

**MONTGOMERY TOWNSHIP PLANNING BOARD  
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY  
REGULAR MEETING  
OCTOBER 20, 2014**

Chairman Conforti called the meeting to order at 7:31 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 Conforti; Vice Chairman Matthews; Ms. Davis; Mr. DeRochi; Mr. Sarle; Mayor Smith; Mr. Wilson; Mr. Glockler, Alternate #1

**ALSO PRESENT:** Mr. Linnus, Board Attorney; Mr. Cline, Board Engineer; Ms. Coppola, Board Planner; Ms. Savron, Secretary

**I. SALUTE TO THE FLAG**

**II. PUBLIC COMMENT**

There was no public comment.

**III. RESOLUTIONS**

**Case PB-03-11**  
Block 33001 Lot 29  
Export Soil

**Applicant: Mother of God Orthodox Church**

A motion to memorialize the resolution was made by Mr. DeRochi and seconded by Mr. Sarle. This was carried on the following roll call:

Ayes: Davis, DeRochi, Matthews, Sarle, Smith and Conforti

Nays: None

**Case PB-09-12KH**  
Block 28001 Lot 5.03

**Applicant: K. Hovnanian Companies**

Issuance of Building Permit for Model Prior to Installation of Improvements

A motion to memorialize the resolution was made by Ms. Davis and seconded by Mr. DeRochi. This was carried on the following roll call:

Ayes: Davis, DeRochi, Matthews, Sarle, Smith and Conforti

Nays: None

**IV. APPLICATIONS**

**Case PB-06-14**  
Block 35001 Lot 16

**Applicant: Baker Chrysler Jeep Dodge, Inc.**

Amended Preliminary and Final Major Site Plan with Bulk Variance for Signage

Expiration Date – 1/31/2015

Affidavit of Notification and Publication Required

Richard Schatzman, Esquire, David Schmidt, PE and Brandon Baker represented the applicant. Notice was found to be in order.

Mr. Schatzman explained this is an amendment to the prior approval for Case PB-01-05. The applicant is seeking variances for the total number of signs allowed, the total amount of signage, the height of a new monument sign and the site is within the stream corridor and flood plain.

Mr. Schmidt, 77 Cairns Place, was sworn in. Mr. Schmidt noted the exhibits he will show are part of the package submitted to the Board. The amended site plan dated August 15, 2014 revised October 3, 2014 was displayed. The lot is 2.702 acres and is zoned HC. Mr. Schmidt referenced the submitted Brand Book dated July 23, 2010 with a latest revision of September 16, 2014. The page showing the existing building mounted signs was displayed. The existing freestanding sign is 31.75 square feet and is 20' high. The proposed monument sign is 66.3 square feet at a height of 12' located about 20' from the road. The Baker sign on the building is 26.5 square feet and will remain 26.5 square feet. The building mounted Chrysler sign is currently

38 square feet and proposed to be 28.25 square feet. The existing building mounted Jeep sign is 21 square feet and proposed to be 28.73 square feet. The existing building mounted Dodge sign is 29 square feet and proposed to be 15 square feet. The proposed building mounted Ram sign is 38 square feet. The total existing signage is 146.25 (pole mounted sign and the four signs on the front of the building) and is proposed to be 202.78 square feet. The prior approval allowed 146.5 square feet. If the wording and symbols were measured separately and added together, the sign size would be less.

Mr. Schmidt referenced the site plan. The floodplain encompasses a majority of the property. The freestanding sign location is within and will remain within the floodplain. Moving the sign outside of the floodplain to the north will locate the sign too close to the entrance and may cause confusion for customers. The sign in the proposed location will not create a flood hazard. The proposed monument sign is more aesthetically pleasing than what is currently there. Baker sells four different types of cars which is why the additional signage is needed. The proposed monument sign will be 12' in height. There is a 3' drop from Route 206 into the site. The monument sign is setback 20' due to the pedestrian access easement that was granted as part of the prior application.

Mr. Schmidt referenced the Brand Book page showing the monument sign. The applicant will agree as a condition of approval that no additional signage will be allowed on the open panel area. The old signs will be removed, the building facade will be repainted and the new signs will be installed. The sign letters are to be lit and turned off by close of business or 11:00 p.m. As a condition of approval, a night light test will be conducted by the Zoning Officer. Temporary signs are permitted and require Zoning Officer approval. Both entrances to the site are full moving entrances per New Jersey Department of Transportation.

Chairman Conforti opened the meeting to the public.

Sarah Roberts, 48 Harlingen Road, represented the Shade Tree Committee was sworn in. The Shade Tree Committee is concerned with the topping of the trees in front of the site. The trees missing in the middle should be replaced.

Chairman Conforti thought the trees were being topped to keep them from growing into the power lines.

Brandon Baker, 196 Reservoir Road, was sworn in. Mr. Baker confirmed the trees are close to the power lines and they grow so big they block the view of the business. They are the only dealership with trees of this nature.

Ms. Roberts said the tree should be allowed to grow and then should be limbed up so the business can be seen under the tree.

There being no further public comment, a motion to close the public hearing was made by Mr. DeRochi, which was seconded by Mr. Sarle. This was carried on the following voice call vote: Ayes (8) Nays (0) Abstentions (0)

Ms. Coppola noted that the proposed freestanding sign conforms to the maximum square footage permitted. It only requires a height variance. The building mounted signage needs a variance from the number of signs and the total square footage. Ms. Coppola wondered if the freestanding sign would be more visible if it was lowered and installed under the trees.

The Board requested information on the height of the Honda new car monument sign.

Vice Chairman Matthews asked if the panel the applicant agreed to restrict from signage could be removed to reduce the height. Mr. Schatzman noted that they are pre-made signs. It is more economical to use the pre-made sign.

In response to Vice Chairman Matthews' concern about the sign in the floodplain, Ms. Coppola noted that the proposed location is not an issue. The site is over developed in the floodplain and has not created a problem.

Mayor Smith said he thought the signs on the building were attractive but he has an issue with the height of the monument sign and setting a precedent.

Mr. Schatzman said there would not be a precedent there is a 3' drop on this site that is not on the other auto dealer properties. This property is unique. Given the drop the sign would be 9' above the right-of-way.

Mr. DeRochi said he was okay with the monument sign but did not like the building mounted signs. He felt they were too large.

Vice Chairman Matthews agreed that the monument sign is an improvement but the building mounted signs should be reduced.

The applicant took a few minutes to discuss the Board's comments.

Mr. Schatzman advised the Board that the applicant will look at eliminating the RAM and Chrysler symbols on the building. They will also look at the Honda sign. He requested the application be continued to the next meeting.

The application was continued to the November 3, 2014 Planning Board meeting with no further notice requirements.

## **V. CLOSED SESSION**

Mr. Linnus read the resolution to go into closed session so the Board could discuss pending litigation (Kosinski vs. Planning Board, 601 Corridor, LLC and Lanwin Development Corp.).

The Board unanimously voted to go into closed session.

The Board unanimously voted to come out of closed session.

## **VI. MINUTES**

### **September 15, 2014 – Regular Meeting**

A motion to approve the minutes was made by Mr. Wilson, which was seconded by Ms. Davis. This was carried on the following roll call vote:

Ayes: Conforti, Matthews, Davis, DeRochi, Sarle, Smith, Wilson and Glockler

Nays: None

### **September 15, 2014 – Closed Session**

A motion to approve the minutes was made by Mr. Wilson, which was seconded by Mr. Sarle. This was carried on the following roll call vote:

Ayes: Conforti, Matthews, Davis, DeRochi, Sarle, Smith, Wilson and Glockler

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 9:00 p.m.