

**BOROUGH OF FAR HILLS**  
Planning Board Regular Meeting  
**MINUTES**  
May 1, 2023

**CALL TO ORDER**

Chairman Rochat called the meeting to order at 7:04 p.m. at the Far Hills Municipal Building 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 Robert Lewis, Mayor Kevin Welsh, Marilyn Layton, John Lawlor, Jack Koury, Suzanne Humbert, Andrea Harvey, Alt. #1 and Thomas Swon, Alt. #2

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

Absent: Councilwoman Sheila Tweedie

There were approximately two (2) audience members present.

**BILL LIST**

- May 1, 2022

Ms. Goodchild noted that the Board will be provided with a list of escrows to be closed in the coming months.

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

**Roll Call Vote**

Those in Favor: Vice Chairman Robert Lewis, Mayor Kevin Welsh, John Lawlor, Marilyn Layton, Mr. Koury, Ms. Humbert, Ms. Harvey, Mr. Swon and Chairman Tom Rochat

Those Opposed: None

**MINUTES**

- April 3, 2023 Regular Meeting

Mayor Welsh made a motion to approve the minutes of the April 3, 2023 Regular meeting for content and release. Mr. Koury seconded the motion. All were in favor.

**PUBLIC COMMENT**

There was no public comment.

## RESOLUTION

- **Resolution No. 2023-14** – Laura Clare, LLC, Block 15, Lot 1.01

*Those eligible: Vice Chairman Lewis, Councilwoman Tweedie, Mr. Koury, Ms. Harvey, Mr. Swon and Chairman Rochat*

After a brief explanation of the resolution by Mr. Linnus, Vice Chairman Lewis made a motion to approve the resolution as written. Mr. Koury seconded the motion. The motion carried by the following roll call vote:

### Roll Call Vote:

Those in Favor: Vice Chairman Lewis, Mr. Koury, Ms. Harvey, Mr. Swon and Chairman Rochat

Those Opposed: None

## APPLICATIONS

- Appl. No. PB2023-02  
Chadwick Brokerage, LLC  
Block 15, Lot 5  
45 Route 202, Suite #100  
Change of Use/Occupancy/Site Plan Waiver

Mayor Welsh recused himself from the application.

Anthony Melillo was present and sworn in by Mr. Linnus. Mr. Melillo explained that the occupant, Chadwick Brokerage, LLC, is a brokerage firm proposing to occupy the space as a permitted office use. Hours of operation will be from 9 a.m. to 6 p.m., Monday through Friday with no visitors or patrons. There will be a total of two (2) people on site including the owner; two (2) parking spots are required and provided. No site modifications are proposed and the existing signage will be re-decaled on the monument sign and within the common areas. Mr. Melillo noted that the application was approved approximately one (1) year ago but the applicant was unable to transition over at the time.

Mr. Banisch noted that the use is permitted and meets the parking requirements.

There being no additional questions from the Board or professionals, Vice Chairman Lewis made a motion to approve the application. The motion was seconded by Ms. Layton. The motion carried by the following roll call vote:

### Roll Call Vote:

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

Those Opposed: None

- Appl. No. PB2023-04

Smile for Smile, LLC  
Block 15, Lot 1.01  
49 Route 202, Suite #13A (Office #3)  
Change of Use/Occupancy/Site Plan Waiver

Mayor Welsh, Ms. Layton and Ms. Humbert recused themselves from the application.

Anthony Melillo was present and sworn in by Mr. Linnus. Mr. Melillo explained that the occupant, Smile for Smile, LLC, was approved previously by the Board on two (2) separate occasions; they have grown and require additional space. It is a single employee and one (1) parking space is needed and provided. Mr. Melillo noted that the owners occupy Offices #1 and #2 and Office #3 will be occupied by their employee. Hours of operation will be from 6 a.m. to 6 p.m., Monday through Saturday; no visitors, site modifications or monument signage are proposed. In conclusion, Mr. Melillo noted that it will be a one (1) year lease.

When asked by Vice Chairman Lewis if the offices are filled, Mr. Melillo responded in the positive. When asked by Mr. Banisch to confirm that each of the three (3) spaces is occupied by one (1) person, Mr. Melillo responded in the positive.

There being no additional questions from the Board or professionals, Vice Chairman Lewis made a motion to approve the application. The motion was seconded by Mr. Koury. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Lewis, Mr. Lawlor, Mr. Koury, Ms. Harvey, Mr. Swon and  
Chairman Rochat

Those Opposed: None

Mayor Welsh, Ms. Layton and Ms. Humbert returned to the meeting at this time.

**EXECUTIVE SESSION**

- Resolution No. 2023-15 - Attorney-Client Privilege – Litigation Peace and Quiet Farm, LLC/Sobel vs Renard, Far Hills Planning Board and the Borough of Far Hills

Chairman Rochat made a motion to approve the above referenced resolution to enter into executive session for matters related to litigation. Mayor Welsh seconded the motion. The motion was carried unanimously.

**RETURN TO OPEN SESSION**

Mr. Lawlor made a motion to hire Francis Linnus and his firm to represent the Planning Board in the defense of the above referenced litigation not to exceed \$15,000.00. Mr. Koury seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote

Those in Favor: Vice Chairman Robert Lewis, Mayor Kevin Welsh, John Lawlor, Marilyn Layton, Mr. Koury, Ms. Humbert, Ms. Harvey, Mr. Swon and Chairman Tom Rochat

Those Opposed: None

### **CORRESPONDENCE**

1. A letter dated April 11, 2023 from County of Somerset Planning Board re: Cilento 30 Peapack, LLC, Block 9, Lot 2.

### **ZONING UPDATE**

- Zoning memo dated April 25, 2023 – Kimberly Coward

### **ADJOURNMENT**

Motion by Mayor Welsh, seconded by Ms. Layton and unanimously carried to adjourn the meeting at 8:00 p.m. All were in favor.

  
Shana L. Goodchild, Planning Board Secretary

**APPROVED 6/5/23**