



TOWNSHIP OF LONG HILL
COUNTY OF MORRIS
Gillette, Homestead Park, Meyersville, Millington, Stirling

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PLANNING BOARD
MINUTES OF THE REGULAR MEETING / HEARING AGENDA
October 25, 2022

The Long Hill Planning Board met for a Regular Meeting/Hearing in the Court Room of the Township of Long Hill Municipal Building located at 915 Valley Road, Gillette, New Jersey. The Meeting was also available on LHTV and on the Township website.

At 7:35 pm, Chairman Sandow called the meeting to order, and Board Secretary Coonce made the following announcements:

- (1) **Call to Order and Statement of Compliance**
- (2) **Standard Board Procedures**
- (3) **Meeting Cut-Off**
- (4) **Electronic Devices**

- (5) **Pledge of Allegiance** – Recited by all in attendance at the beginning of the meeting.

- (6) **Roll Call** – Board Secretary Coonce called the roll:
Present: Dennis Sandow, Chairman Absent/Excused: Don Richardson, Vice Chairman
 Brendan Rae, Committeeman Victor Verlezza, Committeeman
 David Hands Theresa Dill
 Thomas Jones Alan Pfeil
 Tom Malinousky Samantha Anello, Board Engineer
 Debra Coonce, Board Secretary Elizabeth Leheny, Board Planner
 Steven Warner, Esq., Board Attorney

- (7) **Application** –
Major Subdivision (Carried from 9/13/22 – To Be Carried, Date TBD)
Block 13509 / Lots 17 & 38 / Zone R-4
17 & 23 Gates Avenue
Application No. 21-26P
G2 Development Group, LLC
Application has been amended; Applicant proposes a lot line adjustment/subdivision of the two (2) existing lots.

The Applicant has requested a Special Meeting for Tuesday, December 20, 2022. Upon motion made by Mr. Hands and seconded by Mr. Malinousky the Board agreed to hold a Special Meeting for the application by the votes of Mr. Hands, Mr. Malinousky, Committeeman Rae and Chairman Sandow; they being all members present and eligible to vote. Mr. Jones voted against the motion.

Upon agreement and upon motion made and seconded, the Board agreed to carry the application to as Special Meeting on Tuesday, December 20, 2022 with no further notice required by the Applicant.

(8) **Meeting Minutes**

The Minutes of September 27, 2022 and October 11, 2022 were carried to the Board's next meeting scheduled for November 8, 2022.

(9) **Schedule of Future Meetings**

Chairman Sandow noted the second meeting in November (11/22) and the first meeting in December (12/13) are reserved for Master Plan discussion.

(10) **Ordinance Discussion** – Ordinance 499-22

Upon motion made and seconded, the Board unanimously agreed to forward the following notification to the Township Committee.

The Planning Board finds that Ordinance #499-22 (the "Proposed Ordinance") which amends §LU 124.13 of the Township Code by permitting music to be played at outdoor dining facilities subject to time and noise restrictions is **not inconsistent** with the Master Plan for the reasons outlined below. The Township's 1996 Master Plan was reexamined in 2003, 2009, 2013, 2017, and 2018. Additional elements have also been adopted, including the Meyersville Hamlet Element (2009), the Downtown Valley Commercial District Element (2017), and the Housing Element and Fair Share Plan (2018). The 1996 Master Plan, the Meyersville Hamlet Element, and the Downtown Valley Commercial District Plan recommend outdoor dining facilities be permitted as a conditional use in the B-1-5, B-1-20, M, MH, and B-D zones. The Land Use ordinance was subsequently amended to implement these recommendations. The Master Plan documents do not make any specific recommendations with regard to music at outdoor dining facilities. However, based on the restrictions to the live music listed in the proposed ordinance, the Planning Board finds that **Ordinance No. 499-22 is not inconsistent with the Township's Master Plan.**

That said, the Planning Board raised concerns regarding the appropriateness and effectiveness of the draft ordinance in regulating outdoor music within the Township, specifically regarding the proposed arbitrary time constraints and the ambiguous, unenforceable metrics by which "unreasonably or unnecessarily loud" music is to be measured. Nevertheless, the Planning Board recommends the Township Committee adopt the proposed ordinance as written to permit business owners to have outdoor music, when weather permits throughout the late fall and winter months, while still providing a level of protection to neighboring properties. In the interim, the Planning Board will prepare a comprehensive, enforceable noise ordinance which can be considered for adoption by the Township Committee in the spring. Once such an ordinance is adopted §LU 124.13 can be amended to include a cross-reference to such ordinance.

(11) **Old / New Business**

Committeeman Rae on behalf of several residents that the Board revisit the discussion of holding meetings in a hybrid format in order to allow members of the public to participate in meetings and/or hearings. Upon legal input by Board Attorney Warner, the Board agreed to continue the discussion at the next meeting.

(12) **Adjournment** – The Regular Meeting was adjourned at 8:02 pm.

Respectfully submitted,



Debra Coonce
Planning Board Secretary
Planning & Zoning Coordinator

Videos of Planning Board meeting(s) are available on the Township website at www.longhillnj.gov. Audio recordings of the meeting(s) are available for purchase by filing an OPRA (Open Public Records Act) request through the Municipal Clerk's office. All documents relating to applications may be examined by the public by appointment in the Planning & Zoning Office located in the Township of Long Hill Municipal Building.