

BOROUGH OF FAR HILLS
Planning Board Regular Meeting
MINUTES
May 3, 2021
VIA REMOTE MEETING ACCESS ONLY

CALL TO ORDER

Chairman Rochat called the virtual meeting to order at 7:03 p.m. and read the Open Public Meetings statement in accordance with the law. Those present stood for the pledge of allegiance.

ROLL CALL:

Present: Chairman Tom Rochat, Vice Chairman Richard Rinzler, Mayor Paul Vallone, Robert Lewis, Marilyn Layton, John Lawlor, Jack Koury, Alt. #1 and Suzanne Humbert, Alt. #2

Also Present: Peter Henry, Board Attorney, David Banisch, Planner, Steve Bolio, Engineer and Shana L. Goodchild, Secretary

Absent: Councilwoman Sheila Tweedie

There were approximately three (3) audience members present.

BILL LIST

- May 3, 2021

Vice Chairman Rinzler made a motion to approve the Bill List. Ms. Layton seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Vice Chairman Richard Rinzler, Mayor Vallone, Robert Lewis, Marilyn Layton, John Lawlor, Jack Koury, Alt. #1, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

MINUTES

- April 5, 2021 Regular Meeting

Mayor Vallone made a motion to approve the minutes of the April 5, 2021 Regular Meeting for content and release. Vice Chairman Rinzler seconded the motion. All were in favor.

RESOLUTIONS

- **Resolution No. 2021-16** – Appl. No. PB2021-03, Block 15, Lot 1.01, Suite 14 – Back 2 Basics Ministries

Mr. Lewis made a motion to approve the resolution as written. Mr. Lawlor seconded the motion.

The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Mr. Lewis, Mr. Lawlor and Chairman Rochat

Those Opposed: None

- **Resolution No. 2021-17** – Appl. No. PB2021-04, Block 15, Lot 1.01, Suite 13A (Office 8) – Back 2 Basics Ministries

Mr. Lewis made a motion to approve the resolution as written. Chairman Rochat seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Mr. Lewis, Mr. Lawlor and Chairman Rochat

Those Opposed: None

- **Resolution No. 2021-18** – Appl. No. PB2021-05, Block 15, Lot 1.01, Suite 13A (Office 10) – ECM Partners Inc. d/b/a Advisors + Consultants

Vice Chairman Rinzler made a motion to approve the resolution as written. Mr. Lawlor seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mr. Lewis, Mr. Lawlor, Mr. Koury and Chairman Rochat

Those Opposed: None

- **Resolution No. 2021-19** – Appl. No. PB2021-06, Block 15, Lot 1.01, Suite 9 – Laura Clare

Mr. Lewis made a motion to approve the resolution as written. Vice Chairman Rinzler seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mr. Lewis, Mr. Lawlor, Mr. Koury and Chairman Rochat

Those Opposed: None

APPLICATIONS/PUBLIC HEARINGS

- Appl. No. PB2020-04 – ADJOURNMENT TO June 7, 2021
Lakehaus, LLC
Block 4, Lot 5

100 Lake Road
Use and Bulk Variances for Ground Mounted Solar

Chairman Roachat announced that the attorney for the applicant requested an adjournment of the public hearing to June 7, 2021 with new notice to be provided. Mr. Henry noted that the applicant provided the Board with an extension of time to take action to the end of August.

- Appl. No. PB2021-08
Solskinn Therapeutic Massage, LLC
Block 15, Lot 4
43 Route 202, Suite #101
Change of Use/Occupancy/Site Plan Waiver

Anthony Melillo, was present on behalf of the applicant and sworn in by Mr. Henry. Mr. Melillo noted that the tenant, Heather Ettere, wishes to occupy Suite 101 for massage therapy services to include the use of essential oils and aromatherapy. The hours of operation would be 10 a.m. to 7 p.m., Monday, Wednesday and Friday. One (1) employee would be present and a maximum of one (1) client requiring a total of two (2) parking spaces. The existing monument sign would be re-messaged in addition to the sign that is on the backdoor (parking lot side). No site modifications are proposed or requested as part of the application.

Addressing Mr. Banisch's review memo, Mr. Melillo agreed to address the typographical error for the zoning district. When asked by Mr. Banisch to clarify the hours of operation, Mr. Melillo again stated 10 a.m. to 7 p.m., Monday, Wednesday and Friday. When asked if the services will be conducted by appointment, Mr. Melillo responded in the positive. When asked if the skin therapy services will include tanning services, Mr. Melillo responded in the negative. Describing deliveries to the site, Mr. Melillo noted that Brainworks occupies Suite 100A, Carpe Diem occupies Suite 200 and All About Skin at Suite 200A all requiring typical delivery service i.e. USPS, UPS and FedEx on daily deliver times. Addressing questions about the signage, Mr. Melillo noted that the property is unique in that it has two (2) existing monument signs in the front; tenants on the second-floor use one (1) sign and tenants on the first floor use the other sign. As a first-floor tenant, Solskinn will use the monument sign closest to the corner. When asked by Mr. Banisch if that sign will be shared with another user, Mr. Melillo responded in the positive and explained that it would be shared with Suite 100 which is currently vacant; messaging on the sign would be evenly divided between Suite 100 and 101. Addressing the sign lighting concern, Mr. Melillo agreed to install shields to prevent glare. Garbage and recycling will be handled on site. When asked about the existing accessory structures on site, Mr. Melillo believed that the former tenant removed the sheds in question but was unable to confirm. Mr. Banisch recommended that if the sheds remain that they be removed as a condition of approval to which Mr. Melillo agreed.

When asked by Mayor Vallone if any products would be sold or if there would be a reception on site, Mr. Melillo responded in the negative.

When asked by Vice Chairman Rinzler if there is a license required for the individual providing the services, Mr. Melillo responded in the negative.

There being no additional questions by the Board, Chairman Rochat opened the meeting up to the public for questions.

There being no questions or comments, Chairman Rochat closed the public comment portion of the meeting.

Vice Chairman Rinzler made a motion to approve Appl. No. PB2021-08 for the Change of Use/Occupancy and Site Plan Waiver with the following conditions: 1) lighting will be shielded to prevent glare, 2) if any accessory storage sheds remain, they will be removed and 3) the messaging on the monument sign will be evening divided between the two (2) first floor tenants (Suite 100 and Suite 101). Ms. Layton seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mayor Vallone, Mr. Lawlor, Mr. Lewis, Ms. Layton, Mr. Koury, Ms. Humbert and Chairman Rochat

Those Opposed: None

CORRESPONDENCE

1. A letter dated April 13, 2021 from Frederick Zelley re: request for an adjournment for Appl. No. PB2020-04, Lakehaus, LLC, Block 4, Lot 5 – 100 Lake Road.
2. A letter dated April 29, 2021 from the Somerset County Planning Board re: 10 Peapack Road, Block 13, Lots 2 & 3.
3. A letter dated April 14 from the Somerset County Planning Board re: Amendments to the Somerset County Land Development Review Resolution Involving Recycling.
4. A letter dated April 27, 2021 from Frederick Zelley re: granting extension of the Time for Decision for Appl. No. PB2020-04, Lakehaus, LLC, Block 4, Lot 5 – 100 Lake Road.
5. Public Notice from PK Environmental dated April 7, 2021 re: NJDEP Freshwater Wetlands Permits (#8, #11) & Transition Area Waiver for Redevelopment Block 4, Lot 9 (20 Lake Road).

ZONING UPDATE

- Zoning memo dated April 27, 2021 – Kimberly Coward

There were no comments on the zoning update.

PLANNING BOARD MEETING SCHEDULE

- Discussion related to July & September meeting schedule

Ms. Goodchild noted that the July meeting is scheduled for July 5, 2021, noting that it is the day after a holiday. Mr. Banisch and Mr. Henry are both available for July 5, 2021 however if it is rescheduled, they may have conflicts. After a brief discussion, it was recommended that the meeting

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scheduled and Ms. Goodchild was asked to poll the Board members to ensure that a quorum can be established. When discussing the September 7, 2021 meeting date, Mr. Henry and Mr. Banisch noted that they both have conflicts and Vice Chairman Rinzler pointed out that it is also Rosh Hashanah. After a brief discussion, Ms. Goodchild was asked to poll the Board members as to their availability for a September 22, 2021 meeting.

When asked by Mr. Lewis if meetings will be in-person if permitted by Governor Murphy, Mayor Vallone responded that a meeting would be scheduled with Borough Officials to discuss preliminary plans to resume in-person meetings.

Mayor Vallone extended an invitation to all to attend the 100th Anniversary Celebration of Far Hills Borough on May 15, 2021.

PUBLIC COMMENT

Skip Schwester, 410 Lake Road referenced the Pulte Homes application and Mr. Henry advised that the Board could not discuss the application without the applicant present and suggested that Mr. Schwester hold his comments for the public hearing. Mr. Schwester questioned the 'market pricing' notation on the plans to which Mr. Henry again recommended the question be addressed at the public hearing. Mr. Schwester asked about the cost to educate school age students and Chairman Rochat recommended he direct his question to the Borough Council. After a lengthy debate, Mr. Henry again stressed the need to hold all questions and comments about a pending application for the public hearing. Mayor Vallone asked Mr. Schwester to hold his questions and comments for the public hearing noting that if he continued to violate the process, he would be muted.

For the benefit of the public, Mr. Banisch explained that the applicant must be provided with his constitutional due process and therefore the application cannot be discussed outside of the public hearing process.

George Mellendick, 260 Lake Road, opined that the residents should have ample notice of the public hearing. Mr. Henry noted that the application had been filed and is open to the public; the application is currently being reviewed for completeness. He went on to explain that if the application is deemed complete, a hearing date will be provided to the applicant and they will provide notice in accordance with the Municipal Land Use Law (MLUL); formal notice of the completeness determination is not required. Mayor Vallone noted that once the application has been deemed complete and a hearing date announced it will be immediately posted to the Borough webpage and residents can reach out to the Planning Board Secretary, Shana Goodchild or Borough Clerk, Dorothy Hicks for information. He opined that the application would take a series of hearings and assured the public that they would have ample opportunity to ask questions and make comments. When asked how the application will be presented, Mr. Henry explained that it is the applicant's case to present. Dr. Mellendick suggested that the public hearing not be schedule close to a holiday weekend.

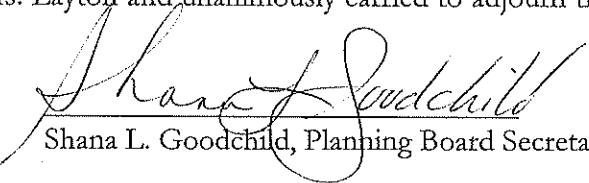
Dr. Mellendick also suggested that the Borough provide the ability for hybrid meetings. Mayor Vallone noted that many procedural guidelines need to be considered prior to resuming in-person meetings but agreed to take the suggestion under advisement.

Skip Schwester, 410 Lake Road noted that he only learned of the Pulte Homes application at the last Borough Council meeting through a discussion between Borough Council members. Mayor Vallone disagreed and noted that he announced it during his report; it was clearly stated that the application material would be posted to the website and that hard copies were available through the OPRA process.

There being no additional public comments, Chairman Rochat closed the public participation portion of the meeting.

ADJOURNMENT

Motion by Vice Chairman Rinzler, seconded by Ms. Layton and unanimously carried to adjourn the meeting at 8:04 p.m.


Shana L. Goodchild, Planning Board Secretary

APPROVED 6/7/21