

MINUTES

JUNE 14, 2016

PLANNING BOARD

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

Chairman Pfeil called the meeting to order at 7:32 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 2015.

MEETING CUT-OFF

Chairman Pfeil 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

Chairman Pfeil 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:

J. Alan Pfeil, Chairman
Gregory Aroneo (7:33 pm)
Patrick Jones
Tom Malinousky
Ashish Moholkar
Dennis Sandow

Kevin O'Brien, Board Planner
Cynthia Kiefer, Board Secretary

Excused:

David Hands, Vice Chairman
Michael Pudlak
Brendan Rae

Thomas Lemanowicz, Bd. Engr.
Daniel Bernstein, Bd Attorney

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

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

APPROVAL OF MINUTES

Mr. Moholkar motioned approval of the minutes of May 24, 2016 as written. Mr. Malinousky seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Jones, Mr. Malinousky, Mr. Moholkar, Mr. Sandow, Chairman Pfeil. Those Opposed: NONE. The minutes of May 24, 2016 were unanimously approved as written. Mr. Aroneo was ineligible to vote since he was not present at that meeting.

PUBLIC QUESTIONS OR COMMENT PERIOD

Chairman Pfeil asked if there were any questions or comments from the public on any item *not* on the agenda. Hearing none, he moved to the next agenda item.

COMMITTEE REPORTS

Township Committee Report - Dr. Rae was not present to give that report.

Ms. Kiefer reported that there had been no applications for the Administrative Site Plan Review Committee or for the Application Review Committee during the month of May 2016.

Chairman Pfeil asked Dr. Behr, Chairman of the Master Plan Committee, to give that report. He stated that the Master Plan work had been put in abeyance for the moment in order to deal with a Master Plan element for Millington. The Township Committee had voted unanimously to explore and create an ordinance that would enable mixed use development on the TIFA property. He noted that before the ordinance could be created there had to be a Master Plan element in place. The MPC had already met once to work on this and the goal for the next meeting was to complete the element and pass it forward to the Planning Board for discussion, review with the public and adoption. Subsequently, the Ordinance Review Committee could then begin its work creating the ordinances to support the element.

Dr. Behr continued by saying that the MPC would work on the remainder of the elements over the summer. His hope was to begin presenting draft elements to the Planning Board for consideration in the fall. Ultimately, he planned to have the Master Plan approved by the end of 2016.

Mr. O'Brien gave a brief update of the Ordinance Review Subcommittee. He stated that the committee had met last week and finalized a number of revisions to the ordinance including residential decks, sheds, commercial generators, and a few other items. These would be put into ordinance language and presented to the Planning Board at its next meeting. In addition, the committee moved to the question of Millington and reviewed a draft ordinance that had been provided by the Prism organization as a recommendation and rezoning the TIFA property. The committee was looking at the entire Millington area and will proposed ordinances to deal with all of Millington, not just one particular property. They will review the charge given to this Board by the Township Committee to review a transit oriented development in that area.

Dr. Behr added that in Municipal Land Use Law, the element came first and the ordinances followed. However in this case, they were trying to work in parallel in order to meet the deadline established by the Township Committee.

RESOLUTION OF MEMORIALIZATION - "Condemnation Area in Need of Redevelopment Report"

Mr. O'Brien noted that there were several changes to be made to the resolution in front of the board members. On page 13, Item G, referring to Block 11514, Lot 5, the following language was stricken "This lot contains an attractive well maintained home within a residential area. Since the blight is centered on Valley Road and this property is well-maintained..." It was to be replaced by, "This well-maintained residential property is located on Mercer Street..." and proceeding to "... The Planning Board recommends that this property not be included in an Area in the Deed of Redevelopment."

On the top of page 14, referring to Block 11514, Lot 8 and dropping down to "... blight is centered on Valley Road..." The following words "... property is well-maintained.." was stricken and replaced with the phrase "...well maintained industrial property is located on Mercer Street..." The sentence would then continue as written.

Mr. Malinousky suggested that on page 14, item 3, "... provides employment for 15 workers..." the word "currently" be added before the word "provides". There was no objection to that.

Mr. Sandow noted that on page 10, in Item D, Block 11514, Lot 32 was mentioned twice. The second reference (mixed-use) was stricken.

Mr. Sandow also noted that at the last meeting the agent for Thermo Plastics on the north side of Valley Road outlined a plan to split the lot and sell the "Mercer Street tail" to Engineered Plastics. He added that it was not mentioned in the resolution and asked if it should be made part of the Planning Board's formal observation.

Chairman Pfeil noted that that statement had been included in the minutes. He asked how they could exclude *part* of a lot from Redevelopment.

Mr. O'Brien replied that that could not be done. There was discussion about whether or not to include statement in the resolution. It was decided not to include it in the conclusion because it was not part of the recommendation.

Chairman Pfeil asked for any further comments or corrections to the draft resolution. He then asked if the public had any questions or comments. Hearing none he asked for a motion. Mr. Jones motioned approval of the draft resolution as amended and Mr. Malinousky seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Jones, Mr. Malinousky, Mr. Moholkar, Chairman Pfeil. Those Opposed: NONE. The motion was approved by a vote of 4-0. Mr. Aroneo was in eligible to vote since he was not present during the Redevelopment hearing meeting. Mr. Sandow was in eligible to vote since he cast a negative vote at the Redevelopment hearing meeting.

TOWNSHIP COMMITTEE RESOLUTION #16-148 - "Referring PRISM MILLINGTON LLC's Request for a Rezoning of the TIFA Property to the Township Planning Board"

The board members discussed how to word the Planning Board's response to the Township Committee. It was decided to table a vote until Mr. Aroneo had an opportunity to review the Board's draft response.

PROPOSED ARCHITECTURAL STANDARDS

Chairman Pfeil asked Dr. Behr to continue his review of the proposed "Section 152 - Architectural Design Standards for Long Hill Township" which began at the May 10, 2016 meeting.

Dr. Behr noted that there was interest in the redevelopment of the TIFA, Barrett and Thermo Plastics properties and there was nothing of a specific nature in the Architectural Standards Ordinance that would speak to those kinds of redevelopments. He felt it was imperative to move forward with the Architectural Standards so that prospective developers were aware of the standards required by the Township.

Dr. Behr stated that after reviewing the minutes of the May 10, 2016 meeting, he felt that those sections that pertained to landscaping and buffering (Page 8, 152.1, Items t, u, and v) should be tabled for further revision and temporarily removed from the document.

Dr. Behr began a review of the suggestions made at the previous meeting by addressing the one open item from that meeting. Mr. Sandow had suggested the following phrase "**assuming the current buildings meet the standards**" be added to the end of Section 152.1 d. Dr. Behr stated that that would be done.

Continuing with the suggestions made at the May 10, 2016 meeting, Mr. Hands had suggested that, in Section 152.1 b, that the word "**requirements**" should be replaced by the word "**examples**" which also would be done.

In Section 152.1 k, the phrase "**when it becomes necessary to introduce new features**," would be changed to read "**if new features are introduced**" as suggested by Mr. Sandow.

The board members were in agreement about the wording as it appeared in Section 152.1 o and p.

The board members discussed the question of whether or not to include specific pitches in Section 152.1 q and the issue of flat roofs was raised. Dr. Behr noted that there were villages within the township and from a historical point of view, a flat roof might be appropriate. Mr. Jones discussed the specified pitches from an architectural and historical standpoint and he made the following correction: "10 on 12" versus "12 on 10". Dr. Behr added that these pitches were "encouraged" not required. In response to Mr. Sandow's concern about the application of steep roof pitches on large commercial buildings, Mr. Jones advised that there were many ways to take the standards into consideration by breaking the façade into separate elements.

Mr. O'Brien added that this would only apply to site plan applications for "non-one and two family" buildings. He also advised the board members that a variation from these standards would require a "design waiver" not a variance.

Dr. Behr suggested the following addition: "Other roof types, **including flat roofs**, may be permitted if in the opinion of the Approving Authority the roof is generally consistent with traditional architectural styles and materials suitable to such styles are used."

Mr. O'Brien noted that there had been a comment about Item s on page 7 concerning parking locations for convenience stores. The following sentence was added: "**It may be appropriate for certain uses to have front parking if acceptable to the approving authority.**" Also, the word "**possible**" was replaced with the word "**feasible**".

Dr. Behr moved to Section 152.2.b and noted that the "Design Standards Manual" was an illustrative document and not specifically part of the ordinance. Chairman Pfeil had a memo from Board Attorney Dan Bernstein stating that the "Design Standards Manual is not part of the proposed Architectural Design Standards Ordinance." Should the Planning Board recommend this proposed ordinance to the Township Committee, it need not recommend the Design Standards Manual which was consistent with what Dr. Behr had just said. The item was reworded to say "**See Design Standards Manual for illustrations for Requirements for the section of the ordinance.**"

In Section 152.2.a, the phrase "**multi-tenant buildings**" was changed to read "**multiple dwelling units building**". It was noted that all the headings which read "multi-tenant" should be changed also.

In Section 152.2.f, a discussion ensued concerning the phrase "intervals of approximately 30 feet". It was agreed by the board members that 30 feet was an appropriate number.

Chairman Pfeil asked if any members of the public had any comments on what had transpired so far. Hearing none, he moved forward with the discussion.

In Section 152.2.g, the word "**uniform**" was replaced with the words "**complementary, harmonious**".

In Section 152.2.m, the phrase, "**Doors with a large glass panel...**" was replaced with, "**Commercial entrances with a large glass panel...**"

Dr. Behr described 152.3, "Large Scale Retail Development" which would only apply if there was a major change in ownership at Valley Mall and ShopRite that resulted in new construction. It would not apply to a simple change in tenancy.

Section 152.4, "Other Requirements" was discussed next. In Item "a", the words "**and spillage**" were added after the word "**glare**".

Mr. Sandow questioned the word "fabric" in Section 152.4.d because in the sign ordinance the terms "awning" and "canopy" were merged into one definition even though one is usually made of fabric and one is usually made of metal. Subsequent to that discussion, the word "*fabric*" was replaced by the word "*material*" and the final sentence "***Awning materials shall be limited to cloth, canvas and similar materials; metal and aluminum awnings are prohibited.***" was removed.

Mr. Sandow voiced concern that since the Downtown Valley Commercial District (B-D) had not been formally approved by the Township Committee, use of the terms "B-D" and "Planned Shopping Overlay" in Section 152.3.a was premature. Mr. O'Brien suggested the following: "***... following standards apply to the (Planned Shopping Overlay in the B-D Zone) (current B-3 Zone).***"

Chairman Pfeil asked if there were any comments from the public. Hearing none, he closed the meeting to the public.

Mr. Jones moved approval of the document and Mr. Hands seconded the motion. A **ROLE CALL VOTE** was taken. Those in Favor: Mr. Aroneo, Mr. Jones, Mr. Malinousky, Mr. Moholkar, Mr. Sandow, Chairman Pfeil. Those Opposed: NONE. The "Architectural Design Standards" ordinance was approved by unanimous vote.

Dr. Behr advised the board members that a modified manual which would illustrate the ordinance would be forthcoming.

TOWNSHIP COMMITTEE RESOLUTION #16-148 - "*Referring PRISM MILLINGTON LLC's Request for a Rezoning of the TIFA Property to the Township Planning Board*" (cont'd from earlier in the evening)

Chairman Pfeil asked Mr. Aroneo to give the board his thoughts on the Planning Board's response to the Township Committee's resolution concerning Prism. He felt that Prism should follow the standard application process to the board for the appropriate variances rather than rezoning the property to accommodate Prism's plans.

Chairman Pfeil asked Mr. O'Brien to reread the proposed response from the Planning Board to the Township Committee. It read,

"The Planning Board acknowledges receipt of Resolution 16-148 from the Township Committee entitled 'Referring Prism Millington, LLC request for a rezoning of the TIFA property to the Township Planning Board' dated May 25, 2016.

The Planning Board will request the Master Plan Committee to recommend a Re-examination of the Millington Element of the Master Plan which will consider the request for rezoning.

The Planning Board will request that the Ordinance Subcommittee consider the creation of an ordinance in support of the findings of the Millington Element Re-examination of the Master Plan.

The Planning Board will report to the Township Committee within 180 days of May 25, 2016."

Mr. Aroneo read from the Township Committee's resolution, "whereas the Township Committee agrees in concept with Prism's proposal as outlined in the Planning Report... After reviewing Prism's request and taking the comments of the Board professionals into account, the Planning Board should draft a proposed rezoning ordinance for the Township Committee's consideration. The draft ordinance should include permitted uses in bulk standards for the proposed new transit village zone..." He felt that the Township Committee was directing the Planning Board to create an ordinance for that specific project and was not in favor of such.

Mr. O'Brien stated that review would encompass that entire Millington area.

The board members continued to discuss their options. It was decided that the response acknowledged receipt of the Township Committee's resolution. The response outlined the procedure that the Planning Board would follow which was to create the element for all of Millington first and then create ordinances to support that element. The response also stated that the board would report its findings to the Township Committee within 180 day time frame requested by the committee. The response did not specify what, if any, the rezoning changes would be.

All the board members agreed that this was the appropriate path to take.

The following changes were made to the original response read by Mr. O'Brien:

- The Planning Board acknowledges... **No changes.**
- The Planning Board will request the Master Plan Committee to **recommend** a Re-examination of the Millington Element of the Master Plan to the Planning Board **for its consideration.**
- The Planning Board **will direct** the Ordinance Subcommittee **to draft** an ordinance in support of the findings of the Millington Element Re-examination of the Master Plan.

- The Planning Board will report *its findings* to the Township Committee within 180 days of May 25, 2016.

Mr. Sandow motioned approval of the modified response and Mr. Moholkar seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Aroneo, Mr. Jones, Mr. Malinousky, Mr. Moholkar, Mr. Sandow, Chairman Pfeil. Those Opposed: NONE. Motion to accept as amended the Planning Board's response to the Township Committee's Resolution 16-148 was unanimously approved.

The next item on the agenda was the "Proposed Permanent Sign Ordinance." The board members decided to defer discussion on this item until the June 28, 2016 meeting.

Mr. Moholkar moved to adjourn the meeting and Mr. Jones seconded the motion. By unanimous **VOICE VOTE**, the meeting was adjourned at 10:02 PM.

Date: 7.13.16



Cyndi Kiefer
Planning & Zoning Coordinator