

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
NOVEMBER 5, 2012**

Chairman Some called the meeting to order at 7:30 p.m. and read the opening statement that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Chairman Some; Vice Chairman Matthews; Mr. Conforti; Ms. Dyer; Mayor Trzaska; T. Wilson (arrived 7:35 pm); Mr. Glockler, Alternate No. 1

ALSO PRESENT: Francis P. Linnus, Esq., Board Attorney; Cindy Coppola, Board Planner; Ms. Savron, Secretary

I. PUBLIC COMMENT – 5 MINUTES PER PERSON

Chairman Some read the public comment statement. There was no public comment.

II. RESOLUTIONS

Case PB-07-04 Applicant: Marc Brahaney
Block 11003 Lot 6 (Formerly Lots 6 & 7)
Extension of Preliminary and Final Major Site Plan with Variance

A motion to memorialize the resolution was made by Vice Chairman Matthews, which was seconded by Mayor Trzaska. This was carried on the following roll call vote:

Ayes: Conforti, Dyer, Glockler, Matthews, Trzaska and Some

Nays: None

Case PB-08-12 Applicant: Richard M. Grosso, Jr. and Mary Grosso
Block 1001 Lot 35.01
Minor Subdivision with Variances

The adoption of the resolution was carried to the next meeting.

III. ADMINISTRATIVE BUSINESS

A. ORDINANCE RECOMMENDATION

Land Development Ordinance 12-1423

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI, "LAND DEVELOPMENT", OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) COUNTY OF SOMERSET, STATE OF NEW JERSEY SPECIFICALLY BY AMENDING THE DEFINITIONS OF "TOWNHOUSE" & "RESIDENTIAL FLAT" IN SUBSECTION 16-2.1, AMENDING SUBSECTION 16-3.1, "ZONING DISTRICTS", AMENDING SUBSECTION 16-3.3, "ZONING MAP", AND BY AMENDING SUBSECTION 16-4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING"

Ms. Savron referenced the memo to Township Committee that was distributed to the Board and described the changes to the ordinance.

The meeting was opened to the public. There being no public comment, a motion to close the public hearing was made by Vice Chairman Matthews, which was seconded by Mr. Conforti. The motion was carried unanimously.

The Board found the ordinance consistent with the Master Plan.

A motion to recommend the ordinance was made by Mayor Trzaska, which was seconded by Mr. Conforti.

This was carried on the following roll call vote:

Ayes: Conforti, Dyer, Glockler, Matthews, Trzaska, T. Wilson and Some

Nays: None

IV. APPLICATIONS

Case PB-07-11

Applicant: Sharbell Plainsboro, LLC

Block 28003 Lot 216

Amended Final Approval

Expiration Date – 12/10/2012

Affidavit of Notification and Publication Not Required

Frank Petrino, Esquire represented the applicant. The application is for approval of two new model homes, a detail for the residential fencing and permission to begin site work. The applicant has obtained all approvals with the exception of the Treatment Works Approval (TWA) sewer extension permit. The application has been submitted to the NJDEP and deemed complete.

Thomas Troy, 1329 Park Street, was sworn in. Mr. Troy referenced exhibits on a CD that was provided to the Board Secretary. There are not many lots in Hillside that will accommodate the “garage-under” models so they have been pulled out and supplemented with two new ones. Fences will be permitted on the lots although not in the front yard. The ordinance allows a 4’ fence. Mr. Troy showed the fence exhibit that will be included in the HOA documents.

Mark Cannuli, 1 Washington Boulevard, was sworn in.

Ms. Coppola noted that the fence detail is consistent with what is shown on the construction drawings and the exhibit that is in the HOA documents.

Mr. Troy said one of the conditions of the Developers Agreement is that they satisfy all conditions of the final approval before any work starts on site. Final approval has been granted, the plans are essentially finished and County approvals have been granted. The only outstanding item is the receipt of the TWA. They are requesting they be allowed to start with the earthwork and site disturbance for the construction of the large detention basin and the clearing and grading in the areas that the infrastructure will be installed in. Ms. Smith, Township Engineer, issued a memo and suggested conditions that the applicant will comply with.

Ms. Coppola asked that the applicant submit a modified lot matrix or house fit plan to address the two new models. The applicant agreed.

Chairman Some opened the meeting to the public. There was no public comment.

Mr. Glockler asked if Model “O” was the only model to have a master bedroom on the second floor. Ms. Coppola said there are two others that have a master on the second floor and there are four that have it on the first floor.

Mr. Linnus summarized the application. The application is for amended final to approve two new models, the fence details and to allow them to proceed only with earth work site disturbance to do the large detention basin and some clearing and grading and to go no further. The applicant will be proceeding at his own risk. The approval will be subject to the conditions of no sanitary sewer installation until the TWA is received, the Developers Agreement will be followed as set forth in the approved Developers Agreement with the exception of the receipt of the TWA and an amendment to the Developers Agreement will be required.

A motion to approve the request subject to the conditions was made by Mayor Trzaska, which was seconded by Mr. Conforti. This was carried on the following roll call vote:

Ayes: Conforti, Dyer, Glockler, Matthews, Trzaska, T. Wilson and Some

Nays: None

V. MINUTES

October 1, 2012 – Regular Meeting

A motion to approve the minutes was made by Mr. Conforti, which was seconded by Vice Chairman Matthews. This was carried on the following roll call vote:

Ayes: Some, Matthews, Conforti, Dyer, Trzaska, T. Wilson and Glockler

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:00 p.m.