

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REORGANIZATION AND REGULAR MEETING
JANUARY 12, 2015**

MINUTES

Ms. Savron called the meeting to order at 7:32 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: Mr. Conforti; Mr. DeRochi; Mayor Madrid; Mr. Mani; Mr. Matthews; Mr. Wilson; Mr. Glockler, Alternate No. 1

ALSO PRESENT: Francis P. Linnus; Mr. Cline; Ms. Savron

I. SWEARING IN OF NEW MEMBERS

Mr. Linnus swore in the new members.

II. REORGANIZATION

A. Election of Officers

1. Call for Nominations for Chairman

A nomination of Mr. Conforti was made by Mr. Wilson which was seconded by Mr. Glockler.

There being no further nominations, a motion to close nominations was made by Mr. Wilson, which was seconded by Mr. Mani. This carried on the following voice call vote: Ayes (7) Nays (0)

The following roll call vote was taken for Mr. Conforti as Chairman:
Ayes: Conforti, DeRochi, Glockler, Madrid, Mani, Matthews and Wilson
Nays: None

2. Call for Nominations for Vice Chairman

The nomination of Mr. Matthews was made by Chairman Conforti, which was seconded by Mr. Wilson.

There being no further nominations, a motion to close nominations was made by Mr. DeRochi, which was seconded by Mr. Mani. This carried on the following voice call vote: Ayes (7) Nays (0)

The following roll call vote was taken for Mr. Matthews as Vice Chairman:
Ayes: Conforti, DeRochi, Glockler, Madrid, Mani, Matthews and Wilson
Nays: None

3. Call for Nominations for Secretary

The nomination of Mr. Wilson was made by Chairman Conforti, which was seconded by Vice Chairman Matthews.

There being no further nominations, Vice Chairman Matthews made a motion to close the nominations which was seconded by Mr. Glockler. This carried on the following voice call vote: Ayes (7) Nays (0)

The following roll call was taken for Mr. Wilson as Secretary:
Ayes: Conforti, DeRochi, Glockler, Madrid, Mani, Matthews and Wilson
Nays: None

B. Appointment of Recording Secretary– Lori Savron

The nomination of Ms. Savron as Recording Secretary was made by Vice Chairman Matthews, which was seconded by Mr. Wilson. This was carried on the following roll call vote:

Ayes: Conforti, DeRochi, Glockler, Madrid, Mani, Matthews and Wilson
Nays: None

C. Meeting Schedule

1. PLANNING BOARD MEETINGS

BE IT RESOLVED by the Planning Board of the Township of Montgomery the regular monthly meetings of the Board will be held on the following dates in 2015 at 7:30 p.m. in the Municipal Building located at 2261 Van Horne Road (Route 206), Belle Mead, New Jersey. Special work sessions scheduled periodically will be noticed as required upon scheduling. Formal action may be taken. All interested persons may attend and be heard. The following notice shall be mailed to the officially designated newspapers.

February 2	July 6, 20	December 7, 21
March 2, 16	August 3, 17	January 11, 2016
April 6, 20	September 21	
May 4, 18	October 5, 19	
June 1, 15	November 2, 16	

A motion to adopt the Planning Board meeting schedule was made by Vice Chairman Matthews, which was seconded by Mr. Glockler. This was carried on the following roll call vote:

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

Nays: None

2. SITE PLAN/SUBDIVISION COMMITTEE MEETINGS

BE IT RESOLVED by the Planning Board of the Township of Montgomery that the Site Plan/Subdivision Committee regular monthly meetings will be held on the following dates in 2015 at 7:30 p.m. in the Municipal Building located at 2261 Van Horne Road (Route 206), Belle Mead, New Jersey. Special work sessions scheduled periodically will be noticed as required upon scheduling. The following notice shall be mailed to the officially designated newspapers. All interested persons may attend those portions of the meeting that the applicant is being heard.

February 9	August 10
March 9	September 14
April 13	October 12
May 11	November 9
June 8	December 14
July 13	

A motion to adopt the Site Plan/Subdivision Committee meeting schedule was made by Vice Chairman Matthews, which was seconded by Mr. Glockler. This was carried on the following roll call vote:

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

Nays: None

D. Designation of the Official Newspaper

The official newspapers for legal municipal advertising and notice shall be the Courier News. All legal notices to be published must appear in an official newspaper as stipulated by the NJ-MLUL.

A motion to designate the official newspaper was made by Mr. Wilson, which was seconded by Mr. Glockler. This was carried on the following roll call vote:

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

Nays: None

E. Appointment of Subcommittees

1. Site Plan/Subdivision Committee

Member 1: Mr. Conforti

Member 2: Mr. Matthews

Member 3: Mayor Madrid

Member 4: Mr. Smith

2. Master Plan/Land Development Ordinance Update Committee

Member 1: Mr. Conforti

Member 2: Mr. DeRochi

Member 3: Mayor Madrid

Member 4: Mr. Smith

Member 5: Mr. Cheskis

3. Planning Board Liaison to Traffic Advisory Committee

Member 1: Mr. DeRochi

4. Planning Board Liaison to Economic Development Commission

Member 1: Mr. Conforti

Member 2: Ms. Davis

F. NJ Federation of Planning Officials - Renewal of Membership

Combination Membership - Planning Board Membership – \$180.00

A motion to renew the NJPO membership was made by Mr. Wilson, which was seconded by Vice Chairman Matthews. This was carried on the following roll call vote:

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

Nays: None

G. Appointment of Professional Services under the “Local Unit Pay-to-Play Law”

Chairman Conforti read the resolution to appoint the following professional staff:

1. **Appointment of Legal Counsel – Francis P. Linnus, Esquire**
2. **Appointment of Board Planner – Clarke Caton Hintz**
3. **Appointment of Traffic Engineer – McDonough and Rea Associates**
4. **Appointment of Landscape Architect – Richard Bartolone**
5. **Appointment of Board Engineer – Remington Vernick & Vena Engineers, Inc.**

A motion to appoint the professional staff was made by Mr. Wilson, which was seconded by Vice Chairman Matthews. This was carried on the following roll call vote:

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

Nays: None

Mr. Linnus swore in Mr. Cline.

III. PUBLIC PARTICIPATION

There was no public participation.

IV. RESOLUTIONS

Case PB-08-14 Applicant: Country Club Meadows.

Block 4001 Lots 33 and 33.01; Block 6002 Lot 1; Block 5023 Lot 2; Block 5002 Lots 4, 5 and 6; Block 5003 Lot 1; Block 4071 Lot 1 and Former Route 206 Bypass Right of Way
Submission Waivers

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

Ayes: DeRochi, Matthews, Wilson and Conforti

Nays: None

Case PB-08-14 Applicant: Country Club Meadows.

Block 4001 Lots 33 and 33.01; Block 6002 Lot 1; Block 5023 Lot 2; Block 5002 Lots 4, 5 and 6; Block 5003 Lot 1; Block 4071 Lot 1 and Former Route 206 Bypass Right of Way
General Development Plan

Mr. Linnus summarized a letter from Mr. Shimanowitz dated January 9, 2015 regarding two comments on the resolution. The width of the pedestrian bridge has been resolved and it will be approximately 8’ wide. The two story building in Phase I will be limited to a total of 61,000 square feet for the entire structure with some flexibility for the footprint. In future applications the applicant will be presenting a second floor plan which provides more desirable affordable housing units by a modest increase in square footage of the second floor.

A motion to memorialize the resolution was made by Mr. DeRochi, which was seconded by Mr. Wilson. This was carried on the following roll call vote:

Ayes: DeRochi, Matthews, Wilson and Conforti

Nays: None

V. APPLICATION

Case PB-09-14 Applicant: Bloomberg, L.P.

Block 34001 Lots 38.01, 38.001 and 38.03

Minor Site Plan with Variances

Expiration Date - 4/18/15

Affidavit of Notification and Publication Required

Michael Fedun, Esquire represented the applicant. In 1992 the applicant was granted permission for valet parking that exists on the site. A variance is required for the length of the parking stripe because the ordinance requires 20' and the valet spaces will be 80'. A variance is also required because the amount of cars on the site will be greater than 10% of what is required by ordinance. The Board found in 1992 that the valet parking was an efficient way of using the property. There will be less impervious coverage and less runoff. It works well with Bloomberg's facility. A portion of one of the buildings was leased out to a tenant that wanted conventional parking so an area of conventional parking was designated for that tenant. The tenant is now vacating and Bloomberg will be taking over that space. There will be no substantial detriment to the public good because of the reduced runoff and it has been approved in the past.

Richard Loeffler, 15 Robin Ridge Road, was sworn in. Mr. Loeffler gave the Board his education and background. Mr. Loeffler was accepted as an expert. Mr. Loeffler referenced a Google aerial map, which was marked as Exhibit A-1, and described the site and the various improvements that have been constructed over the years. When Bloomberg moves into the tenant space, there will be an increase of 72 desks overall throughout the site. The parking area that is currently conventional will be restriped for attended spacing which will result in an increase of 73 parking spaces. Parking will increase from 1,487 to 1,560 total attended spaces on the site. Mr. Loeffler referenced drawing EX1C, which was submitted as part of the application. EX1C illustrates the parking area as if it was all conventional parking and it would accommodate a total of 1,097 spaces. Mr. Loeffler showed sheet EX1A which shows that Building 100 parking is attended, Building 104 parking is attended and most of Building 101 is attended. Mr. Loeffler showed drawing SP1A which depicts the proposed restriping on the other half of the Building 101 parking area. The parking area will be increased from 168 conventional spaces to 241 attended spaces. The restriping will not require any additional impervious coverage, any additional stormwater management or any site disturbance.

Chairman Conforti opened the meeting to the public.

Charlie and Lucia Huebner, 105 Crusher Road, were sworn in. They own the neighboring farm to the east. Mr. Huebner said their concern is the effect of having 72 more cars on the site. A thousand cars leak 2 or 3 gallons of transmission fluid, motor oil and other fluids which ultimately ends up on their farm. It is their opinion that the storm drain system designed for this development is inadequate. They have historical photos of the farm and during various phases of construction of Bloomberg the wetland areas on their farm have increased. The wetland area was about 1.5 to 2 acres prior to the construction and immediately afterward the area increased to 4.5 to 5 acres. The stream that goes through the Bloomberg property was draining 1,200 acres of farmland. Mr. Huebner said after a heavy rain, Bloomberg's storm drains create a backflow onto their property. The stream is too narrow of a pipe to handle the volume of water coming off the parking lots. A re-examination of their existing storm drain system should be performed. The historical aerial maps were marked as Exhibits O-1 to O-3.

Mr. Cline noted that the farm property is at a higher elevation than the Bloomberg property.

Chairman Conforti asked Mr. and Mrs. Huebner what they have done to maintain the wetlands since they have owned the property. Mr. Huebner responded that the base of the stream probably has filled up with silt. The depth of the stream has changed over time.

Mr. Loeffler testified that the last DEP review of the stormwater system in total was the expansion of the 101 parking area in 2007. It was recalculated and reconsidered for the new stormwater management requirements for volume and water quality. Every so often the sediments in the basin are removed. When the site was designed they were cognizant of all the surrounding properties, both upstream and downstream, and the detention basin was designed in a natural depression. The basin was graded to receive the volume of flow under the original regulations and the updated stormwater management regulations. The elevation on the site is in the vicinity of 103 to 104. Within Mr. Huebner's property in the area of the hedgerow that goes north-south the topography is in the vicinity of 114 to 115. The detention basin outlet structure and emergency spillway, which is designed to prevent water from back flowing into Mr. Huebner's property, is at elevation 105. If there was ever a deluge of unrivaled proportions and the basin fills it is physically impossible for it to back flow into Mr. Huebner's property.

Mr. Huebner argued that the wetlands area is in the 101 to 103 elevation range. Mr. Cline noted that the survey shows it is in the 111 range.

Vice Chairman Matthews asked Mr. Loeffler to meet with Mr. Huebner on the site to see if anything can be done. He did not feel the issue is a reason to deny the application because Bloomberg is only asking for permission to restripe an existing parking lot.

Mr. Cline testified that he did not have an issue with the addition of the 73 parking spaces. The parking lot and basin system is set up in accordance with DEP stormwater standards, which includes maintenance.

Mr. Wilson questioned Mr. Cline about the detention basin and what could possibly cause the increase in the wetland area.

Mr. Cline said it is possible that the wetlands area was originally larger and drained to turn it into farmable area. Also, in a case where crops are planted in rows there can be a corrugated roof effect of runoff running off the property and now that it is a hay field it doesn't get off the property as quickly.

Mr. DeRochi noted that the wetlands on his property across the street grew when the farm fields were abandoned.

There being no further public comment, a motion to close the public comment was made by Mr. Wilson, which was seconded by Mr. Mani and carried unanimously.

Mr. Wilson did not agree that these items are separate. It is up to the Board to evaluate information that comes before them. The solution to have Bloomberg work with the Huebner's is a good one. The striping will not impact the Huebner's but the Board can't rule out that something may have happened that has impacted them.

Mr. Linnus summarized the application. There will be a finding of fact put into the resolution that Bloomberg will meet with the neighbors to discuss the issue. The Township will have its engineer at the meeting. It is not appropriate to have this as a condition.

A motion to approve the application subject to conditions was made by Mr. Wilson, which was seconded by Mr. Mani. This was carried on the following roll call vote:

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

Nays: None

VI. MINUTES

December 1, 2014 – Regular Meeting

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

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

Nays: None

December 8, 2014 – Regular Meeting

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

Ayes: Conforti, DeRochi, Glockler and Mani

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m.