

## MINUTES

MARCH 8, 2016

### PLANNING BOARD

### LONG HILL TOWNSHIP

#### CALL TO ORDER AND STATEMENT OF COMPLIANCE

Vice Chairman Hands called the meeting to order at 7:33 p.m. He then read the following statement: Adequate notice of this meeting has been provided by posting a copy of the public meeting dates on the municipal bulletin board, by sending a copy to the Courier News and Echoes-Sentinel and by filing a copy with the Municipal Clerk, all in January 2016.

#### MEETING CUT-OFF

Vice Chairman Hands read the following statement: Announcement is made that as a matter of procedure, it is the intention of the Planning Board not to continue any matter past 10:30 p.m. at any Regular or Special Meeting of the Board unless a motion is passed by the members present to extend the meeting to a later specified cut-off time.

#### CELL PHONES AND PAGERS

Vice Chairman Hands read the following statement: All in attendance are requested to turn off cell phones and pagers as they interfere with the court room taping mechanism.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

On a call of the roll, the following were Present:

David Hands, Vice Chairman  
Tom Malinousky  
Ash Moholkar  
Michael Pudlak  
Brendan Rae  
Dennis Sandow

Excused:

J. Alan Pfeil, Chairman  
Patrick Jones

Absent:

Greg Aroneo

Kevin O'Brien, Board Planner  
Thomas Lemanowicz, Board Engineer  
Daniel Bernstein, Board Attorney  
Cynthia Kiefer, Board Secretary

Ms. Kiefer advised Vice Chairman Hands that he had a quorum and could proceed.

EXECUTIVE SESSION – It was determined that there was no need to hold an executive session.

#### RESOLUTION OF MEMORIALIZATION

David Voight, agent for  
STIRLING CENTER ASSOCIATES  
1205 Valley Road  
Block 10501, Lot 1, Block 10502, Lots 1 and 6

15-05P  
Minor Site Plan, Bulk,  
Development Permit

After three corrections were made (page 2, "NVVD" should read "NGVD", "discreet" should read "discrete" and on page 6, "Township Planner" should read "Planning Board Planner"), the Resolution of Memorialization was unanimously approved by those eligible to vote: Mr. Malinousky, Mr. Moholkar, Dr. Rae, Mr. Sandow and Vice Chairman Hands. Mr. Pudlak was ineligible to vote since he was not present at the February 23, 2016 meeting.

#### PUBLIC QUESTION OR COMMENT PERIOD

Bruce Dorsi wanted to address an issue of split zoning with Block 11401 Lot 7, 1106-1122 Valley Road, Stirling, more commonly known as the "carwash property". Mr. Sandow stated that the Master Plan Committee was aware of the issue. The Committee was prepared to recommend that the split be removed to the Planning Board who would then recommend it to the Township Committee.

#### TOWNSHIP COMMITTEE REPORT

Dr. Rae said that there was nothing to report.

#### PLANNING BOARD COMMITTEE

Application Review Committee – Ms. Kiefer reported that the Committee reviewed one (1) application on February 9, 2016: J. Cuppola, 633 Valley Road, Gillette, Block 10801, Lot 3. Mr. Cuppola proposed

adding a second floor apartment to his existing hair salon and redesigning the parking lot along with other site improvements.

Administrative Site Plan Waiver Committee – Ms. Kiefer reported that the Committee reviewed one (1) application: #16-05P Jorge Fonseca, 640 Valley Road, Gillette, Block 11001, Lot 36 which was formerly “Hillside Deli and Convenience Store.” There was no change in use proposed by the new tenant, Mr. Fonseca other than a change in the name to “Mountain Deli and Convenience Store.” Mr. Sandow and Mr. Malinousky visited the site on February 24, 2016 and met with Mr. Fonseca’s representative. The application was approved and the Findings of Fact was distributed to the Planning Board members on March 3, 2016.

Ordinance Review Subcommittee - Mr. O’Brien reported that the subcommittee had met two weeks earlier to work on the Valley Road Ordinance which was now in front of the Planning Board for review. Earlier this evening the subcommittee worked on the Permanent Sign Ordinance. Comments from the Township Committee and the Planning Board were incorporated into the document. The final version will be presented to the board at its next meeting. Minor site plans, sheds and generators were future topics of discussion for the subcommittee.

Affordable Housing Working Group - Mr. O’Brien reported that the COAH process had undergone multiple changes, the most recent of which occurred last week. Instead of an adopted Housing Element and Fair Share Plan, the township was now required to submit a draft. He discussed the Municipal Consortium Number of 109 units of affordable housing which was generated by the group that the township belonged to run by a firm called Econsult. That number differed from the Builders Association Report which called for Long Hill Township to have 470 units. Mr. O’Brien then discussed several strategies to try to achieve the 109 units. Through the township’s efforts to meet its COAH requirements through 1999, it had 70 credits against the third round number. He reiterated that previously all forms were provided by and sent to COAH. Model resolutions were provided which saved a considerable amount of manpower. Currently, there was no process other than reporting to a judge on how the township would meet a need which has not been identified. A draft Housing Element and Fair Share Plan would be presented to the Planning Board.

Several board members questioned how those numbers were arrived at. Mr. O’Brien noted that there were several different sources including the company that the township had contracted with, Econsult. He had chosen the 109 number in consult with Mr. Pidgeon, Township Attorney, and Mr. Bernstein, Board Attorney, because the judge had told the municipalities that they must choose the number. It will be a starting point for the courts. He also noted that the working group was in favor of those numbers. Mr. O’Brien had no idea what the judge would do once he received the numbers.

Master Plan Committee – Dr. Behr, Chairman of the MPC, was in the audience and gave a report on the committee. He noted that the Land Use Element, the foundation of the Master Plan, was essentially completed. Revising the zoning and completing the Downtown Valley Commercial District Element were two of the MPC’s main achievements. The target date to have everything ready to present to the Planning Board was June 2016. Dr. Behr stated that the public would be very involved and gave multiple examples.

### **ARCHITECTURAL DESIGN STANDARDS**

Vice Chairman Hands moved this agenda item ahead of the “Proposed Downtown Valley Commercial District B-D Ordinance”. Dr. Behr then gave a PowerPoint presentation on the subject and reviewed the “152. Architectural Design Standards for Long Hill Township” handout which compared the current verbiage with the proposed new verbiage for the ordinance.

Dr. Behr told the board members that there would also be an “Applicant’s Guide” which would have illustrations of everything stated in the ordinance. It would show the architects exactly what the township wanted.

Mr. Moholkar cited the phrase “creative lighting schemes” and felt that the word “creative” could be used as a loophole. Dr. Behr agreed and advised the board members to review the document for issues such as this.

Dr. Behr requested that after the board members had an opportunity to review the document, another meeting be scheduled to review any changes. He would then incorporate those changes so that the document would be ready for approval by the Planning Board and then moved to the Township Committee.

It was agreed that the board members should send their comments and changes to Dr. Behr by April 12, 2016.

**PROPOSED DOWNTOWN VALLEY COMMERCIAL DISTRICT B-D ORDINANCE**

Mr. O'Brien reviewed the document with the board members.

Dr. Rae questioned the addition of "funeral homes" to the "live entertainment" definition. By straw poll, it was decided to remove it from the definition.

Mr. O'Brien noted that on page 2 of the zone districts were being revised. B-2 and B-3 were being eliminated. The B-D, PSO, VIO and PVO districts were new along with the R-5 zone.

Mr. O'Brien explained that 122.6 B-D Downtown Valley Commercial Zone District was a new zone therefore all the Permitted Primary Uses were new. In large part, this new district replaced the B-2 zone which was removed in its entirety. The B-3 would continue as PSO (Planned Shopping Overlay).

Vice Chairman Hands pointed out that in 122.6.a.9, the word "inn" should be added.

Mr. O'Brien discussed each of the overlay zones.

Mr. O'Brien discussed "123 Prohibited Uses." Dr. Rae questioned item (j) "Coffee roasting and processing uses". The words "industrial scale" were added to differentiate it from a Starbucks or similar type of facility.

Vice Chairman Hands asked Mr. O'Brien to revise the order ("jj" currently followed "aa").

Mr. O'Brien discussed 124 Supplemental Use Regulations and noted the changes that were made. He did the same with 125 Conditional Uses.

Section 131 Bulk and Supplemental Regulations was then reviewed. Mr. Sandow noted that in the last line of the table on page 9 "LIO" should read "VIO" and it was agreed to put in dashes where the value was zero as opposed to just leaving it blank. Mr. O'Brien reviewed how the 60% lot coverage figure for the B-D zone was arrived at. The board members were comfortable with that figure. Mr. Sandow suggested that the "Minimum Building Width" column be removed and Mr. O'Brien stated that he would bring that suggestion to the Master Plan Committee.

Mr. O'Brien discussed Page 11 "152 Off-Street Parking and Loading". As a benefit to two or more adjoining property owners who would combine their parking lots to reduce the amount of pavement and reduce the number of entries and exits onto Valley Road, 151.1(a)(2) was created to address shared parking requirements. Generally speaking, it would reduce the amount of parking for each property owner from the amount required had they applied *individually*.


At the request of Vice Chairman Hands, Mr. O'Brien reviewed the changes that had been made that evening: (1) added "inn" to Item 122.6(a)(9), Item 123.3(j) "industrial scale" was added to "Coffee roasting and processing uses", (3) 123.3(jj) typo to be fixed and reordered, (4) Section 131 dashes to be added to columns where there was a zero value, (5) Section 131 "LIO" to be corrected to "VIO". In Section 131 deletion of the column entitled "Minimum Building Width" would be passed along to the Master Plan Committee for consideration.

Mr. Sandow moved that the document be forwarded to the Township Committee after the above corrections were made. Mr. Pudlak seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Malinousky, Mr. Moholkar, Mr. Pudlak, Dr. Rae, Mr. Sandow, Vice Chairman Hands. Those Opposed: NONE. Motion to forward the corrected document to the Township Committee was unanimously approved.

Vice Chairman Hands confirmed with Mr. O'Brien and Dr. Rae that the document would be presented to the Township Committee by Mr. O'Brien and Chairman Pfeil.

Dr. Rae motioned, Mr. Moholkar seconded and the meeting was adjourned at 9:50 PM.

Date: 7.13.16

  
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Cyndi Kiefer  
Planning & Zoning Coordinator