

**MINUTES OF THE
MENDHAM BOROUGH PLANNING BOARD
May 10, 2010
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 8:05 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 14, 2010 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. Notice of the time change was published in the Observer Tribune and Daily Record on February 18, 2010 and posted on the bulletin board in the Phoenix House.

OATHS OF OFFICE

Mr. Henry, Esq. reported that Oaths of Office had been administered to Mrs. Kopcsik and Mr. Cascais to change the Environmental Commission representative

ATTENDANCE:

Mayor Henry – Absent
Mr. Bradley – Present
Councilman Carr – Absent
Mr. Cascais – Present
Mr. Gertler – Present

Mr. Kraft - Present
Mrs. Kopcsik - Present
Mrs. Lichtenberger - Present
Ms. Sandman – Present

Alternates:

Ms. Gemberling, Alternate I - Present
Mr. Cavanaugh, Alternate II – Present

Also Present:

Mr. Henry, Attorney
Mr. Bolio, Engineer
Ms. Callahan, Secretary

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MINUTES

On motion made by Mr. Bradley, seconded by Mr. Cascais and carried, the minutes of the regular meeting of February 8, 2010 were approved as written. The regular March and April meetings had been cancelled.

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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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APPLICATIONS

#897 – Grant Homes, LLC – Site Plan Waiver
Block 1501, Lot 1, 1 East Main St.

Present: Jay Grant, Applicant
Susan Grant, Esq., Attorney for the Applicant

Mr. Grant explained to the Board that he is moving the Grant Homes office to 1 East Main St. He is creating a collaborative effort with other companies to share space. The business is for custom

remodeling. There will be two to three people working at a time. There will also be seminars and guest lectures.

Further clarifying for the Board the nature of the collaboration, Mr. Grant explained that he will partner with several companies. They will have a presence in the building helping to create a resource information center. He will have a formal office, and they will have demonstration items and appear at seminars. He is not leasing space to the participants. They are creating a consortium for networking. They will have visibility with the remodeling concept, and they have other related businesses such as light technology, energy efficiency and millwork. The other entities may have signage.

Mr. Henry, Esq. advised that the Board needed to understand the limits of the business. Sharing space is different than leasing space to each of the individuals. Mr. Kraft stated that the only signage is that which has been approved by the Historic Preservation Commission.

In discussion on the signage, Mr. Grant stated that he did not know what the exact wording would be, but that he would not exceed the ordinance requirement of 5%. He had agreed with the HPC on that approach. The Board expressed concern that they would need to know the signage for all the windows. The HPC had only provided the Hilltop side window in their report. By the same token, the HPC had provided a limitation on the height of the lettering at 5 ¼ inches.

Responding to Board questions on the use of the space, Mr. Grant stated that he would be using two rooms, one as a meeting/seminar room and the other as a showroom/display room. The hours of usage would be 8 to 10 p.m., six (6) days per week. There would not be more than four (4) employees. Mr. Henry, Esq. noted that the fire official has capped the number of people at any one given time to 16. This needs to be noted should seminars be given. In terms of window display, Mr. Grant explained that he would be using completed Grant Home photographs hung behind the window or resting on an easel. Only one sign will be lit, that being the one on Hilltop Road. Rope lighting inside the eave will be used.

Mr. Henry, Esq. summarized the application as a waiver of site plan with a change from a door to a window on Hilltop Road. At first he stated that the applicant would obtain final clarification from the Historic Preservation Commission, but after concern expressed by Mr. Grant, the Board requested to finalize the approval of the signage.

The Board agreed that they had the final authority to approve signage, and the HPC had provided a recommendation. They would not want to see lettering in the center sections of the windows and the lettering would not exceed 5 ¼ inches. In addition, the signage would not be related to the other companies and businesses that would be part of the display, but it could describe such things as replacement windows, millwork, etc. The signage would be the same as shown on page 3 of 4 submitted by the HPC. Members of the Board wanted a condition placed that the signage in a given window would not exceed a single line of lettering on the transom and the window. They wanted the front and side to look the same.

Mr. Henry, Esq. summarized stating that what was approved for Hilltop Road can be duplicated on Main Street with the 5 ¼ size lettering, and the signage cannot exceed 5%. The positioning of the lettering would be the same as approved by the HPC and shown on the elevation. The signage would include services, not businesses. A signage plan would be included with the resolution.

Mr. Gertler made a motion to approve the application with the conditions as stated. Mrs. Lichtenberger seconded.

ROLL CALL: The result of the roll call was 9 to 0 as follows:

In Favor: Bradley, Cascais, Gertler, Kopcsik, Lichtenberger, Sandman, Germberling, Cavanaugh, Kraft

Opposed: None

Abstentions: None

The motion carried. The application was approved. Mr. Henry, Esq. will prepare a resolution memorializing the action for the June 14 regular meeting of the Board.

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DISCUSSION

Historic District Expansion Phase II Update: Ms. Callahan reported that the subcommittee was holding a public informational session on June 15 for the residents affected by the proposed Historic District Expansion. A letter from the Mayor along with a question and answer sheet has been developed and is undergoing final reviews. A list of homeowners has been developed. Mike Zedalis, HPC Chair and Dennis Bertland, Consultant will be providing presentations. The letter is targeted for the last week in May.

Responding to the Chair on next steps in support of the project, Mr. Henry, Esq. advised that after the meeting, if the expansion goes forward, the Planning Board would need to prepare and adopt an amendment to the Historic Preservation Element of the Master Plan. Mr. Humbert would be preparing the amendment. A public hearing on the Amendment would need to be held by the Planning Board. This could be done in parallel to the Board review of the Ordinance from the Council. Chair Kraft and Ms. Callahan will work a schedule.

Module V & VI Discussion: Chair Kraft advised that the Highlands Project has been on hold given everything that is happening in Trenton. He and the Mayor continue to be in support of keeping it on hold. As we have some financial considerations, the item has been placed on the agenda for discussion again. We cannot get reimbursement for the modules until they are submitted.

Ms. Sandman advised that we have \$32,000 outstanding and the majority is in Modules I, II, and IV. They are all complete and we will be receiving reimbursement. There is money owed on Modules V & VI, but rather than spend more money we should hold. Mr. Henry, Esq. advised that since the COAH plan has been submitted, there are no timeframe deadlines for the Borough. Chair noted that having a consultant come in to explain the modules further would cost additional money. Ms. Callahan added that based on her conversation with Mr. Banish, the modules as they exist do not contain any Borough policy or review and the Board would need to understand the issues and make any adjustments.

After discussion, Board agreed that no further action should be taken at this time.

COAH: Ms. Sandman reported to the Board that she, Mr. Humbert and Ms. Callahan had met with a representative from COAH. COAH is currently operating under their existing regulations and procedures as they are the only ones that exist. The representative advised them that the durational adjustment would not be accepted. Worksheet C would be the next avenue.

Mr. Henry, Esq. advised that all the rules are being challenged, but currently the current rules exist. Ms. Callahan explained that the representative must yet write a report that needs to be approved. From receipt of the report, the Borough has 90 days in which to respond. Given the backlog of work at COAH, we do not know when we will be receiving the report.

Ms. Sandman continued that COAH does not want to consider package plants or lack of capacity. She did speak of renovation and had been out to see MASH and the De Neufville property.

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TRC UPDATES (For information only)

Mrs. Kopcsik summarized the TRC reviews.

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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 9:20 p.m. The next regularly scheduled meeting of the Planning Board will be held on **Monday, June 14, 2010 at 8:00 p.m.** at the Garabrant Center, 4 Wilson St., Mendham.

Respectfully submitted,

Diana Callahan
Recording Secretary

