

BOROUGH OF FAR HILLS
Planning Board Regular Meeting
MINUTES
March 7, 2022
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, Mayor Paul Vallone, Councilwoman Sheila Tweedie, Vice Chairman Richard Rinzler, Robert Lewis, John Lawlor, Marilyn Layton, Jack Koury and Suzanne Humbert, Alt. #1

Also Present: Frank Linnus, Board Attorney, David Banisch, Planner and Shana L. Goodchild, Secretary

Absent: None

There were approximately seven (7) audience members present.

BILL LIST

- March 7, 2022

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

Those Opposed: None

MINUTES

- January 3, 2022 Regular Meeting

Vice Chairman Rinzler made a motion to approve the minutes of the January 3, 2022 Regular Meeting for content and release. Councilwoman Tweedie seconded the motion. All were in favor.

- February 7, 2022 Regular Meeting

Mayor Vallone made a motion to approve the minutes of the February 7, 2022 Regular Meeting for content and release. Ms. Layton seconded the motion. All were in favor.

PUBLIC COMMENT

Skip Schwester, Lake Road was present and questioned why the public comment section occurs at the beginning of the meeting. Mr. Linnus reminded Mr. Schwester that public comment is restricted to any items not listed on the agenda and any comments on applications would take place during that particular public hearing. Mr. Schwester questioned why he could not comment on the January 3, 2022 minutes which memorialized the Pulte Homes approval. Mr. Linnus clarified that the Board was approving the minutes of the meeting which reflected the approval of the Pulte Homes matter. Mr. Schwester expressed his appreciation to Mr. Lewis, Ms. Layton and Vice Chairman Rinzler for asking questions about the Pulte Homes project in the face of overwhelming pressure from the governance of the town.

George Mellendick, Lake Road was present and noted that the prior Board Attorney informed the public that they would have the opportunity to question the Pulte Homes experts however that did not occur. Mr. Linnus noted that he was hired in January and therefore had no knowledge of what occurred prior to that but did outline for Dr. Mellendick the standard procedure for public hearings.

There being no additional public comments, Chairman Rochat closed the public comment portion of the meeting at 7:18 p.m.

RESOLUTION

- **Resolution No. 2022-14** – Spacious Skies Campgrounds, LLC, Block 15, Lot 1.01
Those eligible: Councilwoman Tweedie, Vice Chairman Rinzler, Mr. Lewis, Mr. Koury, Mr. Lawlor and Chairman Rochat

Councilwoman Tweedie made a motion to approve the resolution as written. Ms. Layton seconded the motion.

The motion carried by the following roll call vote:

Roll Call Vote:

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

Those Opposed: None

APPLICATIONS/PUBLIC HEARINGS

- Appl. No. PB2020-04
Lakehaus, LLC
Block 4, Lot 5
100 Lake Road
Use and Bulk Variances for Ground Mounted Solar
Time for Decision Deadline – 4/30/22

It was announced that the public hearing would be carried to the April 4, 2022 Planning Board meeting at 7 p.m. to be held virtually via the Zoom platform without further notice. Ms. Goodchild noted

that the applicant intends to bifurcate the application and seek only the non-solar bulk variances at that time. She also noted that the applicant extended the Boards time to act through the end of June.

Ms. Layton and Ms. Humbert recused themselves from the remaining three (3) applications as they reside within 200 feet of the subject property.

- Appl. No. PB2022-02
Hans Clothier, LLC
Block 15, Lot 1.01
49 Route 202, Suite 2
Change of Use/Occupancy/Site Plan Waiver

Anthony Melillo was present and sworn in by Mr. Linnus. Mr. Melillo explained that the applicant was seeking approval to occupy the space for a men's clothing store. There will be maximum of three (3) people on site, including the owners and patrons of the store. Existing signage will be re-decaled on both the monument sign and the sign facing Route 202. Hours of operation will be 8 a.m. to 6 p.m., Monday through Saturday.

Mr. Banisch brought to the Board's attention that the suite has five (5) parking spaced dedicated to it and recommended that those be retained as the subject property is one of the more prominent retail locations on the site; if the store is successful, it is conceivable that they will need all five (5) spaces. Mr. Melillo took no exception to the suggestion and agreed to modify the required parking table submitted. When asked by Ms. Layton if the spaces will be marked, Mr. Melillo explained that the site is a shared parking model.

Vice Chairman Rinzler made a motion to approve the application subject to the condition that the applicant provide a revised parking table. The motion was seconded by Councilwoman Tweedie. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lawlor, Mr. Lewis, Mr. Koury and Chairman Rochat

Those Opposed: None

- Appl. No. PB2022-03
Stevens & Berger, LLC
Block 15, Lot 1.01
49 Route 202, Suite 9
Change of Use/Occupancy/Site Plan Waiver

Anthony Melillo was present and still under oath. Mr. Melillo explained that the applicant, currently located in Bernardsville, NJ was seeking to relocate and occupy the space for as a law office. There will be maximum of four (4) people on site, three (3) employees including the owner and one (1) visitor. Existing signage will be re-decaled on both the monument sign and the sign facing Route 202. Hours of operation will be 6 a.m. to 6 p.m., Monday through Friday. The parking allocation is four

(4) spots and the same would be requested for this use. When asked by Mr. Banisch if the tenant is expecting light traffic, Mr. Melillo responded in the positive as most of the work is remote and on-line. Mr. Banisch again noted that the parking table would need to be adjusted to reflect the earlier change.

Mr. Lewis made a motion to approve the application subject to the condition that the applicant provide a revised parking table. The motion was seconded by Councilwoman Tweedie. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lawlor, Mr. Lewis, Mr. Koury and Chairman Rochat

Those Opposed: None

- Appl. No. PB2022-04
ECM Partners Inc. dba Advisors + Consultants
Block 15, Lot 1.01
49 Route 202, Suite 13A (Office #9)
Change of Use/Occupancy/Site Plan Waiver

Anthony Melillo was present and still under oath. Mr. Melillo explained that the applicant is a subscriber which was previously approved for Office #8 and was looking for a one (1) year lease for an office use in Office #9; the space will be used for an employee he anticipates hiring. One (1) parking space is required as no visitors are permitted on-site. No signage or site modifications are proposed. Hours of operation will be 6 a.m. to 6 p.m., Monday through Saturday. Mr. Banisch recommended, as a condition of approval, that Mr. Melillo update the occupancy log that is maintained in connection with approval.

Vice Chairman Rinzler made a motion to approve the application subject to the condition that the applicant provide an updated occupancy log. The motion was seconded by Councilwoman Tweedie. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lawlor, Mr. Lewis, Mr. Koury and Chairman Rochat

Those Opposed: None

CORRESPONDENCE

1. A letter dated February 17, 2022 from Somerset – Union Soil Conservation District re: Mahoney, Block 5, Lot 6.03, 5 Fox Hunt Court.
2. Public Notice of Freshwater Wetlands/LOI 5 Year Extension, Block 19, Lot 18.12.
3. Land Use Law Symposium Registration Form.
4. The NJ Planner, November/December 2021 Vol. 82, No. 6.

Mayor Vallone updated the Board on a meeting that took place with lawyers representing Fair Share Housing, Judge Miller and his staff, the Special Master and Representative of the Supreme Court and representatives from the Borough of Far Hills. A thorough review of the Borough's Affordable Housing Plan, which was memorialized by the Planning Board, was accepted in its totality. All parties involved in the meeting were very pleased with the progress and will be sending final documents for approval.

Skip Schwester, Lake Road questioned item No. 2 of the correspondence to which Mr. Banisch briefly explained the purpose of an LOI and the procedure of the extension on the validity of the determination previously issued by NJDEP. Referring to the Pulte Homes project, Mr. Schwester asked if NJDEP needs to sign off to which Mr. Banisch responded in the positive noting that it was the testimony at the hearings that NJDEP approval could be sought and obtained under the rules. Mr. Lewis noted that the correspondence referenced is a required notice and suggested Mr. Schwester contact NJDEP if he had additional questions. Mr. Schwester opined that there was selective enforcement and that the Lakehaus application was being scrutinized when Councilwoman Tweedie was permitted to install solar without any trouble.

George Mellendick, Lake Road asked if there could be links to the correspondence so that the public could read each item. Ms. Goodchild noted that the links to the application material is included on the agenda as the information is subject to public inspection and review, a member of the public could file an OPRA for any of the correspondence items listed. Mr. Linnus agreed and noted that the Board takes no action on the correspondence.

ZONING UPDATE

- Zoning memo dated March 1, 2022 – Kimberly Coward

ADJOURNMENT

Motion by Vice Chairman Rinzler, seconded by Ms. Layton and unanimously carried to adjourn the meeting at 7:52 p.m.


Shana L. Goodchild, Planning Board Secretary

APPROVED 4/4/22