

BOROUGH OF FAR HILLS
Planning Board Regular Meeting
MINUTES
February 1, 2021
VIA REMOTE MEETING ACCESS ONLY

CALL TO ORDER

Chairman Rochat called the virtual meeting to order at 7:01 p.m. and read the Open Public Meetings statement in accordance with the law.

ROLL CALL:

Present: Chairman Tom Rochat, Vice Chairman Richard Rinzler, Mayor Paul Vallone, Councilwoman Sheila Tweedie, Robert Lewis, John Lawlor, 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: Kevin Welsh and Marilyn Layton

There were approximately six (6) audience members present.

BILL LIST

- February 1, 2021

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

Roll Call Vote

Those in Favor: Mayor Paul Vallone, Councilwoman Sheila Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, John Lawlor, Atl. #1, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

MINUTES

- January 4, 2021 Re-organization Meeting

Vice Chairman Rinzler made a motion to approve the minutes of the January 4, 2021 Re-organization Meeting for content and release. Councilwoman Tweedie seconded the motion. All were in favor.

- January 4, 2021 Regular Meeting

Mayor Vallone made a motion to approve the minutes of January 4, 2021 for content and release. Councilwoman Tweedie seconded the motion. All were in favor.

- January 9, 2021 Special Meeting – Site Walk

Dr. Mellendick, 260 Lake Road asked about the details of the site walk. Attorney Henry noted that Board members that were present at the site walk will place their observations on the record when the hearing continues. Dr. Mellendick continued with questions and Attorney Henry pointed out that the site walk was open to the public and asked Dr. Mellendick to hold his questions for the public hearing. Dr. Mellendick refused to refrain from asking questions and was muted by the Board Secretary.

Mr. Lewis made a motion to approve the minutes of the January 9, 2021 Special meeting – Site Walk for content and release. Councilwoman Tweedie seconded the motion. All were in favor.

RESOLUTION

- **Resolution No. 2021-09** – Appl. No. PB2020-16, Block 15, Lot 4 – BrainWorks Neuropsychology Consultants, LLC
Those eligible: Mr. Rochat, Mayor Vallone, Councilwoman Tweedie, Mr. Rinzler, Ms. Layton, Ms. Humbert and Mr. Lewis

A motion was made by Vice Chairman Rinzler and seconded by Councilwoman Tweedie to adopt the above referenced resolution as presented. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Paul Vallone, Councilwoman Sheila Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

APPLICATIONS/PUBLIC HEARINGS

- Appl. No. PB2021-01
T & Friends Salon, LLC
Block 15, Lot 4
55 Route 202
Change of Use/Occupancy/Site Plan Waiver

Theresa Batti, Applicant, was present and sworn in by Attorney Henry. Ms. Batti explained that the approval would allow her to move her salon to the Far Hills Barber Shop location; two (2) small businesses trying to succeed during the pandemic. The name would change to T & Friends and the services would remain the same; hairstyling and barbering. Attorney Henry noted that the applicant was seeking a change of occupancy and site plan waiver. When asked by Mr. Lewis if the interior layout would remain the same (three (3) chairs in the front and three (3) in the back), Ms. Batti responded in the positive. When asked if the ownership would change, Ms. Batti responded in the negative.

Planner Banisch pointed out that the sign will change and identified 16 existing parking spaces with no change to the number of employees; he had no objection to the Board granting approval.

There being no questions from the Board, Mr. Lewis made a motion to approve the Change of Occupancy, site plan waiver and change of messaging on the existing sign with the condition that the

applicant be bound by any regulations in place by any former site plan approval. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Paul Vallone, Councilwoman Sheila Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, John Lawlor, Alt. #1, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

When asked if she could proceed with the business prior to the adoption of the resolution of approval, the Board had no objection.

- Appl. No. PB2020-04 – Completeness Determination Only
Lakehaus, LLC
Block 4, Lot 5
100 Lake Road
Use and Bulk Variances for Ground Mounted Solar

Frederick Zelle, Attorney for the applicant and Rudy Holzmann, Engineer were present on behalf of the applicant.

Engineer Bolio, referencing the letter from Paul Ferriero dated January 20, 2021, reviewed for the Board items relative to completeness and submission waivers (items 4, 5, 6, 7, 20, 21, 22 and 23). Based on the information submitted, Mr. Bolio recommended the Board deem the application complete and proceed to public hearing.

Mr. Zelle provided a brief summary of the application for a use variance for a ground mounted solar array; a use not permitted in any zone in Far Hills. The application also requires a front yard setback variance as the property is a corner lot and has two (2) front yards; the setback variance would be from Pennbrook Road. He opined that the location proposed was the most appropriate for the array as it would be virtually hidden from Pennbrook Road and largely hidden from Lake Road due to the distance. He noted that the only other location would be in the middle of an active pasture which would destroy the bucolic view of the property from Lake Road.

Planner Banisch recommended the Board schedule a site walk.

When asked by Mr. Lewis the wattage of the system, Mr. Zelle was unsure but agreed to provide the information at the hearing. Mr. Banisch asked that the applicant correlate the proposed wattage of the system to the electrical consumption from the single family dwelling. When asked by Mr. Lewis if the solar array would impact the farmland assessment, Mr. Zelle agreed to provide information at the public hearing.

Mr. Lewis made a motion to deem the application complete. Vice Chairman Rinzler seconded the motion and the motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Robert Lewis, Vice Chairman Richard Rinzler, John Lawlor, Alt. #1, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

After a brief discussion, the Board scheduled a site walk at the property, 100 Lake Road, for February 20, 2021 at 9 a.m. The applicant was asked to stake the location of the outbound corners and height of the solar panels. Mr. Zelly offered to notice the site walk and hearing in the same notice.

Attorney Henry noted that members of the Board that are not able to attend the site walk are still eligible to vote at the hearing based on the protocol followed at the Board's site walks.

The public hearing was announced for March 1, 2021, 7 p.m.

AUTHORIZATION TO CLOSE ESCROW

1. Grohowski , Block 18, Lot 4 Lot Development Plan \$324.56

Mr. Lewis made a motion to approve the closing of the above referenced escrow. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, John Lawlor, Alt. #1, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

- Appl. No. PB2020-13 – *Continuation of Public Hearing from 1/4/21*
20 Lake Road, LLC
Block 4, Lot 9
20 Lake Road
Front Setback Variance/Construction within a Stream Corridor Variance

David Brady, Attorney for the Applicant was present along with the Applicant, Gerard Chiusolo, Paul Fox, Engineer and John Peel, Environmental and Planning Consultant.

Per the direction of Attorney Henry, the following Board members put their observations from the site walk on the record:

Councilwoman Tweedie noted that she gained a better understanding of the stream corridor and the location and visual impact of the proposed septic system on Lake Road.

Vice Chairman Rinzler noted that he gained a better understanding of the proposed pool location however, the location of the wetlands were still unclear.

Mr. Lewis opined that the excavation error that moved the house closer to the front property line was not detectable in person and the pool area seemed wet. The location of the proposed septic system appeared to be hidden in a satisfactory way by the planting of landscaping. He also clarified that no solar was proposed.

Chairman Rochat opined that the proposed pool appeared to be larger than the former pool and also appeared to encroach into the stream corridor. He agreed that the applicant moving the pool equipment and propane tanks from the stream corridor was an improvement. The courtyard was an impact to Lake Road however, it appeared to be visually pleasing.

Mr. Gerard Chiusolo, Applicant and owner, was present and sworn in by Mr. Henry. He explained that he was trying to improve the property however as a result of multiple plan changes an old plan was used by an employee and the excavation mistake occurred that impacted the front setback.

Mr. Lewis noted that the Attorney that presented the original application indicated that the project was a family home however it recently appeared on the market for sale. Mr. Chiusolo explained that the intention was to use it as a family home however the delays have created a financial hardship.

Planner Banisch noted that construction began without the appropriate building permits and the permits that were procured were not for the work performed. Also, the applicant never gained resolution compliance prior to construction. Mr. Chiusolo noted that he had conversations with the head building inspector on multiple occasions and opined that there was an understanding, due to the COVID pandemic, that work could proceed as long as the State approved the wetlands buffer; the State letter was received and work proceeded. When asked by Mr. Banish if his client was aware that construction was not permitted until there was resolution compliance and appropriate permits, Mr. Brady noted that the Borough stopped all work and allowed the home to be winterized. He confirmed that the applicant will comply with all requirements moving forward. When asked to confirm that he is aware that he cannot proceed until full compliance has been gained, Mr. Chiusolo responded in the positive.

Mr. Brady asked Mr. Fox to review the plan revisions that were made based on the last hearing and the comments from the Board professionals:

Mr. Fox outlined the following revisions to the plan:

1. Based on the site walk and feedback from the professionals the septic system location was adjusted toward the driveway which allowed for a lower elevation of the disposal bed. The system was redesigned to use a pressure dosing system based on the existing pump station; this allows a reduction in the horizontal extent of the disposal bed.
2. The front parking area will consist of gravel and plantings will be provided around the parking area to create screening.
3. All existing pool equipment was relocated to the existing lawn area behind the detached garage.
4. Pool safety fencing has been shown on the plan subject to the approval of the Construction Official.
5. Trees to be removed have been identified.
6. The rear yard limit of disturbance was updated per Mr. Bolio's request.
7. The proposed landscaping was extended along the driveway to further screen the septic bed.

8. The species of Andromeda will be modified and the white pine will be protected from deer browsing per Mr. Banisch's request.
9. The new location of the electric transformer adjacent to the driveway has been identified.
10. Based on the concern with regard to the pool construction, the excavation wall will serve as the form for the pool wall; there will be no digging beyond the outside of the pool shell.

When asked by Councilwoman Tweedie what conditions from the first resolution were still outstanding, Mr. Fox opined that most of the conditions were addressed as part of the revised submittal application but those that have not been addressed will be complied with moving forward.

Mr. Fox reviewed items listed in Mr. Banisch's December report and noted that items have been provided or will be provided as requested.

A brief discussion ensued regarding a hydrologic engineering study and Mr. Fox opined that it was not necessary as there were no proposed changes or impacts to the stream. Mr. Banisch explained that it was not about changes in the stream but changes within the stream corridor.

A lengthy discussion ensued regarding the proposed landscaping and whether the Board preferred plantings or a stone wall combined with plantings. Mr. Fox noted that the plantings were extended along the driveway to further shield the view from Lake Road. Councilwoman Tweedie expressed concern with deer browsing and opined that a wall would provide permanent screening. Mr. Chiusolo noted that the natural terrain and berm would screen the three (3) foot high septic system and opined that the wall would be another unnecessary expense. Chairman Rochat explained that the Board would require the landscaping to be permanently maintained and agreed that the wall may be problematic and be an additional expense for the project. The Board agreed that a condition of approval would be permanent maintenance of the landscaping to which the applicant agreed. When asked to provide clarification on the height of the septic bed, Mr. Fox explained that the corner closest to the driveway entrance was six (6) feet and by rotating the upper end toward the driveway it was reduced by 10 inches.

Mayor Vallone expressed concern with the vague and inaccurate descriptions of the application that had been provided over the course of the project. He opined that that the applicant's team be held accountable and a wall should be provided to screen the septic system. Mr. Chiusolo clarified that his statement about the height of the septic system was not meant to misrepresent the project and was an approximation. When asked if the height of the new disposal bed would be lower than the existing disposal bed, Mr. Fox responded in the positive. When asked if the new bed would be closer to Lake Road, Mr. Fox responded in the positive.

Returning to the discussion about a possible wall to screen the disposal bed, Mr. Lewis noted that based on the site walk he was satisfied with the existing and proposed vegetation as a buffer. He was unsure, without a detail of the wall, if it would add or detract to the view from Lake Road. Chairman Rochat noted that it may be difficult to know where to start and stop a dry laid wall and if it would impact the sight distance on Lake Road. Mr. Banisch described a combination of a three (3) to four (4) foot high dry laid wall tiered with plantings to provide an aesthetic to buffer the view. Attorney Henry noted that if a wall was constructed an additional variance would be required. Using sheet five (5) of the plan, Mr. Banisch opined that the wall would be setback from Lake Road approximately 30

to 40 feet along the frontage and approximately 20 feet from the side of the driveway. It was the consensus of the Board to discuss the wall at the end of the hearing.

A discussion ensued regarding how resolution compliance is communicated to the Construction Official with Ms. Goodchild explaining that the approved resolutions are forwarded to both the Construction Official and Zoning Officer. Mr. Bolio further clarified that the Construction Official and Zoning Officer are also copied on all reports and resolution compliance letters.

Mr. Fox reviewed items listed in the January 28, 2021 Ferriero report and noted that items have been provided or will be provided as requested. A brief discussion ensued regarding a formal dedication along Lake Road and Mr. Bolio recommended an easement be required instead of a formal dedication in fee to which the Board and applicant agreed. Mr. Banisch noted that a condition of approval should be that the proper protocol is followed for abandoning the well.

There being no additional questions or comments from the Board, Chairman Rochat opened the meeting up to the public for questions of the witnesses.

Dr. Mellendick, 260 Lake Road, asked the height of the berm for the septic to which Mr. Fox explained that it is a variable height with the highest point being 5'3" however he noted that it was on sloping ground so the height would vary over the width and length of the septic system. When asked by Mr. Banisch to clarify that there was no constructed berm but just change in grade between the road and the front yard, Mr. Fox responded in the positive and noted that he was testifying to the height of the septic system. When asked by Dr. Mellendick to describe the landscaping to be provided, Mr. Fox explained that the plan shows two (2) staggered rows of plantings/evergreen trees and lower plantings of Andromeda to mimic existing landscaping on site. When asked if the pool will be saline or chlorine, Mr. Fox noted that the decision had not been made and confirmed that there would be no discharge from the pool into the stream per the NJDEP. When asked if they would agree to that as a condition of approval, Mr. Fox responded in the positive.

There being no additional questions from the public, Chairman Rochat closed the meeting to the public.

John Peel, Applicant's Planner and Environmental Consultant was present and sworn in by Attorney Henry. Mr. Peel provided his educational and professional background and was accepted by the Board.

Mr. Peel explained that the site contains multiple NJDEP regulated areas including wetlands, streams and their associated buffers along with the Borough's Stream Buffer ordinance. Addressing the NJDEP issues, all of the proposed activities comply with Permit By Rule. Mr. Peel noted that a General Permit No. 8 was issued by the NJDEP for proposed improvements of less than 750 sq. ft. where there was no previous development. There will be an application to modify that permit for an increase of disturbance within the 150 foot wetland buffer; cumulatively disturbance cannot exceed 750 sq. ft. The swimming pool is within the transition area which will require a transition area waiver for redevelopment within the area of the previous pool and patio. When asked if there will be any difficulty obtaining the permits and waiver referenced, Mr. Peel responded in the negative. When asked by Mr. Banisch if the existing disturbance exceeded the 750 sq. ft., Mr. Peel was unsure but a plan would be submitted to NJDEP; the construction that occurred is different than what the plan

showed that was submitted to NJDEP. Mr. Bolio requested that the Board professionals receive copies of the plans submitted to NJDEP to which the applicant agreed. He added that minor encroachments from the corner of the courtyard and front walkway would also be addressed with the State. When asked by Chairman Rochat if the disturbance of the original pool was included in the initial permit, Mr. Peel responded in the negative. When asked by Mayor Vallone if it was the normal order of business to wait for the NJDEP permit before disturbance, Mr. Peel responded in the positive.

Mr. Peel reviewed Mr. Banisch's report dated February 1, 2021 noting the bulk variances required for the project as being: 1) principal building in the front yard, 2) expansion of a non-conforming primary building, 3) stream corridor critical areas, 4) structures like the courtyard, septic system and walkway that are within the front and side yards and, 5) scenic corridor relief. Mr. Peel opined that there were no negative impacts associated with the stream corridor and opined that the inner 75 feet of the wetland buffer and/or the riparian zone could be enhanced with some additional native plantings or management. When asked by Mr. Lewis about the infiltration capacity, Mr. Peel noted that the design by Mr. Fox needed to work. After a brief discussion, Mr. Banisch and Mr. Peel agreed to work together on an appropriate species and density of plantings for the area. When asked by Mr. Brady if he felt the proposed vegetative screen for the septic bed was sufficient, Mr. Peel opined that the existing vegetation was effective but with enhanced plantings would be sufficient.

In conclusion, Mr. Peel did not feel that there were any serious environmental impacts from the project. When asked to address the Scenic Corridor impact, Mr. Peel noted that the old house was 150 feet from the roadway and the new structure is at 149.15 feet; it does not appear to have a negative impact and landscaping would mitigate any perceived impact. When asked by Mr. Banisch if he had an opinion about the courtyard, Mr. Peel noted that the previous oval shaped courtyard existed without any complaints and opined that there would be no negative impact. When asked if the variance was a C1 or C2, Mr. Peel opined that it was a C2 variance. He went on to testify to the purposes of the MLUL that were met which included subsections a, b, c, d, e, i and j. He added that the applicant made the effort to match the new stonework to the existing stone and provide enhanced plantings which helps the project meet the positive criteria.

Councilwoman Tweedie noted that the view of the courtyard will be that of cars parked like a parking lot and she opined that it was not the customary view on Lake Road. Mr. Peel opined that the front courtyard would be used for visitors and noted that the feature was there previously. When asked by Mr. Brady if there are any negative impacts, Mr. Peel opined that there would be no substantial detriment to the public good as the proposal retains and improves the existing building and enhanced vegetation. The approval can be granted without substantial impairment to the intent and purpose of the zone plan.

When asked by Chairman Rochat if there would be any issues with drainage with a tiered landscape plan near the septic system, Mr. Peel opined that the drainage could be improved if the correct soil was used.

There being no questions from the Board, Chairman Rochat opened the meeting to the public for questions of Mr. Peel.

Dr. Mellendick, 260 Lake Road, asked how the pool drainage into the wetlands and stream corridor would be handled. Mr. Peel noted that a pool existed for many years and he was not aware of any water quality or wildlife impacts from the old pool; he did not anticipate any problems with the new pool.

Charles Schwester, 410 Lake Road, asked where the filter would backwash to which Mr. Peel was unaware. Mr. Brady noted that the system would not backwash into the stream.

Dr. Mellendick, 260 Lake Road asked the Board to hold off on making a decision. Dr. Mellendick was asked to only ask questions and to make comments at the appropriate time.

There being no additional questions from the public, Chairman Rochat closed the public portion of the meeting.

Chairman Rochat polled the Board members on the decision regarding vegetative screening or a wall.

Councilwoman Tweedie, Vice Chairman Rochat and Mayor Vallone were in favor of a combination of a wall and plantings to enhance the view from the Scenic Corridor.

Mr. Lewis asked how the wall would be designed to which Mr. Banisch opined that the applicant would design the wall in consultation with the Board professionals with consistency between the color of the stone on the house (or indigenous to the area) and the dry laid stone wall.

Mr. Bolio and Mr. Banisch were satisfied that the concerns and questions in their reports were addressed by the applicant and Mr. Peel addressed the positive and negative criteria through testimony. They noted that there were a number of conditions outlined that would be incorporated into an approval.

Mr. Brady recalled Mr. Fox to discuss the front parking area.

Mr. Fox noted that the front parking area that existed was necessary because the house lacked an attached garage; cars were parked in front of the home. The addition provided an attached garage so vehicles no longer have to park outside; parking in the front of the home will be for guests and deliveries and therefore infrequently used. In addition, screenings are proposed around the parking area to screen it from Lake Road. With respect to the pool discharge, Mr. Fox agreed to satisfy the Board professionals as to the final disposition of the pool discharge; it will not discharge into the stream or septic system. He went on to note that the plans for the NJDEP permits have been drafted and the proposed pool and patio are completely within the confines of the existing pool and patio.

Chairman Rochat opened the meeting up to the public for comment.

Dr. Mellendick, 260 Lake Road, questioned how the property owner constructed improvement without the proper permits. Attorney Henry explained that the Board would need to decide how to deal with the situation. Dr. Mellendick then questioned whether residents could attend the site walk scheduled for 100 Lake Road, to which Attorney Henry responded in the positive. He questioned why residents were not informed of the site walk for 20 Lake Road to which Attorney Henry noted that the public was informed at the meeting and through the Sunshine Notice that was provided. Dr.

Mellendick maintained that residents were not told that they could attend and Attorney Henry reiterated that the notice provided was for a public meeting.

There being no additional comments from the public, Chairman Rochat closed the meeting to the public.

Attorney Henry provided direction for the Board noting that the largest issue was with the fact that there was construction on the site which was not done with benefit of Board approval, variance relief or properly obtained permits. He went on to explain that the applicant was before the Board seeking approval for construction that was beyond that which was approved last year. He suggested the Board separate its deliberation and vote on the variances as follows:

1. The addition to the house
2. The septic system
3. The courtyard/parking area
4. The walkway revisions

Mr. Brady opined that the Board needed to consider the mitigating factors such as screening and improvements to the property.

Mayor Vallone opined that the stream corridor and factors with the pool were for the NJDEP to consider. He felt that that if the Board did not approve the relief for the excavation error that resulted in a change in the location of the house the consequence would be a construction site in perpetuity.

Attorney Henry noted that the applicant agreed to comply with the reports from the Board professionals, the NJDEP and the previous conditions of approval. He added that any outside agency approval that changes the plan would require the applicant to return to the Board.

It was the consensus of the Board to vote on each variance individually as follows:

Mr. Lewis made a motion to grant the setback variance for the front of the house that occurred as a result of the excavation error. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

Mr. Lewis made a motion to grant a front yard setback variance for the septic system and wall with the condition that the septic be screened with a dry laid wall and plantings to the approval of the Board professionals. Vice Chairman Rinzler seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

Councilwoman Tweedie made a motion to grant a front yard setback variance for the parking area/courtyard with the condition that the applicant provide adequate landscaping to soften the view from Lake Road. Mr. Lewis seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

Mr. Lewis made a motion to grant a setback variance for the walkway to connect the parking area/courtyard to the side of the existing home. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

Vice Chairman Rinzler made a motion to approve the stream corridor relief for the pool area conditioned on NJDEP approval. Mr. Lewis seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

Vice Chairman Rinzler made a motion to grant a Scenic Corridor variance for the structures within the front yard with the conditions discussed relative to a wall, landscaping and a Scenic Corridor easement. Mr. Lewis seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

The applicant was advised that no construction was to take place until full resolution compliance. If approvals from outside agencies are held up, the applicant is permitted to return to the Board to request relief from full compliance.

RESOLUTIONS

- **Resolution No. 2021-10** – Finding proposed ordinance No. 2021-01 not inconsistent with the Master Plan and should be adopted by the Borough Council

Mr. Banisch noted that the ordinance was prepared and promulgated by the NJDEP and is consistent with the Borough's Stormwater Management Plan. He opined that it is not inconsistent with the Master Plan. Mayor Vallone noted that the ordinance brings the Borough into compliance with State standards.

Mr. Lewis made a motion to adopt the above referenced resolution. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, John Lawlor, Atl. #1, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

- **Resolution No. 2021-11** – Finding proposed ordinance No. 2021-02 not inconsistent with the Master Plan and should be adopted by the Borough Council

Mr. Banisch explained that the ordinance amended an existing affordable housing ordinance to address comments from the Court Special Master and is not inconsistent with the Master Plan.

Vice Chairman Rinzler made a motion to adopt the above referenced resolution. Mr. Lewis seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Mayor Vallone, Councilwoman Tweedie, Robert Lewis, Vice Chairman Richard Rinzler, John Lawlor, Atl. #1, Suzanne Humbert, Alt. #2 and Chairman Tom Rochat

Those Opposed: None

CORRESPONDENCE

1. None

ZONING UPDATE

- Zoning memo dated January 26, 2021 – Kimberly Coward

There were no comments on the zoning update.

PUBLIC COMMENT

Charles Schwester, 410 Lake Road, asked about the status of the Errico Acres project. Mr. Banisch explained that the applicant intends to submit an application in the next few months. When asked if he was aware of any substantial changes, Mr. Banisch responded in the negative. He noted that he discussed supplemental buffering for neighbors and put the applicant in touch with affordable housing administrators to administer and market the units as required by the Borough's ordinance. When asked about water and sewer, Mr. Banisch noted that there was no extension of sewer lines but the water line will be extended to the site.

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

ADJOURNMENT

Motion by Councilwoman Tweedie, seconded by Mr. Lewis and unanimously carried to adjourn the meeting at 11:01 p.m.


Shana L. Goodchild, Planning Board Secretary

APPROVED 3/1/21

