

**MONTGOMERY TOWNSHIP PLANNING BOARD  
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY  
REGULAR MEETING  
FEBRUARY 1, 2016**

**MINUTES**

Vice Chairman Matthews 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 Matthews; Ms. Davis; Mr. DeRochi; Mayor Graham; Mr. Mani; Mr. Wilson; Mr. Chang, Alternate No. 2

**ALSO PRESENT:** Francis P. Linnus, Board Attorney; Michael Sullivan, Board Planner; Jason Cline, Board Engineer; Lori Savron, Planning Director

**I. SALUTE TO THE FLAG**

**II. PUBLIC PARTICIPATION**

There was no public participation.

**III. MEETING SCHEDULE REVISION**

**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 2016 at **8:00 a.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.

March 1	August 2
April 5	September 6
May 3	October 4
June 7	November 1
July 5	December 6

A motion to adopt the meeting schedule was made by Mr. Wilson and seconded by Ms. Davis. The motion carried on the following:

Ayes: Davis, DeRochi, Graham, Mani, Matthews, Wilson and Chang

Nays: None

**IV. RESOLUTIONS**

**Case PB-12-15                      Applicant: Belvedere Homes, LLC**  
Block 6001 Lots 39 and 40  
Final Major Subdivision

A motion to memorialize the resolution was made by Mr. Wilson and seconded by Mr. DeRochi. The motion carried on the following:

Ayes: Chang, Davis, DeRochi, Graham, Mani, Matthews and Wilson

Nays: None

**V. SWEARING IN OF BOARD PROFESSIONALS**

Mr. Linnus swore in Mr. Sullivan and Mr. Cline for the entire year.

**VI. SUBMISSION WAIVER REQUEST**

**Case PB-16-15    Applicant: Country Club Meadows, LLC**  
Block 5023 Lots 2 & 3 and Block 5016 Lots 1 & 3  
Submission Waivers Associated with a Preliminary and Final Major Subdivision and Site Plan

Ron Shimanowitz, Esquire represented the applicant. The application is for the second phase (Pike Run Plaza) of the Belle Mead PUD.

Joseph Fleming described each of the submission waivers. The following waivers were requested:

- 1) Use of the Representative Area Tree Survey that is dated 10/7/14 and was presented as part of Phase I. Mr. Cline testified that Mr. Bartolone in the past has allowed a representative survey to be used. Mr. Sullivan noted that Mr. Bartolone issued a letter recommending the waiver.
- 2) Partial waiver of water main profiles to be provided after NJ American Water approves the layout of the water main. Mr. Cline had no objection to granting the waiver.
- 3) Narrative including estimated number of employees, hours of operation and use of the proposed buildings. There will be 102,000 square feet of retail. A small percentage of the tenants are known but the rest of the tenants are still speculative. Mr. Sullivan said it would be reasonable if the submission waiver is granted for preliminary but the information should be provided prior to final approval. Mr. Shimanowitz said the applicant would withdraw this request and try to satisfy the requirement as best they can with estimated information. Mr. Linnus noted that if there is a substantial change to the plans after preliminary is granted the applicant would have to come back to the Board.
- 4) Partial waiver of architectural drawings for each building and signs showing front, side and rear elevations. Detailed architectural plans have been provided for the building that tenants are known and general architectural themes have been provided for the other buildings. The signs and their dimensions are shown but the artwork and tenant names have not been provided. Mr. Sullivan said there is not enough information about the buildings and the signs to determine compliance. He recommends the waiver be granted for preliminary but the information should be provided prior to final approval. Mr. Shimanowitz suggested the applicant could amend the plan and application to come in for preliminary on the entire site and request final on phases of the site that the tenant is known. Mr. Sullivan had no issue with that concept.
- 5) Providing will serve letters from the utility companies. The water company will not provide a will serve until there is a commitment of location and payment of certain fees. Mr. Cline asked the applicant to submit a copy of their request for a will serve letter. Mr. Fleming will provide the copies.
- 6) Waiver for submission of demolition plan. The only demolition required for the project is doing some alteration of the curb of the cul-de-sac at Del Marvia Drive. An entire plan for that is not necessary. Mr. Cline thought the existing conditions plan could be used to mark existing improvements "TBR" but he has no objection to the waiver.
- 7, 8, 9 & 10) – Waiver for submission of the natural features, flood plains, stream corridors, structures, paved areas, etc. for the right-of-way area that was reserved for the Department of Transportation. NJDOT no longer needs those lands and they are being distributed within the community. The only disturbance for that area would be in the southern portion where a continuation of the walking path is proposed but they do not anticipate the need to remove any trees. Mr. Cline said he was more interested in what exists on that land and not so much about what is 200' from the property. All the documents submitted so far are a tax map outline. Mr. Fleming suggested it be sited in the field with the Township Landscape Architect, Board Engineer and Open Space Coordinator. In laying out the trail, the real value would be to mark it in the field and not by aerial photography. Mr. Sullivan suggested it be waived for the purpose of completeness but will be provided prior to the hearing.
- 11) Waiver from providing copies of the applications to other agencies – NJ Department of Transportation, NJ Department of Environmental Protection, Somerset Union Soil Conservation District, Delaware and Raritan Canal Commission and Somerset County Planning Board. Copies are forthcoming.
- 12) Waiver from providing all additional details at the time or preliminary approval. Since it is a combined preliminary and final application it is not possible to submit the additional details.
- 13) Waiver from providing the location of temporary construction trailers, sales trailers and/or temporary signs. There are none proposed for this portion of the site. They are proposed on the residential portion of Phase I and would be used for Phase II. Mr. Cline noted that this is really not a waiver and the applicant has satisfied this item.

At the request of Ms. Davis, Mr. Fleming showed the Board the cul-de-sac that is being removed and how it might affect the two existing buildings. The applicant will work with Mr. Cline regarding the timing of those improvements.

Mr. Linnus asked if the applicant will be withdrawing the application for final at the present time. Mr. Shimanowitz said they will modify it and resubmit for certain sections. Mr. Linnus said the Board is not considering any waivers of submission requirements for final. Mr. Shimanowitz agreed and said the Board needs to see the resubmission.

Mr. Linnus summarized that the staff recommendation is to waive items #1, 2, 5, 6, 7-10, 11 and 13. Items #3 and 12 have been withdrawn.

With regard to item #4 Mr. Sullivan said he would like to see all the buildings and all the signs. Mr. Shimanowitz said the architectural detail will be shown on the portions they will be coming in for final. Mr. Sullivan said for preliminary there is still a gap in the information.

Mr. Shimanowitz said for preliminary they are requesting a waiver for architectural. They have submitted representative architectural plans but they have not submitted them for every single building. Mr. Sullivan said he can review the plans for bulk purposes but cannot review it for architectural standards or for the exact signs. The applicant should indicate the

number of signs and the area of each sign. The decisions on the buildings should be deferred until final but the implication would be that the buildings conform to the standards and there would be no variances at final. The Board could condition the preliminary on all the buildings complying with every requirement. If the applicant can't, the applicant has to apply for amended preliminary.

Mr. Fleming explained that the smaller buildings are more tenant driven so the architectural plans haven't been developed yet.

Mr. Linnus summarized. The applicant has withdrawn the submission waiver requests for final. With respect to the waivers for preliminary, the recommendation is to grant #1, partial waiver #2, partial waiver of #4, #5 but applicant has to provide written request for the will-serve letters, #6, #7-10, #11 but copies will be provided prior to being scheduled for the public hearing and #13 based on the representation that that there are no trailers proposed as part of this phase.

There was no public comment. The public hearing was unanimously closed.

A motion to approve the waivers as summarized by Mr. Linnus was made by Mr. Wilson and seconded by Mr. Mani. The motion carried on the following roll call vote:

Ayes: Davis, DeRochi, Graham, Mani, Matthews, Wilson and Chang

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:40 p.m.