

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

APRIL 16, 2018

MINUTES

Vice Chairman Wilson 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: Vice Chairman Wilson; Mayor Conforti; Mr. DeRochi; Mr. Trzaska (arrived 7:38 p.m.); Mr. Mani; Mr. Matthews; Mr. Sarle; Mr. Glockler, Alternate #1; Mr. Conry, Alternate #2

ALSO PRESENT: Francis P. Linnus, Board Attorney; Emily Goldman, Board Planner, Jason Cline, Board Engineer; Ms. Chrusz, Board Secretary

I. SALUTE TO THE FLAG

II. PUBLIC PARTICIPATION - None

III. RESOLUTIONS

Case PB-02-18
Block 15010 Lot 2
Design Waiver

Applicant: AE Holding Group, LLC

A motion to memorialize the resolution was made by Mayor Conforti and seconded by Mr. Sarle. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Mani, Matthews, Sarle, Wilson and Glockler

Nays: None

Case PB-05-17

Applicant: Princeton New Jersey Congregation of Jehovah's Witnesses

Block 11001 Lot 63
Submission Waivers and Minor Site Plan

A motion to memorialize the resolution was made by Mr. Mani and seconded by Mr. Conry. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Mani, Matthews, Wilson and Conry

Nays: None

Case PB-02-17

Applicant: Tuladhar Educational Services, Inc.

Block 28006 Lot 67
Conditional Use, Preliminary & Final Site Plan and Bulk Variances

A motion to memorialize the resolution was made by Mr. Mani and seconded by Mayor Conforti. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Mani, Matthews, Wilson and Conry

Nays: None

IV. NEW BUSINESS

- A. Board discussion of Township Committee Resolution #18-4-88 directing the Planning Board to undertake an investigation whether Block 28004 Lot 7 and Block 28005 Lot 66 located northwest of the intersection of State Route 206 and County Route 518 constitute a Redevelopment Area pursuant to the New Jersey Local Redevelopment and Housing Law and scheduling of public hearing date.**

Ms. Goldman gave a brief summary. The subject area is owned by Sharbell properties and includes the former Kepner Trego site and the PIRHL development site. The affordable housing to be constructed by PIRHL will be developed as part of the larger multi-family residential development. The Township is looking at whether the property should be declared as an area in need of a non-condemnation redevelopment to help further and support

the Housing Element and Fair Share Plan. Both sites are included in the Court approved settlement agreement with the Fair Share Housing Center.

Mr. Linnus described the redevelopment process.

The public hearing has been scheduled for May 21, 2018.

Mr. DeRochi asked why the property qualifies. Ms. Goldman testified that since it is being looked at as a combined site it looks at the existing vacant buildings on the Kepner Trego site to see if it creates an obsolescent situation or design on the site. The PIRHL property is included because it helps facilitate the overall development of the site.

A motion to direct Clarke Caton Hintz to undertake an investigation was made by Mayor Conforti and seconded by Mr. Conry. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Mani, Matthews, Sarle, Trzaska, Wilson, Glockler and Conry

Nays: None

B. Planning Board resolution authorizing its planning consultant to prepare a preliminary investigation as to whether the real property designated as Block 28004, Lot 7 and Block 28005, Lot 66 should be declared a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1, et seq, and scheduling a public hearing date.

A motion to memorialize the resolution was made by Mr. Trzaska and seconded by Mr. Mani. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Mani, Matthews, Sarle, Trzaska, Wilson, Glockler and Conry

Nays: None

V. APPLICATIONS

Case PB-02-18 **Applicant: Fiveighteen Associates, LLC**
Block 28004 Lot 44.03
Minor Site Plan and Variance
Expiration Date – 6/12/18
Affidavit of Notification and Publication Required

Richard Schatzman, Esquire represented the applicant. Notice was in order.

Mr. Schatzman explained the application is a minor site plan to reconfigure the existing detention basin to add 29 parking spaces to the existing 70 spaces. A partial submission waiver is being requested from showing all information within 200' of the subject property. Variances are needed to allow a maximum increase in parking over the 10% permitted, for the fence/wall height where the maximum height will be 5.5' to 8.4' where 4' is permitted and for the parking setback from the southerly property line where they will be 46' and 50' is required. Design waivers are requested for screening the off-street parking where none is proposed and the number of trees to be planted based on area of disturbance. The trees to be removed will be replaced on a one for one basis.

David Gardner, principal of the applicant and Michael Ford, the applicant's engineer were sworn in.

Mr. Gardner testified that the additional parking spaces are needed due to the success of the Yoga tenant. Between the yoga classes and the dentist office clients there is not enough parking. There are no parking issues at other areas of the complex. The project may be phased to provide flexibility.

Mr. Ford gave the Board his qualifications and was accepted as a qualified expert. Mr. Ford referenced a colorized version of the minor site plan and soil erosion and sediment control plan. The site is at the intersection of Route 518 and Vreeland Drive. The complex is a series of three lots. The application is for the most northerly lot. The site has two 8,000 square feet buildings that are connected by a breezeway. No changes to the building or site access are proposed. There is an existing stormwater detention basin and no changes to the basin are proposed. Additional parking is proposed to be added along the south side of the driveway in the area where there is parking only on the north side as well as additional spaces in other areas. The additional pavement is directly related to the parking spaces, no additional access drives are needed. Stormwater management has been provided by utilizing porous pavement with underground storage within a stone layer

under the porous pavement. The basin is within an existing easement that allows the DRCC and/or the Township to maintain the basin in the event the owner does not. The proposed parking will not impact any of the volume that the basin achieves.

The Clarke Caton Hintz memo was discussed. Parking is for office only and not the daycare. The note on the plan will be removed. The gross area of the buildings is 16,000 square feet. The parking relief is not because they are deficient in parking but because of the need for tenants. The Code requires a fence to be installed on top of the retaining wall since the wall is in excess of 30" in some locations. The fence itself will not be more than 4' tall but the fence added to the height of the retaining wall will be higher. The parking to the south is less than 50' from the boundary. The southerly boundary is common with the other office lot owned by the applicant. The wall will be constructed with modular block. Structural calculations will be submitted as part of the building permit.

The applicant will comply with Mr. Bartolone's suggestions. The tree species will be changed.

The Remington & Vernick memo was discussed. Although the application is for 29 spaces the owner is not certain the need would be that high so they would like flexibility in the installation. The three areas could be constructed in phases based on tenant needs and/or construction cost. The access drives would be maintained. The drawings will be revised to show that circulation will be maintained during construction. The existing aisle widths will be maintained. Any ADA deficiencies will be complied with. The applicant will comply with all the grading and stormwater management comments. Construction access will be through the parking area. The Township Engineer will require a Construction Sequence Agreement. The basin functions adequately in its existing condition. The applicant will maintain ownership of the basin and the operation and maintenance of the pervious pavement. If the light pole impacts the existing tree, the tree will be removed and replaced. The existing light poles are being maintained and will be protected during construction. If damaged they will be repaired or replaced.

The Board of Health memo was discussed. The septic system field and lines leading to the field will be verified and flagged to prevent damage during construction.

Ms. Wasilauski's memo was discussed. The trees near the area of disturbance will be protected. The plans will be changed to reflect a two year guarantee for the new trees.

The Environmental Commission memo was discussed. The parking spaces are above the highest watermark of the basin.

Mr. Schatzman said that the existing detention basin easement will need to be changed to allow parking which requires the consent of the Township Committee.

Ms. Goldman testified that a design exception is needed for the off street parking screening and for tree planting. The applicant agreed to plant an additional two trees on top of the 1 to 1 replacement so the tree planting exception is no longer needed.

The meeting was opened to the public.

Steve Baumgarten, 19 Milford Place, asked why the parking is needed. Mr. Schatzman responded that there is additional parking needed due to the tenant uses in the building. There will be no increase in traffic.

There being no further public comment, a motion to close the public hearing was made by Mayor Conforti and seconded by Mr. Trzaska. The motion carried unanimously.

Vice Chairman Wilson wondered if the existing buffer would mitigate any impact on the residents on Hartwick Drive.

Mr. Glockler said it is a pretty thick buffer. Mr. Goldman said that PIRHL will be planting street trees as part of their project.

Mr. Matthews wondered if the car lights would impact the neighbors when pulling into the new spaces. Mr. DeRochi thought the fence on top of the wall would mitigate the car lights.

Mr. Schatzman said the variances are C-2 variances. The benefits outweigh the detriments. They provide for safety and adequate space for tenants.

Mr. Linnus summarized. The motion would be for minor site plan approval to add additional parking spaces coupled with the variances for parking space increase, height of the wall/fence and parking setback. An exception is needed for off-street parking screening. There is a submission waiver from showing information within two hundred feet. The applicant will comply with the staff reports where testified to. There will be a Construction Sequence Agreement as well as the standard conditions. The modification to the existing declaration of easements covenants and restrictions are subject to the approval of the Township Committee.

A motion to approve the application was made by Mr. Mani and seconded by Mr. Trzaska. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Mani, Matthews, Sarle, Trzaska, Wilson, Glockler and Conry

Nays: None

VI. MINUTES

March 5, 2018 – Regular Meeting

A motion to approve the minutes was made by Mayor Conforti, which was seconded by Mr. Mani. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Mani, Matthews, Sarle, Wilson, Glockler and Conry

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:20 p.m.