

MONTVILLE TOWNSHIP PLANNING BOARD
Held at: 195 Changebridge Road, Montville Municipal Building
Minutes of Thursday, May 9, 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 R. Conklin, T. Braden, A. Adrignolo (7:30-7:45pm), F. Cooney, L. Kornreich, J. Visco, R. Lipari, J. Sandham & G. Lewis

ABSENT EXCUSED A. Maggio and N. Agnoli

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

PROFESSIONALS J. Burgis (Board Planner), S. Omland (Engineer) & R. Nish (Board Attorney)

ANNOUNCEMENTS

Chairman Lewis welcomed everyone to the meeting. He is thrilled to see the parking lot improvements to the School House project on Main Road underway and thanked Mr. Omland for his help with the applicant.

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 said they met on 5/1/19. Two applications were heard with one being carried.

Board of Health – Mr. Lipari had no report and said they would be meeting on Monday.

Environmental Commission – Dr. Kornreich had no report.

Water & Sewer – Mr. Maggio was absent.

Historic Preservation Review Commission – Mr. Visco reported that are scheduled to meet on 5/20/19 and are looking into the Hierwarter property.

Design Review Committee – Mr. Braden had no report.

Site Plan/Subdivision Committee – Mr. Visco said they met on 5/6/19 and six applications were approved.

Economic Development Committee – Mr. Lewis said they would be meeting next week.

Open Space Committee – Mr. Sandham had no report.

Master Plan – Chairman Lewis said that the Draft Re-Examination Plan has been distributed to board members and that the public introduction will be held on 5/23/19, and be available to view on the township website.

Highlands Legislation Review Committee – Chairman Lewis had no report.

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

Township Committee Mayor’s Report – Mayor Conklin reported that the next Township Committee meeting will be held on 5/14/19.

SWEARING IN OF PROFESSIONALS

Chairman Lewis swore in board professionals.

SECRETARY’S REPORT

Secretary J. Mowles had no report.

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.

Mr. Dan Pagano of 11 Roome Road inquired if the Township attorney would be present for the application.

There being no further 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 Dr. Kornreich. All present were in favor. None opposed.

PLANNING BUSINESS

There was no Planning Business to come before the board.

WAIVERS

There were no Waivers to come before the board.

INVOICES

Dosey & Semrau - Trust for: \$360.00 (Montville Residency); \$240.00 (Parklane Estates); \$210.00 (DRA 350 Main); \$60.00 (Towaco Station); \$90.00 (Woodland Properties)

Ferriero Engineering - Trust for: \$525.00 (DRA 350 Main); \$150.00 (DRA 350 Main)

MP Carroll - Trust for: \$37.50 (AKR); \$112.50 (Daughtry); \$37.50 (DLS); \$75.00 (Lucin); \$37.50 (McDonald’s); \$150.00 (Montville Petro/Exxon); \$487.50 (Montville Residency); \$1,050.00 (PBNJ/WAWA); \$112.50 (Roome Road); \$975.00 (29-46 East LLC)

Omland Engineering - Trust for: \$271.25 (McDonald’s); \$193.75 (Montville Petro/Exxon); \$1,356.25 (PBNJ/WAWA); \$542.50 (29-46 East LLC); \$581.25 (Woodland Properties)

A motion to approve the invoices was made by Mr. Braden, seconded by Mr. Adrignolo. Roll Call. All present were in Favor. No opposed. (R. Conklin, T. Braden, A. Adrignolo, F. Cooney, L. Kornreich, J. Visco, R. Lipari, & G. Lewis)

RESOLUTIONS

There were no Resolutions to come before the board.

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MINUTES

Planning Board Minutes of 4/11/19 – Eligible: Conklin, Adrignolo, Cooney, Visco

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

Master Plan Subcommittee Minutes of 4/25/19 – Eligible: Visco, Adrignolo, Lipari, Lewis

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

LOI/DEP NOTIFICATIONS

Mr. Omland reported on the Boonton Ave. notification.

LEGAL/LEGISLATIVE UPDATES

Mr. Nish had no report.

OLD BUSINESS

There was no Old Business to come before the board.

NEW BUSINESS

PMSP/F/PSOIL18-18 – Roome Road LLC –14-16 Roome Rd – B: 106; 109, L: 23.02; 314 – 8 Lot subdivision and soil movement no variances - Notice Acceptable ACT BY: 5/11/19

Mr. Adrignolo recused himself at 7:45pm.

Mr. Schepis, Esq. summarized the application describing the existing conditions, proposal, lack of variances, 8 lot subdivision with two existing and six new houses, emergency vehicle turn-a-round, utilities, compliance, acreage, zoning, lot sizes, design exceptions, and soil movement permit.

Chairman Lewis explained the process of the hearing for the public.

Mr. Walker, Site Engineer, was sworn in and his credentials accepted. He discussed the background, existing conditions, surrounding dwellings, environmental research, DEP determination of no wetlands, no impact of Highlands preservation area, planning area location, and property drainage.

Exhibit A-1 (Colorized Site Layout) dated 5/9/19 was submitted. It was a color imposed aerial map of Roome Road to Barney Lane. He testified in detail on the following items: existing 2 lots, history, property sizes, 10.3 total acreage, R-43 zone location, property access, prime aquifer locations, slopes, proposed conditions, 8 lots, increase of 6 new homes, 24 total homes on Roome Road once completed, Roome Road extension of 1000 feet, truck access and turn-round, road width, utilities, water system, RSIS requirements, Water and Sewer exception, no further possible extension of Roome Road, no variances needed for subdivision, exceeding minimum lot sizes and building envelopes, individual lots, irregular/unique shaped properties, property constraints, no back-to-front lots, location of building areas, storm water solutions, working closely with town, drainage, storm water infiltration, rain water garden collection, detention basins, public road improvements regarding collection and discharge, piping system, bio-retention basin for lower basin, meeting all state storm water requirements, no increase in water, critical water requirement, 1,100 square feet of piping down Roome Road, adding 7 storm drains down Roome Road, fresh paving of Roome Road, deed restrictions of homes, road design, RSIS standards compliance, RSIS classifications, road widths, right-a-way, De Minimis exception need for rural road characterization, looping, review of steep slopes map, slope conformance, waiver required for slope

disturbance, discussion of percentages provided, storm water capture and soil stabilization, cliff area, grades, ordinance conservatives, existing and proposed street lighting locations, design waiver needed for lighting distances (should be 500', proposing 300'), and soil movement including importing soil amounts, compliance with requirements, and route of.

Mr. Omland informed the board and public, that this application was being heard without updated documents. Mr. Walker reviewed Mr. Omland's memo and testified further on the following items: the conforming lots, design exception, storm management, traffic concerns for public, extension of notice provided to those that front on Roome Road, storm water management design, soil tests performed, elements of design, soil erosion management, construction measures and staging regarding residents, swale creation to detention basin, hay bales and silt fencing, construction equipment storage locations, pipe installations, and 3 requirements met for recharge, detention and water quality. Mr. Omland felt comfortable that the applicant will meet the design and ordinance requirements, that the properties/neighbors will have less or the same water as it exists today, and that the underground bio-basin will have no effect on basements. Mr. Walker further discussed the maintenance of retention basins, who was responsible for, deferring maintenance to homeowners, the township's responsibilities, drainage down Roome Road, easement needs from homeowners, impervious coverage of lots, storm water management, consideration for homeowners of increase of impervious coverage for future decks and pools, sidewalk, road width, De Minimis exceptions, steep slope disturbance as it relates to ordinance, waterline stub provided, rolled curb, agreement to videotape preconstruction roadway and the repair and/or resurface roadway if necessary, lighting waiver, character of street, board decision, and RSIS traffic generation numbers. Mr. Omland highlighted the issues that were being dealt with. Board members asked questions or had comments on the following items: clarification on bio-retention system and tolerant plants of, amount of steep slope disturbance, storage of soil, erosion minimization and stabilization measures, soil movement route and alternate options, individual lot slope disturbance, stop sign option/recommendation, Roome Road naming options, driveway conceptual designs, classification of rural street, and curbing options.

Break from 9:16pm to 9:26pm.

Mr. Burgis asked questions regarding RSIS off-road improvements divided by 24 homes, cars parking along streets, and road widths with curbing.

Chairman Lewis opened the meeting to the public on Mr. Walker's engineering testimony.

Mr. Evan Shankman of 38 Barney Road in Towaco asked about the storm water assessment and the effects of the 2/5/10/100 year storms on neighbors. Mr. Omland explained the requirements.

Ms. Jennifer Shankman of 38 Barney Road in Towaco asked for more detail of the pipe to run down Roome Road.

Mr. Gregory Krisak of 4 Redding Place in Towaco asked about the guarantee of the storm water management. Mr. Walker explained the requirements, calculations, designs, best engineering practices, and state regulations. He inquired about the number of additional vehicles that would be added to Barney Road and shared cut through and traffic concerns. He was told that the traffic safety & fire officers did not have any issues. Chairman Lewis explained, that it would fall under the authority of the Township Committee.

Mr. Adam Johnson of 27 Redding Place in Towaco asked about the conservation easements to be added, storm water management on the backside of the hill, catch basin run-off flow, town regulations regarding drainage, utilities easements, and proposed paper road.

Mr. Andy Becker of 9 Roome Road in Towaco asked about the short term plan and timing for run-off, building block vs. asphalt curbing, timing of potential development including basin, tracking pad, etc., and the widening of the road.

Mr. Robert Koetzner of 17 Roome Road in Towaco talked about current water that he gets in his basement and asked about the minimum distances between basins and houses. He asked about the bio-retention system, effect on insects, temporary swale and where water will go after it is removed, lighting poles, underground utilities, and proposed lighting fixture locations.

Ms. Netty Koetzner of 17 Roome Road in Towaco asked about the landscaping proposal for basin screening and shared her basement wetness concerns.

Mr. Dan Pagano of 11 Roome Road in Towaco asked about the reasoning of the notice extension and the rain gardens/catch basins. Mr. Omland explained the deed notification, restriction, and obligation laws.

Ms. Schuly of 5 Roome Road in Towaco asked about the following items: retention basin size, soil testing results and depths of, routing of water through basins, percentages of tree removal, impervious coverage, right-a-ways, elevations of proposed and existing properties, drilling and blasting timing, road widths, and block curbing.

Mr. Matthew Gluck (representing his parent's house) for 31 Redding Place in Towaco asked about the following items: conservation easements possibilities, test boring locations, Lot 41.05, size of conceptual homes, blasting plans, slope towards Redding, homeowner responsibilities for drainage and infiltration and life expectancy of, cul-de-sac catch basin, and berm options.

Mr. Gregory Krisak of 4 Redding Place in Towaco asked about the dump truck trips and road damage on Barney Road. Mr. Omland explained about the preconstruction video and obligation of repairs if needed.

Mr. Adam Johnson of 27 Redding Place of Towaco asked about the truck trips regarding routes and weight restrictions. It was explained that the route would be resolved with the township engineer and they would need to adhere to those restrictions.

There being no further questions on Mr. Walker's engineering testimony, the meeting was closed for public comment on a motion made by Mr. Sandham, seconded by Deputy Mayor Cooney - All in Favor by Voice Vote. None opposed.

Mr. Omland followed up with clarifications regarding easement considerations, conservation easement, trucking limitations during school pickup and drop off times, driveways picked up by rain gardens, and driveway curbing. Mr. Schepis said his client agrees to the proposed easement locations and will work with the staff to provide buffering to the ridgeline.

Chairman Lewis was concerned with run-off on Roome Road. Mr. Schepis addressed the RSIS exceptions and Di Minimis items including the classification of street, looping the waterline, and sidewalks regarding difficulties and proofs. He asked that the application be granted. Mr. Walker added discussions with the Water and Sewer Department and there being no other sidewalks in the area. Mr. Schepis addressed concerns of widening Roome Road, consideration of concession for the town to maintain basins, battered curb on Southside, and widening Roome Road by 3 feet. Mr. Burgis commented on the substantial changes and offers of applicant. Mr. Conklin asked for clarification on curbing, street lights, and conservation easement.

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Chairman Lewis opened the meeting to the public for comment on the overall testimony.

Mr. Adam Johnson of 27 Redding Place of Towaco commented on the curbing, house proximity, utility easement, objecting to at least one of the property developments, and utility locations.

Mr. Evan Shenkman of 38 Barney Road in Towaco commented on the drainage to Barney and Roome Roads as it's been getting worse over the years.

Mr. Robert Koetzner of 17 Roome Road in Towaco shared his concern with trucks blocking the roadway during construction and the timing of.

Mr. Dan Pagano of 11 Roome Road in Towaco commented on Mr. Omland's satisfaction of received storm water documents, the 3 foot road widening and the effect it would have on his rock wall and blue spruce tree, and a special assessment.

Mr. Keith Breznovits of 34 Barney Road in Towaco commented on the drainage improvements done years ago to Barney and the resulted ditches. Chairman Lewis directed him to the governing body.

Mr. Matthew Gluck of 31 Redding Place in Towaco commented on the conservation area requests for consideration of surrounding area.

Mr. Adam Johnson of 27 Redding Place of Towaco asked for clarification on the road classification of suburban vs. rural.

Mr. Schepis interjected that the applicant would agree to 20 feet of easements on the two back properties (Lots 410.05 and 41.07).

Mr. Dan Pagano of 11 Roome Road in Towaco preferred the street lights to be more spread out.

Mr. Evan Shenkman of 38 Barney Road in Towaco inquired how far down the curbing would go.

Ms. Jennifer Shenkman of 38 Barney Road in Towaco commented on their swale problem. Mr. Omland said this should be improved. Mr. Walker explained the system functions.

Ms. Mary Ellen Krisak of 4 Redding Place and her mom, Ms. Seventy of 29 Barney Lane commented on the swale, which backs up and freezes on Barney Road. She does not feel it a good thing until Barney Road is fixed.

There being no further comments on the overall testimony, the meeting was closed for public comment on a motion made by Mr. Lipari, seconded by Deputy Mayor Cooney - All in Favor by Voice Vote. None opposed.

Chairman Lewis summed up Mr. Omland's satisfaction. He is confident in his review of memo, testimony, and public comment, that the plan revisions can be implemented as a condition of approval. He said if the issues are not satisfied, that they would need to come back before the board under new notification.

Mr. Schepis thanked everyone for their time and he felt the public comment was helpful and courteous. He thanked his client for their concessions and for Mr. Walker's design conception plan and storm water management. He feels it will be a great addition to the neighborhood. He said they are granting the

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easements for the back of the two properties and ridgeline, providing 7 inlets, widening Roome Road, and providing curbing.

Chairman Lewis reviewed the check list including the clarification on sidewalks, loop water line, town design exceptions for steep slopes, lighting waiver, 3 easements, curbing on south side of Roome Road, and the soil movement. Mr. Omland commented on leaving the Roome Road name as it is and recommended restricting parking to one side of the road on the Roome Road extension due to the road widening.

A motion to approve the application being subject to the RSIS exceptions, design waivers, conforming to zoning provisions, respecting the terrain, close creative use of storm water management, and soil movement requirements was made by Dr. Kornreich, seconded by Mr. Lipari. Roll Call. All present were in Favor. No opposed. (R. Conklin, T. Braden, F. Cooney, L. Kornreich, J. Visco, R. Lipari, J. Sandham & G. Lewis)

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. Lipari, seconded by Deputy Mayor Cooney, the meeting was unanimously adjourned at 11:42pm.

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