

BOROUGH OF FAR HILLS
Planning Board Regular Meeting
MINUTES
May 2, 2022
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. 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, Steve Bolio, Borough Engineer, David Banisch, Planner and Shana L. Goodchild, Secretary

Absent: None

There were approximately twelve (12) audience members present.

BILL LIST

- May 2, 2022

Mr. Lewis referenced the escrow for Block 6, Lot 36 (135 Lake Road) and noted that a recent survey was performed on the property.

Vice Chairman Rinzler made a motion to approve the Bill List. 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, Vice Chairman Richard Rinzler, Robert Lewis, John Lawlor, Marilyn Layton, Jack Koury, Suzanne Humbert, Alt. #1 and Chairman Tom Rochat

Those Opposed: None

MINUTES

- April 4, 2022 Regular Meeting

Vice Chairman Rinzler made a motion to approve the minutes of the April 4, 2022 Regular Meeting for content and release. Councilwoman Tweedie seconded the motion. All were in favor. Mr. Lewis abstained.

PUBLIC COMMENT

George Mellendick, Lake Road questioned what issue Mr. Lewis raised under the Bill List. Mr. Lewis noted that a variance was granted however he opined that the conditions of the resolution may still be open. Councilwoman Tweedie noted that the Mahoney's sold the property a few years ago to the Doedens and they have since sold it to a new purchaser. Ms. Goodchild noted that the condition related to the Conservation Easement was recently satisfied through the staking of the boundary and inspection by the Borough Engineer. Mr. Lewis opined that the variance had to do with an apartment over the garage. Councilwoman Tweedie recalled that the dwelling over the garage was limited to family members for a brief amount of time during the summer. Mayor Vallone requested that Mr. Banisch review the resolution of approval to ensure that all conditions of approval have been met.

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

RESOLUTIONS

- **Resolution No. 2022-18** – A&D Kitchen Interiors, LLC, Block 15, Lot 1.01 Suite No. 13A (Office #4)
Those eligible: Mayor Vallone, Councilwoman Tweedie, Vice Chairman Rinzler, Mr. Lewis, Mr. Koury, Mr. Lawlor and Chairman Rochat

With a minor edit as noted by Mr. Linnus, Councilwoman Tweedie 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: Mayor Vallone, Vice Chairman Rinzler, Councilwoman Tweedie, Mr. Lewis, Mr. Lawlor, Mr. Koury and Chairman Rochat

Those Opposed: None

- **Resolution No. 2022-19** – Lakehaus, LLC Block 4, Lot 5, 100 Lake Road
(See resolution for eligibility)

Mr. Lawlor made a motion to approve the portion of the resolution involving the treehouse. Ms. Layton seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Ms. Humbert, Mr. Lawlor, Mr. Koury, Ms. Layton and Chairman Rochat

Those Opposed: None

Ms. Layton made a motion to approve the portion of the resolution involving the bulk variances for various accessory structures. Mr. Koury seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

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

Those Opposed: None

APPLICATION/PUBLIC HEARING TO BE CARRIED TO June 6, 2022

- Appl. No. PB2021-18
Mahoney
Block 5, Lot 6.03
5 Fox Hunt Court
Use Variance

Ms. Goodchild announced that the above referenced application would be carried to June 6, 2022, 7 p.m. as a virtual meeting without further notice. If the meeting is held in-person, the applicant will be required to re-notice.

COMPLETENESS DETERMINATION

- Appl. No. PB2022-05
Cilento 30 Peapack, LLC
Block 9, Lot 2
30 Peapack Road
Bulk Variances

Julia Hahn, Attorney on behalf of the applicant was present and clarified for the record that the applicants name is Cilento 30 Peapack, LLC not the individuals; she agreed to revise all paperwork for consistency.

Steve Bolio, Borough Engineer reviewed for the Board a letter from his office dated April 5, 2022. Mr. Banisch, addressing Mr. Bolio's comment regarding the need for site plan approval, noted that the property consists of two (2) single family residences and confirmed that site plan approval is required for all development which does not meet the definition of site plan exempt (Section 201.c). Mr. Banisch opined that the application was not subject to the exemption and a site plan application is required; Mr. Linnus agreed with Mr. Banisch's interpretation. Mr. Banisch suggested that the applicant provide some documentary evidence that the two (2) existing single family dwellings have received approval to be occupied as two (2) separate dwellings. If evidence cannot be provided, the application should be amended for a use variance.

Mr. Bolio noted that the application should be amended to request major site plan approval and the checklist for major site plan application should be provided. He noted that the floodplain is also a major concern and that the applicant provide topography mapping. At this time, Mr. Bolio recommended that the Board deem the application incomplete.

Nazario Paragano, Applicant was present and noted that one of the structures is an existing multi-family use and the other structure is a single-family home. When asked the total number of units on the lot, Mr. Paragano responded three (3). Chairman Rochat suggested that floor plans be submitted

for both structures. When asked if any development is proposed within the multi-family dwelling, Mr. Paragano responded interior renovations.

Mr. Lewis made a motion to deem the application incomplete. Councilwoman Tweedie seconded the motion. 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, Ms. Layton, Ms. Humbert and Chairman Rochat

Those Opposed: None

EXTENSION REQUEST

- Appl. No. 2020-13
20 Lake Road, LLC
Block 4, Lot 9
20 Lake Road

See letter dated April 22, 2022 and Res. No.'s 2020-11 & 2021-13

Michael Brown, Attorney on behalf of the Applicant was present with a request for a one (1) year extension of the most recent approval. Mr. Brown noted that David Brady's letter dated April 22, 2022 outlined various reasons for the delay including the NJDEP approval that was recently received. He noted that the applicant's engineer, Paul Fox, assured him that a compliance package would be submitted to the Board professionals within 30 days and work completed within the year. The delays have been related to the NJDEP approvals as well as time that went into researching ways to lower the height of the septic system disposal area. When asked by Mr. Bolio if the height of the system will be lowered, Mr. Brown responded in the positive. Mr. Bolio had no objection to the extension being granted which will allow time for the Board's professionals and the applicant's professionals to correspond back and forth for resolution compliance.

Councilwoman Tweedie opined that the lot had been an abandoned construction site for a year and was comfortable with a three (3) month extension with potential for an additional extension. Mr. Brown clarified that part of the property could not be worked on until the NJDEP permits were secured. Mayor Vallone agreed with Councilwoman Tweedie and noted that initially the applicant was not forthright with the Board. As a compromise, Mr. Brown asked the Board for a six (6) month extension.

Gerald Chiusolo, 674 Edgewood Place, North Brunswick, NJ, Applicant was present and sworn in by Mr. Linnus. Mr. Chiusolo noted that the Borough requested that there be no work done on the property until the approvals were secured; the only work permitted was to secure the building for winter weather. When asked if he would seek and secure all necessary permits if an extension of approval is granted, Mr. Chiusolo responded in the positive. When asked by Vice Chairman Rinzler the amount of time to complete the work, Mr. Chiusolo opined six (6) months contingent on material delays due to the pandemic. Mr. Lewis was in favor of a six (6) month extension with an immediate release of the stop work order from the Borough so that work could commence. Mr. Banisch noted that permits cannot be obtained until resolution compliance is secured from the Board professionals.

Councilwoman Tweedie made a motion to grant a six (6) month extension to September 1, 2022. Vice Chairman Rinzler seconded the motion. 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, Ms. Layton, Mr. Koury, Ms. Humbert and Chairman Rochat

Those Opposed: None

Mr. Bolio left the meeting at this time (7:56 p.m.).

APPLICATIONS/PUBLIC HEARING

- Appl. No. PB2022-06
Ashley Ella Studio Fine Art Restoration
Block 15, Lot 1.01
49 Route 202, Suite 13A (Office #6)
Change of Use/Occupancy/Site Plan Waiver

Anthony Melillo was present and was sworn in by Mr. Linnus. Mr. Melillo explained that the applicant is a subscriber for a one (1) year lease, the occupant is an historian, archivist and art restoration specialist and will be using the space for an office. 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. Melillo provided an updated occupancy log that is maintained in connection with approval. When asked by Mr. Banisch if her art restoration activities are conducted off site, Mr. Melillo responded 'predominantly' noting that she may store a painting or two (2) on site. When asked by Vice Chairman Rinzler if customers will drop off paintings at the office, Mr. Melillo responded in the negative. When asked to confirm that there would be no use of chemicals, Mr. Melillo responded in the positive.

Vice Chairman Rinzler made a motion to approve the application. 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. PB2022-07
Anne Culin
Block 15, Lot 1.01
49 Route 202, Suite 13A (Office#7)
Change of Use/Occupancy/Site Plan Waiver

Anthony Melillo was present and still under oath. Mr. Melillo explained that the applicant is a subscriber for a one (1) year lease for an office use related to property management services for local farmsteads. 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. When asked the number of employees, Mr. Melillo responded one (1).

Vice Chairman Rinzler made a motion to approve the application. 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 Roachat

Those Opposed: None

Mayor Vallone noted that future Borough meetings will continue as virtual meetings through the summer with in-person meetings likely to resume in September (abiding by the DCA regulations in place regarding meetings).

CORRESPONDENCE

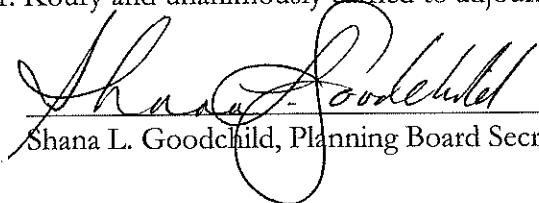
1. A letter dated April 21, 2022 from County of Somerset Planning Board re: Residences at Overleigh, Block 5, Lot 4.
2. A letter dated April 19, 2022 from PK Environmental re: NJDEP LOI Footprint of Disturbance (FOD), Block 6, Lot 33 (20 Spring Hollow Road).
3. A letter dated April 5, 2022 from Ferriero Engineering re: Cilento 30 Peapack Road, LLC, Block 9, Lot 12.
4. A letter dated April 22, 2022 from David Brady, Esq. re: 20 Lake Road, LLC Block 4, Lot 9.
5. A letter dated April 19, 2022 from Robert Garofalo, Esq. re: Chateau De Fleur, LC, Block 4, Lot 7.
6. A letter dated April 27, 2022 from Robert Garofalo, Esq. re: Mahoney, Block 5, Lot 6.03.

ZONING UPDATE

- Zoning memo dated April 26, 2022 – Kimberly Coward

ADJOURNMENT

Motion by Councilwoman Tweedie, seconded by Mr. Koury and unanimously carried to adjourn the meeting at 8:07 p.m.


Shana L. Goodchild, Planning Board Secretary

APPROVED 6/6/22