

May 24,2017

**Planning Board  
Meeting Minutes**

**May 24 ,2017**

The Planning Board of the Township of Denville held a special meeting on May 24,2017. The meeting was held in the Municipal Building,1 St Mary's Place and commenced at 7:30pm. Vice Chairperson Filauro presided.

**Secretary Unrath read NOTICE OF PUBLIC MEETING**

**ROLL CALL:**

**Present:** John Ciardi, Sue Filauro, Louis Maffei, Chairperson Glenn Buie, Mayor Thomas Andes, Doug Gabel, Mark Venis

**Absent-** Glenn Buie, Kurt Schmitt, Marilyn Kuntz

**Prf. Present:** Scott Eveland Esq., Jason Kasler, AICP, PP, John Ruschke, PE

**MINUTES**

None

**PURCHASING**

A motion to pay vouchers submitted by The **Buzak Law Group** was made by Mbr. Maffei, seconded by Mbr Ciardi and unanimously approved by all members able to vote.

A Motion to pay vouchers submitted by **Mott MacDonald** was made by Mbr Maffei, seconded by Mbr Ciardi and unanimously approved by all members able to vote

A Motion to pay vouchers submitted by **Kasler Associates** was made by Mbr Maffei, seconded by Mbr Ciardi and unanimously approved by all members able to vote

**RESOLUTIONS**

NONE

**PUBLIC HEARINGS**

**PSP/FSP/SM/TR 17-01**

**7 Eleven** (Carried from April 12, 2017)

**45 West Main St**

**Block 50308, Lot 1**

**Jason Tuvel (141 Ayers Court)-** Representing the applicant. Went over a brief overview of the changes that were made on the application from the previous hearing. There were sidewalks added around the building, along with 2 crosswalks. There were also improvements to the landscaping and architecture of the building. The variances still being requested are for FYS and the number of signs.

**Jeff Martell (92 Park Ave)-** Previously sworn in as a professional engineer- Shows Exhibit A-5 of the site plan. The proposed application is for a 2,425sqft convenient store with 15 parking spaces. There is a reduction of 31% of impervious coverage. The building will have a 360 degree of all the same architecture. Exhibit A-6 shows the changes on the site plan. There is now a crosswalk that extends around the whole building. There was a meeting held with the applicants, lawyer, board professional and the chief of police to decide the best location of the crosswalks. It was proposed to have a crosswalk east of the property located by West Main St and West on Rte. 46. The applicant also discussed options with NJ DOT, but felt the recommendations from the chief of police was the best design for this property. There will be a slight timing change to traffic lights to accommodate any additional traffic flow. It was also stated there will be no left turn coming out of the property going onto West Main St. Exhibit A-7 & Exhibit A-8 shows the building views from the intersection and parking lot view. Mr. Martell goes into detail what the proposed building would look like. There will be no sign on the building from West Main St and the free-standing sign will be on the Rt. 46 side.

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**John Ruschke, PE-** Briefly discussed the sewer elevations and to clarify employee parking stalls.

**Jason Kasler, PP-** Clarified that there are actually 6 signs proposed.

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**Ray Rokicki (106 East Glen Rd)-** Clarified that any amending to this application in the future will need to come back to the board for approval. Also stated that he hopes the board will follow the same codes for this property as they would for any other residential property.

**Ari (Last name unknown)-** Expressed concern for children's safety and the lively hood for downtown business owners. Stated that he is opposed to this application.

**Carolyn Healey (26 Tomahawk Trail)-** Expressed concern for the safety of pedestrians using the crosswalks.

**Dean Capello (7 Edgewater Rd)-** Expressed concern for the high amount of traffic that already exists downtown. Also feels this will take away from our downtown businesses and does not think it should be open 24/7.

**Michael Koppelman-** Discusses the Master Plan and to take a closer look at what is zoned in current areas.

**Kristen Fitzsimmons (10 Hinchman Ave)-** Expressed concern for the safety of pedestrians walking around downtown. Does inquire if the crosswalks would have a light to signal "ok to walk". The engineer stated that it will not have any light up signage. Ms. Fitzsimmons does state she is in opposition of this application.

**Robert Fitzsimmons (10 Hinchman Ave)-** Clarified with the engineer that there will be no signage at the crosswalks

**Dave Ellinwood (54 east Glen Rd)-** Questioned if there have been any other applications that have been submitted for this property.

**Tom Dean (16 Richter Ave)-** Stated that there was an automobile shop there from 1980's to 6yrs ago. The property was forced to shut down when they did not do their due diligence for flooding.

**Gene Fitzpatrick (23 Snyder Ave)-** Stated he does appreciate the board and the professional's recommendations thus far. Also expressed concern for additional traffic, lighting by the crosswalk and tree removal.

**Shannon Roberts (23 Hinchman Ave)-** Expressed concern for any new traffic that will be coming down from Hinchman Ave.

**Carolyn Healey (26 Tomahawk Trail)-** Stated that people know how to maneuver their way around the back roads to avoid Rte. 46 traffic.

**Lisa Beck (7 Gardner Rd)-** Expressed concern for the safety of walking across Rte. 46. States that there should be a light by the crosswalk on West Main St. Mr. Kasler stated that this property is only going for a variance that they are zoned for, any offsite improvements are technically not their responsibility.

**Abby Rokicki (106 East Glen Rd)-** Questioned the applicant of why 7 Eleven wants to come to Denville. Mr. Tuvel states that this property is zoned for a permitted use.

Break from 8:40- 8:49

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Mbr. Venis- Questioned the elevations of the retaining wall. Mr. Martell stated that all the retaining walls and trash exposures will be the same materials as the buildings elevations. Mbr. Ciardi discussed the dilapidated fence that is now located on their property, but should be fixed. Mbr. Gabel discussed how crosswalks signage will need to be enforced. Also, questioned Mr. Martell if there will be any spillage from the LED lights on the neighboring property. Mr. Martell does relay that there will be no spillage of lighting on any property. Mr. Gabel stated that the board can't prohibit a certain business to run out of a certain location if it is zoned for that particular area. Mayor Andes stated that this this a Land Use Board and there are certain criteria's the board needs to follow to be able to accept or deny an application. That safety and traffic is a concern for the board, but the applicants have done everything the board has requested thus far. Mbr. Filauro inquired about any contamination that might be on site. Mr. Tuvel stated that remediation must be done prior to any final approvals. Mbr. Filauro also discussed all snow removal, garbage pick- up and accurate lighting.

Scott Eveland, Esq- Goes over the conditions that need to be met before the applications final approval.  
NJDEP flood hazard permit  
John Ruschkes final engineering report  
NJDOT access permit  
There will be no outside sales  
Any offside improvements  
All taxes need to be current  
Garage pickup will not be allowed from 11pm-8am.

A motion to approve to application as is with the conditions, was made by Mbr. Gabel, seconded by Mbr. Maffei and approved by members of the board

AYES- Gabel, Maffei, Ciardi, Filauro, Venis, Andes

#### **Old Business**

#### **NEW BUSINESS**

Meeting adjourned at 9:25

Board Secretary, Melissa Unrath

**Minutes Approved:** June 14, 2017