

**MINUTES OF THE
MENDHAM BOROUGH PLANNING BOARD
October 9, 2012
Garabrant Center, 4 Wilson Street, Mendham, NJ**

CALL TO ORDER

The regular meeting of the Mendham Borough Planning Board was called to order by Chair Kraft at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

CHAIR'S OPENING STATEMENT

Notice of this meeting was published in the Observer Tribune and the Daily Record on January 12, 2012 and was posted on the bulletin board in the Phoenix House in accordance with the Open Public Meetings Act, and furnished to all those who have requested individual notice and have paid the required fee.

ATTENDANCE:

Mr. Bradley – Present
Mr. Cascais – Present
Mr. Gertler – Absent
Mayor Henry – Present
Mrs. Kopcsik - Absent
Mr. Kraft - Present

Mrs. Lichtenberger - Present
Ms. Sandman, Administrator – Present
Councilman Sharkey - Present

Alternates:

Mr. Cavanaugh, Alternate I – Absent
Ms. Isaacson, Alternate II - Absent

Also Present:

Mr. Henry, Attorney
Mr. McGroarty, Planner
Ms. Callahan, Secretary

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MINUTES

Ms. Callahan reported that one editorial comment had been provided to her. Councilman Sharkey made a motion to approve the minutes. Mr. Cascais seconded. All members being in favor, the minutes of the September 10, 2012 regular meeting were approved.

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PUBLIC COMMENT

Chair opened the meeting to questions and comments on items not included in the agenda. There being none, the public comment session was closed.

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MASTER PLAN CONSISTENCY REVIEW

**ORDINANCE #8-12: AN ORDINANCE OF THE BOROUGH OF MENDHAM
AMENDING CHAPTER 215, ZONING, ARTICLE III, GENERAL REGULATIONS
§215-8, BILLBOARDS AND ADVERTISING SIGNS, OF THE CODE OF THE
BOROUGH OF MENDHAM**

Mr. Henry, Esq. advised the Board that their responsibility was to determine whether the ordinance is consistent with the Master Plan. Should they like to make any other comments for the Council, they could do so.

The Board had been presented a copy of the ordinance introduced by the Council and adjusted for editorial changes. It also contained one content change for discussion dealing with the potential for time/temperature internally lit signs and gas station LED pricing sign. After some discussion, Board requested that in the future, to avoid any confusion, they receive the exact version introduced.

During the discussion, the Board determined that they did not want to have any reference to lighted time/temperature signs in the ordinance. They could be used in many stores, provide an avenue for advertising, and would not be appropriate. They also felt that if gas stations wanted LED pricing signs, they could come before the Board.

Board was also clear that any portable signage should not in any way cause obstruction to vehicular or pedestrian traffic, and the reference should be clear in two areas in the General Regulations. They also discussed that if any signs were to be removed, the cost should go back to the property owners.

In discussion on banners, Mr. Henry, Esq. advised the Board that anything not permitted in the ordinance is prohibited. Since the Council will have a policy, he recommended adding banners as permitted in accordance with that policy.

There was also a short discussion on how the neon signs at the shopping center should be handled, and whether they would be grandfathered under the new ordinance. Mr. Henry, Esq. advised that if they were permitted, they are pre-existing non-conforming and should remain. If they were not permitted they should have been taken down.

After discussion and review of the items that they would recommend to the Council, Councilman Sharkey made a motion to authorize that the Secretary send a letter to the Council stating that the proposed sign amendment is consistent with the Master Plan, and with the following suggestions, subject to the Mayor’s consultation with the Borough Attorney on how they should be forwarded:

- On page 2, the reference to time and temperature signs as an exception (the last sentence) should be deleted from the definition of “Electronic Message Board Sign.” The item should end with the word “technology”.
- On page 3, under “Roof Sign”, the definition should end with the word “structure” and the phrase “and extending vertically above the highest point of the roof” should be deleted.
- On page 5, Section D3c, “above grade” should be added to the maximum height.
- On page 6, in Section D(IV)b3 (“3” adjusted for formatting), “following or after” should be inserted after “ two days”.
- On page 8, in Section E6d, the reference to (exception of) time/temperature and gasoline price information should be deleted. The item should end with the word “permitted”.
- On page 8, in section 10, “nor in a manner to cause any pedestrian or vehicular traffic obstruction” should be added.
- On page 8, the wording used at the end of 14 “with the cost for such removal to be attached as a lien against the property” should be added to the end of 13.
- On page 9, Under General Regulations a subsection 20 should be added to state “Banners will be permitted in accordance with Borough policy”.
- On page 9, Section Gd, the reference to (exclusion of) time, temperature and gasoline price information should be removed. The item should end with the word “signs”.

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OTHER BUSINESS

The Board had been provided with a letter dated September 28, 2012 from the Morris County Agriculture Development Board identifying the Borough of Targeted Farms for preservation. After discussion, the Board did not have any comments they wanted to provide to Morris County.

TRC UPDATES (For information only)

Ms. Callahan advised that there were no new applications before the Board at this time. The TRC meeting of Monday, October 15 is cancelled.

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ADJOURNMENT

There being no additional business to come before the Board, on motion made, seconded and carried, Chair Kraft adjourned the meeting at 9:05 p.m. The next regularly scheduled meeting of the Board will be held on Tuesday, November 13, 2012 at 8:00 p.m. at the Garabrant Center, 4 Wilson St.

Respectfully submitted,

Diana Callahan
Recording Secretary

