

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
JULY 16, 2018**

MINUTES

Chairman Cheskis 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: Chairman Cheskis; Vice Chairman Wilson; Mayor Conforti; Mr. Trzaska, Mr. Matthews, Mr. Mani; Mr. Sarle; Mr. Glockler, Alternate #1; Mr. Conry, Alternate #2

ALSO PRESENT: Francis P. Linnus, Board Attorney; Jason Cline, Board Engineer; Ms. Savron, Planning Director

I. SALUTE TO THE FLAG

II. PUBLIC PARTICIPATION - None

III. APPLICATION CONTINUATION

Case PB-08-11 **Applicant: W. Bryce Thompson, IV**
Block 15001 Lot 5
Preliminary and Final Major Subdivision with Variances
Expiration Date – 12/31/18
Affidavit of Notification and Publication Required

Chairman Cheskis announced that the above application was continued to the August 6, 2018 Planning Board meeting. No further notice will be served.

IV. APPLICATION MODIFICATION

Case PB-06-17 **Applicant: E1004A, LLC**
Block 34001 Lot 60.01 (Formerly 60, 61 and 62)
Modification to Resolution Conditions
Affidavit of Notification and Publication Required

Tony Koestor, Esquire, Joshua Kalafer and Michael Ford represented the applicant. Notice was in order. Mr. Koestor explained the applicant is before the Board to amend conditions #24 and #25 of the resolution of approval. Condition #24 is the requirement to eliminate and restore the existing encroachments on the neighboring parcels including the PSE&G property. Because of wetlands concerns, PSE&G does not want the gravel located on their property to be removed. Condition #25 is the requirement for a temporary construction access easement on behalf of the property owner of Block 34001 Lot 65 (PSE&G). Mr. Koestor explained that the easement needs to be adjusted to allow a minor encroachment outside of the existing 24' easement. Mr. Schatzman has drafted the easement. Mr. Linnus noted there are a few minor revisions that need to be made to the easement.

Mr. Ford, Van Cleef Engineering, was sworn in. Mr. Ford testified that the applicant has been pursuing all the conditions of approval. PSE&G has asked that the gravel parking lot that encroaches onto their property not be removed. The proposed easement has been amended to encompass only the property between the applicant's site and the Loop Road and includes the existing access easement. For aesthetic purposes the applicant proposed to install shade trees along the access driveway connection to the Loop Road which is on PSE&G's property. PSE&G will not permit the applicant to plant the trees due to the existing overhead power lines so they have been removed.

Mr. Cline asked if the applicant still requires temporary construction access onto the PSE&G property. Mr. Ford confirmed they do not. Access will be through the PSE&G property to the south. Mr. Ford testified that all other conditions of the approval have been met. He asked if the applicant could be permitted to start construction at their own risk while they continue to negotiate the PSE & G easement and work with the Township Committee regarding the access to the Loop Road. The Route 206 access is finalized.

Mr. Linnus said the Board does not have the authority to grant them permission to start work but they could indicate in the resolution their preference that the applicant move forward.

Mr. Ford said the Township Committee has to approve and accept the form of the easement.

Mr. Ford opined that the property can be constructed and temporarily operate safely with just the Route 206 access. In terms of proceeding the applicant will coordinate with the Township Engineer.

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

Mr. Linnus summarized that the application is to modify two conditions of an approval that was granted in January. As soon as the applicant's attorney drafts the revisions acceptable to the Township Attorney and the Engineer the condition could be eliminated. The vote is to eliminate Condition #24 and modify Condition #25. The resolution will also include a recommendation that the applicant be allowed to proceed as far as possible subject to the approval of the Township Engineer and others in authority.

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

Ayes: Cheskis, Conforti, Mani, Matthews, Sarle, Trzaska, Wilson and Glockler

Nays: None

V. ORDINANCE RECOMMENDATION

A. Land Development Ordinance 18-1584

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 AND SPECIFICALLY SUBSECTIONS 16-3.3 REGARDING THE ZONING MAP, AND 16.4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING" TO ESTABLISH A NEW SITE SPECIFIC INCLUSIONARY ZONE 2

Ms. Savron gave a summary of the ordinance. On July 2, 2018 the Board adopted the current Housing Element and Fair Share Plan. This ordinance is for the DeVan property at 1377 Route 206 that is included in the plan. The ordinance is consistent with the plan.

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

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

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

Nays: None

B. Land Development Ordinance 18-1585

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 AND SPECIFICALLY SUBSECTIONS 16-3.3 REGARDING THE ZONING MAP, AND 16.4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING" TO ESTABLISH A NEW SITE SPECIFIC INCLUSIONARY ZONE 3

Ms. Savron gave a summary of the ordinance. This ordinance is for the Van Cleef property in Harlingen Village that is included in the Housing Element. The ordinance is consistent with the Housing Element and Fair Share Plan.

Chairman Cheskis opened the meeting to the public. A motion to close the public comment was made by Mr. Trzaska and seconded by Mayor Conforti. The motion carried unanimously.

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

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

Nays: None

C. Land Development Ordinance 18-1586

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 AND SPECIFICALLY SUBSECTIONS 16-3.3 REGARDING THE ZONING MAP, AND 16.4.14 ENTITLED "SITE SPECIFIC INCLUSIONARY ZONES FOR COAH QUALIFIED AFFORDABLE HOUSING" TO ESTABLISH A NEW SITE SPECIFIC INCLUSIONARY ZONE 4

Ms. Savron gave a summary of the ordinance. This ordinance is for the bank pad site at Blawenburg Village Square that is included in the Housing Element. The ordinance is consistent with the Housing Element and Fair Share Plan.

Chairman Cheskis opened the meeting to the public. A motion to close the public comment was made by Mr. Trzaska and seconded by Mayor Conforti. The motion carried unanimously.

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

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

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 7:55 p.m.