

BOROUGH OF FAR HILLS
Planning Board Regular Meeting
MINUTES
June 6, 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, Councilwoman Sheila Tweedie, Robert Lewis, John Lawlor, Marilyn Layton and Suzanne Humbert, Alt. #1

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

Absent: Mayor Paul Vallone, Vice Chairman Richard Rinzler and Jack Koury

There were approximately 17 audience members present.

COMPLETENESS DETERMINATION

- Appl. No. PB2022-05
Cilento 30 Peapack, LLC
Block 9, Lot 2
30 Peapack Road
Use/Bulk Variances and Prel./Final Major Site Plan

Councilwoman Tweedie was recused from the application due to the use variance.

Jason Tuvel, Attorney on behalf of the applicant was present and thanked the Board for the courtesy of being heard first on the agenda due to a conflict he had with another hearing. Mr. Tuvel noted that the applicant was before the Board last month and was deemed incomplete. Since that meeting additional documentation was submitted to address the procedural issue regarding a use variance for the application. The application has been amended to include a d variance in addition to the Preliminary and Final Site Plan approval and c variance; the d variance addresses having two (2) principal buildings on one (1) lot. He added that the 400 sq. ft. discrepancy in lot area will be addressed prior to the next hearing. In conclusion, Mr. Tuvel requested that the Board deem the application complete and carry the application, without further notice, to the July 5, 2022 meeting. It was noted by the Board Attorney and Board Secretary that the notice was not provided for review so new notice would need to be provided to which Mr. Tuvel agreed.

Mr. Bolio reviewed for the Board his letter dated June 3, 2022 and recommended the Board deem the application complete based on the completeness waivers as outlined.

There being no questions from the Board, Mr. Lewis made a motion to grant the completeness waivers and deem the application complete. Ms. Layton seconded the motion.

The motion carried by the following roll call vote:

Roll Call Vote:

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

Those Opposed: None

BILL LIST

- June 6, 2022

Ms. Layton 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: Councilwoman Sheila Tweedie, Robert Lewis, John Lawlor, Marilyn Layton, Suzanne Humbert, Alt. #1 and Chairman Tom Rochat

Those Opposed: None

MINUTES

- May 2, 2022 Regular Meeting

Councilwoman Tweedie made a motion to approve the minutes of the May 2, 2022 Regular Meeting for content and release. Marilyn Layton seconded the motion. All were in favor.

PUBLIC COMMENT

George Mellendick, Lake Road questioned why public comment was not taken before the above referenced completeness determination and why the Chairman didn't open public comment. Chairman Rochat noted that the completeness determination was handled first to accommodate the applicant's attorney and his conflict with another hearing. Dr. Mellendick suggested that moving forward someone on the Board open the meeting up to public comment. Ms. Goodchild pointed out that Chairman Rochat announced the public comment portion of the meeting which was why he was permitted to unmute himself. Dr. Mellendick then questioned two (2) items of the correspondence listed and when comment could be made. A brief discussion ensued regarding the ability to get a copy of the correspondence listed on the agenda to which Ms. Goodchild noted that copies of correspondence could be provided if the proper OPRA procedure was followed. When asked by Dr. Mellendick when a member of the public could comment on an item listed on the correspondence, Mr. Linnus suggested commenting on correspondence at an upcoming meeting.

Skip Schwester, Lake Road asked if the Planning Board members were familiar with the new NJDEP emergency regulations regarding water setbacks/water resources and how it will impact existing and

future development. Mr. Banisch explained that the new regulations were an adjustment in the new flood hazard area act regulations where the elevation of the floodplain is being redefined by NJDEP. He noted that it will be issued by emergency rule but no date has been set; it will impact where development will be built and stormwater management design. When asked by Mr. Schwester how it will impact the Pulte project, Mr. Banisch opined that, if it has any impact, it would be on the far easterly side of the lot near the bottom of the hill. Mr. Schwester opined that 38% of the buildings lie within that area. Mr. Bolio noted that Pulte submitted their flood hazard area applications and if an applicant has a complete application by June 10, 2022 the existing rules would apply and the emergency rules would not be applicable; he opined that the emergency rules would not have any impact on the Pulte application. Mr. Lewis agreed and noted that the NJDEP is the regulatory body that reviews and issues the permits, not the local Planning Board. Mr. Schwester noted that he will 'demand' an update on the application.

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

RESOLUTIONS

- **Resolution No. 2022-20** – 20 Lake Road, LLC, Block 4, Lot 9
Those eligible: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lawlor, Mr. Lewis, Ms. Layton, Mr. Koury, Ms. Humbert and Chairman Rochat

Michael Brown, Attorney on behalf of the applicant was present to answer any questions.

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: Councilwoman Tweedie, Mr. Lewis, Mr. Lawlor, Ms. Layton, Ms. Humbert and Chairman Rochat

Those Opposed: None

- **Resolution No. 2022-21** – Ashley Ella Studio Fine Art Restoration, Block 15, Lot 1.01 Suite No. 13A (Office #6)
Those eligible: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lawlor, Mr. Lewis, Mr. Koury and Chairman Rochat

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

Roll Call Vote:

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

Those Opposed: None

- **Resolution No. 2022-22** – Anne Culin, Block 15, Lot 1.01 Suite No. 13A (Office #7)

Those eligible: Vice Chairman Rinzier, Mayor Vallone, Councilwoman Tweedie, Mr. Lawlor, Mr. Lewis, Mr. Koury and Chairman Rochat

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

Roll Call Vote:

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

Those Opposed: None

APPLICATIONS/PUBLIC HEARINGS TO BE CARRIED TO July 5, 2022

Ms. Goodchild noted that the following two (2) public hearings would be carried to the next meeting, Tuesday, July 5, 2022 at 7 p.m. without further notice; said meeting to be held virtually via Zoom.

- Appl. No. PB2021-18
Mahoney
Block 5, Lot 6.03
5 Fox Hunt Court
Use Variance/Cert. of Pre-existing Non-conforming Use
Action Deadline – 7/5/22
- Appl. No. PB2021-20
Chateau De Fleur, LLC
Block 4, Lot 7
66 Lake Road
Use/Height and Bulk Variance
Action Deadline – 7/31/22

CORRESPONDENCE

1. A letter dated June 2, 2022 from Robert Garofalo, Esq. re: Chateau De Fleur, LLC, Block 4, Lot 7.
2. A letter dated June 3, 2022 from Robert Garofalo, Esq. re: Mahoney, Block 5, Lot 6.03.
3. A letter dated May 23, 2022 from Robert Garofalo, Esq. re: Chateau De Fleur, LLC, Block 4, Lot 7.
4. A letter dated June 1, 2022 from Ferriero Engineering re: Chateau De Fleur, LLC, Block 4, Lot 7.
5. A letter dated May 26, 2022 from Benjamin Wine re: Cilento 30 Peapack LLC, Block 9, Lot 2.
6. The NJ Planner, March/April 2022 Vol. 83, No. 2.
7. Notice from PSE&G dated May 18, 2022 re: Extension of Freshwater Wetlands General Permit #2 – Right of Way maintenance.
8. Public Notice dated April 12, 2022 re: Robustelli Project Dwelling Addition, 170 Lake Road, Block 3, Lot 10 – Flood Hazard Area Individual Permit, Flood Hazard Area Verification and Freshwater Wetlands General Permit #13, Lake Dredging.
9. Public Notice dated April 12, 2022 re: Robustelli Project Dwelling Addition, 170 Lake Road, Block 3, Lot 10 – Freshwater Wetlands General Permit #10A Minor Road Crossing.

10. A letter dated June 3, 2022 from Ferriero Engineering re: Cilento 30 Peapack, LLC, Block 9, Lot 2.

ZONING UPDATE

- Zoning memo dated May 31, 2022 – Kimberly Coward

ADJOURNMENT

Motion by Councilwoman Tweedie, seconded by Ms. Layton and unanimously carried to adjourn the meeting at 7:39 p.m.


Shana L. Goodchild, Planning Board Secretary

APPROVED 7/5/22