & Sun – overnight parking of 10 small delivery vehicles – signage in compliance with First Industrial theme

PMISC19-05 – Video Game Party Center LLC – 36 Route 46 – BL:176, L: 4.2 - 1,975 sf space for video game party center – 1-3 employees - hours of operation: 3pm-10 pm, M-F; 9am-10pm Sat& Sun - no overnight parking of vehicles - signage as per attached drawing

PMISC19-06 – Belair Instrument Company LLC d/b/a Avanic - 19 Chapin Road, Building C - BL: 184, L:7.02 - 142 sf space to install a Kohler kW400-500 diesel back-up generator – no screening will be around the generator and it will not take away any parking spaces

PMISC19-07 – Belair Instrument Company LLC d/b/a Avanic - 19 Chapin Road, Building C - BL: 184, L:7.02 - 44,274 sf space to install a 48’x13’ loading ramp from ground level to warehouse dock with 8’ landing inclusive over existing pavement (no additional impervious coverage)

INVOICES

Carroll – Trsut for: \$37.50 (AKR); \$75.00 (Daughtry); \$1,612.50 (DLS); \$900.00 (Lucin); \$75.00 (McDonalds); \$187.50 (Montville Residency); \$37.50 (Roome Road LLC); \$37.50 (VanSchaik); \$487.50 (29-46 East LLC)

Dorsey-Semrau – Trust for: \$75.00 (Parklane); \$420.00 (DRA 350 Main); \$735.00 (Woodland Properties)

The invoices were approved on a motion made by Mr. Braden, seconded by Mr. Adrignolo. Roll Call. All in Favor. None Opposed.

RESOLUTIONS

There were no Resolutions to come before the board.

MINUTES

Planning Board minutes 1/24/19 – Eligible: Mayor Conklin, Mr. Braden, Mr. Adrignolo, Dr. Kornreich, Mr. Visco, Mr. Lipari, Mr. Agnoli, Mr. Sandham, Chairman Lewis

Planning Board Minutes of 2/14/19 – Eligible: Mayor Conklin; Mr. Braden; Mr. Adrignolo; Mr. Maggio; Committeeman Cooney; Dr. Kornreich; Mr. Visco; Mr. Sandham; Chairman Lewis

Planning Board Minutes of 2/28/19 – Eligible:

The Minutes were tabled to the next meeting.

LOI/DEP NOTIFICATIONS

Mr. Omland reported on a letter of interpretation.

LEGAL/LEGISLATIVE UPDATES

Mr. Omland reported that there is currently a storm water utilities bill before the legislature, which would tax every single lot.

OLD BUSINESS

There was no Old Business to come before the board.

NEW BUSINESS

****PSPP/FC16-23/PSOIL16-24 – PBNJ - 16 Rt. 46 – B: 162, L: 7 – remand hearing**

Chairman Lewis explained for the public that this was a new application and that is being reheard by the Planning Board based on judge's orders. He said that those members that served on the Planning Board Task Group for Redevelopment are recused from this hearing including Mr. Braden, Mr. Sandham, Mr. Lewis, and Mr. Lipari. They departed the meeting at 8:18pm.

Vice Chairman Maggio stepped in to run the rest of the meeting.

Mr. Adrignolo disclosed to the applicant that he recently switched firms and that there is a lawyer in his office that handled an application for Wawa prior to his arrival. The applicant was fine with him participating in the hearing.

Mr. Schepis, Esq. on behalf of the applicant gave his opening comments. He briefly reviewed the B3 zoning, permitted use, site plan, location, project proposal, demolition, modification of grading proposal, driveway entrances, being subject to 3 government entities, proposed use, food mart, trash enclosure, c variances, signage variances, free standing signs, size of numbers for gas, number of parking spaces, impervious coverage, wall heights, regrading, loading space location, separation variance, DRC meetings and recommendations, aesthetic appearance, landscaping, and design lighting.

Vice Chairman Maggio explained the process for the public.

1st witness, Mr. Matt Bersch, Engineer, was sworn in and his credentials accepted. He verified that he was involved in the planning process. He discussed the aerial photo including the property location, existing current mixed uses, impervious coverage, existing topography, surrounding commercial uses, B3 zoning, and proposed permitted use.

Exhibit A-1 (Colorized Site Plan Rendering) dated 3-14-19 prepared by his office was submitted. He testified on the following items: rendering depicting what is proposed in plan for site improvements, proposed location, food mart, fueling station, canopies, entrance locations, number of pumps, types of dispensers, landscape improvements, drive isles, tanks, storm water management, retaining wall proposals, grades, and existing slope disturbance. He talked about the existing conditions as it relates today as to where the building stands, parking area, grades, slopes, and building setbacks from roads. He discussed the proposed loading area location, setbacks, impervious coverage, drainage, storm water management, landscaping, size of building, square footage of food mart and fueling pumps, number of trees, shrubs, ground plants, and grass, types of mulch, irrigation, treatment device, run-off, maintenance manual, access points, 3 driveway locations, circulation, widths and patterns, building rendering from 2/13/19, input from DRC for architectural design, entrances, street elevations, building materials

including brick and stone, attached trash enclosure, tower features, loading area, screening, landscaping, retaining walls, fencing, guard rail, sound ordinances, and signage.

Exhibit A-2 (Wawa Signage Exhibit) dated 3/14/19 prepared by him was submitted. He testified on the 2 wall mounted signs including the locations, ordinance requirements regarding size and setbacks, the 2 free standing signs of which only 1 is permitted, elevation grade changes, property access, LED signs regarding size and location as it relates to ordinance, sign area, number of gas prices shown, fuel price points showing only regular and diesel pricing, square footage, canopy, number of pumps, slanted roofing and pitching of canopy, location to roadways, Waxberg Lane, church, and other gas stations. Design exceptions regarding light intensity at property line, bicycle lane proposal, slope disturbance, and pedestrian amenities were discussed in detail. He discussed the proposed exterior lighting, lighting design, types of light fixtures, locations, building mounted, columns, intensity, safety and efficiency, foot candles, need for visibility, expanding beyond the site and effect on surrounding properties. They are not proposing a bicycle lane, because they feel Bloomfield Ave does not have adequate width. He talked about the slope disturbance as it relates to what is proposed, existing conditions, 100% disturbance, man-made slopes, grades, disturbance, implemented procedures, no negative impacts, and existing slopes and grades. Regarding pedestrian amenities they are proposing trash receptacles and bike racks, but no park benches. He testified on the soil movement permit including the exporting and importing of soil, cubic yardage, materials taken away, complying with town ordinance requirements, and route. He further discussed the operation of the site including the food mart square footage, 24/7 operation, number of employees and shifts, retails use, deliveries per week for store and fuel, circulation of deliveries, and the fuel automated system.

Break from 9:45pm to 9:55pm.

Mr. Bersch continued his testimony on the exterior grade as it relates to Bloomfield Ave. and visibility. He said the applicant agrees to accept all conditions of Mr. Omland's memo dated 2/27/19. Mr. Omland commented or asked questions on the following items: favoring the connected trash enclosure, location of additional parking spaces, noise ordinance compliance, historical problems of Wawa with neighbors, access points, site distances, deferring certain items to the traffic engineer, concern of steep slope at driveway exits, no seating in or out of store, DRC suggestions without quorum, gutters, lighting additions that need to be added to plan, lighting height differences, decorative lighting, maintaining lighting in right-of-way, fuel truck deliveries being operated by an automated system and not by manager, and clarifying the details that are needed for the storm water detention system. Mr. Burgis addressed his memo concerns including the statutory waiver relief, bike lane issue, safety concerns, foot candles at driveways, and bench requirement consideration. Board members asked questions of Mr. Bersch on the following items: directional signs, operation of pumps for diesel, gas types, rate of flow for diesel, generators, operation, circulations of deliveries, distances to residents, church and other gas stations, drainage design, steep slopes, catch basin, driveway slopes, sign illumination, 24/7 operation, sign heights at Change Bridge and Bloomfield Ave., delivery timing, noise requirements, environmental impacts, air containments, measurements attained, impact on Bloomfield Ave., option of monument sign at Bloomfield Ave and Change Bridge Road, flow of traffic, fuel trucks entering off Bloomfield Ave, entrance studies, flow of property, signage, and updated DEP flood maps.

Vice Chairman Maggio opened the meeting to the public on Mr. Bersch's engineering testimony.

Ms. Stephanie Sharratt of 11 Waxberg Lane in Pine Brook asked if it was necessary to have the entrance on Bloomfield Ave. She also reported that the 1 Waxberg Lane property goes to the corner and is only about 60 feet from the Wawa property.

Ms. Andrea Wong of 16 Bogert Road in Pine Brook asked about the number of parking spaces and

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number of employees at peak times.

Mr. Rachel Fein of 11 Marguerite Drive in Pine Brook inquired if the applicant would be putting a sign on Rt. 80 and if there would be stop bars at the exits along with signs. She also asked if bicycles were permitted on sidewalks in Montville and if the towers were visible from Bloomfield Ave. and the overall size of them.

Ms. Kerry Laurito of 29 Dogwood Circle in Pine Brook asked for clarification of the distances from neighbors. She asked that if the applicant felt Bloomfield Ave. was too narrow for a bike lane, then how would the tractor trailers be turning into the entrance on Bloomfield Ave. Referencing the site plan rendering, she asked if the trucks exiting the property would be crossing the yellow line as indicated on the plan.

Mr. Scott Van Koppen of 14 Bogert Road in Pine Brook inquired if the previous testimony from concerned residents was stricken from the record. He also asked if the Wawa name could be added to the agenda vs. just PBNJ, because he felt others were unaware that the application was appearing before the Planning Board. He asked that a no-left hand turn be allowed at the Bloomfield Ave. exit.

Mr. John Sharratt of 11 Waxberg Lane in Pine Brook inquired about the facility security as it relates to crime concerns.

Ms. Neziraka of 12 Lisa Place in Pine Brook asked about the retaining walls including how many, heights, locations, grade levels, and guard rails. She inquired about the depth of fuel tanks, elevations, and the sign at Bloomfield Ave. and Change Bridge Road and how far it can be seen.

Ms. Stephanie Sharratt of 11 Waxberg Lane in Pine Brook asked about security.

Ms. Kerry Laurito of 29 Dogwood Circle in Pine Brook asked about fire truck access and a traffic study.

There being no further questions on Mr. Bersch's testimony, meeting was closed for public comment on a motion made by Mr. Agnoli, seconded by Mr. Visco - All in Favor by Voice Vote. None opposed.

****CARRIED WITH NOTICE PRESERVED TO 4/11/19.**

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 Dr. Kornreich, seconded by Mr. Adrignolo, the meeting was unanimously adjourned at 11:16pm.

Respectfully submitted,

Kelley Kehoe, Recording Secretary

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

Jane Mowles, Secretary